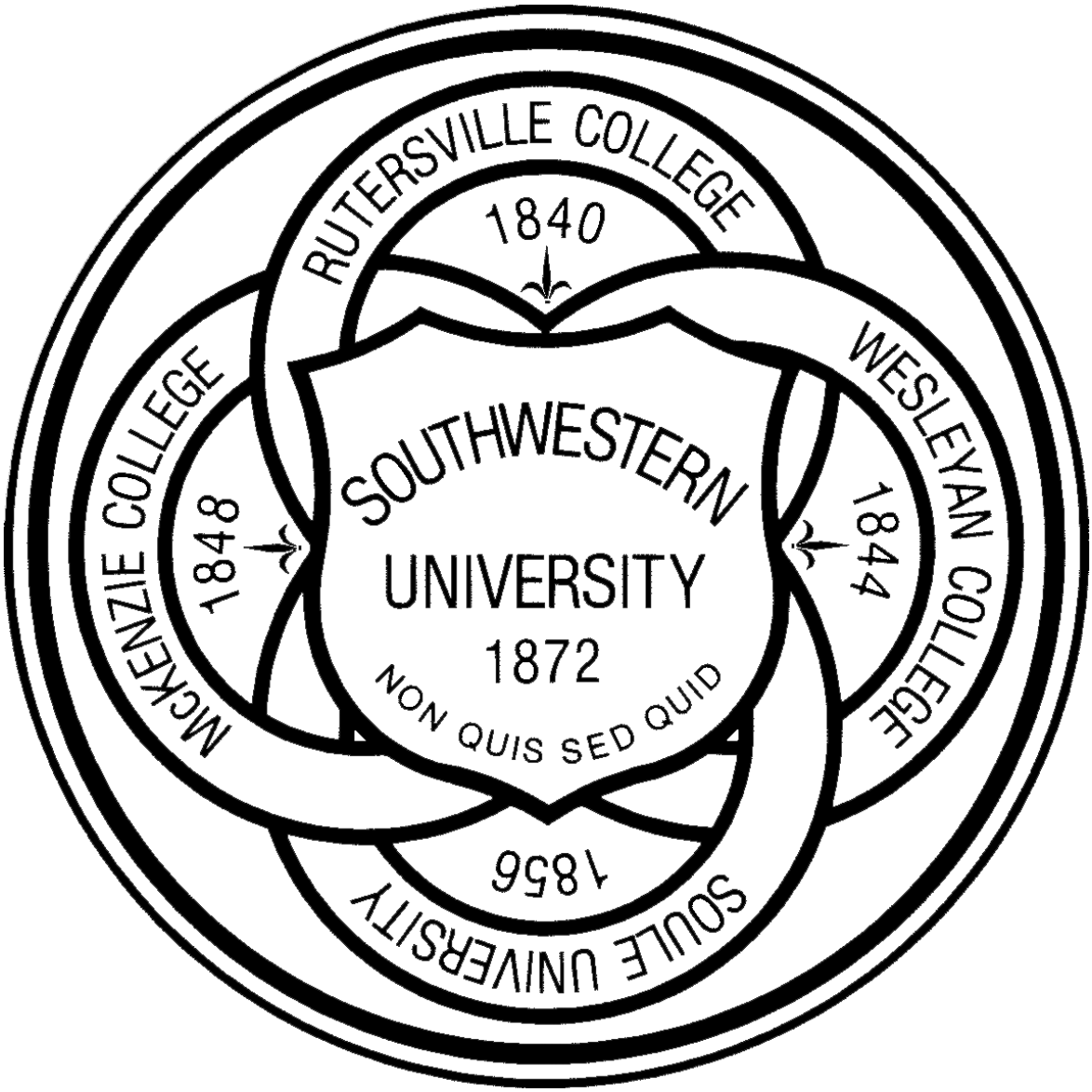
Southwestern University

Faculty Handbook

2013-2014



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Accreditation

Southwestern University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award the baccalaureate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Southwestern University.

I. HISTORY, MISSION, CORE PURPOSE AND CORE VALUES OF THE UNIVERSITY

History

Southwestern University is a direct descendant of four of the earliest institutions of higher learning in the state. In fact, the forerunner of the University, Rutersville College, was chartered by the Republic of Texas in 1840, making it the first college in what was to become the State of Texas. The three other colleges founded by pioneer Methodists and united in one central college in Georgetown were Wesleyan College, chartered in 1844; McKenzie College, 1848; and Soule University, 1856. When the five Methodist Conferences of Texas located the central institution in Georgetown in 1872, it was known as Texas University. In 1875, that name was ceded to the State of Texas and the present name, Southwestern University, adopted. Georgetown is a city with a population of about 48,000 and is located twenty-eight miles north of Austin, the state capital.

Southwestern University has had fourteen presidents and three interim presidents since it was established in Georgetown. Francis Asbury Mood, 1872-1884; John Wesley Heidt, 1885-1889; John Howel McLean, 1891-1898; Robert Stewart Hyer, 1898-1911; Charles McTyeire Bishop, 1911-1922; Paul Whitfield Horn, 1922-1924; James Samuel Barcus, 1924-1928; King Vivion, 1928-1935; John William Bergin, 1935-1942; John Nelson Russell Score, 1942-1949; William Carrington Finch, 1949-1961; Lawrence Durwood Fleming, 1961-1981; Roy B. Shilling, Jr., 1981-2000; and Jake B. Schrum, 2000-present. Faculty members McLean, John R. Allen, and Randolph Ward Tinsley each served as interim presidents in the late 1800s and early 1900s during changes in administration.

Institutional Mission Statement

Officially adopted by the faculty and the Board of Trustees in 1972, amended in 2001, 2008 and 2011.

Southwestern University, under the auspices of the United Methodist Church, is committed to undergraduate liberal education involving both the study of and participation in significant aspects of our cultural heritage, expressed primarily through the arts, the sciences, the institutions and the professions of society. As a teaching-learning community, Southwestern encourages rigorous inquiry and scholarship, creative teaching and the expression of free human life. The University seeks to involve the student in finding a personal and social direction for life, developing more sensitive methods of communication, cultivating those qualities and skills which make for personal and professional effectiveness, and learning to think clearly and make relevant judgments and discriminations.

Southwestern University's Core Purpose

Fostering a liberal arts community whose values and actions encourage contributions toward the well-being of humanity.

Southwestern University's Core Values

- Cultivating academic excellence.
- Promoting lifelong learning and a passion for intellectual and personal growth.
- Fostering diverse perspectives.
- Being true to oneself and others.
- Respecting the worth and dignity of persons.
- Encouraging activism in the pursuit of justice and the common good.

II. GOVERNANCE AND GENERAL FACULTY OF THE UNIVERSITY

Articles of Incorporation and Bylaws

Southwestern University, Georgetown, Texas, is a non-profit corporation organized under the laws of the State of Texas to establish, maintain and support an institution that "shall promote higher education in all its branches and shall confer all college and university diplomas and degrees, both liberal and professional, regular and honorary." The Bylaws of Southwestern University are promulgated in accordance with provisions, which provide that the Board of Trustees may adopt appropriate Bylaws. The Amended and Restated Certificate of Formation and Amended Bylaws under which the University operates were approved by the Board of Trustees on October 28, 2011, and confirmed by the Annual Conferences of the United Methodist Church in June 2012.

Board of Trustees

"The Board of Trustees has responsibility for the University's mission, as well as the system of governance, academic life, student life, and fiscal affairs of the University."It is also ultimately responsible for ensuring that the financial resources of the institution are adequate to provide a sound educational program [See Bylaws.] It is composed of not more than fifty Trustees, three-fifths of whom must be members of The United Methodist Church. Membership consists of the President of the University, the bishops in charge of the Annual Conferences of The United Methodist Church in Texas, the president and president-elect of the Alumni Association, two recent graduates of the University nominated by students, members at large, and representatives, both lay and clergy, from the six patronizing Annual Conferences. [See Bylaws, Articles I.]

Each division and the School of Fine Arts will select a representative to meet with the officers of the Board of Trustees when they convene on campus. The divisions and School of Fine Arts may decide to elect someone for a fixed term or to choose an individual for each occasion. This group will serve as the Faculty Governance Committee.

The President

"The governance of the University is committed to the President. He or she is vested with the responsibility for the implementation of policies adopted by the Board of Trustees, for every phase of the University's operation, and for formulating and enforcing all rules and regulations. In the performance of his or her duties, he or she shall strive to have a direct relationship with every member of the University community. By way of enumeration, but not by way of limitation, the President shall:

A. Advise and counsel with the Board of Trustees in establishing, changing, and developing policy for the governance and operation of the University;

B. Keep abreast of education trends throughout the nation and keep the Board of Trustees apprised;

C. Report to the Board of Trustees at their meetings and at such other times as the occasion may require concerning legislation adopted by the officers and faculty of the University;

D. Supervise, review, recommend and present budgets for the operation of the University to the Board of Trustees;

E. Appoint, with the concurrence of the Chair of the Board of Trustees, all Administrative Officers of the University;

F. Maintain continuity in the overall operations of the University, taking into consideration its policies, tradition, and achievements of the past and shall furnish leadership in development of plans and programs which shall enrich the resources and services of the University;

G. Act as the official medium of communication between the Board of Trustees and the officers, staffs, faculties, and students of the University;

H. Prescribe such rules and regulations as are necessary for the admission, control, and discipline of the University and for the direction and guidance of its employees;

I. Head all divisions of the University, providing such supervision and direction as to promote their efficient operation;

J. Be *ex officio* member of all faculties and all faculty committees, and/or preside and vote at his or her discretion at meetings of the faculty or any subdivision thereof, and may, at his or her discretion, be a member of the various committees of the faculty;

K. Have authority to suspend the action of the faculty of the University. In so doing, he or she shall submit to the body concerned, in writing, at its next regular meeting, a statement of his or her action and his or her reasons therefore, and he or she shall report his or her actions to the Board of Trustees or the Executive Committee at its next regular meeting together with any pertinent statement submitted by the body affected;

L. Preside on public academic occasions;

M. Have general responsibility for the care and the real personal property of the University. In carrying out this responsibility, he or she shall execute all deeds, deeds of trust, bills of sale, assignments, transfers, releases, notes, obligations or contracts, or other instruments of the University as the Board of Trustees may direct;

N. Serve as chief executive agent of the Board of Trustees in establishing policies and procedures of determining development needs of the University and in directing efforts to attract private fund support for meeting these needs;

O. Have ultimate responsibility for the intercollegiate athletics program, its resources and its compliance with NCAA and conference regulations;

P. Represent the University at the annual conferences of the Patronizing Conference and at meetings of other organizations in which the University holds membership;

Q. Interpret the programs and needs of the University to the public pursuant to and in accordance with policies established by the Board of Trustees;

R. Prepare and submit an annual report to the Board of Trustees for its approval, a copy of which shall thereafter be delivered to each Patronizing Conference, including, but not limited to a status report of the University's physical plant and other properties, of income and expenditures, of faculty, of the academic program, of employees, and of the student body, together with a copy of the annual audit prepared by an independent certified public accountant;

S. The President's signature, or a facsimile thereof, shall appear on all diplomas issued by the University; and

T. Perform such other duties and functions as the Board of Trustees or the Executive Committee may from time to time assign to him or her." [See Bylaws, Article II.]

Other Officers

"There shall be such Vice Presidents and such other administrative officers (collectively, "Administrative Officers") as may be appointed by the President with the concurrence of the Chair of the Board of Trustees. [See Bylaws, Article 2.1.2]

The following officers comprise the President's Senior Staff: Provost and Dean of the Faculty; Vice President for Student Life; Vice President for Enrollment Services; Vice President for University Relations; Vice President for Fiscal Affairs; Senior Advisor to the President for Strategic Planning and Assessment; University Chaplain; Executive Assistant to the President; Vice President for Innovation (and Executive Director of the National Institute for Technology and Liberal Education (NITLE)); and Vice President for Information Services and Chief Information Officer.

President's Senior Staff

Provost and Dean of the Faculty

The Provost and Dean of the Faculty is the officer responsible for the University's total educational program and functions as Dean of the Brown College of Arts and Sciences. The Provost has responsibility for administering the academic program in such areas as institution-wide planning; faculty recruitment, evaluation, promotion, and development; academic testing and advising; publications of the *Faculty Handbook* and the *University Catalog*; class scheduling, registration, and student records; certification of graduates; summer school; and academic internships. These duties are performed in consultation and collaboration with the Academic Affairs Council, the Faculty Affairs Council, and the University Council as these bodies exercise their legislative functions on behalf of the faculty.

The Provost and Dean of the Faculty is responsible for coordinating the academic student life areas and meets regularly with the Vice President for Student Life and other staff members in academic and student affairs. The following individuals report to the Provost: the Division/School Chairpersons, the Dean of The Fayez Sarofim School of Fine Arts, the Coordinator of Testing (in academic matters), the Assistant Dean for Academic Success and Director of Records, the Director of Intercultural Learning, the Director of the Language Learning Center, the Director of the Debby Ellis Writing Center, the Director of Upward Bound, the Director of the Paideia Program, the Director of Civic Engagement, the Director of Institutional Research, the Associate Vice President for Academic Affairs, the Associate Dean for Faculty Development and Academic Assessment, and the Associate Dean of the Brown College of Arts and Sciences.

The Provost works with the academic deans, administrators who support academic services, and the department and program chairs to review the University's academic program and to discuss policies and procedures affecting the academic life of the University. When assessments of judgments concerning individual faculty members are necessary, the Provost has final responsibility and authority in academic matters.

Vice President for Student Life

The Vice President for Student Life is responsible for administration of student programs and services that facilitate the academic mission of the University and promote learning outside of the classroom. The Vice President serves as a general advocate for student concerns. Student Life includes: the Dean of Students; Athletics; Career Services; the Corbin J. Robertson Center; Counseling and Health Services; Diversity Education; Intramural and Recreational Activities; the Red and Charline McCombs Campus Center; Residence Life; Student Activities; student discipline; student government; student judiciary; student organizations; student publications; alcohol and other drug education; and University Police. The Vice President for Student Life serves as administrative liaison with the Student Affairs Council, Student Congress and the Food Advisory Committee. The Dean of Students advises on a variety of student issues.

Student Life promotes the mission of Southwestern University by implementing programs and delivering services that provide values-centered education of the whole person. These programs and services facilitate students' development of social competencies, and reflect a shared responsibility for student learning within an undergraduate liberal arts community. Student life fosters a challenging, secure, residential environment in which the uniqueness of each individual is respected and celebrated.

Vice President for University Relations

The Division of University Relations includes the Vice President's Office, Gifts, Communications, and Alumni and Parents. The division plans and directs a comprehensive program of relationship management including fundraising, public relations, marketing, and consitutency relations. Responsibilities include: 1) directing fund-raising efforts for current operations, physical facilities and endowment; 2) coordinating all programs, events and communications relating to alumni and parents, including extensive volunteer roles; 3) marketing and managing news and information services, creative services, web development and content, new media, constituent relations, and university events and calendars; and 4) managing a comprehensive data bank of constituency records.

Vice President for Enrollment Services

Vice President for Enrollment Services provides strategic leadership in advancing the University's recruitment and enrollment goals. He/she provides experience and oversight to the recruiting, admission and financial aid process. Reporting to the Vice President are the Office of Admission and the Office of Financial Aid, which are comprised of a team of experienced staff members. The Enrollment Services organization is also complemented by numerous student workers. Additionally, the Vice President, along with the Enrollment Services staff, maintains the institutional commitment to superior service, student retention, promoting institutional awareness, working with other offices on marketing initiatives, and assures effective use of technology and analysis of data in achieving enrollment objectives. The Vice President of Enrollment Services collaborates with other senior officers, University staff, academic leadership, faculty and students to ensure an extraordinary educational experience for all Southwestern University students.

Vice President for Fiscal Affairs

The Vice President for Fiscal Affairs is responsible for planning and directing the business and financial affairs of the University. The functions supervised include facilities planning, all construction projects, property management, human resources and payroll, investment management, budgeting, accounting, purchasing, general services contracting, risk management and safety, legal services, dining services and the bookstore. Reporting to the Vice President for Fiscal Affairs are: the Associate Vice President for Finance; the Associate Vice President for Human Resources and the Associate Vice President for Facilities and Campus Services.

Vice President for Information Services and Chief Information Officer

The Vice President for Information Services and chief Information Officer is responsible for strategic and operational leadership for the library and technology services and programs that support the academic mission and administrative operations of the University. The Information Services professionals, librarians and staff of the A. Frank Smith, Jr. Library and Information Technology Services units provide a comprehensive suite of services, resources and programs designed to promote learning and scholarship and to engage students, faculty and staff in effective and innovative uses of information resources and technologies. Responsibilities include assisting the campus community in understanding and responding to the changes occurring in movingto a more digital world; collaborating with the campus community to definepolicies, standards, and services about the appropriate use of information and technology, and developing strategic relationships with other colleges,Universities, cultural institutions, consortia, and professional organizations for collaborative projects that advance the mission of the University.

University Chaplain

The University Chaplain, working within Southwestern University's heritage as a United Methodist Church-related liberal arts college, assists diverse faculty, staff, and student body. The University Chaplain provides institutional support for a broad array of student religious groups, offers programmatic opportunities for spiritual development and exploration, and establishes social action opportunities for students, faculty and staff. Providing leadership to the programs of the Lois Perkins Chapel, the Willson Lectures and Destination: Service, the Chaplain also works throughout the University to create opportunities that include meaning, faith, values, religion, spirituality and ethics as integral to higher education and lifelong learning.

Executive Assistant to the President

The Executive Assistant to the President is a member of the President's Senior Staff and serves as staff liaison for the Board of Trustees. Working in collaboration with the President and the various constituencies within the University community, external publics, foundations, and organizations, the Executive Assistant is responsible for the day-to-day management of the President's Office as well as the President's calendar and travel.

Academic Deans

Dean of The Fayez Sarofim School of Fine Arts

The Dean of The Fayez Sarofim School of Fine Arts provides leadership for the School of Fine Arts, which is composed of the departments of Art and Art History, Music, and Theatre. The Dean is responsible for faculty recruitment, evaluation, promotion, and development. The Dean manages the budgets of the School of Fine Arts, is responsible for its programs and curriculum development, and oversees the management of all events that take place at the Alma Thomas Fine Arts Center. These events include theater productions, concerts, art exhibitions, lectures, and the guest artist series. The Dean, through the Department Chairs, also works with the Admission staff in recruiting students to the arts programs. The Chairs of the above departments, as well as the Director of Technical Operations, report to the Dean of the School of Fine Arts; the Dean reports to the Provost. The Dean represents the School of Fine Arts with membership on the University Council, the Faculty Affairs Council and the Academic Affairs Council.

Associate Dean of the Brown College of Arts and Sciences

The Associate Dean of the Brown College of Arts and Sciences provides leadership for the Brown College, which is composed of the Humanities, Natural Sciences and Social Sciences divisions. The Associate Dean is involved in faculty recruitment, evaluation, promotion and development. The Associate Dean advises the Provost and Brown College department and program chairs concerning the College's budgets, programs and curriculum development. The Associate Dean meets regularly with the faculty, and the program, department and division chairs of the Brown College. The Associate Dean shall be a tenured member of the Brown College faculty, holding the rank of Associate or Full Professor, and serves for a period of three years. The Associate Dean reports to the Provost. The Associate Dean represents the Brown College with membership on the University Council, the Faculty Affairs Council, and the Academic Affairs Council. During the three-year term, the Associate Dean will teach the equivalent of two courses per year.

Associate Dean for Faculty Development and Academic Assessment

The Associate Dean provides leadership for faculty professional development efforts at Southwestern University through coordinating the internal grants process and working with faculty and staff throughout the University to seek internal and external funding for research, creative works and projects benefiting the institution as a whole. The Associate Dean is a member of the Provost's staff and provides support to the Faculty Affairs Council and the faculty Awards Committee. The Associate Dean supervises academic assessment at Southwestern.

The General Faculty

"A University faculty member is a citizen, a member of a learned profession, and a member of a church-related educational institution. As a person of learning and an educator he or she enjoys a special position in the community. A faculty member should, as a teacher, as a scholar, as an administrator and, as an individual, discharge his or her duties and responsibilities in such a manner as to bring honor to the profession, to the University, and to the faculty member." [See Bylaws, Article III.]

1. Powers and Duties. "The faculty of the University of which the President is the chief executive officer, shall, subject to the approval of the Board of Trustees:

    A. Concern itself with all matters connected with the educational program of the University: academic, cultural, social, and religious;
    B. Nominate to the Board of Trustees for favorable action candidates for all degrees;
    C. Delegate to committees of its own constitution such of its powers and functions as it may see fit; and
    D. Have such other powers and duties as the Board of Trustees may from time to time delegate to the faculty." [See Bylaws, Article III.]

2. Composition. "The faculty shall consist of the President of the University, the Deans of Instructions, the Vice Presidents, the Dean of Students, Professors, Associate Professors, Assistant Professors, Instructors, and such other personnel as designated by the President." [See Bylaws, Article III.]

3. Classification. "The members of the University faculty are classified and ranked in the order as listed:

   A. President;
   B. Deans and Vice Presidents;
   C. Professors;
   D. Associate Professors;
   E. Assistant Professors;
   F. Instructors" [See Bylaws, Article III.]

Division/School Chairs

The faculty chairs of the School of Fine Arts and the divisions in the Brown College of Arts and Sciences are elected by the faculties of their respective academic units for terms of three years (eligible for re-election). Their responsibilities are to schedule and preside at regular meetings of their division/school (including preparation of the agenda); serve as liaison persons from their division/school to the University Council, to other divisions, to the academic deans, to the Provost, and other administrators; consult and advise committees and departments/programs of the division/school; evaluate the work of the faculty of the division/school and give reports regarding promotion and tenure to the Faculty Status Committee; serve ex officio on the Summer School Planning Committee and the Intellectual Property Rights Committee; meet regularly with the Provost; and make recommendations concerning future needs and plans of the division/school.

Department Chairs

Department Chairs are appointed by the President on an annual basis, though appointments are renewable. The Department Chairs are accountable to the Provost and meet regularly with him/her.

It is the responsibility of the department chair to provide leadership, vision, and coherence in relation to department faculty, department programs, assessment of departmental academic programs, and students who major or otherwise take courses in the department. The chair is both the administrative officer of the department, the assessment officer of the department and the focus of leadership within the department. At present, department chairs teach the equivalent of five courses per year.

General Administration and Supervision of Departmental Matters

- In the case of standardized courses regularly taken elsewhere, the chair may register approval for transfer credit with the Director of Records; the Director of Records may then automatically grant the pre-approval credit.

- The chair coordinates course listings, class schedules, and oversees development of the curriculum in the department.

- The chair coordinates faculty's contributions to the departmental assessment plan based on student learning outcomes.

- The chair convenes an annual department faculty meeting on the departmental assessment plan based on student learning outcomes.

- The chair is responsible for supervision of the departmental budget and the chair's approval is needed for all expenditures charged to the departmental budget.

- The chair may provide a substitute signature for any instructor in the department (approving an add or drop of a course) or for any advisor in the department (for drop/add or registration). The chair's approval is required for a course taken at Southwestern or at another institution, when the student requests that the course substitute for a course in the chair's department that is specifically required in a major or minor. The chair in the appropriate department may be asked by the Director of Records to

evaluate a course that is proposed to substitute for a course in the general education requirements common to all degrees. Substitutions are made on the basis of content equivalency, which is evaluated by comparing catalog descriptions or syllabi (See the *University Catalog*). The chair may pre-approve a particular transfer equivalency, or may change the equivalence rendered by the Records Office to a more favorable credit within the department.

- The chair coordinates the department review process according to the schedule set forth by the Academic Affairs Council.

- Working with department colleagues and library liaisons, the chair is responsible for developing a strong library collection to undergird the teaching in the department.

- The chair maintains a file of syllabi for all courses offered in the department. Each syllabus should be retained for six years.

Departmental Leadership

- The chair is expected to give leadership in planning and assessment for the department. The chair conducts regular departmental meetings and an annual departmental meeting focusing on the assessment plan, counsels with individual faculty members, encourages improvement in teaching, evaluates departmental work, promotes program innovation, and helps provide for the on-going vitality of the department.

- The chair participates in scholarly and professional activities pertinent to his or her discipline and encourages the active scholarly and professional participation of all members of the department.

- The chair consults with the Provost and the appropriate academic dean on any personnel changes needed, such as promotion, load adjustments, retirement, or released time.

- The chair participates in the selection of new members for the department, in accordance with the provisions outlined in the *Faculty Handbook*, and is responsible for counseling with new members on procedures and responsibilities of membership in the department and the University.

- The chair submits an annual written report to the Provost with a copy to the appropriate academic dean on the state of the department. This report serves as a basis for an annual conference between the chair and the appropriate academic dean.

Program Chairs

The President appoints all chairs of non-departmental programs that produce majors or minors. These interdisciplinary academic programs are overseen by chairpersons, each of whom is responsible to the Provost. Committees act with these chairpersons in an advisory capacity. In most cases, the responsibilities of program chairs follow those of department chairs.

Annual Report of the Department or Program

Each department/program chair submits a Departmental/Program Annual Report to the Provost by April 1. It should contain the following parts:

- An updated, current departmental assessment plan based on student learning outcomes.

- A statement concerning departmental/program direction, activity, growth, e.g., new programs undertaken or planned, experimental projects being considered, "success" stories, and departmental/program aspirations. This statement should address the status of issues raised in the department's/program's most recent ten-year review and/or five-year update.

- A statement of departmental/program needs and/or problems in the areas of personnel, equipment, administrative support, and program development.

- A report on the teaching, research, and contributions to the department/program and the University of the members of the department/program during the previous academic year. This information will be a factor in salary considerations. In the spring of each year, the Provost will ask department/program chairs to provide information on the faculty that is needed within the salary consideration process. Fine Arts Department Chairs submit a copy to the Dean of the School of Fine Arts.

- At the end of the academic year, the Provost will meet with each department and program chair to discuss the chair's annual report and to plan how to implement any appropriate changes in the next academic year.

- The Provost will provide the department/program chair with a letter documenting the conference and outlining the agreed-upon actions for the following year.

III. LEGISLATIVE ORGANIZATION OF THE FACULTY

The present organizational and operational structure of the general faculty for legislative purposes was recommended to the President at a faculty meeting on April 3, 1979, and subsequently implemented by him with modifications on May 1, 1979.

Divisions and the School of Fine Arts

Southwestern University is divided into a college and a school: The Brown College of Arts and Sciences and the Sarofim School of Fine Arts. The College of Arts and Sciences is composed of three divisions: the Division of Humanities, the Division of Natural Sciences, and the Division of Social Sciences.

1. The Division of Humanities is composed of the departments of Communication Studies, English, History, Modern Languages and Literatures, Religion, and Philosophy.

2. The Division of Social Sciences is composed of the departments of Economics and Business, Education, Exercise and Sport Studies, Political Science, Psychology, and Sociology and Anthropology.

3. The Division of Natural Sciences is composed of the departments of Biology, Chemistry and Biochemistry, Kinesiology, Mathematics and Computer Science, and Physics.

4. The School of Fine Arts is composed of the departments of Art and Art History, Music, and Theatre.

Non-teaching faculty members are assigned by the President to the School and/or division wherein their competence is appropriate.

Because interdisciplinary programs/areas engage faculty from a variety of disciplines, they are not listed in the division/school structure. These include Animal Behavior, Classics, Environmental Studies, Feminist Studies, International Studies, and Latin American Studies.

Divisional Organization

Each school/division holds regular faculty meetings. A quorum for business is one-half of the voting members of the school/division. It appoints such committees as it deems desirable to expedite its work.

The divisions/School of Fine Arts have, in their meetings, expanded their voting membership to include students in the following ways, their actions being subsequently approved by the President. Student membership in divisional meetings does not qualify them for membership in departmental or in general faculty meetings.

Division of Humanities. The division chair shall determine in every case whether students will attend the division meeting. Students may be asked to attend a division meeting when issues of particular concern to students are under discussion. The division chair shall determine in every case whether students will attend division meetings.

The Sarofim School of Fine Arts. Members of the School of Fine Arts communicate with students while working together in classes and on other occasions. Special provisions have not been made for their representation in School meetings.

Division of Natural Sciences. Members of the Division of Natural Sciences communicate with students while working together in laboratory sessions and on other occasions. Special provisions have not been made for their representation in division meetings.

Attendance at division/school meetings is expected of all faculty members.

The Provost and Dean of the Faculty is an ex-officio member of all divisions and of the School of Fine Arts with voice but no vote in meetings. The Dean of the School of Fine Arts is an ex-officio member of the School of Fine Arts with voice but no vote in meetings.

Each division/school elects a secretary on an annual basis to keep minutes and records of all business, including attendance in order to document a quorum. To maintain a historical record of the University's business, minutes are kept by the Provost in a permanent file. Faculty members of all divisions/schools have a right to receive the minutes of the faculty meetings of any division/school upon request.

The Council System

(Modified by faculty action November 22, December 8, 1988 and April 24, 2001)

The purpose of the council system is to provide a faculty structure (including administrators, faculty, staff and students) for University planning; to promote an exchange of ideas among administration, faculty, and students, to provide for initiatives or referrals of policy issues; and to implement existing policy, normally at committee levels with minimal higher level-involvement.

University Council (UC)

The University Council has as its primary function overall planning and coordination of University activities, especially relating to fiscal matters.

1. Initiation of planning or studies.

2. Oversight of progress on current strategic plan.

3. Formulation of recommendations for new or changed policy and referral of its own recommendations for legislation to the general faculty.

4. Referral of recommendations from another Council:

    a. In matters that have fiscal implications, after study in UC, to the general faculty if only one Council area or function is concerned;
    b. In matters that have fiscal implications or that overlap the functional areas of more than one other Council, after study in UC, to two (or three) other Councils as appropriate for joint study.

5. Output to general faculty as above.

6. Assumption of responsibility for necessary governance structure during summers.

7. Referral of non-policy-making activity (i.e., implementation of existing policy) down from Council level to subordinate committee, with requirement of timely reporting of this implementation to the UC.

8. Deliberation of all major actions at the full Council level (not in executive committee).

9. Periodic (e.g., annual) publication of statements of operating procedures and responsibilities of UC.

Faculty Affairs Council (FAC)

The Faculty Affairs Council provides advice and planning on matters of faculty status, faculty organization, and professional activities and development. It also recommends legislation to the general faculty.

1. Initiation, internally, of any faculty affairs activity or study.

2. Initiation, upon recommendation from outside source of same.

3. Referral, if needed, of issues to the University Council for evaluation of fiscal implications or for coordination with the other Councils.

4. Review and ratification of the output of its subcommittees, then 3 or 5.

5. Output of FAC recommendations for new policy and policy changes to the general faculty.

6. Referral of non-policy-making activity (i.e., implementation of existing policy) down from Council level to subordinate committee, with requirement of timely reporting of this implementation to FAC.

7. Deliberation of all major actions at the full Council level (not in executive committee).

8. Development of procedure for, and conduct of, regular review of membership terms, duration, rotation and continuity for faculty on councils and committees.

9. Periodic (e.g., annual) publication of statements of operating procedures and responsibilities of FAC.

Academic Affairs Council (AAC)

The Academic Affairs Council provides advice and planning on academic matters, including courses, curriculum, and degrees. It also recommends legislation to the general faculty.

1. Initiation, internally, of any academic (courses, curriculum, degrees) activity or study, including systematic reviews of general education requirements and other curriculum matters.

2. Initiation, upon recommendation from outside source, of same.

3. Ensure that departments and programs are assessing student learning outcomes.

4. Assess the efficacy of the University Curriculum in Achieving the objectives of the various elements of the curriculum..

5. Referral of larger issues to the University Council, if any fiscal implications or other extra-academic matters are involved, or if coordination with other Councils is needed.

6. At its discretion, referral of academic issues to the faculty meetings, for discussion and input to the AAC.

7. Formulation of new legislation, comprising new or changed policy, if within academic area solely, and then recommendation of this legislation to the general faculty for debate and vote.

8. Referral of non-policy making activity (i.e., implementation of existing policy) down from Council level to subordinate committee, with requirement of timely reporting of this implementation activity to the AAC.

9. Deliberation of all major actions at the full Council level (not in executive committee).

10. Periodic (e.g., annual) publication of statements of operating procedures and responsibilities of the AAC.

Student Affairs Council (SAC)

The Student Affairs Council provides advice and planning on matters of student life. It also recommends legislation to the general faculty.

1. Initiation, internally, of any student life area planning or activity or study.

2. Initiation, upon recommendation from outside source, of same.

3. Referral, if needed, of issues to the University Council for evaluation of fiscal implications or coordination with other Councils.

4. Output of SAC recommendations for new policy and policy changes to the general faculty.

5. Referral of non-policy making activity (i.e., implementation of existing policy) down from Council level to subordinate committee, with requirement of timely reporting of this implementation to SAC.

6. Deliberation of all major actions at the full Council level (not in executive committee).

7. Periodic (e.g., annual) publications of statements of operating procedures and responsibilities of SAC.

Staff Affairs Council (SFC)

The Staff Affairs Council provides advice and planning on matters related to staff, including – but not limited to – benefits and professional development. It also communicates with staff and other constituencies and recommends legislation to the faculty and senior administration.

1. Initiate any staff planning or activity or study.

2. Refer issues to the University Council for evaluation of fiscal implications or coordination with other Councils, if needed.

3. Provide a forum for staff to voice suggestions, concerns, and complaints, particularly on benefits.

4. Ensure that each staff constituency has representation in the University's governance process by providing a representative from Staff Affairs Council on behalf of the staff to the University Council with voting privileges, and also to Faculty, Academic and Student Affairs Councils, with voice, but no vote.

5. Relay University communications to staff.

6. Serve in a research or education role for staff.

7. Focus on professional development opportunities.

8. Develop a staff orientation program.

9. Assist the development of staff performance evaluation.

10. Provide recommendations on new or existing policies.

11. Plan and facilitate a meeting of the staff once each semester.

General Principles of Council Functions

1. All University issues are intended to be deliberated and decided at the lowest appropriate level of the system, and the results then reported upward through the system to the general faculty.

2. For implementation of existing policy in routine daily business, the subordinate committee level is the appropriate level.

3. For planning or deliberation that may involve policy changes or new policy confined to the function area of one Council, the respective Council is the appropriate level. These actions shall be reported on an annual basis to the parent council.

4. For planning or deliberation that may involve policy that has fiscal implications, or in areas that overlap into the function areas of two or three councils, the University Council is the appropriate level.

5. Faculty legislative authority is to be expressed at the general faculty meeting level, with (or without) prior recommendation transmitted to the general faculty through the council system as provided above.

6. In general, all council actions and subordinate committee actions shall be subject to challenge by petition of 20% or more of the faculty membership. The full faculty can subject such challenged action to full faculty consideration in a faculty meeting, upon petition by 20% or more of voting faculty members present in that meeting (or upon written petition by 20% or more of all voting faculty members).

7. All council meetings shall normally be open meetings.

Committee Structure

Each council shall give continuing attention to elimination of unnecessary subordinate committee functions and to possible transfer of any functions, as deemed appropriate, to another Council, subject to general faculty approval.

The number, titles, and makeup of subordinate committees attached to any council may be reviewed and modified by action of the respective parent Council for improved efficiency in the work of these committees. Councils should move non-policy-making (i.e., implementation of existing policy) down from Councils to subordinate committees and require timely reporting of this implementation.

University Council

The three other councils report their actions, if fiscal implications are involved, to the University Council before such actions go to the faculty for a vote. These standing committees report to the University Council:

1. Diversity Enrichment
2. Campus Safety
3. Faculty and Staff Benefits
4. Information Technology Advisory
5. Intellectual Property Rights
6. Sexual Harassment Advisory
7. Talloires

Academic Affairs Council

These standing committees report to the Academic Affairs Council:

1. Admission (elected)
2. Academic Assessment
3. Academic Standards (elected)
4. Brown Scholar Selection
5. Catalog Review
6. First-Year Seminar
7. Intercultural Perspectives
8.. Committee on International Programs and Experiences
9. Library (elected)
10. Paideia
11. QEP/Paideia
12. Social Justice Curriculum
13. Summer School Planning (*ex officio*)

Faculty Affairs Council

These standing committees report to the Faculty Affairs Council:

1. Awards (elected)
2. Emeritus Faculty
3. Faculty Handbook Advisory (elected)
4. Faculty Status (elected)
5. Patent and Copyright (*ex officio*)

Student Affairs Council

These standing committees report to the Student Affairs Council:

1. University Committee on Discipline
2. Student Media Editorial Board (elected)

Staff Affairs Council

These standing committees report to the Staff Affairs Council:
1. Staff Handbook Advisory (elected)
2. Staff Enrichment
3. New Staff Mentor
4. Suggestion Box

Committees Not Assigned to a Council

These standing committees report to the individuals indicated in parentheses:
1. Academic Web Presence (Provost)
2. Administrative and Educational Support Services Assessment (Senior Staff)
3. Alcohol and Other Drugs Committee (President)
4. Animal Behavior (Provost)
4. Budget Advisory (elected) (Senior Staff)
5. Environmental Studies (Provost)
6. Feminist Studies (Provost)
7. Honor Code Council (Dean of Students)
8. Institutional Review Board for Human Subjects (Provost)
9. International Studies (Provost)
10. Institutional Animal Care and Use (Provost)
11. Latin American Studies (Provost)
12. Pre-medical Advisory (Provost)
13. Race and Ethnic Studies (Provost)
14. Sexual Assault Risk Reduction Committee (VP for Student Life)
15. Teaching Awards (elected, President)
16. University Committee on Fellowships (Provost)

Southwestern Student Congress

Student Congress, composed of student representatives, provides a forum for student concerns and opinions, and works to increase communication between the student body and the rest of the University community. Members of the Student Congress fill the student seats on the five governing councils of the University. All Student Congress members meet regularly to share information from the councils and to formulate student responses to council actions. The Student Congress holds Town Meetings and other open forums for students to voice concerns and learn about council actions. These standing committees report to the Southwestern Student Congress:
1. Student Congress Advisory
2. Student Fees and Allocations
3. Student Organizations
4. Traffic and Safety Control

Faculty Challenge of Council Actions

"All actions of any council may be challenged by a petition supported by 20% of the faculty members eligible to vote. Petitions may be in written form or voted from the floor of a faculty meeting. They must be made within thirty days of the meeting of the council except at the end of the normal academic year, in which case they must be made by the last day of classes. The period for petitions may be extended by the President where adequate notice of council actions within the specified period should be deemed not to have occurred. Written petitions shall be presented to the President and the chair of the council involved. When a petition has been presented, the President shall schedule discussion of the matter for resolution at the next regular meeting of the faculty or call a special faculty meeting to take care of it. A special faculty meeting shall be called before the end of the academic year to take care of all items on which a petition has been submitted." [Faculty Minutes, April 29, 1980.] See "Outline of Specific Council Functions," section G.8., in this chapter for procedure on introducing the 20% rule from the floor during a faculty meeting.

General Faculty Meetings

The President or, with his concurrence, the Provost and Dean of the Faculty may call a general faculty meeting. General faculty meetings approve all regular degrees upon recommendation of the Director of Records, approve all honorary degrees upon recommendation from the Committee on Honorary Degrees, resolve all academic and faculty matters referred to it in line with the provisions listed above, and deal with any matters brought before it by the President. The President or, at his designation, the Provost and Dean of the Faculty presides at all general faculty meetings. All members of the faculty have the privilege of the floor in faculty meetings. Vote is granted to all full-time members of the faculty and to part-time faculty who teach on a regular basis, i.e., have taught six hours per semester and have completed or are in the process of completing three successive annual appointments. Four students elected by the Southwestern Student Congress plus the Chair of the Student Affairs Council, if a student, attend general faculty meetings with voice but no vote. The Associate Vice President for Academic Administration, the Director of Records, the Assistant Dean of Academic Success and Advising, the Director of Intercultural Learning, the Associate Dean for Faculty Development and Academic Assessment, Dean of Students, the Director of Civic Engagement,and the Director of Institutional Research and Assessment may attend meetings with voice but no vote.

Curricular Changes

The President shall submit with his/her own recommendation all legislation taken by the faculty relative to instituting, eliminating, or substantially changing the nature of University degrees to the Board of Trustees for its confirmation.

The action of all University legislative bodies instituting, eliminating, or substantially changing the nature of major and minor fields of study, academic programs, and academic departments, including changes in names or titles, shall be brought to the University Council, which will in turn forward it to the President with its recommendation. [Approved by the Board of Trustees, January 18, 1980.]

Changes of this type are instituted as follows:

1. A proposal for the curricular change is first proposed and approved by the participating departments. The proposal should include a needs assessment, learning goals and student learning outcomes, course requirements, program objectives, and budgetary implications. In some cases, the changes may warrant a discussion at the appropriate division/school.
2. Following departmental approval, the proposal is submitted to the Academic Affairs Council for deliberation. In its deliberation of the proposal, the Academic Affairs Council may request that the proposal be discussed and approved by the appropriate division/school.
3. If approved by the Academic Affairs Council, the proposal must be considered by the University Council to assess the fiscal implications of the proposed change.
4. If the University Council deems the proposed change to be fiscally feasible, the proposal, along with this assessment, is forwarded to the faculty as a whole for a vote.
5. If approved by the faculty, the University Council will forward the proposal with its recommendation to the President for consideration.

Curricular changes involving general education requirements and/or the overall structure of the curriculum originate in the Academic Affairs Council and, if changes are recommended, are forwarded to the University Council to assess the financial impact and then to the faculty as a whole for a vote.

Council and Committee Membership and Procedures

Council Membership Makeup

1. Voting ratios (administrative: faculty: student, A:F:S) in the Councils remain fixed, as established by faculty action, even when new University positions are created that are closely related to those already holding a voting membership on a Council, or when University positions are abolished.

2. Voting privileges shall be subject to approval by the Council involved.

   Individuals who are especially valuable or who may serve as pertinent sources of information or advice to a particular Council may be designated by the Council as members bearing voice without vote privilege.

Procedures

1. Academic Affairs Council, Faculty Affairs Council and Faculty Handbook Advisory Committee include at-large faculty representatives, representing the Brown College of Arts and Sciences, the Sarofim School of Fine Arts, and the full faculty. In determining the slate for these at-large positions, each division and the School of Fine Arts nominates at least one individual for the open position. The slate is presented to the full faculty for a vote at the April faculty meeting, following the election of division/School representatives for the Academic Affairs, Faculty Affairs, Student Affairs and Staff Affairs Councils.

2. The agenda and minutes (except for executive sessions) of each Council are posted in a timely fashion on the University's Councils and Committees website.

3. Each Council has as its "executive committee" its chair (vice-chair in UC), its secretary, and its liaison administrator(s).

Appeal by Faculty Meeting

The President has provided that whenever he/she suspends an action of the faculty, a two-thirds majority of the faculty in attendance may appeal the President's suspension to the Board of Trustees or to the Executive Committee of the Board. Furthermore, the faculty may, by petition of two-thirds of the members, request the chair of the Board of Trustees for a special meeting.

Council Memberships

(Adopted by the Faculty December 8, 1988 and Modified April 24, 2001)

University Council

1. Chair.....President
2. Administrative liaison .....Provost and Dean of the Faculty
3. Other administrative representative .....Vice President for Student Life
4. Other administrative representative. .....Dean of the School of Fine Arts
5. Other administrative representative .....Vice President for Fiscal Affairs
6. Other administrative representative. .....Chair, School of Fine Arts
7. Other administrative representative .....Assistant Dean for Academic Success and Director of Records
8. Faculty representative .....Chair, Humanities Division
9. Faculty representative .....Chair, Natural Sciences Division
10. Faculty representative .....Chair, Social Sciences Division
11. Faculty representative .....Associate Dean of the Brown College and Sciences
12. Student representative.....Selected by the Southwestern Student Congress
13. Student representative.....Selected by the Southwestern Student Congress
14. Student representative.....Selected by the Southwestern Student Congress
15. Student representative.....Selected by the Student Affairs Council
16. Other Council representative. .....Faculty Representative, Academic Affairs Council
17. Other Council representative .....Faculty Representative, Faculty Affairs Council
18. Other Council representative .....Student Representative, Student Affairs Council
19. Other Council representative .....Chair, Staff Affairs Council
20. Other Council representative .....Staff Representative, Staff Affairs Council
21. Other Council representative .....Staff Representative, Staff Affairs Council
22. Other Council representative .....Staff Representative, Staff Affairs Council

In addition, the Vice President for University Relations, the Vice President for Enrollment Services, VP for Information Services and Chief Information Officer, the University Chaplain, the Executive Assistant to the President, and the Associate Vice President for Academic Affairs attend with voice but without vote. Their membership does not count toward a quorum.

Academic Affairs Council

1. Administrative liaison .....Provost and Dean of the Faculty
2. Administrative representative.....University Chaplain
3. Administrative representative.....Dean of the School of Fine Arts
4. Faculty representative from School.....School of Fine Arts faculty member
5. Faculty representative from Division.....Humanities faculty member
6. Faculty representative from Division.....Natural Sciences faculty member
7. Faculty representative from Division.....Social Sciences faculty member
8. Faculty representative at-large.....Brown College of Arts and Sciences faculty member
9. Faculty representative at-large.....School of Fine Arts faculty member
10. Faculty representative .....Associate Dean of the Brown College of Arts and Sciences
11. Student representative.....Selected by the Southwestern Student Congress
12. Student representative.....Selected by the Southwestern Student Congress
13. Student representative.....Selected by the Southwestern Student Congress

The chair is to be a teaching faculty member elected by and from the Council. In addition, the Assistant Dean for Academic Success and Director of Records, the Associate Vice President for Academic Affairs, the Associate Dean for Faculty Development and Academic Assessment, the Director of Institutional Research, the Vice President for Information Services and Chief Information Officer, the representative from Staff Affairs Council, and the Student Affairs liaison attend with voice but without vote. Their membership does not count toward a quorum.

Faculty Affairs Council

1. Administrative liaison .....Provost and Dean of the Faculty
2. Administrative representative.....Vice President for Fiscal Affairs
3. Faculty representative from School.....School of Fine Arts faculty member
4. Faculty representative from Division.....Humanities faculty member
5. Faculty representative from Division….....Natural Sciences faculty member
6. Faculty representative from Division.....Social Sciences faculty member
7. Faculty representative at-large.....Brown College of Arts and Sciences faculty ..... member
8. Faculty representative at-large.....School of Fine Arts faculty member
9. Student representative.....Selected by Southwestern Student Congress
10. Student representative.....Selected by Southwestern Student Congress
11. Student representative.....Selected by Southwestern Student Congress

The chair is to be elected by and from the Council. In addition, the Dean of the School of Fine Arts, the Associate Dean of the Brown College of Arts and Sciences, the Associate Dean for Faculty Development and Academic Assessment, and the staff representative from Staff Affairs Council attend with voice but without vote. Their membership does not count toward a quorum.

Student Affairs Council

1. Administrative liaison .....Vice President for Student Life
2. Administrative representative.....Dean of Students
3. Administrative representative.....Representative from Student Life
4. Administrative representative.....Representative from Academic Affairs
5. Faculty representative .....School of Fine Arts faculty member
6. Faculty representative .....Humanities faculty member
7. Faculty representative .....Natural Sciences faculty member

8. Faculty representative .....Social Sciences faculty member
9. Staff representative
10. Student representative.....University Program Council
11. Student representative.....Elected from East Residence Hall
12. Student representative.....Elected from West Residence Hall
13. Student representative.....Selected by Southwestern Student Congress
14. Student representative.....Selected by Southwestern Student Congress
15. Student representative.....Selected by Southwestern Student Congress
16. Student representative.....Selected by Southwestern Student Congress
17. Student representative.....Selected by Southwestern Student Congress
18. Student representative.....Selected by Southwestern Student Congress
19. Student representative.....Selected by Southwestern Student Congress

The chair is to be elected by and from the Council, and it may always be held by a student.

Staff Affairs Council

1. Administrative Liaison.....Associate Vice President for Human Resources
2. Staff representative.....Administrative Staff
3. Staff representative.....Administrative Staff
4. Staff representative.....Administrative Staff
5. Staff representative.....Clerical Staff
6. Staff representative.....Clerical Staff
7. Staff representative.....Clerical Staff
8. Staff representative.....Physical Plant Staff
9. Staff representative.....Physical Plant Staff
10. Staff representative.....Physical Plant Staff
11. Staff representative.....At-Large
12. Staff representative.....At-Large
13. Student representative.....Selected by Southwestern Student Congress
14. Student representative.....Selected by Southwestern Student Congress
15. Student representative.....Selected by Southwestern Student Congress
16. Faculty representative .....School of Fine Arts faculty member
17. Faculty representative .....Humanities faculty member
18. Faculty representative .....Natural Sciences faculty member
19. Faculty representative .....Social Sciences faculty member

The chair is to be elected by and from the Council, and a staff member must always hold it. The Vice President for Fiscal Affairs attends with voice but without vote.

IV. FACULTY PROCUREMENT AND SERVICES

Introduction

Southwestern University recognizes that an open application system, where all interested and qualified individuals are given an equal opportunity to apply, is essential to a non-discriminatory work environment. Accordingly, special efforts are made to reach a broad pool of qualified candidates, including women and minorities, for all positions.

Types of Faculty Members

The Bylaws state that the "faculty shall consist of the President of the University, the Dean of Instruction, the Vice Presidents, the Dean of Students, Professors, Associate Professors, Assistant Professors, Instructors, and such other personnel as designated by the President [Article III, 310.1.1]." The faculty is thus divided into three types: 1) Deans, and Vice Presidents; 2) administrators and professional staff with faculty rank [i.e., professional librarians]; and 3) regular and special teaching faculty [e.g., Professors, Associate Professors, Assistant Professors, and Instructors]. Administrative professionals are employed to serve principally as staff, though they may do some teaching. All administrators and professional staff members with professorial rank are assigned by the President to membership in a division or school of the University. Teaching members are employed to serve principally as teachers, though they may do some administrative work. The type of relationship to the University under which one is employed will normally be specified in the appointment letter. Unless otherwise specified in the letter, administrators and professional staff are employed on a twelve-month basis, while teachers are employed on a nine-month basis. Persons whose principal activities are teaching programs, those whose load is primarily coaching and directing Fitness and Recreational Activity courses, professional librarians, and any others whose principal work is not classroom or studio teaching are administrators or professional staff members with teaching appointments.

A teaching faculty member may be full-time or part-time. A full-time load for tenured and tenure-track faculty is five to six courses for 20-24 credits per year or its equivalent, plus advising, committee work, attendance at faculty/ division/ school/ department/ program meetings, and certain other non-classroom duties, which may qualify for released time, as defined by agreement with the Dean of the School of Fine Arts, if applicable, and the Provost. Only full-time faculty members designated by the President as tenure-track are eligible for tenure. The teaching load of full-time visiting faculty is at least six courses per year. Full-time visiting faculty and part-time faculty do not have advising or committee responsibilities. Part time teachers who have taught the equivalent of two courses per semester for six to eight credits and who have completed or are in the process of completing three successive annual appointments are eligible for competitive faculty development funds and are granted voting privileges.

Professorial Rank for Administrators

Because early in its history most of the administrators at Southwestern came out of the teaching faculty and thus held professorial rank in their administrative positions, it has become customary for the President to assign an equivalent professorial rank to some administrators and professionals who do not emerge from the teaching faculty. Such assignment of rank does not place the administrator or professional on the tenure track but does automatically make him or her a member of the general faculty by presidential appointment with right of vote in faculty meetings and the right to march as a faculty member in academic processions. Certain other administrative or professional personnel are advised annually of their rights to attend faculty meetings with voice but without vote or the right to march in academic processions.

Part-time Faculty Members

Southwestern University employs full-time faculty members insofar as possible to teach its curriculum and to perform the other educational tasks of the University. Part-time faculty members normally serve in situations where the University may want to take advantage of special courses or skills which it cannot contract on a full-time basis, for additional curricular needs beyond that offered by the full-time faculty, or where temporary replacement faculty is needed because of sabbatical, leave of absence, or course releases.

Part-time faculty members are all persons who teach less than a full-time load. Part-time faculty members are not eligible for tenure and receive appointment letters either each semester or yearly from the Provost.

The University values its part-time faculty members and considers them to be important partners in the teaching and learning enterprise. They are entitled to many of the advantages of University affiliation to which full-time faculty members are entitled. Their teaching assignment should be carefully determined by the department chair and the Provost (and the Dean of the School of Fine Arts when applicable) so as not to exceed the load appropriate to the individual's fraction of a full-time load. The part-time faculty member is assigned a faculty rank consistent with his or her educational background and experience, and that rank may be adjusted by the Provost from year-to-year, in consultation with the department chair, when a promotion is deemed to be appropriate. The part-time faculty member should be provided office space, insofar as possible, and should share the faculty support services of the University, including faculty secretarial services.

Part-time faculty members are eligible for certain University benefits, which vary depending upon the members' category. All persons whose appointment is at least three-quarter time (consisting of a combination of courses taught and other duties as determined by the Provost and/or Dean of the School of Fine Arts) in each of two consecutive semesters per academic year are eligible to participate in the University's individual group health insurance and group life insurance programs, dental insurance and the vision plan. They may also participate in the University's retirement program subject to certain eligibility limitations. The details of benefits available to part-time faculty members may be obtained from the Human Resources department. (See also "Benefits for Part-time Faculty Members" in Section VI of this handbook.)

All teaching faculty, including part-time faculty, participate in the student course evaluation system. All part-time faculty members must be regularly evaluated. They must have their students complete student evaluation forms in every class, consistent with University course evaluation procedures and with the advice and cooperation of their department chair. Committee work and academic advising are negotiated with the Provost or the Dean of the School of Fine Arts. Weekly presence on campus and office hours should be proportional to the fraction of full-time load that the position carries. Other specific responsibilities are determined by the department chair or Dean and the part-time faculty member, subject to the Provost's approval.

Administrators and professional staff may be authorized to teach even though their major responsibilities classify them as administrators, but who also may do some teaching. This category currently includes full-time coaches, professional librarians, members of the President's Senior Staff, academic affairs staff with faculty rank, and others. Teaching assignments must be approved by the Provost, upon recommendation of the department chair. Individuals in this category do not receive extra compensation for teaching during their regular appointment period.

Coaches – The duties of full-time head coaches include coaching at least one major sport, recruiting athletes for one or more sports, sharing departmental responsibilities, and teaching Fitness and Recreational Activity courses as assigned by the chair of the Department of Exercise and Sport Studies. Coaches may be assigned occasionally to teach other courses for which they are qualified, subject to the approval of the Provost, and have the participatory responsibilities and opportunities outlined in this handbook. Initial appointments for full-time coaches state the title of the position and the academic rank. Coaches' benefits are described in the *Staff Handbook*. Individuals in this category do not receive extra compensation for teaching during their regular appointment period.

Professional Librarians – "The function of the librarian as a participant in the process of teaching is the essential criterion of faculty status," according to the "AAUP Joint Statement on Faculty Status of College and University Librarians." [*AAUP Bulletin*, Winter 1972: 434-5]. Recognizing this, Southwestern University grants faculty status to all full-time professional librarians who possess the appropriate professional credentials.

Professional librarians hold at least a master's degree for the field of library and information science. Librarians hold twelve-month staff appointments and are not eligible for tenure. Their benefits are described in the *Staff Handbook*. Otherwise, they have the participatory responsibilities and opportunities outlined in this handbook. They contribute fully to faculty governance structures. Initial appointment letters for all professional librarians state the title of the position and the academic rank accorded.

Each librarian's professional contribution to the library, the University, and the profession are reviewed periodically by the Dean of Library Services in a formal, written evaluation and/or by individual consultation. These evaluations are conducted in conformity with University procedures as administered by the Human Resources department.

Adjunct Instructors in Applied Music and Fitness and Recreational Activity Instructors

Adjunct instructors in applied music are employed in the School of Fine Arts to teach applied lessons where the regular full-time faculty does not have the expertise to teach the desired instrument or where there is an overload. The student pays the University for the cost of the instruction and the University pays the teacher on the basis of credentials, ability, experience, and time commitment to the assignment.

Instructors in Fitness and Recreational Activity (FRA) courses are employed in the Exercise and Sport Studies Department to teach one-credit FRA courses where the regular faculty does not have the required expertise.

While their contributions are valued by the University, adjunct instructors in applied music and FRA instructors are not members of the regular teaching faculty. Their responsibilities are limited to classroom instruction.

Determining Faculty Credentials

The Office of the Provost is responsible for verifying that teaching faculty carry the appropriate credentials to teach in the discipline for which they are hired -- a terminal degree in the field or at least 18 graduate-level credits in the field. In instances where a faculty member does not have these credentials, prior to the preparation of the appointment letter, the Associate Vice President for Academic Administration will solicit from the department/program chair a statement of certification that the instructor has the professional experience or other attributes which are the equivalent of the 18 graduate-level credits prior. This statement will be reviewed by the Associate Vice President for Academic Administration and the appropriate academic dean to determine whether the faculty member is qualified to teach in the field. A recommendation will be made to the Provost and Dean of the Faculty and the Associate Vice President for Academic Administration will then convey the decision to the department/program chair.

The Paideia, First-Year Seminar, and Advanced-Entry Seminar programs offer learning experiences for students that are not geared toward the transmission of disciplinary content. Rather, they are programs of integrated learning that introduce students to ways of teaching and knowing. Therefore, faculty teaching in these programs are selected based on their teaching records and the quality of proposals submitted to the respective committee, not on disciplinary credentials.

The Faculty Hiring Process

Tenure-track Faculty Appointments

The process of securing new tenure-track full-time faculty appointments involves a national search to identify candidates with the strongest possible academic credentials and a strong commitment to work effectively within the setting of a liberal arts and sciences undergraduate education. Searches are carried out under the guidelines established by the University. The President is ultimately responsible for the appointment of faculty members. When deciding when and where to establish new tenure-track lines, the President, in consultation with the Provost and, where relevant, the Dean of the School of Fine Arts, should consider the following criteria (listed alphabetically):

- Disciplinary requirements
- Diversity
- Opportunity to address current weaknesses
- Opportunity to take advantage of current strengths
- Potential contributions to general education requirements
- Potential contribution to interdisciplinary programs, area studies, and/or to multiple departments
- Potential for strengthening Southwestern's identity as a liberal arts college
- Student interest, broadly understood

This list is not ranked, and there are a variety of ways in which these criteria may be used to reflect on the University's staffing needs.

The search process involves wide faculty and student participation under the direction of the Provost. Tenure-track search procedures involve three major steps:

1. The Organization of the Search:

   As soon as it is known that an opening will occur, the appropriate department chair consults with the Provost or the Dean of the School of Fine Arts. The Provost defines the nature and character of the position in consultation with the department chair and other appropriate persons, such as the academic deans. The level of appointment, the salary range, and the responsibilities of the position are determined by the Provost, in consultation with the appropriate academic dean and the President. While administrative responsibility for searches rests with the Provost, the day-to-day responsibility for the organization and operation of the search is under the purview of the Search Chair (most often the department chair) who is appointed by the Provost. Faculty search guidelines are available on the Provost's Office Web page.

2. Selection of Candidates:

   The Search Committee is approved by the Provost and the appropriate academic dean. The Search Committee is composed of the department chair (if other than the Search Chair), other tenured, tenure-track, and other department members, a faculty member outside the department, and one or two students (normally majors within the department). The Provost, in reviewing the composition of search committees, will consider the gender balance of the committee an important factor in conducting the search. The search chair must appoint a faculty member on the search committee to serve as the "diversity advocate" for the search process. This individual will be responsible for ensuring that the development of a diverse applicant pool is a high priority in the search process.

   Notice of the opening is published nationally, and it is listed with professional organizations. Letters announcing the opening may be sent to universities known to produce strong candidates, to department chairs at other institutions and to agencies, which screen applicants within the discipline. Whenever possible, prospective candidates are interviewed informally at regional or national meetings.

   The Search Committee determines whom to interview initially, whether by telephone or on campus. Invitations to visit campus are issued by the Search Chair upon approval of the Provost. At least two final candidates are brought to campus, where they are normally interviewed by the President, the Provost, the appropriate academic dean, and the Search Committee. Students majoring or minoring in the department shall have the opportunity to meet separately with the candidates and will report to the Search Chair. The candidates' formal presentations will be in a public forum whenever possible.

3. The Offer of Appointment:

   After the on-campus interviews, reports from all individuals who were involved in the interview are gathered by the Search Chair and made available to members of the Search Committee. The Search Committee then meets to consider the qualifications and performances of the candidates and to rank the acceptable candidates. The Committee's recommendations and supporting documents are then sent to the Provost or, when applicable, the Dean of the School of Fine Arts. The reports of those involved in the interview process and the recommendations of the Search Committee are summarized by the Provost, who then makes the recommendation to the President. The decision to appoint is ultimately left to the President.

Non Tenure-track Full-time Faculty Appointments

It is often necessary to seek and appoint individuals to full-time, non-tenure track (visiting) positions when, for example, a vacancy occurs late in the academic year, when a tenure-track search is unsuccessful, or when an impending departmental/program review makes a tenure-track appointment undesirable. Individuals in these positions serve for limited periods of time, with appointments not to exceed two years (appointments may be renewed). These appointments carry the titles of Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, or Visiting Instructor. These members of the faculty receive benefits as described in Chapter VI. After authorization by the Provost, the search is conducted under the leadership of the department chair (with the supervision of the Dean of the School of Fine Arts, when applicable).

The search procedures used for tenure-track appointments are usually simplified, subject to the approval of the Provost. Advertising may be restricted to local or regional publications, fewer candidates may be brought to the campus, and fewer members of the department may be involved in the search. The candidates and their credentials are then carefully evaluated, and a recommendation to appoint a candidate is made to the Provost or the appropriate academic dean. The Provost, in consultation with the President, authorizes the department chair to offer the position.

Renewal of Visiting Full-time Faculty Appointments

The Provost and the President determine whether to offer an additional year of visiting full-time appointment. Prior to being rehired, the department chair submits a written evaluation of the visiting faculty member to the Provost (and the Dean of the School of Fine Arts when applicable) using the results of student evaluations, the input received from the faculty member being evaluated, the opinions of other faculty members, and other relevant and appropriate information. This evaluation serves as the basis for determining whether the faculty member may be rehired.

Part-time Faculty Appointments

The department chair has primary responsibility for recruiting and hiring part-time faculty members. (In the School of Fine Arts, the Dean works closely with Fine Arts department chairs in this capacity.) When the need for a part-time faculty member is determined jointly by the department chair, the Provost, and appropriate academic dean, the Provost authorizes the department chair to seek out and recommend candidates for the position. At the time of the authorization, rank, salary range, and specific responsibilities are determined. Search procedures may vary depending upon the nature of the position. The department chair may choose to involve students and other faculty members in the search and consults with the Provost and appropriate academic dean as the search progresses. The names of recommended candidates for the position are forwarded to the Provost (via the Dean of the School of Fine Arts, when appropriate) for approval. Hiring procedures are initiated by the Provost with the Human Resources department for approved candidates for part-time faculty positions.

Renewal of Part-time Faculty Appointments

The department chair may recommend continuing the employment of an already employed part-time faculty member. Prior to being rehired and on an annual basis, the department chair submits a written evaluation of the part-time faculty member to the Provost (and the Dean of the School of Fine Arts when applicable), using the results of student evaluations, the input received from the faculty member being evaluated, the opinions of other faculty members, and other relevant and appropriate information. This evaluation serves as the basis for determining whether the part-time faculty member may be rehired. With permission of the department chair and the part-time faculty member, another permanent member of the department can contribute to this process by reviewing student evaluations and making a report to the chair, who in most cases will also review the evaluations. Though part-time faculty members receive appointment letters either each semester or yearly, they should receive timely notification of whether an appointment letter will be offered in subsequent semesters, consistent with the Provost's evaluation of the University's needs. The final decision to rehire rests with the Provost, under authority delegated by the President. The Provost authorizes the chair to make an offer of employment. If the part-time faculty member accepts the offer for renewal, the Provost initiates appointment renewal procedures with the Human Resources department.

The Appointment Letter

The terms of employment are specified by the University and accepted by the faculty member by means of an appointment letter. All faculty members will normally receive an annual notification of reemployment, though once tenure has been granted, reemployment is automatic and the person may assume reemployment on the same conditions as those of the previous year. Faculty members will always be notified by letter of special elements regarding any appointment which is to be changed.

The following elements will be assumed to have been covered to the satisfaction of the faculty member by the return of the signed appointment letter to the Provost:

1. The title of the position and the rank accorded therewith;

2. The salary;

3. The granting of prior experience credit toward tenure and promotion;

4. The dates corresponding to the nine months of annual employment, with the University's right to change them annually by means of a general announcement during the preceding academic year applicable to all teaching faculty members. A faculty member's appointment obligation to the University is for nine months. Under the present arrangement, the University calls on the faculty member for two semesters of teaching within the nine-month period. It may stipulate further academic responsibilities within the nine-month period outside the time announced for the beginning and end of the two semesters should the two semesters not encompass the entire nine-month period. Unless a specific agreement is made at the time of appointment, all faculty positions are full-time;

5. The agreement that the newly appointed faculty member has read or been given the opportunity to read the *Faculty Handbook*, especially the provisions related to the probationary period prior to the granting of tenure, work outside the University, faculty responsibilities, and the exceptions of the University regarding faculty relationship to University policy in student life matters, and that the faculty member understands that the *Faculty Handbook* outlines the general expectations and procedures of the University for faculty members;

6. An understanding that the letter of appointment requires confirmation by the Board of Trustees; and

7. An understanding that failure to live up to the terms of the appointment as specified above will be considered adequate cause for non-renewal of appointment for probationary faculty members and may constitute adequate grounds for instigation of dismissal with cause procedures for faculty members with tenure.

All faculty must submit original transcripts to the Provost's Office from all institutions from which a college degree was earned.

Faculty Teaching Load

While a completely equal workload is unrealistic and unattainable, it is expected that every department and every faculty member will make a serious effort to bear a reasonable share. Records of workloads are kept in the Office of the Provost and are available to the Faculty Status Committee, the divisional/school and department chairs, and to the individual faculty member. Credit for Independent Study toward the faculty member's workload shall be granted only on the basis of consultation with the department chair and approval by the Provost. Responsibility for making the Provost or Dean aware of special elements in workloads rests with the faculty member. Special elements connected with workloads are cumulative. A faculty member who carries a heavier-than-normal load for a semester or two is entitled to a comparable lightening of the load in succeeding semesters. The use of more efficient teaching procedures, however, is not to be penalized by increased workloads. On the other hand, the use of less than efficient teaching procedures in order to perpetuate artificially high workloads is discouraged. Experimentation and innovation are encouraged and rewarded.

The following general standards set by the University Council govern the present workload policies during the regular semesters.

1. A "normal" load (3 courses per semester or 6 courses per year; non-laboratory and having no "special features") is regarded as 9 semester hours per semester (3-3 course load) plus the handling of no more than two students in Independent Study or Academic Internships. In terms of student contact hours, such a "normal" load would range from 50 to 100 students per semester in total class contacts. Modification would result from consideration of laboratory contacts and preparations, activity contacts, unusual paper grading responsibilities, etc. The exception may be in the laboratory sciences where teaching may exceed nine contact hours in one semester due to lab instruction.

2. The minimum class size is 6 students. Decision to cancel classes below 6 rests with the Provost and the department chair. If the class falls below 6, the same standards for crediting course load will be used as are used for Independent Study.

3. Independent Study or Academic Internships may be credited to the faculty workload in the following pattern: 1 or 2 students, 1 hour; 3, 4 or 5 students, 2 hours; 6 students, 3 hours. (See Chapter VIII, Academic Internships, Independent Study).

4. In Kinesiology, fitness and recreational activity courses normally meet 150 minutes per week for one hour of credit. Because of the difference of preparation and contact time, fitness and recreational activity courses are currently being calculated at 1 ½ contact hours per credit.

5. In Education, supervision of practice teachers is calculated on a formula of 18 student teachers to the full semester load, i.e., the supervision of 6 student teachers is equated to a three-hour course.

6. Because of the unique teaching situations for many of the courses in the School of Fine Arts, each area is outlined below. Except for Music Ensemble, the first figure is clock hour; the second figure is semester hour. A "normal" load is prorated on this basis to the 9-12 hour "normal" load of the University; although loads up to 15 prorated hours are sometimes necessary.

   A. Art – classroom 1:1, studio 2:1
   B. Theatre – classroom 1:1, laboratory 2:1
   C. Music – classroom: theory/literature 1:1, music education 1:1. Music – applied: 3:2 (private and group instruction). Music – ensembles: (each receives a set number of semester hours) 3 – Wind Ensemble, Chamber Orchestra, University Chorale, Opera Theatre, Southwestern Singers, Jazz Ensemble. [Additional groups may be organized receiving 0-2 hours credit for a particular semester.]

Standards 1, 2, 3 and 6 above are also considered in arriving at loads in Fine Arts.

The Faculty Member and the Academic Community

The Southwestern faculty member shares a responsibility for the tone and atmosphere of the campus community. This responsibility will be expressed, of course, in many ways, not all of them possible to define. There are, however, opportunities which a conscientious member of the community will take seriously.

Worship in Lois Perkins Chapel has far-reaching influence. Here, faculty and students come together to acknowledge dependence and ask for guidance. Chapel meets weekly on Thursdays at 11:30 a.m., and faculty members are invited to attend. Chapel is an open hour, and meetings, reviews, make-up exams, etc., should not be scheduled during this hour.

Many outstanding lecturers, speakers, and artists are presented on campus each year by various groups and organizations. Such events are intended for the entire University community. Faculty members will not only benefit personally from attending these events, but will, by their attendance, encourage students to also take advantage of them.

The School of Fine Arts regularly presents art exhibits, theatrical productions and music concerts throughout the year. These highlight artists and performers from the faculty, well-known artists from off-campus and students artists.

Evaluation of Faculty

Criteria for Tenure, Promotion, and Salary Increases

Faculty members contribute to the aims and mission of Southwestern University in a variety of ways. While it is important to set forth clear criteria for the purposes of evaluating faculty for tenure, promotion, and salary increases, it is also important to state that equal weight need not be assigned to each of the criteria. Demonstrated excellence in any of the criteria listed below should be recognized and rewarded accordingly. Over the course of an academic career, individual faculty members may (in consultation with the Provost, Dean and/or department chair) choose to shift their areas of emphasis and should expect to be evaluated accordingly. Evaluation should take into account varying levels of institutional support for faculty pursuit of instructional,

professional, and service activities in different divisions/schools and departments, as well as at different stages of faculty members' careers.

Among the criteria listed below, the most important is effective teaching. There shall be no compromising on this criterion in the consideration of tenure and promotion decisions. While listed as second in order of importance, professional growth, as demonstrated through professional activity and achievement, is also an essential characteristic of an effective Southwestern University faculty member. All faculty members are expected to remain professionally active in their respective fields. They must also be able to demonstrate professional achievement at the time of consideration for tenure and/or promotion. Contributions to the University through service to the life and operation of the community are expected of faculty at Southwestern University. It should be noted, however, that no amount of University service will compensate for deficits in teaching or professional activity and achievement. Teaching faculty are also expected to fulfill their responsibilities as outlined under Chapter VII, Faculty Responsibilities.

Teaching Effectiveness

Sustained teaching effectiveness is the most important of the evaluation criteria, and excellence in other areas cannot compensate for the deficiency in teaching effectiveness. Effective teaching is best defined in the context of each particular situation. In general, however, an effective teacher is one whose work is characterized by commitment to subject, to student, and to constant improvement in teaching. The effective teacher exhibits enthusiasm for the subject and has a thorough and demonstrable knowledge of the field and developments therein. In this regard, the effective teacher is one who actively engages in scholarly and/or creative endeavors and who views intellectual development of students and, to this end, is willing to be available to students in a variety of settings, both in and out of the classroom. An effective teacher encourages questions from students, welcomes diversity of opinion from them, and is considerate and fair in all dealings with them, seeking always to increase their capacity to think for themselves in the construction of knowledge. In addition, the effective teacher motivates and challenges students by setting rigorous academic standards and by providing timely and substantial feedback on all course assignments and exams. The effective teacher also welcomes and profits from constructive criticism. Finally, an effective teacher is one who regularly engages in course development and/or revision to ensure currency of content and/or methodology in the implementation of courses.

Faculty participation in an interdisciplinary program involves curricular demands outside of those in the faculty member's own department. In evaluating faculty for the purposes of awarding tenure, promotion, or salary increases, effective teaching in an interdisciplinary course is recognized and valued as involving these special demands.

Professional Growth

Engagement in scholarly and/or creative endeavors is an essential characteristic of an effective faculty member at Southwestern University. Faculty are expected to engage in scholarly and/or creative activities throughout their careers, and results of these activities should be shared with the greater academic community, on and off campus, through publications, presentations, exhibitions, and performances. In comparison with research oriented institutions, the level of scholarly and/or creative activity, particularly in terms of quantity, is limited by heavier teaching loads, greater demands for university service, greater expectations for work with students, and the absence of advanced research facilities. Nevertheless, faculty are expected to remain current in their fields and to maintain professional growth at a level commensurate with faculty at other national liberal arts colleges with similar resources.

An assessment of professional growth involves a complex judgment, particularly by peers, based on concrete experience and evidence. For the purpose of evaluation for tenure, promotion, and salary increase, the scholarly and/or creative endeavors of faculty members shall be evaluated in two categories: Professional Activity and Professional Achievement. The amount and quality of professional activity and achievement necessary for favorable consideration in tenure, promotion, and salary increase decisions shall be determined by the academic department and the Provost/Dean. Each department will develop and submit to the Office of the Provost and, where applicable, the Dean of the School of Fine Arts, a list of acceptable evidence for professional activity and achievement in that department. When necessary, this list will be updated to reflect changing expectations in these areas (the update will be included in the Departmental Annual Report). At the end of their first year at Southwestern, a meeting is held with the faculty member, their chair, and the appropriate academic deans. This

meeting is to discuss the expectations for tenure and promotion specific to their department. This meeting is not an evaluation of the faculty's work. Instead it is designed to further clarify the tenure review process, in particular, how Southwestern differentiates between professional activities and professional achievements.

1. **Professional Activity** refers to the meaningful pattern of related professional activities that demonstrate an articulated effort on the part of the faculty member to remain current in her/his discipline. All faculty members must be able to show evidence of professional activity throughout their careers at Southwestern University.

2. **Professional Achievement** refers to the results of professional activities normally judged and accepted by a peer review process. Typical peer review processes include review by publishing houses, journals, foundations and grant supporting agencies, academic conferences, and their equivalent, or in the case of artistic activities, by composition, performance, and gallery exhibition for which selection is competitive or which is reviewed by off-campus critics. At the time of consideration for tenure and promotion, a faculty member must be able to show evidence of professional achievement, relative to her or his rank and years at Southwestern University.

Faculty are asked to provide evidence of the review process of his or her professional achievements. Examples of this evidence might include, but are not limited to, comments from conference discussants, journal referees, editors, or other reviewers involved in the original professional evaluation of the scholarly/creative work, and general descriptions of the review procedures. All faculty have the option of requesting an external review of their professional work as part of their review process. Starting with faculty hired for the 2011-2012 academic year, external review of the faculty member's professional work will be a formal part of the evaluation process. All reviews for tenure and promotion starting with the 2018-2019 academic year will require external review of the professional work of the faculty. See the section on External Review for more detail.

Contributions to the University Community

Contributions to the University community are highly valued and are expected of all members of the Southwestern University faculty. Evidence of significant contributions to the University is a critical element of the evaluation process for tenure, promotion, and salary increases. Some of the activities listed below, such as chairing academic departments, divisions/schools, or programs, offer opportunities for significant leadership, but may not be accessible to all members of the faculty. It is the responsibility of the department chair and others meeting with the Faculty Status Committee and the Provost to discuss candidly what opportunities are available to the faculty member under review. While not intended to be all-inclusive or exclusive, or presented in any order or rank, the following list outlines examples of generally acceptable evidence of contributions to the University community:

1. Chairing an academic department/division/school, and/or an interdisciplinary program
2. Constructively participating in University governance, especially faculty meetings, councils, and committees
3. Academic advising of students, including that beyond immediate course work
4. Developing and/or revising academic programs and strategic plans
5. Organizing and planning events, library exhibits, and other outside activities
6. Teaching in extra-departmental course offerings
7. Participating in extramural community service activities
8. Developing studios and labs and maintaining inventories
9. Recruiting students, particularly in the fine arts and athletics
10. Recruiting faculty
11. Participating in community events to enhance the various programs of college life, such as fine arts events, athletic events, lectures, convocations and other campus gatherings
12. Creating posters, publicity, or Web pages at the request of the University
13. Working to reach department and academic program objectives
14. Other

Service as an academic department or program chair at Southwestern University is considered to be among the most significant contributions that a faculty member can make to the University community. The University recognizes that faculty serving as department and program chairs are devoting a great deal of time to administrative duties and departmental/programmatic leadership – time that would normally be spent in the

development of their teaching, professional activities, and professional achievements. While no amount of service (including service as a department or program chair) can substitute for insufficiencies in teaching, professional activity, and professional achievement, the University recognizes that faculty serving as department and program chairs will have fewer opportunities for growth in these areas during their service as chair. Therefore, effective service as a department or program chair will be taken into consideration when determining salary increases and in the evaluation of faculty for promotion to subsequent rank.

Availability of Curriculum Vitae

To allow faculty to see the range of professional activity and achievement of tenured members of the teaching faculty, the Provost will keep a folder containing the curriculum vitae submitted with the Brief Annual Report, which will be available to the Southwestern community and updated annually.

Evaluation: General Procedures

An annual review of all non-tenured faculty members is made with reports submitted to the President by the Faculty Status Committee, the Provost, and the Dean of the School of Fine Arts, in consultation with department and division/school chairs.

The non-tenured faculty member is urged to submit to the Provost, the Dean of the School of Fine Arts (for Fine Arts faculty members), and the chair of the department, any material which the faculty member considers particularly relevant to evaluations, including records of scholarly work completed. (See "Professional Files" in this chapter.)

On January 15, 1985, the faculty approved a recommendation from the Faculty Affairs Council that "the academic deans implement a systematic course evaluation by students, with the FAC serving in an advisory capacity. The purpose…will be to provide one element in faculty evaluation. Results will be available to the faculty members." At its meeting on April 3, 1985, the Faculty Affairs Council adopted a motion that "the student course evaluations instituted by the faculty in 1984-85 will be one of the determinants used in judging teaching effectiveness." See Course Evaluation System in this section for additional information.

The University clearly reserves the right to make decisions on retention or non-retention both because of the qualifications of the faculty member and because of the needs of the department. Because such a variety of factors relate to appointment decisions, a decision not to reappoint does not reflect adversely upon the adequacy of the faculty member.

The Pre-tenure Evaluation Process

The objective of pre-tenure evaluation is two-fold. First, it assists Southwestern University in identifying faculty members with the strongest credentials for tenure. Second, it provides the faculty with feedback that promotes enhanced teaching skills and professional growth.

All tenure-track faculty appointees are expected to attend a special orientation in the fall semester to learn about the evaluation process, including the importance of the professional file and the role of the Faculty Status Committee. At the orientation, a member of the Faculty Status Committee and an academic administrator will discuss criteria for tenure and the tenure process. The procedures described below do not alter the scope of the activities, responsibilities, or authority of the Faculty Status Committee to carry out reviews and make recommendations to the President with regard to contract renewal. The confidentiality of the Committee's activities and of its recommendations to the President is maintained, as well as its ability to gather information that it deems appropriate to carry out its responsibilities. The pre-tenure period of appointment normally involves six years. This period of time is consistent with most other universities and allows for adequate development and growth of faculty members subsequent to the comprehensive second and fourth year reviews and prior to the tenure decision.

A faculty member may discuss the pre-tenure evaluation process with the department chair, the Provost or Dean, or any member of the Faculty Status Committee. The faculty member under review may request that an outside evaluator be consulted. When a faculty member makes a request for an outside evaluation, the faculty member, in consultation with the Provost and the appropriate chair or dean, lists five outside evaluators. The faculty member also provides a packet of relevant professional work from his or her professional file. The Provost

selects a name(s) from the list and forwards the packet of professional materials to the selected evaluator(s). The evaluator(s) provides a written report in a timely manner to the Provost, who forwards the report to the Faculty Status Committee. After deleting the name(s) of the evaluator(s), the Provost places a copy of the evaluation report in the faculty member's professional file. The decision whether or not to request an outside evaluation rests solely with the faculty member, and no implications shall be drawn from the presence or absence of such a request. This procedure for obtaining outside evaluations can be modified upon mutual agreement of the faculty member and the Provost.

The faculty member, in conjunction with the department chair, will establish a set of goals for each academic year. These goals will be based on feedback provided by the department chair and/or the appropriate academic dean to the faculty member during the conferences regarding progress toward tenure. Progress toward these goals should be reflected in the faculty member's annual report and in the department chair's annual report, both submitted to the Provost and the Dean of the Faculty.

First Year Review

The first year review is conducted by the department chair and is communicated to the faculty member through two informal conferences with no written record of the conferences. These conferences serve a formative function and focus primarily on teaching effectiveness and the faculty member's development of her/his professional file. Opinions expressed in the first year review do not represent an administrative view of the faculty member's progress toward tenure, but are intended to provide feedback at the departmental level. Normally, the appropriate academic dean would not participate in these conferences, but under special circumstances could hold a separate conference; such a conference could be conducted at the request of the dean or the individual faculty member. Ideally, the conferences should be held at the end of each semester in the first year. The conferences will include discussions of the following:

Course syllabi
Course evaluations for the most recent semester
Views solicited from tenured departmental colleagues
Classroom visitations (if requested by the faculty member or department chair)
Brief Annual Report (spring semester)
Professional file and C.V. (spring semester)

Second Year Comprehensive Review

The Faculty Status Committee will conduct the first comprehensive review in the second year. This review will be a major evaluation, which will give the untenured faculty member a realistic picture of her/his progress toward tenure. Prior to that review and no later than the Wednesday of finals week during the fall semester of that year, the faculty member will update his or her professional file and personal statement for review by the Faculty Status Committee. At the second year review, the faculty member should have established a record of effective teaching, must be able to demonstrate evidence of professional activity and have a plan for scholarly/creative achievement, and should be able to document contributions to the University community through departmental service and participation in events and activities on campus. Teaching ability will be evaluated on the basis of course evaluations and conferences with colleagues, the department chair, the division/school chair, and the appropriate academic dean(s). Professional activity and contributions to the University community will be evaluated through conferences with the department chair and careful examination of the professional file. (See "Professional Files" in this chapter.) Prior to meeting with Faculty Status Committee the department chair will conduct a conference with the faculty member to discuss the evaluation that will be shared with the committee.

A concise personal statement is required for this review and the faculty member is free to develop it in a way that is appropriate to his or her discipline and individual circumstances. The personal statement must include two sections: 1) a brief summary of teaching, professional development, and contributions to the University community to date, synthesizing highlights from the Curriculum Vitae and Brief Annual Report, and 2) a brief statement of projected teaching and professional plans for the next two years.

The appropriate academic dean will discuss the results of the second year review in conference with the faculty member. This conference will represent, to the extent possible, the institution's viewpoint with respect to the faculty member's progress toward tenure but will be constructed to protect the confidentiality of the Faculty Status Committee report. The department chair will be present at this conference as an auditor, except when the

dean and the faculty member agree that a private conference would be more appropriate. If a private conference is held, the dean will communicate the information from this conference to the department chair. A written summary of the conference will be submitted by the dean to the faculty member, with copies to the department chair and the Faculty Status Committee.

Third Year Review

The third year review is conducted by the department chair and is communicated to the faculty member in an informal conference conducted at the end of the academic year with no written record of the conference. The appropriate academic dean acts in an advisory capacity in the third year and, at his or her discretion, could participate in this conference or require a separate conference. This review is formative, providing advice and monitoring progress in all areas of tenure criteria and will address issues outlined in the summary letter from the second year comprehensive review. In the third year, the department chair will place a special emphasis on the faculty member's progress in the area of professional growth. The conference will include discussions of the following:

Course syllabi
Course evaluations for the most recent semester
Views solicited from tenured departmental colleagues
Classroom visitations (if requested by the faculty member or department chair)
Brief Annual Report
Professional file, personal statement, and C.V.
Summary letter from the second year comprehensive review

Fourth Year Comprehensive Review:

The Faculty Status Committee will conduct the second comprehensive review in the fourth year. As with the second year review, this review will be a major evaluation, which will give the untenured faculty member a realistic picture of her/his progress toward tenure. Prior to that review and no later than the Wednesday of fall semester finals that year, the faculty member will update his or her professional file and personal statement for review by the Faculty Status Committee. At the fourth year review, the faculty member should have established a record of sustained and consistent teaching effectiveness, should be able to demonstrate evidence of professional activity and achievement with a plan for further achievement, and should be able to document contributions to the University community through service beyond the department and participation in events and activities on campus. It is expected that the faculty member will be able to demonstrate significant improvement regarding any concerns identified in the second year comprehensive review. Teaching ability will be evaluated on the basis of course evaluations and conferences with colleagues, the department chair, the division/school chair, and the appropriate academic deans(s). Professional activity and achievement and contributions to the University community will be evaluated through conferences with the department chair and careful examination of the professional file. (See "Professional Files" in this chapter.) Prior to meeting with Faculty Status Committee the department chair will conduct a conference with the faculty member to discuss the evaluation that will be shared with the committee.

As with the second year review, a concise personal statement is required for this review and the faculty member is free to develop it in a way that is appropriate to his or her discipline and individual circumstances. The personal statement must include two sections: 1) a brief summary of teaching, professional growth, and contributions to the University community to date, synthesizing highlights from the Curriculum Vitae and Brief Annual Report, and 2) a brief statement of projected teaching and professional plans for the next two years.

The appropriate academic dean will discuss the fourth year review in conference with the faculty member. This conference will represent, to the extent possible, the institution's viewpoint with respect to the faculty member's continuing progress toward tenure but will be constructed to protect the confidentiality of the Faculty Status Committee report. The department chair will be present at this conference as an auditor, except when the dean and the faculty member agree that a private conference would be more appropriate. If a private conference is held, the dean will communicate the information from this conference to the department chair. A written summary of the conference will be submitted by the dean to the faculty member, with copies to the department chair and the Faculty Status Committee.

External Review

The faculty member under review may request that an outside evaluator be consulted. When a faculty member makes a request for an outside evaluation, the faculty member, in consultation with the Provost and the appropriate chair or dean, lists five outside evaluators. The faculty member also provides a packet of relevant professional work from his or her professional file. The Provost selects a name(s) from the list and forwards the packet of professional materials to the selected evaluator(s). The evaluator(s) provides a written report in a timely manner to the Provost, who forwards the report to the Faculty Status Committee. After deleting the name(s) of the evaluator(s), the Provost places a copy of the evaluation report in the faculty member's professional file. The decision whether or not to request an outside evaluation rests solely with the faculty member, and no implications shall be drawn from the presence or absence of such a request.

New Faculty (starting with the 2011-2012 academic year):
External review will take place in three stages. As a part of the individual's 4th-Year Review, one outside evaluation will be solicited, and the results of this review will be folded into the review process as it currently exists. As a part of the 6th-Year Review for promotion and tenure, two new letters of review will be sought, along with a follow-up review from the reviewer from the 4th year. If the previous reviewer is unavailable, a third new review will be sought. This total of four letters of review will be considered during the tenure consideration. When an individual applies for promotion to Professor, three additional reviews will be expected.

By April 1 of the year preceding the review in question (4th Year, tenure or promotion to Professor) each faculty member under consideration will provide the Department Chair and appropriate Dean a list of at least three people (in the case of the 4th year Review) or seven people (in the case of the tenure and promotion to Professor reviews) they believe would be appropriate experts in their field. If, due to the nature of the candidate's field, it would be difficult to find seven potential reviewers, the candidate should discuss with their chair a more appropriate number. In order to assist the Chair and Dean with the selection process, the list should give a brief description of each potential reviewer's expertise, as well as the nature of the relationship between that individual and the candidate for promotion. The Department Chair and the appropriate academic dean will meet to select a person or persons from this list. If initial contacts are unable to provide a review, others will be contacted until an appropriate number of reviewers have accepted our invitation.

By May 15, each faculty member under consideration will put together a packet of information to be sent the outside reviewers. A *vitae* is a necessary part of the packet of material sent to reviewers. Faculty will determine what specific work, published and/or in-progress, is forwarded to reviewers. Faculty may include professional statements of their research focus or anything else they deem relevant to the external reviewer. The appropriate academic dean will solicit the reviews.

External reviewers will be sent the packet of material to be reviewed, a brief description of the University and the resources available to faculty (this section will vary by department and be produced by the appropriate academic dean and Department Chair), and the typical teaching load and service responsibilities of the faculty member. The letter to the reviewer will indicate we are not looking for the reviewer's opinion of the tenureability of this person or whether the level of professional activity and achievement would make a favorable case for tenure at the reviewer's institution. Instead, reviewers will be asked to provide their assessment of (1) the quality and rigor of the work submitted by the candidate that has not been peer reviewed, (2) the standards, rigor, and quality, and regional or national standing of the venues in which the candidate has presented, displayed, performed, or published work, and (3) whether those venues are appropriate to her/his field. In addition, reviewers will be asked to offer guidance to untenured faculty by commenting on the potential this work has and how it might be expanded and developed further. The reviews will be addressed to, and sent to, the appropriate academic dean.

Reviewers will understand the process used to select reviewers and will be aware that the faculty under review will not be told the identity of individual reviewers. However, in order to take full advantage of the developmental possibilities, the contents of the review, with any identifying information removed, will be passed on to the candidate by the appropriate academic dean. The deadline for receipt of external reviews will be August 1 and reviews will be forwarded by the appropriate dean to the faculty member once received. The reviews will also be forwarded to the Department and Division/School Chairs, the Provost/Dean of the Faculty, and the Status Committee. Faculty members may add a response to reviewer comments to their professional files. They should also contact their Chair and academic dean to convey any concerns about the review of their work.

This procedure for obtaining outside evaluations can be modified upon mutual agreement of the faculty member and the Provost and appropriate Academic Dean.

Timeline for current faculty (started at Southwestern before the 2011-2012 academic year):
Starting in August of 2018, for promotion from Associate to Full Professor, faculty will be expected to have three external reviews of their professional work. The process and timeline will follow the schedule used for the tenure review described above.

Fifth Year Review

The fifth year review is conducted by the department chair and is communicated to the faculty member in an informal conference conducted at the end of the academic year with no written record of the conference. As with the third year review, the appropriate academic dean acts in an advisory capacity in the fifth year and, at his or her discretion, could participate in this conference or require a separate conference. This review is formative, providing advice and monitoring progress in all areas of tenure criteria and should address issues outlined in the summary letters from the second and fourth year comprehensive reviews. In the fifth year, the department chair will place a special emphasis on the faculty member's preparation for the tenure review in the following academic year. This will include providing guidance on the preparation of the professional file and the personal statement (outlined below). The conference will include discussion of the following:

Course syllabi
Course evaluations for the most recent academic year
Views solicited from tenured departmental colleagues
Classrooms visitations (if requested by the faculty member or department chair)
Brief Annual Report
Professional file, personal statement, and C.V.
Summary letter from the second and fourth year comprehensive reviews

Tenure Year Review

The final tenure-track review is normally held in the sixth year, unless credit was granted at the time of hiring. The tenure decision will be made in the year specified in the faculty member's letter of appointment. Prior to that review and no later than the first day of fall semester classes that year, the faculty member will update his or her professional file and personal statement for review by the Faculty Status Committee. The personal statement should be concise, and the faculty member is free to develop it in a way that is appropriate to his or her discipline and individual circumstances. The personal statement must include two sections: 1) a brief summary of teaching, professional growth, and contributions to the University community during the tenure track years, synthesizing highlights from the *Curriculum Vitae* and Brief Annual Reports, and 2) a statement of projected teaching and professional plans for the next five years.

The tenure decision will be made in the sixth year or the year specified in the letter of appointment. The review will be based on the same criteria and information as the fourth year comprehensive review with additional information about progress in the areas of tenure criteria. A professional file will be provided by the faculty member under review, which will include information and documentation of teaching effectiveness, professional activity, and contributions to the University community. Contributions to the University community will be assessed through conferences with the department chair, the division/school chair, and the appropriate academic dean. After thorough consideration, the Faculty Status Committee delivers a formal, confidential recommendation to the President. The department chair will submit to the President a letter of recommendation that reflects the views of both the chair and all tenured faculty members of the department. The Provost and, in the case of faculty members in the School of Fine Arts, the Dean of the School of Fine Arts, also submit a report to the President.

Procedures for Persons with Credit Toward Tenure

One year credit:
For persons employed at the rank of Associate Professor or persons receiving one year credit toward tenure, the first comprehensive review will take place in the first year. The second comprehensive review will take place in the third year. In the case of each comprehensive review, the faculty member will be held to the standards of the

second and fourth year review respectively. The tenure review by the Faculty Status Committee will take place during the fifth year.

Two years credit:
For persons employed at the rank of Professor or persons receiving two years credit toward tenure, a comprehensive review (applying the standards at the level of the fourth-year review) by the Faculty Status Committee will take place during the second year, with the tenure review occurring during the fourth year.

V. COMPREHENSIVE REVIEWS: EXPECTATIONS, FACULTY STATUS COMMITTEE

The following guidelines are used by the Faculty Status Committee in evaluating tenure-track faculty who are candidates for appointment renewal, tenure, and promotion. The criteria set forth here are intended to indicate the requirements necessary for a faculty member to be "at expectation" relative to rank and years at Southwestern.

Teaching effectiveness. Exemplary teaching effectiveness, as defined in the *Faculty Handbook*, is expected. Excellence in other areas cannot compensate for a deficiency in teaching effectiveness. (*Faculty Handbook: Evaluation of Faculty*)

Professional Growth. Professional Growth includes both (a) professional activities and (b) scholarly/creative achievements across the disciplines, from paper presentations and publications to concerts and exhibitions. "Faculty are expected to remain current in their fields and to maintain professional growth at a level commensurate with faculty at other national liberal arts colleges with similar resources (*Faculty Handbook: Evaluation of Faculty*)." The amount and quality of professional activity and scholarly/creative achievement for favorable consideration in contract renewal, tenure, and promotion decisions will be determined by the department and the appropriate dean (*Faculty Handbook*). For purposes of evaluation, scholarly/creative achievements are defined as results of professional activities subject to peer review as is appropriate for each discipline (*Faculty Handbook*).

Contributions to the University Community. Being an active and positive member of a liberal arts community involves "participating in community events to enhance the various programs of college life, such as fine arts events, athletic events, lectures, convocations and other campus gatherings (*Faculty Handbook: Evaluation of Faculty*)." For the purposes of evaluation, however, the Faculty Status Committee restricts its consideration to areas of substantive University service: in addition to standard departmental service, Southwestern values meaningful activity including (but not limited to) chairing an academic unit, constructively participating on major University committees, developing and/or revising academic programs and strategic plans, organizing and planning major events such as lectures, symposia, concerts or other performances by guest artists or other faculty performers, and participating in extramural community service activities.

2nd Year Comprehensive Review (conducted in the Spring Semester)

Teaching Effectiveness. It is expected that the faculty member's teaching program is well-established, with any issues identified during the first year substantially addressed.

Professional Growth. a) The faculty member must demonstrate on-going professional activity. b) The faculty member must develop a plan for a scholarly/creative program that will lead to achievement by the 4th year.

Contributions to the University Community. There must be evidence of the beginning of substantive involvement in departmental service. Prior to the 3rd year, active participation on one University committee or other significant service shall be considered as meeting expectation. It should be noted, however, that no amount of University service will compensate for deficits in teaching effectiveness or professional growth.

4th Year Comprehensive Review

Teaching Effectiveness. At this point, exemplary teaching effectiveness is a given.

Professional Growth. (a) The faculty member must show evidence of continuing professional activity. (b) There is to be evidence of scholarly/creative achievement, and a plan for further achievement.

Contributions to the University Community. There must be evidence of continuing service to the department. Meaningful service to the University community beyond the department shall have begun by the time of the 4th year review. Active participation on two or three University committees or in other significant service accumulated since the 2nd year review shall be considered as meeting expectation. It should be noted, however, that no amount of University service will compensate for deficits in teaching effectiveness or professional growth.

6th Year Tenure Review (conducted in the Fall Semester)

Teaching Effectiveness. A record of sustained exemplary teaching effectiveness is expected.

Professional Growth. (a) The faculty member must show evidence of continuing professional activity. (b) He/she must show evidence of scholarly/creative achievement relative to rank and years at Southwestern [cf. *Faculty Handbook*]. Moreover, there must be a plan for a scholarly/creative program that will lead to achievement beyond tenure.

Contributions to the University Community. There must be evidence of continuing service to the department. The faculty member must demonstrate meaningful service to the University community beyond the department. Active participation on two or three University committees or in other significant service accumulated since the 4th year review shall be considered as meeting expectation. It should be noted, however, that no amount of University service will compensate for deficits in teaching effectiveness or professional growth.

Review for Promotion to Professor (conducted in the Fall Semester)

The rank of Professor is reserved for those faculty who, in the years following the awarding of tenure, have demonstrated excellence in the areas of teaching, professional growth (activity and achievement), and contributions to the University Community. When reviewing Associate Professors for consideration of promotion to Professor, the following standards will be applied:

Teaching:

While holding the rank of Associate Professor, a faculty member must have demonstrated excellence in teaching. All elements of course evaluations will be consistently favorable, and will reveal no patterns of deficiencies in teaching. The personal statement for promotion will show a commitment to teaching excellence, including an on-going approach to teaching that is reflective and that seeks continuous improvement. Innovation in pedagogy and the willingness to participate in a variety of teaching opportunities on and off campus (e.g. collaborative summer research with students, courses specific to department needs, exhibits, FYS, honors, independent studies, interdisciplinary programs, international programs, Paideia (including cluster courses and Paideia seminars), performances, etc.) will be viewed favorably in the review process.

Professional Growth (activity and achievement)

Faculty must demonstrate an on-going program of professional activity and achievement that provides evidence that these successes will continue after the granting of the Professor rank. The program must be well defined and thoroughly discussed in the personal statement. Faculty must demonstrate that their professional achievements are national and/or international in scope, show a clear trajectory, and an on-going commitment to professional growth.

Contributions to the University Community

Faculty under consideration for promotion to Professor will show evidence of consistent service and leadership within the University Community. Whereas this evidence may vary according to the opportunities for leadership that are available to them, evidence of clear patterns of significant contributions must be present and will be evaluated in terms of both quantity and quality. This evidence will include a consistent pattern of positive contributions as a member of the Southwestern community, including regular and active membership on committees, councils, and/or in chairing departments and programs.

Post Promotion

The granting of promotion to Professor is as much forward looking as a review of the successes of the faculty member during her or his time as an Associate Professor. Southwestern University reserves the distinction of the rank of Professor for those faculty members whose commitment to the institution will continue post promotion. Faculty members at the rank of Professor are expected to continue their excellence in the classroom and in working with students in smaller settings. Professors are expected to be career-long scholars and/or artists who continue to contribute to the knowledge in their field. Given their history with and understanding of the institution, faculty members at the rank of Professor have a particular duty to be leaders in the area of service to

the University community. They should be regular and active members of committees and councils, chair departments and programs, and actively seek other leadership opportunities.

Timing of Reviews

Promotion to Professor is a significant milestone in the career of a faculty member at Southwestern University and it is expected that the process of developing considerable evidence of a record of excellence may take a number of years.

Requests for review for promotion should occur after serving four years as a tenured associate professor at Southwestern University. However, faculty holding tenure on or before August 31, 2014 have the right to request a promotion review in their fourth year following tenure. Faculty awarded tenure after August 31, 2014 can request their first review for promotion following their fourth year of employment after the awarding of tenure.

If the faculty member is not recommended for promotion, they will be notified by April 1 of the academic year in which the review is conducted. After consulting with the Provost and/or Dean of the Sarofim School of Fine Arts, a faculty member not recommended for promotion may resubmit their promotion request in subsequent years.

Professional Files

Each faculty member is responsible for establishing and maintaining a professional file. This file provides a record of professional activities and accomplishments. All faculty members should make sure that their files are an accurate current reflection of all professional activities. Each faculty member is the only person who may add materials to or remove materials from his or her professional file.

Professional files for each member of the faculty are housed in the Office of the Provost or, in the case of members of the School of Fine Arts faculty, in the Office of the Dean of the School of Fine Arts. The purpose of this file is to provide administrative personnel with material needed to make judgments concerning a faculty member's professional activities as a teacher, scholar, or artist, and participants in the Southwestern University academic community for the purpose of reappointment, promotion, and salary decisions. Access to the file is limited to the faculty member, the President, the Provost (or designate), the academic deans, the Faculty Status Committee, and the appropriate division/school chair and department chair.

Contents of the professional file:

1. All professional files should contain annually updated Curriculum Vitae which delineates professional, academic, and University involvement and experience. Appropriate documentation for recent activities should also be included, especially in the case of tenure-track faculty members, who should document all significant professional activities during the probationary period.

2. The professional file should contain the Brief Annual Report and updated vitae annually from the first year of employment or, in the case of senior faculty members, from at least the date of the most recent promotion. (The Provost solicits the Brief Annual Report from all faculty members annually. Faculty members also provide a copy to their department chair.)

3. Tenured faculty members being reviewed for promotion and tenure-track faculty members preparing for their comprehensive or tenure year review should include a concise personal statement. It should summarize accomplishments in teaching, professional development and University service and state projected teaching and professional plans for the next five years. The faculty member is free to develop it in a way that is appropriate to his or her discipline and individual circumstances.

Other appropriate materials for the professional file might include, but are not limited to:

- Copies of published work and papers presented to professional associations.
- Copies of exhibition catalogs, performance programs, CDs and slides of artwork (for faculty members in the School of Fine Arts.)

- Letters of comments from colleagues outside the University who are in the position to comment on the faculty member's professional activity.
- Any unpublished material which might provide an insight into the faculty member's professional involvement and development within the appropriate field.
- Evaluations of the faculty member's professional activity by an outside evaluator.
- Course syllabi and other material which might assist administrators and, in the case of tenure-track and tenured faculty members, the Faculty Status Committee, in assessing teaching effectiveness and classroom or studio activities.

Faculty Status Committee

According to the provision adopted by the Board of Trustees at its meeting on January 30, 1970, the teaching faculty is actively involved in decisions on status. The legislation reads as follows:

"A committee of four, known as the Committee on Faculty Status, will be elected by the faculty, with one member from each division and one from the School of Fine Arts. The responsibility of this committee is to make recommendations to the administration concerning changes in faculty rank. For non-tenured members of the faculty, the committee will also recommend reappointment or dismissal. The committee would also assist in hiring procedures when possible and when desired by the department concerned.

1. The committee would prepare an annual review of each faculty member prior to the contract date and make specific recommendations concerning each faculty member to the administration. Annual review would consist of accumulation and evaluation of reports prepared by department chairs, division chairs, and colleagues in related departments and from the faculty member, describing professional accomplishments during the past year.

2. Normal action of the committee will proceed from recommendations of the supervisor of each individual faculty member, but this guideline is not meant to exclude initiation of recommendations by the committee itself.

3. The administration will report action of the recommendation to the committee."

In the interest of continuity and equity in the process of tenure and promotion review, faculty members who serve on the Faculty Status Committee agree to forego sabbatical leave during their four-year terms. However, faculty who serve on the Status Committee will also be eligible to apply for an additional semester of sabbatical leave at the completion of their terms. If granted, this leave may not be taken in the same academic year as another sabbatical.

If a member of the Faculty Status Committee (FSC) who holds the rank of Associate Professor submits her/his file for review for promotion to the rank of professor, that FSC member will be replaced for the review of all promotion cases to professor by the person from his/her division/school who most recently served on the FSC. If, for any reason, that person is not able or willing to replace the FSC ember, then the next, most recent member elected by the division/school will replace him/her. If neither can serve the Provost and the Chair of FSC and the appropriate division/school Chair will select someone to serve.

Tenure

To give assurance to faculty members that they may feel secure in their positions, tenure is established as follows:

1. The initial appointment of a full-time, tenure-track faculty member is on a year-to-year basis unless stated otherwise in writing by the President to the faculty member involved until:

    A. Professors have completed at least five (5) years of satisfactory service in that rank or a higher rank;

    B. Associate Professors have completed at least six (6) years of satisfactory service in that rank or a higher rank;

C. Assistant Professors have completed at least seven (7) years of satisfactory service in that rank or a higher rank; or

D. Instructors have completed at least seven (7) years of satisfactory service in that rank or a higher rank.

2. After the expiration of the probationary periods set forth above, service will be continued during good behavior and satisfactory service, except for resignation, retirement or for circumstances due to financial exigencies or good cause shown.

3. In the case where dismissal is for good cause, the issue will be determined by an equitable procedure established by the Board of Trustees affording protection to the rights of the individual and to the interests of the University. [See Bylaws, Article III.] [Sections 1, 2, 3 adopted by the Board of Trustees on April 6, 1989; Amended April 3, 2001.]

Tenure applies upon a granting of an appointment letter for the year following the required number of years in the rank of the individual concerned. Faculty members who have served in institutions comparable to Southwestern University may be given credit for service in the other institution, thus reducing the number of years required at Southwestern University, rank affected, to secure tenure. Normally, no faculty member shall be granted tenure for any term of service less than three (3) years at Southwestern University. After the time limits previously outlined, yearly appointment letters may be considered for faculty members not granted tenure. The names of all faculty members whose continuance with the University a year hence calls for tenure decision will be presented to the Board of Trustees at the spring meeting of the Board. The President will make a recommendation regarding tenure for each person. The Board will vote approval, disapproval, or continuance of the recommendation. The Executive Committee will review and approve or disapprove of all continuances before the automatic tenure deadline shall have passed. It may review and annul any approval voted by the Board should circumstances develop before the automatic tenure deadline which in its judgment warranted a reversal of the earlier decision. A letter confirming tenure will be sent by the President to each faculty member who is placed on tenure once the deadline has passed.

Tenure regulations do not apply to part-time members of the faculty or to administrators. Full-time faculty members are occasionally appointed who are not eligible for tenure. These non-tenure-track faculty members serve for limited periods of time, usually not exceeding three years, and are titled Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, or Visiting Professor. These members of the faculty have privileges and responsibilities equivalent to tenure-track faculty members during the time of their appointments and receive benefits as described in Chapter VI. They are eligible to apply for tenure-track positions as these open.

Academic Freedom

"Academic freedom is the cornerstone of the free society, and it will be scrupulously defended at the University. The Board of Trustees desires to maintain, commensurate with the idea of the university of the first class, a learned faculty chosen on the basis of their scholarship, teaching ability, interest in youth and general usefulness, who will search for truth and who by precept and example will instruct, guide and inspire the students." [Adopted by the Board of Trustees, December 10, 1999; Amended April 3, 2001.]

The Nature of Academic Freedom

The nature of academic freedom is clearly outlined in the following Statement of Principles of 1940 (revised November 1989 and January 1990), officially endorsed by nearly every important educational organization since that time, including the Association of American Colleges and the American Association of University Professors.

"(a) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution."

"(b) Teachers are entitled to freedom in the classroom in discussing their subjects, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of

academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment."

"(c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate they are not speaking for the institution."

Renewal of Appointment for Tenure-track Faculty Members

1. "Written notice that a probationary appointment is not to be renewed will be given to the faculty member in advance of the expiration of his appointment, as follows:

    a. Not later than March 1 of the first academic year[1] of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

    b. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if one-year appointment terminates during an academic year, at least three months in advance of its termination;[2]

    c. At least twelve months before the expiration of an appointment after two or three years of service at the institution; the institution will normally notify faculty members of the terms and conditions of the renewals by March 15.

2. A faculty member may terminate his appointment effective at the end of an academic year, provided that he gives notice in writing at the earliest possible opportunity, but no later than April 15, or thirty days after receiving notification of the terms of his appointment for the coming year, whichever date occurs later." [Minutes, Board of Trustees, January 30, 1970.]

Promotion – Teaching Faculty

Recommendations for all promotions in rank shall be made to the President in time for action by the Board of Trustees at the Board's regular spring meeting. Provisions adopted by the Board of Trustees at its meeting on April 23, 1982, are as follows:

"There are four faculty ranks at Southwestern University: Instructor, Assistant Professor, Associate Professor, and Professor. In special circumstances, titles such as lecturer, teaching fellow, special professor, or visiting professor may be used for persons with special qualifications who hold temporary appointments or who do not meet normal qualifications for rank."

Eligibility for most appointments requires completion of the doctorate (or in some areas of the fine and performing arts, the MFA) or the professional equivalent. The professional equivalent consists of a master's degree (other than the MFA) and three years of full-time professional experience. In rare circumstances the professional equivalent to the doctorate or MFA may be appropriate. When such is the case, this determination shall be made at the time of initial appointment and made explicit in the appointment letter.

The rank of Instructor is a junior rank used for faculty members who have completed a master's degree but not the doctorate or MFA or the professional equivalent, and whose service at the University has not been sufficient for promotion to the next rank. A faculty member who serves six years as Instructor will be promoted or given a terminal appointment letter before the beginning of the seventh year.

[1] For purposes of appointment renewal, "academic year" is defined to extend from September 1 to August 31 of the following year.

[2] Nevertheless, even after December 15 of the second year, a faculty member whose appointment has been renewed may still be notified by the following August 31 that his/her third year appointment is terminal.

The rank of Assistant Professor is a junior faculty rank used in two ways: (1) The rank of Assistant Professor is used for faculty members who have not completed the doctorate or MFA or the professional equivalent but who have served six years as Instructor and have received a non-terminal contract for the seventh year. (2) The rank of Assistant Professor is used for faculty members who have completed the doctorate or MFA or the professional equivalent and who are serving a period of time before acceptance as a senior faculty member.

The rank of Associate Professor is a senior faculty rank used for faculty members who have shown clear evidence of competence and professional growth during service as Assistant Professor. Ordinarily, a review which results in the awarding of tenure to an Assistant Professor will establish evidence of competence and professional growth sufficient to warrant promotion to the rank of Associate Professor. Normally, a faculty member must serve at least five years as Assistant Professor with the doctorate or MFA or the professional equivalent before becoming eligible for promotion to the rank of Associate Professor.

The rank of Professor is a senior faculty rank reserved for faculty members who have distinguished themselves with a record of substantial achievement. It signifies recognition by the University of teaching, professional activities, and service of the highest quality. Promotion to the rank of Professor is not and, in some cases, the rank of Associate Professor will be the appropriate final rank for a faculty member at Southwestern University. Requests for review for promotion to professor should occur after serving four years as a tenured associate professor at Southwestern University in the fifth year of service. However, faculty holding tenure on or before August 31, 2014 have the right to request a promotion review after serving three years as a tenured Associate Professor, i.e. in the fourth year of service. Faculty awarded tenure after August 31, 2014 can request their first review for promotion following their fourth year of employment after the awarding of tenure, i.e. in their fifth year of service.

The rank at which a new faculty member is hired and the number of years of credit granted toward tenure and eligibility for promotion for service at other institutions are to be negotiated at the time of hiring so as to conform with the above descriptions of rank.

Post-Tenure Conferences

The pre-tenure evaluation process mandates informal conferences between department chairs and junior faculty in years 1, 3, and 5. These conferences focus on Brief Annual Reports, syllabi, course evaluations, etc. This pattern should be extended to the post-tenure years, and should include biennial informal conversations between chairs or designated senior members and tenured department members (including department chairs), in which the faculty member's work as a teacher-scholar is the key focus. No written record is to be kept of these conversations. They are formative rather than evaluative, intended to promote ongoing discussion about career development, and will exist alongside the pattern of formal post-tenure review.

Review and Promotion – Tenured Faculty Members

Tenured Associate Professors will be reviewed every five years by the appropriate academic dean. The review will be developed in consultation with the department and division/school chair. The academic dean will discuss the review in conference with the faculty member. This conference will represent the institution's viewpoint regarding the faculty member's performance in the three areas related to faculty evaluation (see "Evaluation of Faculty" in this chapter), and where appropriate, progress toward promotion to Associate or Full Professor. The department chair will be present at this conference, unless the dean and/or faculty member feel that a private conference would be more appropriate. If the private conference is held, the dean will communicate the information from this conference to the department chair.

Formal review of the eligibility for promotion of a tenured faculty member with the rank of Associate Professor to the rank of Professor will be done by the Faculty Status Committee and the appropriate academic dean only at the request of the faculty member. Requests for review for promotion to professor should occur after serving four years as a tenured associate professor at Southwestern University in the fifth year of service. However, faculty holding tenure on or before August 31, 2014 have the right to request a promotion review after serving three years as a tenured Associate Professor, i.e. in the fourth year of service. Faculty awarded tenure after August 31, 2014 can request their first review for promotion following their fourth year of employment after the awarding of tenure, i.e. in their fifth year of service.

Faculty members must request a review by writing a letter of intent to the Provost with a copy to the Chair of the Faculty Status Committee and the Dean of the School of Fine Arts, when applicable, in the year they intend to be reviewed, by the first day of fall semester classes. At that time, the professional file, including a concise personal statement, must be complete. (See "Professional Files" in this chapter.) After each review is completed, the Provost and the Dean of the School of Fine Arts, when appropriate, will hold a conference with the faculty member to discuss the outcome of the review. All reviews of faculty performance will conform to the procedures and criteria for evaluation described in the *Faculty Handbook*. Promotions are considered by the Board of Trustees during the Board's regular spring meeting. The President informs by letter those persons who have been promoted, and all promotions are announced on campus through campus publications.

Following each review, the faculty member, in conjunction with the department chair, will establish a set of goals for the following academic year. These goals will be based on feedback provided by the department chair to the faculty member during the promotional review. Progress toward these goals should be reflected in the faculty member's annual report and in the department chair's annual report, both submitted to the Provost and Dean of the Faculty.

Promotion – Professional Librarians

The system of promotion for professional librarians parallels that for teaching faculty while it reflects librarians' distinct work responsibilities, education, skills, and contributions within the academic community. Although librarians at Southwestern are not eligible for tenure, this promotion system is a means of acknowledging and rewarding sustained excellence of professional performance.

General Guidelines:

1. Appointment as a librarian at Southwestern requires a strong academic background, including a Master's Degree in Librarianship, the recognized terminal degree for academic librarian practitioners, from an American Library Association accredited program.

2. A librarian's initial professional appointment at Southwestern will normally be at the rank of Assistant Professor, and the initial letter of appointment will state the librarian's rank.

3. From the time of initial hire in a regularly budgeted professional position, a librarian begins to build a professional file that reflects the full range of her or his activities and accomplishments. The professional file is housed in the office of the Dean of Library Services, and maintaining and updating the file is the sole responsibility of the individual librarian.

4. A librarian may be considered for promotion to Associate Professor in her or his sixth year of professional employment at Southwestern. (Previous professional employment at other academic institutions may reduce the length of time for promotion consideration. Such early eligibility for promotion must be stated in writing at the time of initial hire.) In May of an individual's fifth year of service, she or he may write a letter to the Dean of Library Services (with a copy to the Provost) requesting consideration for promotion to Associate Professor.

5. A librarian who wishes to enhance further her or his professional record before being considered for promotion may defer the promotion review beyond the sixth year. A librarian may choose to discuss the viability of a promotion request with the Dean of Library Services before writing a formal letter of request for consideration for promotion.

6. Once a librarian achieves the rank of Associate Professor and completes five additional years of service, her or his activities and accomplishments pursued since becoming Associate Professor will service as the basis for consideration for promotion to Professor. When the individual librarian is ready for consideration, she or he activates the promotion process with a letter to the Dean of Library Services. (Note that the rank of Associate Professor may be the highest attained rank for some librarians, as it is in the case of some teaching faculty.)

Criteria for Promotion of Professional Librarian

Academic librarianship requires that librarians have a thorough knowledge of the nationally accepted standards and values of the profession and the ability to interpret and apply these standards and values to development and

enhancement of library resources and service appropriate to Southwestern. The following criteria apply to the librarian in consideration for promotion:

1. *Primary Professional Responsibilities*. Each librarian has specific responsibilities at Southwestern that relate to one or more of the specialties within academic librarianship: reference services, automation services, cataloging, etc. These responsibilities constitute the focus of each professional's work and should be fulfilled in accordance with professional standards at a level of excellence.

2. *Teaching Effectiveness and Instructional Support*. In addition to each librarian's professional specialty with the Library, all members of the Library's professional staff contribute in a variety of ways to the undergraduate teaching mission of the University. All librarians participate in library instruction to students in First-Year Seminar. All provide direct one-on-one instruction and guidance to students in provision of reference service. In some cases, librarians prepare course bibliographies and present individual class lectures for specific courses. Librarians work collaboratively with teaching faculty in building the collection to support instructional needs. Librarians undertake comprehensive collection evaluations as part of periodic academic department/program reviews. Librarians also provide an array of library instructional support services, including database services, reserves, interlibrary services, etc., that directly or indirectly support the instructional mission of Southwestern.

3. *Service*. It is expected that librarians demonstrate commitment to the Library and to the University's educational goals though active and productive committee work and through University and community service. Community service might include work in support of public education, literacy, and cultural programs.

4. *Professional Development*. All librarians are expected to demonstrate continuing commitment to the library profession by participation in and contribution to its activities. These include membership in professional organizations, continuing education, publication or presentation of papers, and use of Abercrombie and Cullen grant opportunities to further professional development and research.

5. *Leadership*. Especially in consideration for promotion from Associate to full Professor, a professional librarian's ability and willingness to demonstrate qualities of leadership in her or his professional life will also be taken into account.

Professional Librarian Promotion Process:

1. After a librarian writes to the Dean of Library Services requesting consideration for promotion, the Dean reviews the individual's professional file to advise the librarian about additional documentation (see below for types of documentation recommended for the professional file), to discuss letters of reference from inside and outside the University, etc.

2. The librarian may then request letters of recommendation from individuals familiar with her or his professional work both inside and outside the University. These letters should be sent directly to the Dean of Library Services to be included in the librarian's professional file with the permission of the librarian.

3. The Library Committee of the Academic Affairs Council serves as the primary evaluative body for the purpose of promotion consideration for librarians. When the Committee serves in that capacity, it will be altered to include only tenured faculty members and librarians at the rank of Associate Professor or higher. The senior (fourth year) member of the Faculty Status Committee serves as a member of the Library Committee to provide credibility, consistency, and a context for the librarians' promotion process. With the exception of the liaison from the Faculty Status Committee who serves for one year, all members of the Library Committee serve two-year, staggered terms to assure continuity in the librarians' promotion system.

4. The complete professional file of a librarian under consideration for promotion is maintained in the office of the Dean of Library Service, and is made available to the members of the Library Committee for review. After examination of the professional file, consultation with the Dean of Library Services and others, and deliberation of the matter, the Committee makes its recommendation regarding promotion in writing to the President. Likewise, the Dean of Library Services also reviews the professional file and sends a recommendation in writing to the President. In addition, the Provost, after

review of the professional file and consultation with the Dean of Library Services and the Library Committee, as necessary, sends a written recommendation to the President.

Documentation in the Professional File for Librarians

Listed below are examples of the kinds of documentation that might be included in building the professional file. It is anticipated that an individual librarian will have a range of documentation to support promotion, but not necessarily all of the kinds noted below. The professional file will contain a complete, up-to-date resume, plus:

1. *Primary Professional Responsibilities.* Copies of departmental annual reports; annual performance evaluations; copies of reports or memos documenting projects, problem solving, etc.; policy statements; and letters from faculty colleagues, students, and others.

2. *Teaching Effectiveness and Instruction.* Course evaluations of First-Year Seminar and specially adapted evaluations of other course instruction; copies of bibliographies, handouts, brochures, and other educational materials prepared by the librarian; copies of collection evaluation reports for departmental/program reviews; acknowledgements or correspondence from teaching faculty regarding collection development collaboration on projects; and library surveys that document faculty or student satisfaction with various library instruction or support services.

3. *Service.* Record of University committee service, including service as a chair or secretary; record of participation in committee activities; letters from colleagues outside the Library regarding contributions to committee work, etc.; activities in the local community environs relevant to the University's mission, e.g., activity in cultural and/or educational community efforts.

4. *Professional Development.* Evidence of participation in regularly scheduled job-related course work; pursuit of additional advanced degrees; attendance at professional meetings, seminars, or workshops; evaluation of course work from professors, etc. Research and publication of articles, books, or book chapters that contribute to the professional library literature; presentation of research at national, regional, or state professional conferences; preparation and submission of a grant proposal to support a library project. Written feedback from colleagues in the form of book reviews or letters. Research and preparation of a major campus or off-campus exhibit with accompanying exhibit catalog or bibliography.

5. *Leadership.* Service as a chair and/or other demonstration of leadership on campus committees, within state, regional, or national professional organizations, and within public service community affairs and the like. Demonstration of leadership takes on special importance when promotion to Professor is being considered.

Promotion – Academic Affairs Staff with Faculty Rank

The system of promotion for Academic Affairs staff with faculty rank reflects certain staff members' distinct work responsibilities, education, skills, and contributions within the academic community. Although individuals in this category are not eligible for tenure, this promotion system is a means of acknowledging and rewarding sustained excellence of professional performance.

To be eligible for consideration for promotion within this policy, 100% of the individual's work must be dedicated to one academic division or school and at least 50% percent of the individual's duties, as reflected in the job description, must be dedicated to classroom instruction of academic coursework and/or direct support of classroom instruction of academic coursework (i.e. class preparation, laboratory management, or curriculum management). Currently, the following positions have been designated as eligible for consideration for promotion within this policy: Director of the Language Learning Center, Lab Manager in Biology, Director of General Chemistry Laboratories, and Director of Communication Studies Internships. As members of the University staff, all staff members with faculty rank are governed by the University's *Staff Handbook*.

General Guidelines:

1. Appointment as a staff member with faculty rank at Southwestern requires a strong academic background appropriate to departmental needs, including a graduate degree in a relevant field from an accredited institution.

2. A staff member's initial professional appointment at Southwestern will be at the rank of Assistant Professor (assuming the appropriate terminal degree has been earned; if not, the rank will be Instructor). The initial letter of appointment will state the staff member's rank.

3. From the time of initial hire in a regularly budgeted professional position, staff begin to build a professional file that reflects the full range of their activities and accomplishments. The professional file is housed in the office of the Provost or, where applicable, in the office of the Dean of the School of Fine Arts, and maintaining and updating the file is the sole responsibility of the individual.

4. Staff may be considered for promotion (either from Instructor or Assistant Professor) in the sixth year of professional employment at Southwestern. For consideration of promotion to rank of Associate Professor, a staff person must hold a terminal degree in that discipline. Previous professional employment at other academic institutions may reduce the length of time for promotion consideration. Such early eligibility for promotion must be stated in writing at the time of initial hire. In May of an individual's fifth year of service, she or he may write a letter to the Provost (with a copy to the Dean of the School of Fine Arts, where applicable) requesting consideration for promotion.

5. Staff who wish to enhance further their professional record before being considered for promotion may defer the promotion review beyond the sixth year. Staff may choose to discuss the viability of a promotion request with the Provost or, where applicable, the Dean of the School of Fine Arts before writing a formal letter of request for consideration for promotion.

6. Once staff are promoted for the first time and complete five additional years of service, their activities and accomplishments pursued since the first promotion will serve as the basis for consideration for the second promotion. When the individual is ready for consideration, she or he activates the promotion process with a letter to the Provost (with a copy to the Dean of the School of Fine Arts, where applicable). Note that the rank of Associate Professor may be the highest attained rank for some staff members, as it is in the case of some teaching faculty.

7. A denial of promotion does not necessarily constitute grounds for termination of employment. If an individual is denied promotion, she or he must wait at least two years before requesting another promotion review.

Criteria for Promotion:

Employment as a staff member with faculty rank requires that the individual have a thorough knowledge of their academic discipline and the ability to effectively use this knowledge in their respective duties. The following criteria apply to the staff member in consideration for promotion:

1. *Primary Professional Responsibilities*. It is expected that each staff member with faculty rank will fulfill their responsibilities at a level of excellence. These responsibilities are detailed in the position's job description on file in the Human Resources department.

2. *Teaching Effectiveness and Instructional Support*. In addition to each individual's professional activities within his or her academic specialty, all members of the professional staff contribute to the undergraduate teaching mission of the University. Staff members with faculty rank participate directly and indirectly in classroom instruction in multiple ways according to the position's job description on file in the Human Resources department.

3. *Service.* It is expected that staff members with faculty rank demonstrate commitment to the University's educational goals through productive committee work or other University service. Especially in consideration for promotion from Associate Professor to Professor, the individual's ability and willingness to demonstrate qualities of leadership in her or his professional life also will be taken into account.

4. *Professional Development.* Staff members with faculty rank are expected to demonstrate an articulated effort to remain current in their discipline and to demonstrate continuing commitment to their profession by participation in and contribution to its activities. Evidence of this commitment may include, but is not limited to, membership in professional organizations, continuing education, publication or presentation of papers, leading of workshops, participation in professional meetings, and use of internal grant opportunities to further professional development and research.

Promotion Process:

1. To begin the process, the staff member writes to the Provost (with a copy to the Dean of the School of Fine Arts, where applicable) requesting consideration for promotion. The Provost and the Dean of the School of Fine Arts (where applicable), reviews the individual's professional file to determine, in consultation with the staff member, if the review process should proceed.

2. At the time of promotion, a committee will be appointed consisting of the Provost, the Dean of the School of Fine Arts (where applicable), the chair of the Faculty Status Committee, and three persons who the Provost deems to be best suited to evaluate the individual's work. This committee may solicit any information deemed necessary to perform this evaluation.

3. The complete professional file of a staff member under consideration for promotion is maintained in the office of the Provost or, where applicable, the office of the Dean of the School of Fine Arts, and is made available to the committee for review. After examination of the professional file and deliberation of the matter, the Committee makes its recommendation regarding promotion in writing to the President.

Documentation in the Professional File:

Listed below are examples of the kinds of documentation that might be included in building the professional file. It is anticipated that a staff member will have a range of documentation to support promotion, but not necessarily all of the kinds noted below. The professional file will contain a complete, up-to-date curriculum vita, plus:

1. *Primary Professional Responsibilities.* Copies of departmental annual reports, where applicable; annual performance evaluations; a personal statement outlining fulfillment of primary professional responsibilities; and letters from faculty colleagues, students, and others.

2. *Teaching Effectiveness and Instruction.* Handouts, including syllabi; online documents and other educational materials prepared; acknowledgments or correspondence from teaching faculty regarding materials development and/or collaboration on projects; awards or other recognition; and lab surveys that document faculty or student satisfaction with various materials and services. Although not part of the professional file, course evaluations (where applicable) will be considered in evaluating teaching effectiveness.

3. *Professional Development.* Evidence of substantial job-related study; pursuit of additional advanced degrees; attendance at professional meetings, seminars, or workshops; evaluation of course work from faculty; research and publication of articles, books, or book chapters that contribute to the literature of the staff member's field; presentations (e.g. papers, panel discussions, workshops) at national, regional, or state professional conferences; and preparation and submission of grant proposals.

4. *Service.* A record of appropriate University service that may include the types of service outlined under "Contributions to the University Community" in the *Evaluation of Faculty* section of this handbook.

Salary Increases

Provisions adopted by the Board of Trustees at its meeting on January 30, 1970, are as follows:

1. Increases in salary will be given for the following reasons:
   A. Cost of living increase adjustments across the board;
   B. Salary increases to bring Southwestern in line with current salary norms will be made with deliberate speed;
   C. Merit increases to individual faculty members.

2. Because of inequalities in the personnel market in different fields, it is desirable to provide rather large overlaps in the salary ranges of different ranks.

3. The University conducts periodic studies of the salary system and makes every attempt to provide an equitable system of salary distribution based on both objective measures and assessment of performance.

Grievance Procedures

Faculty members may file grievance petitions, including grievances related to academic freedom, with the Provost. Non-faculty personnel may file such petitions with the Vice President for Fiscal Affairs. In each case, the administrative officer receiving the petition shall consult with the Human Resources department for setting up an equitable procedure for dealing with the grievance.

Grievances related to equal employment opportunity must be filed in writing and must relate to issues regarding race, color, religion, age, sex, national or ethnic origin, or disability status. The University's Associate Vice President for Human Resources is located in the Cullen Building. The office telephone number is (512) 863-1435.

Faculty Appeal

Faculty members on continuing appointment shall be heard forthwith at their request on any matter pertaining to their status, duties, or privileges at meetings of the Executive Committee of the Board of Trustees or at a full meeting of the Board provided they have exhausted all regular administrative remedies related to the issue which they propose to bring before the Executive Committee. Such requests for a hearing should be addressed in writing to the Chair of the Board of Trustees.

Faculty Handbook Advisory Committee

There is a faculty committee to advise the President and Provost on the *Faculty Handbook* which is reviewed, revised and published on an annual basis. It is made up of five faculty members who meet with the Provost. One faculty member will be elected from each division and one from the School of Fine Arts to serve four-year terms, with one member rotating off each year. In addition, one faculty member will be elected at-large by the general faculty annually to serve one year. The faculty member serving a fourth year on the committee will serve as chair for that year. Normally, the members of this committee will not be currently serving on the Faculty Status Committee. The Faculty Handbook Advisory Committee reports to the Faculty Affairs Council and considers revisions that do not result from the University's governance structure.

Procedures for Dismissal with Cause

The Bylaws of the University, Article III, Section 310.4, Paragraph 3, state: "In the case where dismissal is for good cause, the issue will be determined by an equitable procedure established by the Board of Trustees affording protection to the rights of the individual and to the interests of the University." In conformity with this provision, the Board of Trustees adopted the following procedures at its regular meeting on January 27, 1978.

"Adequate cause for a dismissal will be related, directly and substantially, to the fitness of the faculty member in his professional capacity as a teacher, and ordinarily will be for incompetence or moral turpitude. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

Dismissal of a faculty member with continuous tenure, or with a special or probationary appointment before the end of the specified term, will be preceded by:

1. Discussion between the faculty member and appropriate administrative officers looking toward a mutual settlement;

2. Informal inquiry by the duly elected Faculty Handbook Advisory Committee which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the President (for the purposes of informal inquiry by the Faculty Handbook Advisory Committee, the Provost shall be excused from serving);

3. A statement of charges framed with reasonable particularity by the President or the President's delegate.

A dismissal will be preceded by a statement of reasons, and the individual will have the right to be heard by the Special Hearing Committee. The Special Hearing Committee will be selected from a list of all full-time teaching faculty by the faculty member and the President or his delegate. These two parties will alternate in striking single names from the list until five names remain. The party taking the first turn will be chosen by flipping a coin. The five faculty members whose names remain will constitute the committee.

1. Pending a final decision by the Special Hearing Committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to self or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of status through the institution's hearing procedures, the administration will consult with the Faculty Handbook Advisory Committee concerning the propriety, the length, and the other conditions of the suspension. A suspension which is intended to be final is a dismissal and will be treated as such. Salary will continue during the period of suspension.

2. The Special 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 the exchange of documentary or other information, and d.) achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

3. Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or her or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.

4. The Committee, in consultation with the President and the faculty member, will exercise its judgment as to whether the hearing should be public or private.

5. During the proceedings, the faculty member will be permitted to have an academic advisor and counsel of choice.

6. At the request of either party or the Special Hearing Committee, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer.

7. A verbatim record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost, at the faculty member's request.

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

9. The Special Hearing Committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

10. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the Special Hearing Committee in securing witnesses and making available documentary and other evidence.

11. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the Committee determines that the interests of justice require admission of their statements, the Committee will identify the witness, disclose their statements, and if possible provide for interrogatories.

12. In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.

13. The Special Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

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

15. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Trustees of the institution. The President and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.

16. If the Special Hearing Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President rejects the report, he will state his reasons for doing so, in writing, to the Committee and to the faculty member and provide an opportunity for response before transmitting the case to the Board of Trustees. If the Committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

17. Members of the Special Hearing Committee will be forbidden to communicate with any persons concerning the case outside of official meetings of the Committee.

If dismissal or other severe sanction is recommended, the President will, on record of the faculty member, transmit to the Board of Trustees the record of the case. The Board's review will be based on the record of the Committee hearing, and it will provide opportunity for argument, oral or written, or both, by the principals at the hearing or by their representatives. The decisions of the Special Hearing Committee will either be sustained, or the proceeding returned to the Committee with specific objections. If the proceeding is so returned, the Committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees will make a final decision only after study of the Committee's reconsideration."

Faculty Procurement and The Religious Commitment of the University

Southwestern University values its heritage as a United Methodist Church-related university and seeks to reflect in its life and work the finest traditions of the historical and continuing relationship. Thus, the University is committed to an ecumenical, non-sectarian, cosmopolitan approach to undergraduate education focused on the development of the whole person through a broad-based, value-centered education. Since the recruitment of quality faculty is vital in the achievement of this commitment, faculty appointments are not dependent upon a particular denominational affiliation. Rather, the University seeks persons who can support both the Judeo-Christian ethical tradition and the Institutional Mission, Core Purpose, and Core Values of the University, so that they can feel comfortable and work closely with the University in achieving its mission.

SU Statement on Religious Diversity

Southwestern University is a crossroads for a range of communities. We are a meeting place for and home to a wide array of cultures, generations, academic disciplines, and perspectives. Consonant with the educational

mission of The United Methodist Church, our United Methodist heritage, and Southwestern University's Core Purpose – fostering a liberal arts community whose values and actions encourage contributions toward the well being of humanity – we recognize that diversity in one category is impossible without diversity in others. We are a meeting place for differing religious beliefs and practices as well as spiritualities, and we encourage, and are committed to providing institutional support to a diversity of such traditions, and we understand that an enlightened model of religious diversity also encourages the presence and perspective of humanists, agnostics, and atheists.

We are committed to making it as easy as possible for students, faculty, and staff to participate in the celebrations and observances of their respective faith communities. We facilitate participation of Southwestern students in religious communities beyond the campus, and welcome our neighbors to religious practices and celebrations on campus.

Our goal is to be respectful and appreciative of our various religious and non-religious traditions. We seek to provide educational opportunities for each of us to learn about one another's cultures and practices. Dialogue can sometimes be painful; the legacies of intolerance run through the histories of almost all religious and secular traditions. Respectful dialogue, nevertheless, is the first step in modeling a peaceful world, in welcoming what is strange, in making new friends, and in deepening our lives. Indeed, no position should be imposed from one person on another. We welcome dialogues based on mutual consent in which the explanation of each person's secular or religious position is offered.

The Faculty and University Policy in Student Life Matters

Though the University seeks in no way to control the personal lives of faculty members outside of their faculty role, it expects that faculty members will not participate in activities with students that contravene University policy in student life matters.

Faculty Responsibilities and Georgetown Residency

An historic, continuing, and enduring sense of community is the foundation for the entire educational program of Southwestern University. It is, to a large extent, the faculty who foster and perpetuate that sense of community. Members of the University faculty do so by identifying, sharing, and perpetuating a common core of values with regard to church-related, broad-based, undergraduate education in a residential setting. They also contribute importantly to a sense of community by their presence on campus, not only in their work with students and colleagues, but also through their fields of specialization and in the ongoing life of the University.

Each faculty member, by his or her presence and activity throughout the life of the University, makes a very special and needed contribution to the enrichment of the intellectual/creative life of the University. The immediate and most obvious place where this occurs is in the classroom/laboratory/studio. However, faculty responsibility extends beyond the classroom into such areas as advising and conversations arising over issues raised in class.

In a very special sense, a faculty member serves as a model for students. It is, thus, critical that faculty members be present on campus in a regular and consistent way to be accessible to students both during office hours and at unscheduled times. Members of the faculty are expected, for example, to support by their presence activities throughout the life of the University, such as the Brown Symposium, Lecture Series, Artist Series, and various other University events.

Because faculty responsibilities extend across the entire life of the University – from the classroom to advising and informal contact with students, to fostering a sense of educational community – faculty members are encouraged to live within reasonable proximity to Georgetown. While the institution recognizes that residence is a matter of personal choice, the University also acknowledges that active, on-going participation in the life of the University can be more difficult if an individual lives outside the Georgetown area. Thus, faculty members who choose to live beyond the Georgetown area have a special obligation to ensure that this does not interfere with their regular participation in the life of the University, their ability to be on campus as needs may arise, and/or to be available to students, colleagues, and staff. Annual reviews will consider the degree to which individuals have met their responsibilities as members of the Southwestern faculty.

Privacy of Faculty Offices

It is the policy of the University to respect the privacy of all personal offices. Personal offices should not be entered by anyone other than the recognized occupant except for purposes of cleanup, for delivery services (to leave mail or materials), or on the basis of invitation or prior recognized agreement. During periods of building renovation, permission is given to architects and builders to enter offices specifically and solely for the purpose of ascertaining the measurement and design facts needed for planning purposes. In cases where offices are to be changed, the occupant will be advised ahead of time and invited to engage in any pre-packing which is desired, to leave instructions to the movers, or to participate in the moving process. In cases where the occupant does not respond to the notice within a reasonable period of time, the administration will assume that such failure to respond constitutes permission to effect the change. No changes will be made during holiday periods unless the occupant has been advised prior to the last class day.

Information Technology Services (ITS) staff assume that a request for service includes permission to enter an office to provide that service unless told otherwise. In the infrequent situations where many or all faculty offices must be entered, ITS will provide twenty-four hour advance notification of the time period(s) during which ITS will be servicing computer equipment. In an emergency situation, such as when a computer system is actively propagating a virus or is otherwise disrupting network services, ITS may enter an office to disconnect the infecting system from the network.

Course Evaluation System

1. All teaching faculty participate in the student course evaluation program. All courses shall be evaluated near the end of each regular semester by those students taking each course. A common evaluation form is used by all faculty. However, in special cases, a faculty member may provide a form that meets the approval of the Provost in consultation with the Chair of the Faculty Affairs Council. These evaluations become part of the normal University faculty evaluation process in which evaluation forms may be reviewed only by those persons who have access to a faculty member's professional file as defined in item 5 below.

   In special circumstances (such as an experimental course, a course being taught for the first time, teaching out of the faculty member's field, team teaching), a faculty member may request that the evaluation for a particular course be reviewed only by the faculty member. Such an exception to the normal evaluation process may be requested by filing a form provided for this purpose by the Office of the Provost. The form includes a section for stating the reason for exception and whether such an exception has been made for that course in the past. The request form is approved by the faculty member's department/program chair and the Dean of the School of Fine Arts or the Provost, and then filed with the Provost by the published deadline.

2. Evaluations are to be scheduled within the last two weeks of the semester, with twenty minutes set aside during each class for this purpose. Note: Students not present for the evaluation session may not complete evaluation forms at a later time.

3. The Office of the Provost prepares packets for each course/section to be evaluated. These packets are then mailed to the faculty member, who takes the appropriate packet to class on the scheduled days. The designated student hands out the forms to the class, then picks up and returns the completed forms to the Office of the Provost in the original envelope. This procedure is carried out without comment by the student, and the teacher does not remain in the classroom while the evaluation forms are being completed.

4. The completed evaluation forms, upon their return, are kept in the Office of the Provost until course grades have been turned in. The forms are then made available to the faculty member and to other authorized individuals as defined elsewhere in this policy. If a faculty member has requested copies of his or her evaluation forms, the copies will be charged to the appropriate academic department. Evaluation forms then become part of a faculty member's professional file in the office of the Provost or the Dean of the School of Fine Arts, but remain available for the faculty member to review.

5. Evaluation forms are available for review only by persons who have access to a faculty member's professional file: the faculty member, the department and program chair, the division/school chair,

members of the Faculty Status Committee, the Provost (or designate), the Dean of the School of Fine Arts, and other administrative personnel involved in faculty evaluation for the purpose of reappointment, promotion, tenure, and salary decisions. None of the information is available to students.

6. Completed evaluation forms for all faculty are available in the Office of the Provost for the most recent two semesters, then moved to archival storage for a period of seven years. After that time, the Provost offers them to the faculty. Those files that are not claimed are shredded.

VI. FACULTY DEVELOPMENT PROGRAM

Southwestern University is committed to a systematic and comprehensive program of faculty development. This program is provided in order to make possible the continued renewal of individual faculty members as professionals within their disciplines and as masters in the art of teaching. It also serves to maintain a strong and vital academic environment for the education of students. Professional development and renewal form a part of every faculty member's responsibility at Southwestern University, and the University seeks to support that kind of activity through several channels.

Southwestern University is grateful to the J.S. Abercrombie Foundation, the William A. McMichael Enrichment Fund, the Cullen Foundation, the Claud Howard and Elizabeth A. Crawford Endowment Fund, and the John McKee Sharpe Sr. and John McKee Sharpe Jr. Faculty Development Endowment for their generous support of faculty professional development through Professional Development Accounts and the Competitive Faculty Development Program. Additionally, the University is grateful to the Pauline and J.C. Fleming Endowment for Excellence, the Cullen Foundation, the William B. Jones Faculty Fellowship Fund and the Mundy Faculty Fellowship Fund for their generous support of faculty and student research through the Faculty-Student Projects Program.

Internal Grant Guidelines

Program Guidelines

Review the Competitive Faculty Development and Faculty-Student Project Program Guidelines. The guidelines must be met when submitting a proposal. The Program Guidelines can be found at www.southwestern.edu/offices/provost/grants/internalsupport.php

Timeline for Projects

Funds will be available for awarded proposals after the day of commencement in May. Any SU credit card charges must be submitted by mid-March and all other types of reimbursements by mid-April. The deadlines date are set by the Business Office and stated in the award letter and campus mail. An End of Year Report will be due on October 8 the following year.

Project work must be completed by April 30.

Required Documents for Submitting Proposals:

- Internal Grants Coversheet
- Detailed budget with justification of no more than one page
- Project Narrative
  - Competitive Faculty Development requires a project narrative of no more than two pages.
  - Faculty-Student Projects requires a project narrative of no more than four pages. List the lead faculty member name on the coversheet and the other participants in the project narrative.
  - Requests for membership fees, books, photocopies, etc. do not need a project narrative
- Current CV with the date of submission on the front page
- Any additional material required by program guidelines

Submit proposals in Word (.doc) format via e-mail to Christine Vasquez <vasquezc>. Please direct questions to John McCann <x1233, mccannj>.

Faculty-Student Projects

This program funds a range of faculty-student projects including but not limited to laboratory research, archival research, research in preparation for honors theses or other significant student projects, and projects in the studio arts, music and theatre. Projects may involve collaborative faculty-student research, faculty supervised undergraduate research, or intensive projects in the arts, music and theatre. The goal is to accommodate different types of faculty-student projects aimed at improving student learning and strengthening faculty teaching and/or scholarship. Tenured and tenure-track faculty members, full-time coaches, librarians and academic affairs staff

with faculty rank may apply. Part-time and visiting faculty may apply with departmental approval. The program pays faculty and student project expenses during the academic year. For up to eight summer weeks, the program pays faculty and student stipends, student housing, project expenses, travel and other items related to the particular project.

Submit an internal grants cover sheet, a project narrative of no more than four single-spaced pages, and a budget with a budget justification of no more than one page. Please submit a current CV. A project narrative is required. (See *Internal Grants Guidelines* and *Internal Grants cover sheet*.) The project narrative and budget should address these items in this order:

Project Narrative

- Project title, names and contact information for project participants
- If you have received previous funding for this project, specify the funding received and the faculty development and student learning outcomes achieved with this funding.
- Describe all other faculty professional development funding you have received in the past five years and specify the faculty professional development outcomes achieved with that funding.
- Significance of project
- Faculty development objectives
- Student learning objectives
- Describe the faculty and student roles and activities in the project
- If at all possible, name the students
- Brief project timeline
- Result or product of the project
- A plan and commitment to present the project results to the Southwestern University community within a year and one-half from the date of the award

Budget

- Describe on the internal grants cover sheet how you will use your $1,400 PDA in the academic year for which you are applying for Faculty-Student Projects funds. Please be specific.
- If other funding, internal or external, applies to this project, specify how those funds will be used.
- Faculty stipend(s) – (summers only - $4,000 maximum for eight week projects)
- Faculty travel (list hotel and airline cost). Food per diem limited to $25 per day.
- Faculty research expenses
- Student stipend (s) (summers only) – up to $1,200 per month
- Student travel (if any)
- Student housing (summers only – 8 week/56 day maximum) – to a maximum $500 per month subsidy that can be used on or off campus. Students are responsible for making their own housing arrangements.
- Student research expenses
- Other expenses

Please note that the Awards Committee will not consider incomplete applications.

Expenses should be explained and justified in the budget justification and, if necessary, in the project narrative. Faculty stipends may be paid through regular payroll (taxable) and/or as professional development accounts (non-taxable, receipts required). **The deadline for proposal submission is mid-January.** Awards will be announced mid-February. Funds will be available the day after Commencement. Project work must be completed before April 30 the following year. Please submit proposals via e-mail to Christine Vasquez (vasquezc@southwestern.edu). Please direct questions to John McCann (x1233, mccannj@southwestern.edu).

Competitive Professional Development Funds

Tenured and tenure-track faculty members, full-time coaches, librarians and academic affairs staff with faculty rank may apply for competitive professional development funds for scholarly and academic projects. These funds may be used for any legitimate professional development expense including faculty stipends, domestic and international travel, conference and workshop fees, research expenses, subvention fees (subject to the Awards Committee subvention policy), professional association memberships, sabbatical expenses, etc. Please note that

the Awards Committee's preference is to use these funds as seed money for lengthy and/or expensive research projects. The Awards Committee urges faculty to seek external funding for such ongoing projects. In the case of international travel, the Committee requires clear and specific justification and serves notice that it is unlikely to fund recurring trips without compelling justification and evidence that faculty have been efficient in the use of such travel.

Please submit an internal grants cover sheet, a project narrative of no more than two single-spaced pages, and a budget with a budget justification of no more than one page. Please submit a current CV. A project narrative is required for research and creative projects, but is not required for simple requests for conference attendance, professional memberships, etc. (See *Internal Grants Guidelines* and *Internal Grants Cover Sheet*.) The project narrative and budget should address these items in this order:

Project Narrative

- Project title with name and contact information for project participants
- Professional development plan
  1. Describe your plans for professional development for the next five years in terms of goals, objectives and outcomes (one paragraph). Specify the outcomes expected from the project for which you are seeking funding.
  2. If you have received previous funding for this project within the past five years, describe that funding and specify the faculty professional development outcomes achieved with that funding.
  3. Describe all other faculty professional development funding you have received in the past five years and specify the faculty professional development outcomes achieved with that funding.
- Project description
  - Significance of project
  - Project activities
  - Brief project timeline
  - Result or product of the project

Budget

- Describe on the internal grants cover sheet how you will use your $1,400 PDA in the academic year for which you are applying for Competitive funds. Please be specific.
- If other funding, internal or external, applies to this project, specify how those funds will be used.
- Faculty stipend (up to $4,000 maximum as funding allows)
  Note that Competitive applications no longer require specifying the desired stipend amount. The Awards Committee will award faculty stipends as funding allows and will rely on the clarity of applications for research, performance or creative projects in determining stipend amounts.
- Faculty travel (list hotel and airline cost). Food per diem limited to $25 per day.
- Faculty research expenses
- Subvention costs (with supporting documentation)
- Other expenses
- Expenses must be explained and justified in the budget justification and, if necessary, in the project narrative.

Please note that the Awards Committee will not consider incomplete applications.

Stipends may be awarded through regular payroll (taxable) and/or as professional development accounts (non-taxable, receipts required). This program does not fund student stipends, summer student housing or other student expenses. **The deadline for proposal submission is mid-September.** Awards will be announced mid-October. Funds will be available the day after Commencement. Project work must be completed before April 30 of the following year. Please submit proposals via e-mail to Christine Vasquez (vasquezc@southwestern.edu). Please direct questions to John McCann (x1233, mccannj@southwestern.edu).

Faculty may find these guidelines useful in submitting requests for sabbatical expenses.

*Sabbatical research expenses are also funded through this faculty development program.

Addendum to Competitive Faculty Development Fund Guidelines: Book Subvention Award Policies

University and other scholarly presses often require authors to provide "subvention" funds to underwrite the publication of scholarly monographs and books. Authors who are eligible under Competitive Faculty Development Fund guidelines may make application to the **competitive faculty development fund** for the subvention of scholarly monographs and books in any language or discipline that meet the following qualifications:

- The press uses a peer-review mechanism for selecting books to publish andstipulates that a subvention is necessary for the book to be published, as in the case where the anticipated sale is too small or too slow to permit timely recovery by the publishers of the initial production expense.
- Funds are only paid directly to the publisher; authors may not be reimbursed from the account.
- Publication of textbooks, translations of previously published books or book reprints will *not* be supported.
- The recipient must provide a copy of the author-publisher contract to the Awards Committee before the subvention is released.
- Usually only single-authored volumes (a scholarly monograph or collections of essays by the author) will be considered; exceptions will be made only in rare circumstances and will require additional supporting materials.
- Awards will not usually exceed $4000.

Application Guidelines:

Your competitive faculty development application should include:

- The title of the book, a brief description, and its importance to the field.
- An indication of how much total subvention funding the press has requested and the reasons the press needs the subvention. Indicate any other pending or confirmed sources of external funding.
- An indication of how many copies of the book will be printed and the anticipated price of the book.
- A brief explanation of why the press is an appropriate press to publish your book. Briefly describe how the press has advanced important scholarship in your field and list some recent relevant titles that the press has published.

Attachments:

- The contract to publish your book.
- Any budget provided by the press (if not included in the contract).

Professional Development Accounts

Each tenured and tenure-track faculty member and academic staff member with faculty rank receives $1,400 per year in a professional development account. This account may be used to reimburse any legitimate professional development expense, including (but not limited to) domestic and international travel, conference and workshop fees, research expenses, sabbatical expenses, full-year professional association memberships, full-year journal subscriptions, etc. We interpret "research expenses" liberally, including (but not limited to) fees for subventions, transcription, indexing and other expenses related to publication of faculty research and performance and presentation of creative works. Laptops, tablets, cell phones and similar electronic devices may not be purchased through PDA accounts. Requests for these items should be submitted to the Provost's Office for consideration of funding through the academic equipment budget.

University Scholars Program

The University Scholars Program was established to make it possible for Southwestern University to achieve a new level of distinction among liberal arts colleges and universities by supporting faculty members who have a national reputation in their discipline and who are committed to the role of teacher/scholar. The program

recognizes persons on the faculty who have achieved national recognition in their field, and who have contributed to the enhancement of the mission of the University in a significant manner, over a substantial period of time. Individuals appointed as University Scholars are provided with opportunities to continue a substantial commitment to the academic pursuits that have brought them prominence, while fully participating actively in the educational life of the University. These opportunities include a reduced teaching load, more frequent eligibility for sabbatical leaves, research stipends, and funds for the support of research and professional activities. University Scholars are appointed by the President upon consultation with the Provost.

Policies and Procedures for Full-time Faculty Sabbatical Leaves

Statement of Purpose

The professional expertise of the faculty is among Southwestern University's most important resources. The purpose of the faculty sabbatical leave program is to enhance this resource by supporting the long-term professional growth of the faculty.

General Policies

1. Sabbatical leaves support the professional growth and development of the faculty. They are not automatically granted; they are investments in the future of Southwestern University's educational program, not rewards for past service. Each application will be individually considered in light of available resources and the overall interests of the University. Where appropriate, the level of professional activity and achievement that occurred since the last sabbatical will be used in evaluating whether additional sabbaticals are awarded.

2. Approved post-tenure sabbatical leaves may be taken for one academic year at half salary or one semester at full salary. Normally, sabbatical leaves taken pre-tenure will be for a period of one semester at full pay. Payment of salary shall be made in accordance with the normal university payroll cycle, unless otherwise arranged with the Provost and Associate Vice President for Human Resources. The Provost must initiate the payment process by notifying the Human Resources department in writing of the approval of the sabbatical leave.

3. Faculty members who accept sabbatical leaves agree to report the results of their research activities to, when appropriate, the Dean of the School of Fine Arts, the Provost and the President. The written report shall take the form of a summary of the sabbatical activities and may include proper documentation of research, e.g., a copy of a book, programs of musical and theatrical performances produced, slides of artwork produced, an article or a paper. A presentation to the general academic community is normally expected. The quality of the leave accomplishment is a criterion in evaluating the total contribution of the faculty member to the University.

4. Faculty members who accept a sabbatical leave agree to provide a year of service to the University after returning and at least three years of service before retirement. To determine eligibility, applicants must consider the timing of the proposed sabbatical leave relative to the anticipated year of retirement.

5. A successful sabbatical project will contribute to scholarly or artistic work that has been peer reviewed through the process of publication or performance, such as a new book contract at an academic press, an article at a peer-reviewed journal, a major exhibition or highly selective performance.

6. For the next sabbatical, the faculty member needs to demonstrate evidence of professional achievement in the form of scholarly or artistic work that has been peer reviewed through the process of publication or performance, such as a new book contract at an academic press, an article at a peer-reviewed journal, a major exhibition or highly selective performance.

Eligibility

1. Faculty members may apply for sabbatical leaves to be received during the fourth year of full-time service at Southwestern University, with subsequent sabbatical eligibility every seventh year thereafter. Calculation of time between sabbatical leaves is based on full academic years, not calendar years or semesters. A leave of absence for either a semester or a year delays eligibility for a full academic year.

Faculty members granted credit toward tenure in their initial appointment will be eligible the year following their fourth-year comprehensive review.

2. The initial sabbatical in the fourth year is contingent upon a successful second year comprehensive review.

3. If faculty members are required by the Dean of the School of Fine Arts (when appropriate), the Provost and the Awards Committee to delay their sabbatical leaves by a full academic year to accommodate departmental or University needs as determined by the Provost, they will receive one academic year's credit toward eligibility for the succeeding sabbatical period.

4. Faculty members who have served the University prior to the tenure-track appointment shall not automatically be entitled to credit toward the first sabbatical leave. No credit shall be earned for part-time service. Credit for non-tenure-track, full-time service to the University may be granted by the Provost, preferably at the time of the initial appointment, but no later than the time of the awarding of tenure. Such credit shall not be considered awarded unless defined in writing by the Provost.

Sabbatical Activities

1. Innovative, substantial research or creative projects consistent with faculty members' plans for long-term professional growth and development are encouraged and supported by the sabbatical program. Frequently cited proposals include:

   A. projects that require extended travel;
   B. projects that require the use of facilities other than Southwestern's;
   C. projects that cannot be accomplished while teaching a full-time load.

   This list identifies only a few appropriate sabbatical activities. The breadth and scope of potential projects extend beyond the limitations of this document. Faculty members are encouraged to discuss potential projects with their department chair, when appropriate, the Dean of the School of Fine Arts, and the Provost well in advance of application.

2. Work for additional salary (other than grant or fellowship monies), including teaching courses at another university, shall not be undertaken by faculty members while on sabbatical leave without special approval from, when appropriate, the Dean of the School of Fine Arts, the Provost and the President prior to application.

Procedures for Application

1. To apply for a sabbatical leave, the faculty member shall submit a substantive written application to the department chair that contains: a) the detailed proposal; b) the dates requested for the sabbatical leave; c) the role of the proposal in the context of ongoing professional plans; d) the expected professional outcomes; e) a current curriculum vitae and statement of outcomes for previous sabbaticals; and f) the anticipated budget (see Section H below). Under advisement of the department chair, the following questions should be addressed:

   A. How does the sabbatical request fit within the faculty member's overall plans for professional growth and development, i.e., is the proposal appropriate and consistent?
   B. Will the proposed sabbatical activities enhance the curriculum?

   Should the faculty member find that modifications suggested by the department chair would unacceptably compromise the substance or integrity of the proposal, the Dean of the School of Fine Arts, when appropriate, and/or the Provost may meet with the faculty member or the department chair to assist in resolving differences before the application is submitted. Final authority to resolve these differences rests with the Provost.

   When a department chair applies for a sabbatical leave, the Dean of the School of Fine Arts, when appropriate, and/or the Provost will appoint a department member to evaluate the proposal and to

follow the procedures defined in this document.

2. After the above issues have been discussed and resolved to the mutual satisfaction of the faculty member and the department chair, the application shall be submitted to the Provost. After consulting with faculty members of the department about the impact the sabbatical will have on the department, the department chair shall concurrently submit an evaluation of the proposal and a "departmental impact statement" to the Provost and, when app0ropriate, the Dean of the School of "Fine Arts, including what arrangements can be made to procure replacement staffing. The Provost shall review the application and may consult with the faculty member or the department chair about modifications.

3. The Provost is responsible for presenting all sabbatical requests to the Awards Committee for its review and recommendation. The Provost will deliver the recommendations of the committee and his or her recommendations to the President for a final decision.

Template: Faculty Sabbatical Application (approx. 3-8 pages, excluding the C.V.)

- Abstract of the sabbatical proposal.
- Dates Requested for Sabbatical Leave
- Personal History of Years of Service, including dates of leaves of absences and prior sabbatical leaves.
- Proposed Activities (in detail), including a discussion of the significance of the proposal and the expected date of completion.
- Context: Provide a statement in which you relate this proposal to your previous activities and your long-range plans for scholarly and professional development.
- Expected Outcomes
- Budget: If your sabbatical proposes financial support from the University or from sources outside the university, provide an anticipated budget, and indicate from what outside sources you expect the funds to be provided.
- Department Evaluation and Impact Statement: Your department chair should submit an evaluation of your proposal and a "departmental impact statement" to the Provost, due on the same date as this application.
- Current C.V.
- Statement on Outcomes of Previous Sabbaticals

Deadlines and Time-Line (Does not include deadlines for external funding)

Two academic years prior to the proposed sabbatical date

An informal conference with the department chair and written notification to the Provost/Dean of the School of Fine Arts.

One academic year previous to the proposed sabbatical date

Early September – conferences with the department chair to discuss a substantial, written proposal and to formulate plans for replacement staffing.

Mid-September – Conference with the Provost, if necessary. When applicable, the Dean of the School of Fine Arts will participate in this conversation.

October – Application deadline for sabbatical leave. Faculty member's application and the department chair's evaluation and "Departmental Impact Statement" due concurrently.

November – Review of applications by the Awards Committee.

December – Sabbatical award announcements from the President.

The academic year following the sabbatical leave

March 1 - Deadline for written reports on a fall sabbatical leave.

November 1 - Deadline for written reports on a spring or year-long sabbatical leave.

Criteria for Award

When reviewing the sabbatical proposals, the Awards Committee will consider:

a. Is the project worth fundin? What does it contribute to the existing body of work in the field?
b. Is the proposal clearly written?
c. What are the specific outcomes/what will be produced as a result of the sabbatical work?
d. What has been produced since the facultymember'smost recent sabbatical?

Financial Considerations

Funding for Sabbatical Expenses

1. Funds to support sabbatical activities must be requested at the time the sabbatical request is submitted. The Awards Committee may approve, disapprove or adjust funds. The Provost, in consultation with the President and the Vice President for Fiscal Affairs, must approve the allocation of funds to support each sabbatical request.

2. Faculty members are encouraged to pursue funding from sources external to the University to support sabbatical activities, which may include funds to cover salary, replacement costs and associated sabbatical expenses. However, the award of a sabbatical leave is not contingent upon external funding. The availability of external funding in no way obligates Southwestern University to accept said funding or to award sabbatical leave to a faculty member; neither is Southwestern University required to seek external funding to support sabbatical leaves.

Replacement Costs

Departments should make every effort to absorb the responsibilities of the faculty member on sabbatical leave. If departments anticipate that they cannot satisfactorily absorb the additional workload, the department chair shall determine appropriate solutions in consultation with the Dean of the School of Fine Arts, when appropriate, and the Provost.

Leave of Absence

Normally, faculty members who have completed a minimum of three years with satisfactory service may apply for a one-semester or one-year leave of absence without pay. Normal fringe benefits of a financial nature provided by the University will not be made during leaves but may be maintained upon payment by the faculty member for the benefits involved (hospitalization, etc.). Departments should make every effort to absorb the responsibilities of a faculty member on a leave of absence. A leave of absence for a non-tenured faculty member will not be counted toward tenure consideration. Termination of contract may be effected by the University for non-tenured persons on leave with the regular dates of notification being effective. The procedures involved for securing a leave of absence and the deadline dates of application are the same as that for securing a sabbatical leave.

Southwestern University Teaching Awards

Eligibility: Three awards will be presented each academic year. One will be awarded to an untenured faculty member, including Academic Affairs staff with faculty rank. A second award may be presented to a part-time or visiting faculty member. Eligibility for the third award requires either tenure or the rank of full professor. Faculty members are ineligible for five years after receiving an award.

Nomination and Selection Procedures: In early spring, the Provost will announce a call for nominations. Students will nominate individual faculty members by writing a letter of support to the Provost.

The Honorary Degrees Committee will serve as the awards committee. A committee member who is nominated will be replaced by the Provost with another faculty member to act on the selection committee.

After narrowing the field to the top candidates, the committee may request additional supporting material from the nominated faculty members. The following are suggested:

- The names of two students or recent alumni who will be asked by the awards committee to write letters in support of the candidate.
- A one-page single-spaced letter of teaching philosophy.
- Up to five supporting documents. These could include syllabi, descriptions of assignments and projects used in class, research involving students, and other awards or fellowships.
- Permission for the committee to review their teaching evaluations from the most recent two years.

Announcement of the Awards: The presentation of the awards will occur at the end of the academic year. The nominating students have the option of presenting the awards; if they are unable, the awards will be presented by the Provost. Each award will carry a cash award and a plaque commemorating the award. Additionally, a plaque with the names of all the winners will be displayed in a prominent location on campus.

Advising Awards

In an effort to reward the hard work of exceptional faculty advisors, the Center for Academic Success presents an annual Advising Award. Nominations are generated by students, and the recipient is selected by the Academic Success staff. The $500 cash award is to be presented to a faculty member by a student at the conclusion of the academic year. A plaque with the names of all recipients is displayed in the Center for Academic Success.

The William Carrington Finch Award

The William Carrington Finch Award is made to a full-time faculty member for conspicuous accomplishments in furthering the aims of Southwestern University. A plaque and a cash award of $5,000 will be made normally on alternate years as an appropriate recipient is identified. President Finch was a member of the faculty of Southwestern University from 1941 to 1950 and was its eleventh President from 1950 to 1961. His presidential leadership in giving Southwestern a new academic vision and commitment distinguished his administration. The award was made possible by a gift to the endowment by his wife, Lucy, and their two sons, Dr. William Tyree Finch and Dr. Richard Carrington Finch. Its purpose is to recognize and encourage faculty who best identify themselves with an attempt to fulfill the objectives and aims of the University, as well as to encourage that combination of ability and achievement which makes for an effective faculty member.

> The first criterion is involvement in a teaching field interpreted to include the creative and performing arts. Research for either publication or teaching should be broad enough to guarantee familiarity with the continuing growth within a field.
>
> Another standard is excellence in teaching. Here, competence must be combined with the ability to communicate. Enthusiasm for the subject matter and interest in the student are necessary for responsible teaching.
>
> A third area of proficiency is the contribution made to the governance of the University in leadership shown on committees and councils, and,
>
> Finally, the contribution outside the class to the establishment and support of better community relationships in the area of the common life of students, faculty, and administration. This involves relating to the students in extra class academic enterprises (public lectureships, symposia, etc.), active support of some of the work of other areas of the University (concerts, athletics, etc.), and relating to other members of the community as a person (chapel, union projects, etc.)

The final selection of the recipient is made by the President from nominations transmitted by the Selection Committee. The Selection Committee is composed of the Provost, two faculty members, and two students. The Provost serves as chair of the committee. The faculty representatives are the two most recent recipients of the award. The two students are elected by the most appropriate student group identified by the Vice President for Student Life. The Committee submits to the President for his final selection the names of several candidates who have been nominated by members of the community. Every other year, the Committee invites letters of nomination from faculty, staff, administration, and student government. Student input is made in such a way as to allow teachers with a limited number of students to be considered in an equitable fashion with those better known through large or required classes.

The award is normally presented by the President on the occasion of the spring commencement. The *University Catalog* will indicate that the recipient is, in addition to any other title, the William Carrington Finch Professor for the appropriate year.

Special Dates for Faculty Development

If date falls on weekend or holiday move to next business day. All dates are subject to change with proper notification.

SABBATICALS	2013-2014	2014-2015
Project Timeline	*Stated on Award Letter*	
Request for leave	Oct 15, 2012	Oct 21, 2013
Reports on activities for those taken during full year or spring	Nov 2, 2013	Nov 2, 2014
Funds	Fall Sabb.	Spring Sabb.
Business Office Deadline for Credit Card Purchases	Dec 15	Mar 15
Business Office Deadline: other types of reimbursements	Jan 24	Apr 24
Completion of Project	Jan 31	Apr 30
End of Year Report Due	Feb 1	Nov 2

COMPETITIVE FACULTY DEVELOPMENT (CFD) FACULTY-STUDENT PROJECTS (FSP)	2013-2014	2014-2015
Project Timeline	May 12, 2013 - May 10, 2014	May 11, 2014 - May 9, 2015
CFD and FSP Call for Proposals	Dec 2012	Dec 2013
CFD and FSP Proposals Due	Feb 2013	Feb 2014
CFD and FSP Acceptance/Denial notifications sent out	Mar 2013	Mar 2014
CFD and FSP Funds Available (day after commencement)	May 12, 2013	May 11, 2014
Faculty receive awarded stipend w/ monthly payroll	Jun and/or Jul 2013	June and/or Jul 2014
Business Office Deadline for Credit Card Purchases	Apr 18, 2014	Apr 17, 2015
Business Office Deadline: other types of reimbursements	Apr 29, 2014	April 28, 2015
Completion of Project	Apr 30, 2014	Apr 30, 2015
End of Year Report Due	Oct 8, 2014	Oct 8, 2015

TEACHING AND LEARNING WORKSHOP	2013-2014	2014-2015
Send letter of interest to John McCann	Jan 19, 2013	Jan 19, 2014
Workshop at Trinity University	Jun 2013 (1st wk)	Jun 2014 (1st wk)
End of Year Report	Oct 8, 2013	Oct 8, 2014

PROFESSIONAL DEVELOPMENT ACCOUNT (PDA)	2013-2014	2014-2015
Project Timeline	Jul 1, 2013 - Jun 30, 2014	Jul 1, 2014 - Jun 30, 2015
Funds Availabile	Jul 1, 2013	Jul 1, 2014
Business Office Deadline for Credit Card Purchases	Jun 18, 2014	June 18, 2015
Business Office Deadline: other types of reimbursements	Jun 24, 2014	Jun 23, 2015
Completion of Project	Jun 30, 2014	Jun 30, 2015

PROFESSIONAL FILES	2013-2014	2014-2015
Tenure-Year and Promotion Reviews	Aug 2013	Aug 2014
Second- and Fourth Year Reviews	Dec 2013	Dec 2014
Brief Annual Reports and Updated CV's	Apr 1, 2014	Apr 1, 2015

To view detailed information on the above programs go to
http://www.southwestern.edu/offices/provost/grants/internalsupport.php

VII. FACULTY BENEFITS AND RETIREMENT

Salary Payments

The University issues pay checks on the 25th of the month, or on the closest workday immediately preceding the 25th.

The law requires certain deductions be made from employee compensation. The University offers programs and benefits beyond those required by law. All eligible employees may voluntarily authorize deductions from their pay to cover the costs of participation in these programs.

Federal and state laws require the following deductions from every paycheck.

- Federal withholding tax (income tax)
- Social Security tax (FICA) – up to the required annual amount
- Medicare tax

Other deductions may be made from paychecks, but only with the employee's written permission. Such deductions include, but are not limited to:

- Insurance benefits
- Flexible Spending accounts
- Savings accounts and/or loan payments
- Supplemental Retirement Plan contributions
- Employee personal computer loan plan payments
- Southwestern University annual fund contribution
- Southwestern University capital campaign contribution
- Direct Deposit deductions/distributions

Southwestern University will not provide employees pay advances or extensions of credit on unearned or unpaid wages.

The employee is responsible for managing his/her financial commitments to avoid the inconvenience of wage attachments and garnishments for both him/her and the University. In the event situations arise in which a wage attachment or garnishment is ordered by an official state, local or federal agency, the University will honor and fulfill all garnishments and other wage attachment orders as required by law.

Benefits and Retirement

Southwestern University provides employees not only with basic pay, but also with a balanced, comprehensive benefit program, which may from time-to-time be modified, deleted, or amended, in the sole discretion of the University with or without prior notice.

The University benefit program currently includes health care insurance, dental insurance, vision insurance, long term disability insurance (LTD), retirement benefits, life and accidental death and dismemberment (AD&D) insurance, Section 125 plan, vacation, holidays, sick leave, jury and witness duty leave, military leave, bereavement leave, and tuition benefit opportunities as well as many other fringe benefits (see Other Fringe Benefits section). Employees in a benefit eligible category are covered by or may enroll in some of these benefits as soon as they begin working, while others are available after a short waiting period. When employees are eligible, the Human Resources department will give them a complete description of the various options available to them and ask them to complete an enrollment form. The University pays the major portion of the cost for most of these plans. The employee share of the cost is handled by convenient payroll deduction.

When a fringe benefit requires an affirmative action (application, beneficiary designation, benefit allocation, or similar acknowledgement or election) on the part of the employee, failure to promptly and timely respond to requests for action from the Human Resources department may cause a loss or suspension in eligibility for the benefit in accordance with the terms of the benefit plans. In such instances, the University will be under no

obligation to retroactively reinstate or otherwise compensate the employee for any loss of benefits attributable to the failure to respond.

Effective July 1, 1996, the benefit eligibility for part-time employees changed from half time (20 hours per week) to three-quarter time (30 hours per week), as approved by the Board of Trustees. Continuing part-time employees were grandfathered under the half-time guidelines. All new hires, effective July 1, 1996, will use the three-quarters time guidelines for determining benefits eligibility.

Effective January 1, 2001, the University began providing access to benefit programs for an employee's same-sex domestic partner and his/her eligible dependents. Individuals interested in obtaining detailed information about these benefits should contact the Human Resources department, in confidence.

For the purpose of employment benefits, the terms "spouse" or "dependent" may be interpreted to include same-sex domestic partner.

Eligibility of Benefits

Health Insurance Vision Insurance	Eligible 1st day of employment. The University provides each eligible employee with a defined annual benefit amount to pay for the cost of benefits selected under the SU Flexible Benefits Plan; employee pays premiums for dependent coverage.
Dental Insurance	Eligible on 1st of the month after date of hire (unless hired on the 1st).
Life Insurance Accidental Death and Dismemberment (AD&D)	Eligible on 1st of the month after date of hire unless the employee starts on the 1st. The employee and the University share premium. Maximum University contribution is $50,000 of coverage.
Long Term Disability (LTD)	Eligible 91st calendar day from date of hire. University pays all premiums. This benefit is for full-time (40 hours per week) employees only.
Retirement	Eligible after 1 year continuous employment (eligible on 1st of month after date of hire if fully vested in employer contributions made under the terms of a retirement plan sponsored by the employer that employed the eligible employee immediately prior to the University). Effective July 1, 2010, University contributes an amount equal to seven percent of employee's base annual salary to the retirement program.
Supplemental Retirement Annuity	Eligible to contribute to a Supplemental Retirement Annuity, pre-tax, post-tax (Roth) or both, on 1st of month after date of hire.
Section 125 Flex Plan: Health Care Spending Account, Dependent Care Assistant Account, and Pre-Tax Premium Plan	Eligible first day of employment.

Flexible Benefits Plan/Section 125 Plan

Flexible Benefits Plan

Southwestern University understands that each employee has a unique set of benefit needs. By providing a Flexible Benefits Plan and providing each employee with a prescribed benefit dollar amount, the University, therefore, does not mandate minimum levels of benefits or benefit program participation. An employee may choose all of the benefits provided, only a few, or none at all. Any benefit dollars not used for benefit premiums will be forfeited.

The Southwestern University Flexible Benefits Plan consists of the following benefit options:

Health Insurance
Dental Insurance
Vision Insurance

Southwestern University will provide an employee a prescribed benefit dollar amount to pay for the cost of the benefits he/she select under the Southwestern University Flexible Benefits Plan (medical, dental and vision insurance). With the benefit dollars provided, the employee may purchase the benefits which best suit his/her needs. Southwestern University Benefit dollars cannot be used toward other benefits provided by the University.

If the cost of the benefit programs the employee selects exceeds the benefit dollar amount provided, the employee will be responsible for any excess costs. The premium costs for employee's benefits may be paid on a "pre-tax" basis within limits set by the Internal Revenue Code. "Pre-tax" means that the amount that the employee spends for benefits will not be subject to Federal Income Tax or Social Security Taxes.

For each plan year, beginning January 1, the employee will be required to select the flexible benefits he/she desires. This will be an open enrollment period. The enrollment period will normally take place during the month of November for a January 1 effective date. At the time of enrollment, employees may add dependents or change their level of coverage. Employees will be advised before each enrollment period what the benefit dollar amount for the plan year will be and what the premium rates for each of the benefits will be. Selections will be effective for the full plan year (in the University's case, our plan year runs the calendar year), unless the employee has a qualified change in family status.

Section 125 Plan

Southwestern University has an approved flexible benefits plan, commonly referred to as a "Section 125 Plan." There are three components to the Plan, which allows the employee to save money on taxes. (1) Health Care Expense Account for medical, dental and vision expenses not covered under the University's benefit plan or any other plan such as deductibles and co-insurances. The maximum annual contribution is $10,000. (2) Dependent Care Assistance used for day care expenses for a child, disabled spouse or dependent that make it possible for the employee or their spouse to work. The maximum annual contribution is $5,000. (3) Pre-tax Premium Plan allows the employee to pay their share of insurance premiums before taxes, thus reducing the cost of insurance coverage. For more information, contact the Human Resources department.

Health Care Benefits

The University currently provides a competitive array of health insurance benefit plans for all benefits eligible employees. The Human Resources department can provide the different premium costs associated with different levels of coverage, and the summary benefit comparisons of these plans.

Health insurance coverage is available for eligible dependents. Eligible dependents include:

- Spouse
- Children under 26 years of age

Also, as previously noted, the terms "spouse" or "dependent" may be interpreted to include same-sex domestic partners.

Post-Retirement Health Care Benefits

Effective July 1, 1996, the University will no longer provide post-retirement health care insurance benefits to new employees hired after that date. Post-retirement health care insurance benefits will only be provided to those employees hired prior to July 1, 1996, and who retire from the University with ten years or more of uninterrupted service at the time of retirement under the terms established. If the other conditions for eligibility have been met, in all cases, the University will pay the health insurance premiums for a retiree upon the 65th birthday of the retiree. The University will pay the premiums for the retiree's spouse (provided that the employee on the health insurance plan has covered the spouse at the time of retirement and, if applicable, beyond retirement) upon the 65th birthday of the spouse. If the other conditions for eligibility have been met, in all cases, the payment of premiums by the University for a spouse begins only at the time the spouse reaches the age of 65. Employees who retire from the University before the age of 65, with ten or more years of continuous service may continue to participate in the health insurance program; however, the entire premium must be paid by the retiree, including dependent spouse coverage until age 65 at which time the University will pay for the entire coverage (assuming the spouse has reached the age of 65). At no time, however, will the University pay premiums for a retiree's spouse if the retiree has not yet met the eligibility requirements for the University to pay the retiree's premiums.

When an employee works beyond the age of 65, the employee's health insurance premiums will continue to be paid by the University until the employee retires. Until the employee retires (regardless of the age of the employee or spouse), the employee must continue to pay the premiums for a dependent spouse if the dependent spouse option has been chosen. If the employee is eligible for post-retirement benefits, upon retirement beyond the age of 65 the University will provide health insurance benefits for the employee and spouse (assuming all of the following conditions are met: a) the dependent spouse option has been chosen; b) the employee on the health insurance plan has covered the spouse at the time of retirement; and c) the spouse has reached the age of 65).

As noted earlier in this section, the University's benefit program may, from time to time, be modified, deleted, or amended, at the sole discretion of the University with or without notice.

Also, as previously noted, the terms "spouse" or "dependent" may be interpreted to include same-sex domestic partners.

Early Retirement Health Care Benefits

In addition, in accordance with long-standing policy, the University will provide health insurance benefits for employees eligible for post-retirement benefits who retire early under the "Early Retirement Program". The University will continue to pay regular monthly premium payments for health insurance from the point of retirement until age 65 and beyond. If an employee wishes to continue with his or her spouse's health insurance coverage under the group plan, he or she may do so at a prescribed monthly cost until the spouse attains age 65. At the time the retired employee's spouse reaches the age of 65, the University will pay for the spouse's health insurance coverage. At no time, however, will the University pay premiums for a retiree's spouse if the retiree has not yet met the eligibility requirements for the University to pay the retiree's premiums.

Phased Retirement Option Program (PRO Program)

Effective with the Fall 2010 semester, eligible faculty members may apply for participation in Southwestern University's Phased Retirement Option Program (the "PRO Program"). The primary purpose of the PRO Program is to assist tenured faculty members to make the gradual transition and adjustment into retirement.

The PRO Program is voluntary and is not an automatic benefit to which eligible faculty members are entitled. For detailed information about the PRO Program, see the Human Resources web-site at www.southwestern.edu/hr.

Dental Insurance

Southwestern University offers two dental plan options. A managed care plan in which service must be obtained from participating dentists and an indemnity plan which allows participants to obtain service from any dentist they select. Premiums and plan summaries may be obtained from the Human Resources department.

Vision Insurance

Southwestern University offers a vision plan that has specified benefits from participating and non-participating providers. Premiums and plan summaries may be obtained from the Human Resources department.

Long Term Disability (LTD) Insurance

LTD insurance is provided to all regular full-time employees after the completion of the 90-calendar day initial evaluation period. Upon 90 calendar days of continuous disability, this benefit will provide employees with a monthly income of 60% of their base salary up to a maximum of $5,000 per month, less the sum of benefits from other sources, (i.e. social security) for as long as the employee continues to meet the definition of disability up to the age of 65. In addition, this benefit provides a monthly Annuity Premium Benefit for retirement plan participants. Employees may obtain the specific terms and conditions pertaining to the disability program from the Human Resources department.

Life Insurance/AD&D

Term life and AD&D insurance in an amount equal to two times the employee's base contract salary, rounded to the next highest $1,000, is available to each eligible employee. The University's premium contribution is limited to an amount equal to one-half of the premium, up to a maximum of $100,000 of coverage. Maximum amount of coverage is $500,000. The current rates are available from the Human Resources department.

Voluntary Dependent Life Insurance (employee pays all):

Option One	Option Two
$25,000 for spouse	$10,000 for spouse
$10,000 for children	$ 5,000 for children

Retirement Program 403(b) Regular Retirement Plan

Southwestern University provides a retirement program as outlined in a resolution passed by the Board of Trustees on November 10, 2000, and as subsequently amended.

There is a one-year waiting period before the University will begin retirement contributions; however, this waiting period is waived if the employee can provide documentation which confirms that he/she was fully vested in employer contributions made under the terms of a retirement plan sponsored by the employer that employed the eligible employee immediately prior to the University.

Effective July 1, 2010 the University will contribute an amount equivalent to seven (7) percent of the employee's base monthly salary to the retirement plan. The contribution is fully vested in the name of the employee and deposited at the end of each pay period. It is the employee's responsibility to allocate the funds among the various investment options. Deposits to the retirement program are not cashable.

The Human Resources department will notify employees of their eligibility and the need for a completed application form. When a fringe benefit requires an affirmative action (application, beneficiary designation, benefit allocation, or similar acknowledgement or election) on the part of the employee, failure to promptly and timely respond to requests for action from the Human Resources department will temporarily suspend eligibility for the benefit until all employee required actions are completed. In such instances, the University will be under no obligation to retroactively reinstate or otherwise compensate the employee for any loss of benefits attributable to the failure to respond. Details of this program are available from the Human Resources department.

Bylaws Retirement Provisions

At its regular meeting on January 27, 1978, the Board of Trustees authorized the administrative officers of the University to interpret the term "end of the academic year," when used in the Bylaws to specify the date of retirement, as May 31.

Supplemental Retirement Annuity Plan

All employees are eligible to participate in the Supplemental Retirement Annuity Plan. This is a tax-deferred annuity plan. Under this plan, and within limits set by the Internal Revenue Code, an employee may enter into an agreement with the University whereby the employee's salary is reduced and the amount of reduction is applied as premiums to an annuity contract allocated among plan investment options as directed by the participant. The contributions elected by the employee are not taxed at the time of the contribution, unless the Roth option is elected. Details of this program are described in the summary plan description available in the Human Resources department

Social Security

Faculty members must participate in the Federal Insurance Contributions Act program (FICA), commonly referred to as Social Security. In addition to the normally understood retirement benefits, they may also be eligible to enjoy the benefits of this program during periods of total disability which exceed six (6) months. Benefits may also be paid to deceased participants' families. Specific benefit information is available from the Social Security Administration Office.

Early Retirement Program

Employees may participate in the early retirement program based upon conditions outlined in the resolution passed by the Board of Trustees on November 10, 2000, and as subsequently amended. Specific details regarding the Early Retirement Program can be found within Appendix A, University Retirement Plan, Article X.

Retirement Contributions for Persons on Sabbatical

Persons on sabbatical leave receive retirement contributions from the University calculated upon base contract salary rather than upon salary paid.

Workers' Compensation

The University participates in a comprehensive workers' compensation insurance program at no cost to employees. This program covers any illness or injury sustained in the course of employment that requires medical, surgical or hospital treatment. Specific information regarding the University's worker's compensation insurance policy is available in the Human Resources department.

Employees should report, as soon as possible, all work-related injuries or illnesses to their immediate supervisor or department chair for proper processing through the Human Resources department, including the Employers First Report of Injury. All workers' compensation claims are processed and coordinated through the Human Resources department.

If applicable, worker's compensation leave runs concurrently with Family Medical Leave Act (FMLA) leave.

At no time should an employee's compensation exceed their regular base salary due to receiving worker's compensation wage benefits.

Scholarships and Tuition for Dependents of Faculty and Staff

Employees and their dependents who are accepted for enrollment at Southwestern University may receive tuition scholarships after one (1) year of service. The funds for this benefit are provided by the Grace Pate Downs Scholarship fund. While it is not required, employees are encouraged to contribute to the fund through the University to ensure the continued level of contributions needed to offset the cost of this benefit.

The University also participates in tuition assistance programs that enable employees and their dependents to attend other member institutions subject to the continuance of the program by the participating institutions and/or to changes in the programs (the "Continuance"). The receiving institution awards scholarships to the matriculating students based upon guidelines agreed to by the participating institutions. Southwestern University also has bilateral tuition scholarship arrangements with a number of other institutions, including Austin College and Lon Morris College, subject to Continuance as stated herin above. Additional information may be obtained from the Office of Financial Aid.

As with other employee benefits, employees must work a minimum of thirty hours per week (75% FTE) to be eligible for this benefit. The value of the benefit is prorated according to the employee's FTE. This benefit for part-time employees extends only to Southwestern University. Other colleges do not allow part-time scholarships.

The following supplemental changes or amendments to the current tuition assistance policy are effective February9, 2005:

1. Southwestern will limit the number of exports that may be certified each year. This change is required by, and the limits will be based on the information we receive from, the Tuition Exchange, Inc. program regarding the balance of our "imports" and "exports". If the University must limit the number of exports that may be certified, the University will use continuous employment longevity as the criterion establishing a priority list of dependents to be certified.

2. A one (1) year waiting period for eligibility will continue to apply to current employees, subject to the limits expressed in number 1 above. All new employees beginning employment with Southwestern after February 9, 2005 will have a three (3) year waiting period for the Tuition Exchange, Inc. program benefit before they or their dependents will be eligible for the benefits, subject to the limits expressed in number 1 above.

3. Application Requirement for dependents as they begin their sophomore year in high school (or its equivalent for students being home schooled, the "Equivalent"): All employees must notify the Financial Aid department and complete the application for a Tuition Exchange benefit by September 1st of the year the dependent they wish to enroll begins his or her sophomore year in high school (or Equivalent).

In order to be eligible to apply for the benefit, the applicable one (1) or three (3) year waiting period would have to be met at the beginning of the first semester when the Tuition Exchange Inc. program benefit will be used.

This application requirement change will help the Financial Aid department plan and estimate the number of "exports" that can be offered each year under the Tuition Exchange, Inc. program.

See Appendix B in the back of this handbook for Southwestern University's official policy.

Benefits for Part-time Faculty Members

Part-time employees, who teach at least three-quarter time for the University (consisting of a combination of courses taught and other duties as determined by the Provost) in each of two consecutive semesters per academic year, are eligible for the following University benefits:

- Vision Plan
- Individual group health insurance coverage.
- Dental Insurance
- Individual group life insurance coverage - premiums shared with the University.
- Participation in the University's TIAA-CREF Retirement Plan at a 7% contribution rate by the University calculated on base salary (certain eligibility requirements apply).

Jury and Witness Duty Leave

Southwestern University recognizes that serving on a jury is not just a privilege, but a civic duty of its employees. Therefore, the University provides payment up to a reasonable amount to prevent loss of wages during such service. Any compensation received for jury service will be in addition to the employee's regular compensation.

When an employee is called upon to serve on a jury, the University will grant the necessary time off for up to 30 days. Employees must use leave without pay, thereafter. The employee should provide documentation from the court regarding the jury service for record-keeping purposes to their department chair and the Provost's office for filing.

Employees who are required by law to appear in court as witnesses should coordinate their course coverage with their department chair or may take time off without pay for such purpose provided they give the University reasonable advance notice. Employees who appear as witnesses on behalf of the University will receive their regular pay during such time.

Military Leave

Southwestern University will allow excused absence for its employees to serve in the Armed Forces of the United States, in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Public Law 103-353, the Texas Government Code, Section 431.005, and other state laws where applicable. Leaves of absence and reemployment rights are provided by the University based on these laws. To the extent that this policy may conflict with Federal statutes, the provisions of USERRA prevail. For additional information, contact the Human Resources department or refer to the Military Leave Policy in Appendix F.

Returning Veterans Rights Act

Public Law 103-353, the Uniformed Services Employment and Re-employment Rights Act of 1993, expands returning veterans' rights, including those for health care benefits. The Act prohibits the denial of initial employment, re-employment, retention in employment, promotion, or any benefit of employment by an employer against any member of the armed forces, including employed individuals who are called back to active duty. Any person re-employed after military service is entitled to all seniority and other rights and benefits, including health benefits and health coverage, that would have been attained if the employment had not been interrupted by military service.
Individuals are required to give advance notice to their employers, unless military necessity makes such notice impossible or unreasonable. The veterans re-employment rights are effective unless the cumulative length of the current absence plus any previous absences exceeds five years.

Sick Leave

The University policy for sick leave benefits is based on an agreement among the faculty and administration for their mutual welfare and security. The professional responsibilities of the person on sick leave will be absorbed by his or her colleagues, whenever feasible, to reduce the cost of these benefits to the University and to assure the faculty member of a continuing income, but such mutual responsibility cannot be carried for more than a full semester. During the first three (3) years of service with the University, the maximum sick leave benefit with regular pay will be one month; after the third (3rd) year, three (3) months; and after the twelfth (12th) year, five (5) months.

After the first month of sick leave, the faculty member requesting the remainder of his or her leave must present to the President a statement of condition from his or her physician. In the event that the maximum sick leave benefits have been exhausted and a substitute has been employed, the teacher will receive the difference between his or her salary and that of the substitute for the duration of the employment of the substitute. If it is possible to continue to assign his or her responsibilities to colleagues without undue hardship, the teacher will receive his or her base salary, including his or her salary during the summer months, plus any salary supplement previously contracted.

Family and Medical Leave Act of 1993 "FMLA"

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. This leave covers maternity leave and sick leave as specified by the law. Employees are eligible if they have worked for a covered employer for at least one year and for 1,250 hours over the previous 12 months.

Family or Medical Leave is defined as an approved absence available to eligible employees for up to twelve (12) weeks of leave in a twelve-month period. For parental leave (for the birth or adoption of a child), the University will allow the federally required 12 weeks of FMLA and will provide up to an additional four (4) weeks of unpaid leave for an available total of sixteen (16) weeks parental leave (paid and unpaid leave must be used concurrently for a total of sixteen (16) weeks). For military leave, the University will allow 26 weeks to care for a qualified member of the Armed Forces. The "twelve-month period" for any one, or combination, of the above described situations is a "rolling" period; measured backward from the date an employee uses Family or Medical Leave.

The military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Employees requesting Family or Medical Leave are required to expend at least 75% of their paid accrued leave before taking unpaid Family or Medical Leave. The use of paid leave will not extend the twelve-week maximum or 16-week maximum length of Family or Medical Leave.

Leave may be taken:

1. for the birth and care of an employee's child (up to 16 weeks);

2. for the placement of a child with the employee, for the purposes of adoption or foster care (up to 16 weeks);

3. when the employee is needed to care for a child, employee's spouse or parent who has a serious health problem (up to 12 weeks);

4. when the employee is unable to perform his or her duties because of a serious health problem (up to 12 weeks);

5. To care for an active member of the Armed Forces, including a member of the National Guard or Reserves (or who has been notified of an impending call to active duty status), who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness (26 weeks). Eligible employees are considered spouse, son, daughter, parent or next of kin.

Leave entitlements for the birth or adoption of a child or the placement of a child expire at the end of the twelve (12) month period beginning on the date of birth or date of placement.

This policy applies only to those health problems which are serious health conditions (see attached definitions #5). All other health-related problems of a non-serious nature are covered under the University's sick leave policy.

Eligibility

To be eligible for leave under this policy, an employee must have been employed at least twelve months in total, and must have worked at least 1,250 hours during the twelve months preceding the beginning of the leave period. Employees who meet the leave criteria are required to provide the following documentation in support of their requested leave:

1. Medical certification to support a claim for leave for an employee's own serious health problem. The certification must include a statement that the employee is unable to perform the functions of the position. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of time the employee may be needed to provide care. Periodic re-certifications may be required during the leave.

2. When medically necessary, an employee may take leave on an intermittent or reduced leave schedule. If leave is requested on this basis, Southwestern reserves the right to re-assign or transfer the employee to another position temporarily to accommodate the employee's request and to meet the University's needs when necessary. Employees will be re-assigned to positions that are equivalent in pay and benefits. Upon return from leave, employees will be returned to their former position or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. Intermittent and reduced schedule leave is not available for leave following the birth or placement of a child.

3. Spouses who are both employed by Southwestern University are entitled to a combined total of sixteen weeks (rather than sixteen weeks each) for the birth or adoption of a child. They are entitled to twelve weeks individually when caring for their spouse, child, parent, or if they themselves have a serious health problem.

Reporting Requirements

When the need for leave is foreseeable, such as births, adoptions, or elective surgery, the employee must provide reasonable prior notice (30 days, or as much as practicable) and make every effort to schedule leave so that it does not disrupt University operations. In cases of employee illness, employees are required to provide periodic updates (on the 1st and 15th of each month) on their leave status and intent to return to work.

Employee Benefits

Employees who are granted leave under this policy are advised that the University will continue to provide health care coverage and will continue life insurance payments for the University portion of the premiums. In situations where an employee may not be able to continue to pay dependent health care premiums, or the employee's share of life insurance premiums, the University will establish a reimbursement schedule with the employee for the repayment of their portion of the life insurance premiums and dependent premiums, if applicable, once they return to work. All other benefit costs normally paid by the employee are the responsibility of the employee. The time an employee is on Family or Medical Leave will be counted as continued service (i.e., no break in service) for other benefit plans.

Procedures

Employees requesting leave under this policy must complete the Family and Medical Leave form available from the Human Resources department. Whenever possible, employees should submit their request at least thirty days or as much as practicable prior to the commencement of the requested leave. The request should be forwarded to their department chair for initial approval and then forwarded accordingly to the member of the President's Senior Staff who will confer with the Human Resources department before granting final approval. All requests for Family and Medical Leaves due to serious health condition shall include the following:

- the date that the condition began,
- the probable duration of the condition,
- the appropriate medical factors from the health care provider regarding the illness or condition.

In addition, for the purposes of leave to care for a child, spouse, or parent, an estimate of the duration of time needed must be provided by the employee from the health care provider. When the leave request is for the employee, the health care provider must state that the employee is unable to perform the functions of his or her position. In the case of intermittent leave or leave on a reduced schedule for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment must be stated.

Definitions of Terms

1. **Eligible employee:** an employee who has been employed at least twelve months and has worked at least 1,250 hours with Southwestern during the previous twelve months.
2. **Health care provider:** a doctor of medicine or osteopathy, or podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner or nurse-midwife who is authorized to practice under state law and who is performing within the scope of their practice as defined under state law.
3. **Parent:** the biological parent of an employee or an individual who stood in *loco parentis* to the employee when he or she was a child.
4. **Reduced leave schedule:** a leave schedule that reduces the usual number of hours worked per week or day.
5. **Serious health condition:** an illness, injury, impairment or physical or mental condition that involves a period of incapacity or treatment connected with in-patient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility; *or* any period of incapacity requiring absences of more than three calendar days from work, school or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; *or* continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity for more than three calendar days, *or* prenatal care.
6. **Intermittent leave:** is leave taken in separate blocks of time due to a single illness or injury, rather than one continuous period of time and may include leave taken in periods from an hour or more to several weeks. Intermittent leave may not be taken in increments of less than an hour.

Reinstatement from FMLA

An employee is entitled to return from qualifying FMLA leave to the same or an equivalent position with equivalent benefits, pay and other terms and conditions of employment, and without loss of job seniority or any other status or benefits accrued prior to FMLA leave, if all FMLA requirements are met.

An employee who gives notice of intent not to return to work will be considered to have voluntarily resigned. Such notice may be a qualifying event entitling the employee to continuation of health coverage under COBRA.

In addition, any employee who, besides for reasons other than the continuation, recurrence or onset of a serious health condition or other circumstances beyond the control of the employee, does not return to work from FMLA is obligated to reimburse the institution for the premium the institution paid for maintaining coverage on the institution's health plan.

Other Fringe Benefits

The University provides employees with the following additional opportunities, which programs may from time-to-time be modified, deleted, or amended in the sole discretion of the University with or without prior notice.

Computer Purchase Program

Southwestern University offers a computer purchase program, as may be amended from time to time, for benefit eligible employees interested in obtaining a no-interest loan for a home computer system. Benefit eligible employees may borrow up to $2,000 for a computer and may repay the loan on a monthly schedule for up to twenty (20) months through payroll deduction. This program operates on a funds available basis.

Check Cashing

The Business Office will cash personal checks (including second- and third-party checks) for University employees for up to one hundred dollars ($100.00) between the hours of 8:30 a.m. and 4:00 p.m. Monday through Friday.

Parking

Employees parking their vehicles on campus must have a parking permit affixed to their vehicles for identification. A parking permit may be obtained by contacting the Campus Police during regular working hours. The Campus Police department establishes the campus parking regulations. Violation of the parking regulations may result in fines or the loss of parking privileges.

Corbin J. Robertson Center

The wellness programs offered at the Corbin J. Robertson Center provide opportunities for employees and their families to develop healthy lifestyles through various educational programs such as aerobics, aqua fitness classes, yoga, self-defense classes and more. The Corbin J. Robertson Center provides state-of-the-art facilities such as a swimming pool, weight rooms, exercise machines and an indoor walking track.

The Robertson Center also offers opportunities to work with employees for wellness and leisure. Most services are free of charge to the employee; however, there may be a minimal charge for some of the educational programs. Employees and their family members must have a Southwestern University ID card in order to have access to the facility.

ID Cards

Employees and their dependents should obtain a Southwestern University Pirate Card through the Pirate Card Office. This picture ID is needed for access to University facilities.

The Southwestern University Pirate Card is the convenient, cashless way to pay on campus. As a prepaid, stored-value account, card-holders may use it for whatever they need, whenever they need it. The Pirate card also serves as an identification card, copy card, and library card.

The Pirate Card includes a declining balance (debit account) feature called Pirate Buc$. As a form of payment Pirate Buc$ will allow card-holders to pay for meals, goods and services and much, much more. It's the way to pay for almost everything card-holders need on campus. The cardholders' Pirate Buc$ account may be activated by depositing funds into the account via the website, at the Pirate Card Office, Business Office or an automated card management machines (located in the McCombs Center and the Library). Pirate Buc$ can be used at any location on campus which accepts the Pirate Card, including the Commons, Cove, Korouva Milk Bar, Library coffee shop, Bookstore, vending, laundry, photocopiers, and payment of library fines. Please see the Pirate Card website at http://piratecard.southwestern.edu for more information.

Dining Services

Discounts are offered off the door rate at all meals for faculty and staff who choose to take advantage of the dining services.

Other Privileges

Employees and their families may attend Fine Arts activities as well as athletic events, many without charge. Some, however, may require an admission ticket. The Kurth-Landrum Golf Course and the Marvin D. Henderson, Sr. Tennis Courts are also available for use by employees and their families. Southwestern University identification cards are necessary for the use of these facilities.

VIII. FACULTY RESPONSIBILITIES AND ACADEMIC PROCEDURES

Faculty and Council Committee Responsibilities

Faculty service on University committees is essential to the governance of the institution. Membership on committees is established through presidential appointment and elections by divisions/schools, councils, and other bodies. The Office of the Provost is responsible for making committee assignments in such a way that there is a fair and equitable distribution of faculty members among the various committees. Following a review by the academic deans, the Provost submits the committee listing to the President each year for his/her approval. A faculty member may, because of special circumstances, request withdrawal from any appointed or elected committee by making such a request in writing to the Provost. [See section in Chapter III on "Limitation of Committee Assignments."] Appointed committee members are assigned by the Provost and approved by the President based on faculty preference, committee functions, institutional need, and other factors relevant to balancing institutional governance and individual workloads.

Faculty are not expected to serve on University committees during their first year. Second-year faculty are expected to serve on one University committee. Faculty in their third year and beyond are expected to serve on a minimum of two committees each year. Additional information is available in the *Faculty Handbook* section Comprehensive Reviews: Expectations.

Academic Advising

As an integral part of a liberal arts education, regular teaching faculty who have been at Southwestern University for one academic year advise students. At Southwestern, advising involves more than course selection; it provides students with an opportunity to discuss and review their academic and life plans with an interested and experienced member of the faculty.

The Assistant Dean for Academic Success and Director of Records assigns faculty new student advisees based on students' initial academic interests. Advisors assume a significant educational role by encouraging their advisees to become engaged in their education, to meet their educational goals, and to develop the habit of learning. Advisees, in turn, must routinely contact their advisors each semester and must assume final responsibility for course scheduling, program planning, and the successful completion of graduation requirements.

An attempt is made to balance advisee assignment among faculty members, based on the departmental situation as a whole. Typically, a faculty member will be assigned 5-8 new students, but in no case more than 15. Any faculty member with 30 or more advisees will be assigned no new student advisees. After the first semester, a student may change to another advisor with the written consent of that faculty member and and confirmation by the Records Office. The form for changing advisors is available in the Records Office or the Center for Academic Success.

Course Syllabi

At the beginning of every course, faculty members should provide the students with a syllabus that gives another level of orientation to the course, including student learning outcomes. The syllabus should introduce the topics to be covered, expectations for individual or collaborative work, tentative dates for tests and assignments, and expectations regarding work load (suggested schedule for readings, homework, labs, etc.). The syllabus should also contain the following basic pieces of information: a. attendance policy, including the University's policy on absences due to religious and cultural traditions, b. grading policy (e.g., what percentage tests, papers, attendance, class participation, etc. count toward the course grade), and c. required activities outside the normal class period (including tests, lectures, field trips, performances, and other events). The syllabus should also contain Southwestern's statement on disabilities:

> "Southwestern University will make reasonable accommodations for persons with documented disabilities. Students should contact the Center for Academic Success and Records to determine their eligibility to receive accommodations."

The Chair maintains a file of syllabi for all courses offered in the department. Each syllabus should be retained for six years.

Faculty Advisors to Student Organizations

Faculty members may be asked by student organizations to serve as faculty advisors. The faculty member must be interested in the organization to the extent of being willing to meet with and advise the group. Duties of faculty advisors are to assist students in decisions concerning all social functions of the group, to represent the organization to the faculty and administration, and to be acquainted with and to help the organization maintain the rules of the University. The duties of the organization toward faculty advisors are to invite advisors to attend meetings and social functions of the organization, and to consent with the faculty advisors concerning proposed functions.

Presence on Campus

Full-time faculty members are normally expected to be on campus five days a week, Monday through Friday, during any semester in which they are teaching, excluding holidays. Part-time faculty members' time on campus should be a reasonable proportion of the fraction of a full-time load that the position carries, worked out in consultation with the department chair. A faculty member's presence and availability to students are vital to the functioning of the University, and any departure from this expectation should be discussed with and approved by the Provost.

Faculty Absence from Classes and Substitutes

Faculty members are expected to meet all classes for which they are scheduled. Necessary absences should be reported in advance to the department chair. Department chairs should report their own absences to the Provost. In cases of extended absences, the department chair should notify the Provost or the Dean of the School of Fine Arts, when applicable, about the use of substitute teachers.

Faculty Transcripts

All faculty must submit original transcripts to the Provost's Office from all institutions from which a college degree was earned.

Faculty Home Mailing Addresses

Faculty members are responsible for maintaining current home mailing addresses in the Human Resources department.

Faculty Participation in Convocation/Commencements

All full-time members of the faculty are expected to appear in academic cap and gown at special convocations and commencements. The participation of part-time faculty members is desirable but not obligatory. The commencement procession is under supervision of the faculty marshals. Faculty members who do not own academic cap and gown should make arrangements for rental with the appropriate faculty secretary.

Research Integrity

It is expected that all research conducted at Southwestern University will be carried out with integrity, consistent with the research ethics of the field in which it is conducted. Reports of suspected scientific misconduct should be made to the Provost and Dean of the Faculty, who serves as the University's Research Integrity Officer. In all cases, University policies and procedures will protect the confidentiality of both the individual who makes the allegations and the individual accused of scientific misconduct. For allegations of scientific misconduct made against individuals conducting federally-funded research through the Public Health Service (e.g., NIH), the investigation of these allegations will be carried out following the "Model Policy for Responding to Allegations of Scientific Misconduct" (see Appendix H).

Public Statements by Faculty Members

Faculty members are advised to avoid making public statements where such statements might be construed as representing a University position, without clearly indicating that their statements are their own private opinions. No one is authorized to speak for the University except the President and those specifically authorized by the President.

Faculty Members and Outside Employment

Teaching at Southwestern University is a full-time profession requiring a substantial commitment of time, abilities, and efforts on the part of the faculty in both teaching and scholarly pursuits. Therefore, full-time faculty members are discouraged from engaging in outside employment obligations that require substantial commitments of time and may, as a result, distract from the faculty member's responsibilities at Southwestern University. Faculty are, however, encouraged to share their expertise and professional knowledge as consultants, workshop leaders, reviewers, and lecturers, so long as these activities are congruent with the faculty member's academic and intellectual pursuits.

Accordingly, outside employment requires the written approval of the Provost and is required for substantial professional activity outside the University. Summer employment is exempt from Provost approval for faculty on a nine-month contract.

Faculty members who wish to engage in outside employment that may require a substantial commitment of time (e.g. teaching a course at another institution) should submit a request, in writing, to the Provost for his/her approval. The request should include a letter of support from the appropriate department chair. If the faculty member making the request is the department chair, a letter of support from a senior member of the department is required. Fees for consultative services are not regulated by the University.

Evaluations, Examinations, and Grades

Final evaluations are required in all courses. [See CPC Minutes, October 21, 1975.] The dates for final examinations are set by the Director of Records and the Provost and should be scrupulously followed. No faculty member is authorized to change the time or place of a scheduled class or final examination without approval of the Director of Records. Problems with the class or final examination schedule should be reported to the Director of Records. If a situation arises which causes special difficulties in the scheduling of an examination, the matter should be discussed with the Director of Records and the Provost. It is understood that final examinations will not be changed merely to move from a late date to an early date, as this usually creates more problems than it solves.

Re-examination or special projects to raise grades are prohibited for students who have failed the course or the final examination except in exceptional cases as approved by the Provost.

Students who for good reason must take a final examination at a time different from that of the regular section must obtain the consent of the instructor. Students who have three final examinations in one day have the right to reschedule the <u>middle</u> examination in consultation with the faculty member at least one week prior to the start of final exams.

Students who are candidates for graduation in May should arrange any required final examinations during the four day period that begins with the last day of classes (Friday) and ends with the first day of exams for the Spring semester. No student will be required to take more than two examinations in one day. Final semester grades for May and August candidates must be submitted to the Records Office no later than 5:00 p.m. on the Monday of final exam week.

Details of the Southwestern grading system are outlined in the current issue of the *University Catalog*. The grades of A, B, C, and D may be awarded with a plus or minus. The instructor's course syllabus must clearly indicate the grading system employed to yield the semester grade for the course and what weight is given to each component of the course in computing the semester grade. See "Academic Rights for Students."

Reporting of Grades

End-of-Semester Grades. Semester grades are due in the Records Office by the Monday following the end of final exams. In the Spring only, grades of students graduating in Spring or Summer are due a week earlier - on the Monday that Spring Semester final exams begin. Grade rosters are distributed by the Records Office, but faculty are encouraged to use WebAdvisor to enter their grades online - and over 98% of faculty do so. The same online mechanism is used for entry of "Early Warning" midterm grades. Once entered, students may view their final grades via WebAdvisor, so there is no need for faculty to post grades on paper lists. It is difficult to post them without violating FERPA - the federal law regarding student privacy.

Incomplete Grades. The grade of "Incomplete" shall be given only in the case of a medical emergency or some other emergency situation beyond the student's control. The grade of "Incomplete" may not be given for the sole reason of permitting additional time to complete assigned course work or because a student does not attend a final exam. Students must request the grade of "Incomplete" by submitting a request to the appropriate faculty member which explains the emergency situation surrounding the request. This request must be acknowledged by the faculty member at the time the grade of "Incomplete" is assigned. When the "Incomplete" is given, it must be removed by 5:00 p.m. on the posted deadline (see the Academic Calendar). All "Incomplete" grades are changed to "F" after the deadline unless the student has filed a written petition for an extension, approved by the student's faculty member and the Director of Records. The petition must establish a new deadline for the removal of the "Incomplete." In the event that the student is unable to request an Incomplete from the faculty member, a request may be made on the student's behalf by the Center for Academic Success.

X Grade Symbol. The X grade symbol is to be assigned by the instructor only in cases of suspected academic dishonesty or where the grade cannot be assigned due to physical inability to access some existing but missing piece of required work. It may be used by the Director of Records if grades cannot be collected from the instructor before grades reports are mailed.

The X grade symbol is considered very temporary, and the replacement grade should be reported by the faculty as soon as possible – generally within two weeks. When the X grade symbol is submitted by the instructor, it must be accompanied by a form explaining the nature of the problem, and agreeing to submit the grade in a timely manner. If X grade symbols persist to the deadline for reporting I grades, they will revert to the grade of F, except in cases where judicial review is pending.

In the event that a student simply fails to appear for the final exam or submit a required project, neither X or I is appropriate. The grade should be calculated with a zero for the missing work. If circumstances justify, the grade can be changed later by the instructor, via the grade change form.

Retention of Examination Papers and Term Papers

Examination papers and term papers which are not returned to the student by the end of the semester should be retained for at least one full additional semester. [See Minutes of Academic Affairs Council, May 13, 1971.]

Academic Procedures

Establishment of a New Course

A course new to the curriculum is often taught under the XX-30X number (the first two numbers are the departmental code; the last number reflects the number of the credit hours), the University-wide designation for Special Topics courses. If the academic department/program desires to establish the course as a regular offering (or determines that a new course needs to be created to enhance the curriculum) the course is established as follows:

1. The faculty member proposing the course will develop a catalog description of the course and provide a draft of the syllabus that includes the course description, student learning outcomes and/or objectives, format, proposed schedule, required reading, and grading policy. The faculty member will present this information to the chair of the academic department/program.

2. The department/program will review the proposed course and discuss the role of the proposed course in the major, including whether the course would count toward the major and/or minor and whether it

would be an upper level course. If the course is deemed acceptable, the department/program will submit the course title and course description to the Academic Affairs Council as part of the departmental/programmatic response to the call for changes to the course catalog normally conducted in the spring semester.

3. All changes to the course catalog, including new courses, are reviewed by the Catalog Review Committee (a subcommittee of the Academic Affairs Council) and their recommendations regarding the catalog changes are forwarded to the Academic Affairs Council for final approval. If the new course is approved by the Catalog Review Committee and the Academic Affairs Council, the course will then be considered to be established.

Assignment of Course Designations

Official course designation assignment requests are approved by Academic Affairs Council and occur during the Catalog review process.

1. The determination of whether or not a course will fulfill distribution requirements is the responsibility of the appropriate division or school.

2. In the case of interdisciplinary or cross-listed courses, courses that are clearly aligned with a particular division require no further review beyond the process outlined above. If a course is interdivisional or may be used to satisfy a distribution requirement in more than one division/school, it requires the approval of divisions/school for which the credit would be listed.

3. The determination of whether or not a course will fulfill the Intercultural Perspectives requirement begins with the submission of the course to the Intercultural Perspectives Committee following the procedures outlined below. If the Intercultural Perspectives Committee determines that the course meets the criteria for Intercultural Perspectives courses, its recommendation is forwarded to the Academic Affairs Council for final approval.

4. The assignment of the Writing Attentive designation to a course is determined by the department/program.

Designation of Intercultural Perspectives (IP) Credit

IP credit for new or ongoing courses is determined as follows:

1. The faculty member offering the course must apply for IP credit from the IP Committee.

2. The IP Proposal form is available in Appendix G of the *Faculty Handbook* and upon request from the Chair and the IP Committee. All questions on the form must be answered for the committee's deliberations.

3. The faculty member should initiate this process several months prior to registration for the semester in which the course will be offered in order for the committee to inform the faculty member and the Director of Records of its decision.

The IP Committee forwards its recommendations to the Academic Affairs Council for deliberation. The Academic Affairs Council reports approved courses to the faculty.

Deletion of a Course

A course is deleted from the curriculum in the following ways:

1. Academic departments/programs propose deletions of outmoded or revamped courses when submitting departmental/program offerings for catalog copy.

2. When a course has not been offered for more than three years, the Records Office notifies the appropriate department/program chair to see if deleting the course is appropriate. With departmental/program approval, the courses are deleted.

Deleted courses must not change the major or minor requirements without the additional approval of the division (or School of Fine Arts), the Academic Affairs Council, and the faculty as a whole.

Semester Credits at Southwestern University

In the 2010 – 2011 academic year, Southwestern University implemented a new curricular structure that shifted the normal student course load from five three-hour courses to four four-credit courses per semester. The shift, which reflects the practice of most national liberal arts colleges, was implemented to allow for a deeper and more rigorous learning experience for students. In the decision making process that led to this curricular change, the Academic Affairs Council (AAC) determined that the intensification of courses would take one of two forms: either increased class time or increased expectations for student work and/or faculty interaction outside of the regularly scheduled class period. Therefore, courses yielding four credits at Southwestern University must meet one of the two following standards:

Option A: Minimum class time of 150 minutes per week with students expected to work outside of class a minimum of 2.5 hours per week, per credit.

Option B: Minimum class time of 200 minutes per week with students expected to work outside of class a minimum 2 hours per week, per credit.

Course syllabi will reflect the expectations of the in-class and out-of-class work that will be expected of students in the course.

The Academic Affairs Council also determined that most courses in the curriculum would be the four-credit course. Class time and out-of-class work for courses yielding fewer than four credits will be expressed as some proportion of a four-credit course.

It should be noted that courses taken elsewhere and accepted for transfer credit at Southwestern will be accepted as follows: One semester hour will count as one semester credit. For example, a three-hour course at another institution would yield three-semester credits at Southwestern. If the course is deemed to satisfy a University requirement, it would still only yield three-semester credits and students would be required to take additional credits to complete the required 127 credits for degree completion.

Student Attendance and Excused Absences

The *University Catalog* states that students are expected to attend all regularly scheduled classes for which credit is granted. Individual faculty members establish specific attendance policies, which appear in the syllabus for each course. Official excuses are not normally issued except as described below. In the case of extended illness or other emergency, the Center for Academic Success and Records notifies faculty members by e-mail, voice-mail, or in writing. The faculty members then decide whether the situation justifies an excused absence for the student involved. Detailed procedures for notifying faculty of an absence may be found in the *Student Handbook*.

Whenever an excused absence has been granted, the faculty member is expected to offer students an opportunity to complete missed examinations or other required work, but it is the student's responsibility to contact the professor about missed assignments, etc.

Students who are absent from class because they are participating in intercollegiate athletics, class-related field trips, ensemble tours, interviews at graduate schools, or faculty-sponsored attendance at professional conferences will be excused from classes as follows:

1. A student's excused absence from class does not excuse any work missed during the absence, but does excuse the student from any penalty that would otherwise be imposed by a professor's attendance policy.

2. The student and the professor will devise an appropriate means for the student to complete assignments, class work, examinations, labs, etc. scheduled during the absence. The responsibility to complete missed work lies solely with the student, who must discuss the absence with the professor as far in advance as possible to work out a satisfactory schedule for submitting work due, taking exams, making up labs, etc. This schedule may involve the student's completing certain items before rather than after the absence.

3. Coaches, sponsors, and professors should make every effort to schedule approved activities held off-campus so as to produce the least conflict with scheduled classes.

4. Professors whose courses require field trips should include the requirement in the *University Catalog* description of the course and indicate the scheduled dates of the trip in the course syllabus, to allow students time to resolve schedule conflicts or drop/add courses, if necessary.

For the kinds of absences described above to be excused, a statement of the nature and purpose of the activity, a list of names of the students and faculty members participating in the activity, and the dates and hours during which these participants will be off campus must be submitted in writing by the sponsor of the activity to the Center for Academic Success and Records or the Office of the Vice President for Student Life, depending on the nature of the activity. The Assistant Dean for Academic Success and Director of Records or the appropriate designated person within Student Affairs will distribute information about the scheduled activity and the names of the students whose absences are to be excused to all faculty members and to the Business Office (to confirm insurance coverage). The Provost or the Dean of the School of Fine Arts may restrict participation in off-campus activities of students who are on academic or disciplinary probation.

Absences Due to Religious and Cultural Traditions

Southwestern University recognizes that it has students from a variety of religious and cultural traditions that have special days of observance or celebration that may take students out of their regular activities on certain days during the school year. Since the academic calendar does not always coincide with these days, the following policy is to be followed in order to facilitate student absences due to cultural and religious observances.

- As far in advance as possible, the student is expected to notify the professor(s) or instructor(s) of the class(es) to be missed.

- The student is expected to learn what assignments or exams are due or will be assigned on those dates and negotiate with the professor(s) or instructor(s) alternate times for fulfilling those requirements. Students should be prepared to fulfill the requirements prior to the class(es) to be missed.

Smoking, Food, or Drink in Classroom/Laboratories

Smoking in classrooms, studios, or laboratories is not permitted. This regulation applies at all times in all buildings. No food or drink is permitted in carpeted or otherwise restricted instructional areas. See Smoke-Free Workplace Policy, Appendix C.

Academic Rights for Students

Free inquiry and expression are necessary to foster independent thought in students and start them on a sustained and independent search for truth. The freedom to learn is as inseparable from academic freedom as is the freedom to teach. This policy is designed to promote these ends by insuring an open environment for learning that is also fair and explicit in the expectations placed on both students and faculty members. The following provisions are essential to the student's right to learn.

A. Freedom of Access to Higher Education

Southwestern University is committed to the principle of equal opportunity for all persons without regard to race, color, religion, age, sex, disability, or national or ethnic origin.

B. Protection Against Improper Evaluation

Faculty members should encourage free thought and expression both in the classroom and out. Students are entitled to disagree with interpretations of data or views of a faculty member and reserve judgement in matters of opinion, but this disagreement does not excuse them from learning the content of any course for which they are enrolled or from demonstrating the skills and competencies required by a faculty member. Students should be evaluated solely on academic performance.

C. In the Classroom

1. Course Syllabus: At the beginning of every course, faculty members shall provide the students with a course syllabus containing the following basic pieces of information: a. attendance policy (including the policy on Absences Due to Religious and Cultural Traditions), b. grading policy (e.g., what percentage tests, papers, attendance, class participation, etc. count toward the course grade), c. required activities outside the normal class period (including tests, lectures, field trips, performances, and other events). These activities must be scheduled in accordance with the Scheduling Courses and Other Academic Activities Policy posted on the Provost's Office website (http://southwestern.edu/offices/provost/forms.php). Students should be advised of revisions to the syllabus in a timely fashion; any syllabus changes that concern attendance policy, grading policy, or required activities outside the normal class period must be done in writing, with a copy sent to the department or program chair

2. Announcement of Tests, Papers and Projects in a Regular Semester: All tests worth 10% or more of the final course grade shall be announced at least one week before they are administered. All papers and projects worth 10% or more of the final course grade shall be announced at least three weeks before they are due.

3. Return of Assignments to Students: All tests, papers, and projects shall be graded and made available to the student no more than three weeks after the assignment is turned in. No test worth 10% or more of the course grade shall be administered until at least one class period after the previous test worth 10% or more of the final course grade has been graded and made available to the student. No paper worth 10% or more of the final course grade shall be due until at least one class period after the previous paper worth 10% or more of the final course grade has been graded and made available to the student.

4. Reading Load/Major Assignments at the End of a Regular Semester: No more than 20% of the total reading load for the course shall be assigned during the last two weeks of the regular semester. No assignment worth 20% or more of the final course grade shall be initiated in the last full week of the regular semester. (In this context, an assignment is considered "initiated" when it is both assigned and students have gained the information, knowledge and skills necessary to be capable of beginning the assignment or studying/preparing for another form of assessment).

5. Teacher Tardiness to Class: Students may leave after they have waited ten minutes for a faculty member who is late for class. If the faculty member has notified the class that he or she will be late and requests that the students wait for his or her arrival, the ten minute limit does not apply. This rule does not apply to final examinations. Students shall wait for the faculty member to arrive or until notice is received that the examination is cancelled.

D. Procedure

Should a student have reason to believe that the "Academic Rights for Students" has been violated; the student should request a conference with the faculty member involved, within 14 days of the alleged violation. If no informal resolution between the student and the faculty member can be reached, the student should meet with the faculty member's department chair. If no resolution is reached after meeting with the department chair, the

student then requests a conference with the Associate Director of Academic Success and Director of Records. The Associate Director shall evaluate the alleged violation and advise the student about his or her academic rights and try to affect an informal resolution between the student and the faculty member involved.

If no satisfactory settlement is reached at this level, the alleged violation may serve as a basis for grade appeal. The student should follow the procedure for Appeal of Grades as stated in the *Student Handbook* and the *Faculty Handbook*. [Approved by the Faculty on April 27, 1993 and amended on January 22, 2013.]

Study Days and Final Exams

Study Days consist of the weekend following the last day of class and preceding the start of finals week. No activities (curricular or extra-curricular including tests, finals, make-up work, etc.) requiring student participation are scheduled during this time set aside for final preparations. Exceptions to this restriction must be approved in advance by the Provost. Final examinations for seniors graduating in May and August may be scheduled during the last five days of the spring semester.

Student Records and Privacy

The faculty is reminded that there are legal standards regarding keeping student records, disclosing confidential information, giving reference letters, etc. The Family Educational Rights and Privacy Act of 1974, as amended, prescribes the conditions under which information about students can be released and has opened many once-confidential internal records to review by students. The faculty should become thoroughly familiar with the appropriate pages of the current *Student Handbook*, which indicate where student records are kept and what access is granted to them. The *University Catalog*, *Advising Handbook*, and *Staff Handbook* also carry relevant information.

Certain directory information is available via the mySouthwestern portal. Other directory information which may be published in appropriate forms includes the student's name, local residence address, mailing address, local telephone number, date, and place of birth, major field of study, photographs or other personal imagery, participation in officially recognized activities and sports, weight and height of members of athletic teams, and any recent previous educational institution attended by the student. Because of legal considerations and because of Southwestern's respect for student's privacy, only those student employees in the Records Office are permitted to work with any documents which contain student grades. In conformity with the policy, faculty members and administrative staff are requested not to send departmental student employees to work with student records in the Records Office nor may student permanent records be removed from the Records Office.

Faculty members are well advised to handle all records as confidential and to avoid release of materials about a student to anyone other than the student, unless it is known that the person requesting the information has a legal right to it or the student has granted permission, in writing, to release such materials to a third party.

Further, faculty members should not discuss any academic or personal matters relating to students with other students or outsiders (such as representatives of news media) without a signed release from the student specifically granting permission to do so.

Center for Academic Success and Records

The Center for Academic Success and Records provides students with comprehensive, individual academic support. Students are encouraged to visit with an advisor in Academic Success and Records for assistance with time management, study skills, concern about individual academic performance and motivation, and for information about academic policies and procedures. The Center for Academic Success and Records also coordinates services for students with disabilities who need academic adjustments in specific courses, program modifications, or other academic assistance. Advisors in the Center for Academic Success and Records address student academic problems not solved at the faculty or department chair level and refer problems to the Associate Vice President for Academic Affairs when required. The staff also serve as liaisons between students and academic administration.

The Records Office coordinates all aspects of registration, records, transcript evaluations, room scheduling, degree completion and the University Catalog.

Student Leave of Absence

Students who return from a leave of absence based on medical or health reasons are required to submit a physician's statement certifying that they are able to resume their studies.

The A. Frank Smith, Jr. Library Center and Library Services

The A. Frank Smith, Jr. Library Center exists to meet the information needs of the students, faculty, and staff of the University through its services, collections, and programs.

The library has an undergraduate collection of about 360,000 volumes and 1,070 periodical subscriptions. The library catalog (Voyager) and extensive Internet research sources in all disciplines are available on the library's web site at http://www.southwestern.edu/library/.

Librarians and library staff are available to consult about library services of interest to faculty, including reserve services, reference service, bibliographic instruction, interlibrary loan, and collection development/acquisitions. Information about all of these services is available on the library's website, on the specific web pages listed below:

Circulation services, including Reserve:
http://www.southwestern.edu/library/circ.html includes an online Reserve Request form, Reserve Collection Guidelines for Faculty, and Reserve Collection Guidelines on Copyright. The Circulation department also extends free borrowing privileges at other libraries to faculty and students through the TexShare card program. Consult with the Head of Circulation for TexShare details.

Reference services, including bibliographic instruction:
http://www.southwestern.edu/library/refserv.html includes an online reference query form, hours of availability, and information about bibliographic instruction available to faculty teaching courses that include library research or other assignments.

Interlibrary loan (ILL) services:
http://www.southwestern.edu/library/ill.html includes ILL policy, an ILL FAQ, and online request forms. ILL and document delivery are the primary ways that the library supports faculty research needs.

Collection Development and Acquisition services:
http://www.southwestern.edu/library/cdacq.html includes the Collection Development Policy and Acquisitions Procedures for Faculty, a link to the online book request form, and the current Liaison Directory, which lists the librarians who serve as liaisons to each academic department and program.

Audiovisual Services

The Audiovisual Services (AVS) department of the Smith Library Center (SLC) provides a wide array of audiovisual equipment services for the University community. Most classrooms are equipped with a DVD/VHS player, computer, and VGA laptop hookup connected to a projector and speakers; and transparency projectors. Additional audiovisual equipment including video cameras may be checked out or delivered with advance reservation (generally 24 hours or more). The Coordinator of AVS is available for consultation regarding the utilization of instructional media and audiovisual equipment.

Additional services provided by the Audiovisual Services department include video recording, editing and assistance/instruction editing; video and audio tape duplication; off-air video recording; video and computer projection; and sound reinforcement for campus events. Audiovisual Services staff also provide assistance with equipment operation in the campus electronic classrooms. The SLC Media Library, located on the second floor, provides video viewing and stereo listening stations. Next door is a Graphics Lab with laminators, a die cut machine, and an opaque projector for graphic display production.

Visit the Audiovisual Services web site at http://www.southwestern.edu/library/av.html for detailed additional information and an online equipment reservation form.

Guidelines for Archiving Student Research

High quality capstone papers and other significant student works are housed in the Student Research Archives of the A. Frank Smith, Jr. Library Center (arranged by academic division/school). Only faculty members may submit papers, and it is the submitting faculty member's responsibility to determine whether a paper is suitable for the archives (i.e., truly exceptional). All papers must have a separate title page with the following information centered on the page: student's name, academic department and division or school, sponsoring professor's name, course number (if applicable), and date. There should be no written comments or grades on the final paper. The sponsoring faculty member should submit an original copy of the final corrected version of the manuscript to the Collection Development Coordinator.

Honor Code

One of the chief responsibilities of the Honor Code Council is to serve as a Hearing Board to guarantee the integrity of the Honor Code, by serving as the tribunal for hearing alleged cases of violation of that Code. The Board determines guilt or non-guilt and imposes appropriate penalties. It follows procedures and sanctions prescribed in its constitution. If a student is found guilty, the Hearing Board recommends an academic penalty to the instructor. However, the instructor is not bound by such a recommendation. In the event a student is not found guilty, no academic penalty may be assessed by the instructor. In that situation, the work in question must be judged on merit alone.

Constitution of the Honor Code of Southwestern University

We, the students and faculty of Southwestern University, in order to conduct our academic work under high standards of individual responsibility, thereby promoting a high sense of personal honor and integrity, renew our commitment to the Honor Code and set forth this Constitution.

Article I: Principles

1. The purpose of the Honor Code of Southwestern University is to stimulate and promote the ideals of honesty and integrity among students, and to eliminate the practice of cheating by putting into practice these ideals of honesty and integrity.
2. The Honor Code is based on the principle that a student, when placed on his or her honor, will not violate that trust.
3. The Honor Code is furthermore based on the belief that cheating in any form is injurious to all students and a grievance to an institution of higher learning.
4. Cheating is hereby construed to mean the intentional giving or receiving of aid by any means on examinations, themes, or any work which is specified by the professor to be done individually.
5. It is the obligation of the student or faculty member not to violate the Honor Code, nor aid in any violation, and to report any violation seen or suspected.
6. The Student Body is directly responsible for the effective working of the Honor Code. In order to uphold the validity of credits under the Honor Code, this group must take such steps as are necessary to protect itself from those who violate the trust placed in them.

Article II: Oath

1. Upon entering Southwestern each student shall sign the following oath: "As a student of Southwestern I hereby pledge my full support to the Honor Code. I pledge to be honest myself, and in order that the spirit and integrity of the Honor Code may endure, I pledge that I will make known to the Honor Code Council any case of academic dishonesty which I observe at Southwestern."
2. The following pledge shall be signed at the end of all final examinations, hour quizzes, and on other material as required by the instructor: "I have acted with honesty and integrity in producing this work and am unaware of anyone who has not."

Article III: The Honor Code Council

1. These measures shall be carried out by a body known as the Honor Code Council.
2. The faculty confer the power to determine guilt/non-guilt on charges of academic dishonesty to the Honor Code Council Hearing Board. The Board may recommend academic penalties to the instructor

when a student is found guilty. The Honor Code Council Hearing Board may also impose non-academic penalties.

3. The Honor Code Council shall be responsible to the President of Southwestern University through the Dean of Students.

Article IV: Adoption of This Constitution

This Constitution must be approved by the Honor Code Council, the Student Affairs Council, and the Academic Affairs Council before it is presented to the students and faculty for a vote. The Constitution shall go in effect immediately once affirmed by a majority of the faculty voting at a scheduled Faculty Meeting and by two-thirds (2/3) of the students voting at a called or regular election.

Article V: Amendments

1. Students or faculty may at any time bring before the Honor Code Council any suggestions concerning the rules and operation of the Honor Code. The Council must consider such suggestions promptly.

2. Proposed amendments to the Constitution must be approved by the Honor Code Council, the Student Affairs Council, and the Academic Affairs Council before they are presented to the students and faculty for a vote. The amendments shall go into effect immediately if passed by a majority of the faculty voting at a scheduled Faculty Meeting and by two-thirds (2/3) of the students voting at the next scheduled general election.

Constitution of the Honor Code Council of Southwestern University

Article 1: Duties and Responsibilities

1. The Honor Code Council is directly responsible for the effective working of the Honor Code to assure the protection of the academic integrity of Southwestern University.
2. It is the purpose of the Honor Code Council to interpret and administer the Honor Code.
3. Disciplinary action concerning possible Honor Code violations will be carried out by the Honor Code Council Hearing Board. In order to uphold the validity of individual academic work under the Honor Code, this group must take such steps as are necessary to protect the Southwestern community from those who might violate the trust placed in them.
4. The Honor Code Council acts to uphold the Honor Code and interpret its Constitution and corresponding applications.
5. Members of the Honor Code Council inform the Student Body as to the purpose of the Honor Code at least once each year and in each orientation session for incoming students each semester.
6. The President of the Council shall address the Faculty each year.

Article II: Violations __

Any breach of the principles, as described in Article I of the Constitution of the Honor Code, will constitute a breach of the Honor Code.

Article III: Accusations

Section 1. If one witnesses or is aware of a violation of the Honor Code, he or she must make a written, signed report to the Honor Code Council or the Dean of Students as soon after the violation as possible. This report will serve as formal notification to the Honor Code Council that an accusation is being made. The Council President shall then make such investigation as is deemed necessary preliminary to a hearing.

Section 2. If the accusation is made by a faculty member, and the alleged violator has no previous academic dishonesty record, and the accused student acknowledges guilt, then a Non-Judicial Resolution between the faculty member and the student can ensue at the discretion of the faculty member. The faculty member must first notify the Honor Code Council President and the Dean of Students of the suspected violation and the proposed Non-Judicial Resolution and document the agreement; however, this will not become a part of the student's formal record at the University. This Non-Judicial Resolution must be mutually agreeable, or the student has a

right to request a hearing by the Honor Code Council Hearing Board. Each student is entitled to only one Non-Judicial Resolution while a student at Southwestern.

Section 3. When a student has a pending Honor Code hearing or an unsigned non-judicial resolution pending, the student may not drop the course in question. If a student withdraws from Southwestern for any reason, and there is a pending Honor Code violation, the student must resolve the violation within 30 days of returning to Southwestern in a future semester.

a. If a student withdraws with a pending non-judicial resolution prior to withdrawal, the student must sign or otherwise resolve the non-judicial resolution within 30 days of returning to SU.
b. If a student who has an Honor Code hearing pending at the time of withdrawal, a hearing will be held within 30 days of the student returning to the University.
c. In cases where the faculty member alleging the violation is not available or no longer at the University upon the student's return, the Chair of the department/program in which the course resides may act as the instructor's designate.
d. The terms of the resolution of any Honor Code violation as described above will be articulated in a re-enrollment contract as part of the student's readmission to the University.

Article IV: Hearing

The formal hearing will be held as soon as possible when all the parties involved can be present after the presentation of the accusation. The hearing relating to a violation must occur before the last day for final grades to be posted for that semester (the last day in the following semester to change an Incomplete into a grade). No accusation may be heard more than once unless it is appealed.

Article V: Failure of Accused to Attend

If the accused fails to attend his or her hearing, the absence will be an admission of guilt. The sanction of suspension will be considered.

Article VI: Decision

Immediately after the hearing, the Honor Code Council Hearing Board will render a decision in secret session. A two-thirds (2/3) vote of the Hearing Board members present is necessary for a decision of "guilty."

Article VII: Penalties and Practical Powers

Upon a decision of "guilty" the Honor Code Council Hearing Board will assess an appropriate penalty as follows:

1. Recommend an academic penalty to be levied by the professor.
2. Impose disciplinary probation to the student(s) in question. Probation may or may not apply throughout the student's academic career at Southwestern dependent on the Hearing Board's recommendation.
3. Impose suspension or expulsion from Southwestern.
4. Any other penalty deemed suitable providing it is not in conflict with any other University policy.

Article VIII: Appeals

1. Appeals must be submitted in writing to the Office of the Vice President for Student Life within five business days from the date of the written notification of the hearing results. An appeal must concisely set forth the grounds for appeal, as well as provide any supporting material. A decision on the appeal will be rendered by an Appeals Committee, which will include one faculty representative from the Honor Code Council, one student representative from the Honor Code Council, and a Southwestern administrator appointed by the Vice President for Student Life. The faculty and student representatives are to be appointed by the Dean of Students and the Honor Code Council President and must be members who did not sit on the Hearing Board for the case in question. A decision on the appeal, which must be reached by 2/3 majority of the Appeals Committee, is final and will be mailed, within ten business days of receipt of the appeal, to both the accuser and the party filing the appeal. If a decision cannot be reached by the appointed Appeals Committee, a new Committee will be appointed and the appeals process will be repeated until a decision is reached.
2. An appeal may be made on the following grounds:
    a. evidence of improper procedure during the hearing
    b. argument supporting the claim that penalty sanctioned by the Hearing Board is too severe
    c. introduction of evidence that was not available at the time of the hearing

Article IX: Reopening a Hearing

A hearing may be reopened either by presentation of new evidence relevant to the case or by consultation of the President of the Honor Code Council and the Dean of Students.

Article X: Ratification and Amendment

Section 1. This Constitution of the Honor Code Council will go into effect after:
a. A 2/3 vote of the Honor Code Council. b. Approval of the Student Affairs Council.
c. A 2/3 vote of the student body voting on the Constitution and Bylaws.

Section 2. This Constitution may be amended with:
a. A 2/3 vote of the Honor Code Council. b. Approval of the Student Affairs Council.

Article XII: Budget

The Student Honor Code Council shall adopt a budget consistent with its needs and the funds available.

Plagiarism

Plagiarism is the submission of another's work as one's own without acknowledgment in written work.
There are basically four ways in which research papers use or incorporate written materials, and each of these requires footnoting.

1. Direct Quotations should be marked off with quotation marks, with a footnote to indicate the source. It is not necessary to place in quotation marks every word in your paper that appears in a source you are using. If your paper concerns Napoleon, for example, you need not place "Napoleon" in quotation marks merely because your sources use the name. Similarly, there are phrases of some length such as "on the other hand" or "it is evident that" which are common property and act in effect as single words.
2. Paraphrase. Where your own language follows closely the language of a written source, or where your line of argument follows a source, you need not use quotation marks, but you are obliged to indicate the source in a footnote.
3. General Indebtedness. Where the ideas in your paper closely resemble and were suggested by ideas in a source, a footnote should be used to indicate this.
4. Background Information. In any area of inquiry there are matters of fact commonly known to everyone with a serious interest. Such information need not be footnoted one fact at a time. Instead, a general footnote toward the beginning of the paper, naming the sources where such information was obtained, is sufficient.

Procedure for Changing Grades

Every effort should be taken to secure accurate and complete grade records in reporting to the Records Office. Under unusual circumstances a faculty member may change a grade after the grade reports have been filed by completing the form provided by the Records Office. After approval signatures have been secured, the changed grade will then be entered on the student's permanent record. The grade change form is filed permanently with the Grade Request Form previously submitted by the faculty member.

Appeal of Grades Procedure

(Approved by the Faculty on April 25, 2000)

Final responsibility for assigning grades to students in a course rests with the faculty member teaching that course. Requirements and specific expectations concerning the level and way in which requirements are to be met are specific to a given course; it is inappropriate to expect that evaluations of course work can be made by third parties.

Faculty members are expected to evaluate student performance based on the criteria and requirements outlined in course syllabi. All students are to be treated impartially and fairly in relation to those requirements. There are three bases for a grade appeal:

1. Alleged failure of a faculty member to assign the proper weight as stated in the course syllabus to various parts of the assessment elements that contribute to the final grade:

2. Alleged prejudicial treatment of a student in relation to the treatment afforded other students in the course.

3. Alleged violation of the Academic Rights for Students as stated in the *Student Handbook* and the *Faculty Handbook*.

The student should be prepared to demonstrate a direct link between the circumstances of the awarding of his/her grade and one of the bases above.

An appeal cannot be based on a challenge to the difficulty of a course or on strictness of grading. Each faculty member is responsible for these standards, and, so long as they are applied equitably and fairly, their strict application is not a basis for an appeal.

Should a student have reason to appeal the final grade in a course, the following appeal procedure must be followed in the sequence indicated below with Step 3 completed no more than 3 calendar weeks from the first day of classes of the following regular semester. Students who are off campus while pursuing a grade appeal should work through the Assistant Dean for Academic Success and Director of Records who will serve as the student's liaison. In all cases, the Assistant Dean will be responsible for informing the student, faculty member, and department chair involved of the Appeal of Grades Procedure.

Step 1. The student first requests, schedules, and attends a face-to-face conference with the faculty member who taught the course to determine whether the matter can be settled between the student and the faculty member. A face-to-face meeting constitutes a conference; a conversation by voice-mail, e-mail or telephone does not. In the event that a faculty member is no longer employed at Southwestern, the student should proceed to Step 2, working with the chair of the department who will attempt to facilitate the process with or without the former faculty member.

Step 2. After this conference, should the student continue to believe that fair and equitable treatment has not been given, the student must communicate that in writing to the instructor and the matter should be brought by the student to the faculty member's department/program chair. This conversation should also be face-to-face, not by telephone, e-mail or voice-mail. If the faculty member who taught the course is also the department/program chair, the student should have a face-to-face conversation with the division chair/Dean of the School of Fine Arts.

Step 3. If a settlement is not reached after the conversation referenced in Step 2, the student should take the complaint to the Assistant Dean. The circumstances of the appeal will be confirmed by the Assistant Dean and (s)he will review the grade appeal process with the student, providing feedback on the appropriateness of the appeal. An official form detailing the completed steps and timeline of the grade appeal process will be filled out at this time by the Assistant Dean and the student. A copy of this form will be forwarded to the faculty member and the chair of the department regardless of the outcome of this conversation. Should the student choose to continue the grade appeal process, (s)he will sign a statement indicating the intent on the form. This step should be completed within 3 calendar weeks from the first day of classes of the semester immediately following the one in which the course was taught.

Step 4. Should the student wish to continue the grade appeal process, the Assistant Dean will ask the student to provide a written statement outlining the basis for the appeal. This statement must be submitted within 6 calendar weeks from the first day of classes of the semester immediately following the one in which the course was taught. The Assistant Dean will then ask the faculty member to provide a written response. A copy of the faculty member's response will be given to the student. The student may elect to provide a reply to the faculty member's response which is shared with the faculty member. These documents and other relevant materials will then be reviewed by the Academic Standards Committee.

Step 5. The Academic Standards Committee is charged with evaluating such complaints and the evidence on which they are based. Meetings of the Academic Standards Committee are held in closed session. Should the committee conclude that there are not sufficient grounds for a student's claim of prejudicial or unfair treatment, it will be reported to the student and to the faculty member in writing and the matter will be closed. Should the

committee determine that there is a basis for this claim, its recommendation will be reported in writing to the Provost.

Step 6. The Provost is then responsible for discussing the findings and recommendation of the Academic Standards Committee with the department chair and the faculty member involved. The department chair and the faculty member will then develop a solution for resolution of the complaint. Should the grade be changed, such change is reported by the faculty member to the Records Office on a Change of Grade Form. This will be reported to the student by the Provost in writing.

Step 7. In cases where a faculty member refused to accept the recommendation of the committee and there is a reason to believe that the faculty member's behavior was prejudicial or unfair, the Provost may authorize that the grade in the course be changed to a "CR" or a "W". This will be reported to the student by the Provost in writing.

Requisitions for Equipment, Supplies, and Services

By resolution of the Board of Trustees, only the President and designated University officers may make financial commitments of behalf of the University. Faculty members are expressly prohibited from making financial commitments on behalf of the University without the prior approval of the President, the Provost, or the Vice President for Fiscal Affairs.

Needs for equipment, supplies and services to support departmental operations may be filled via the use of a University Purchase Requisition. Purchase Requisition Forms are available from the Business Office. Each request for the procurement of equipment, supplies, or services must be approved in accordance with the Authority to Expend form for that department and must be consistent with the previously established departmental budget. Purchase Requisitions should be completed in adequate detail in order to permit the appropriate procurement to occur. Ample lead-time should be allowed for the completion of services or for the delivery of equipment and/or supplies. Needs for equipment, supplies, and services not foreseen in the departmental budget should be discussed with the Provost and the Vice President for Fiscal Affairs. All technology-related purchases require the approval of the Senior Director of InformationTechnology.

Purchase orders requesting the use of University funds for the production of publications and advertisements must be approved in the Office of Publications within the Office of University Relations. The Office of Publications will not approve requisitions without thorough review of materials to be produced.

Some office supplies are available from the Bookstore and may be procured through use of a form available from the Bookstore. The cost of office supplies procured through the Bookstore are charged back to the user department.

Limited Risograph duplicating materials and services are available through the faculty secretary in the Olin Building, room 219. As with the office supplies, the cost of Risograph materials and services are charged back to the user department.

IX. REGULATIONS REGARDING SPECIAL COURSES AND PROGRAMS

Southwestern University offers a number of special course options, as well as credit by examination and an honors program.

Academic Internships

Academic internships are offered by a number of departments and programs. These programs allow students to acquire field or on-the-job experiences and are so structured that the students are encouraged to relate their classroom activities to their field experience. Internships for credit require significant academic work beyond on-site activities, such as keeping a journal, writing, research, classroom meetings and presentations. Students interested in academic internships must contact the Internship Coordinator in the Career Services office as early in the planning process as possible.

Credit Hours

Credit hours for the academic internship may be counted toward the student's major or minor at the discretion of the department. Academic internships may also be counted as electives for non-majors with the approval of the supervising department. The department decides the amount of credit to be awarded and usually uses course number 941, 942, 943, or 944 to designate an academic internship. These course numbers may be repeated for credit with a change in internship assignment up to a maximum of eight hours. Exceptions to the eight-hour maximum must be approved in writing by the faculty supervisor and department chair.

Academic internships during the regular academic year usually follow the academic calendar and average 10 to 15 weeks in length. The length of summer academic internships varies, but must be a minimum of at least six weeks and enrollment occurs for the Summer III Term. Students must begin their summer internship no later than the first week of July to meet the six-week requirement for Summer III.

A student receiving academic credit typically must work a minimum of 40 on-site hours per credit granted during the course of a semester/term. This requirement does not include transportation to and from the internship site. Students may earn from one to eight credits for an internship experience and should consult with the supervising faculty member in advance to determine the appropriate credit-level based on the internship's academic components and the on-site hours completed.

Student Compensation

Monetary compensation for expenses and/or work performed during an academic internship is at the discretion of the department and the institution sponsoring the academic internship. Once an agreement has been reached, students may not negotiate for a change in monetary compensation. Students are not allowed to receive monetary compensation for an on-campus internship.

Communication

There shall be appropriate planning, progress conferences, supervision, and documentation to ensure academic integrity of the credit awarded. The faculty supervisor will be required to communicate with the site supervisor at least three times during the course of the internship. These communications can be in person, by phone, mail or electronically at the discretion of the faculty supervisor. In addition, the Internship Coordinator will contact the site supervisor to complete the final internship performance evaluation towards the end of each semester. These completed standardized evaluations are sent to the appropriate faculty supervisor for review. Furthermore, these communications should be staged so that one occurs at the beginning of the semester, one mid-semester, and one near or at the conclusion of the internship.

1st Communication – Logistics

- Determine the role the site supervisor expects the student to play in the internship.
- Establish the academic expectations of the faculty supervisor.
- Delineate the logistics of the internship as it relates to hours, pay, transportation, etc.

2nd Communication – Progress

- Determine if the internship is fulfilling its role as an experiential learning experience.
- Determine if the site supervisor's expectations are being met by the student.

3rd Communication – Evaluation

- Have the site supervisor evaluate the student's internship performance.

Documentation of Internship On-Site Hours

All students participating in an academic internship are required to complete and submit time sheets every two weeks to the Career Services office to document their hours completed. These time sheets are to be assigned by the student's internship supervisor. Hours are compiled and monthly reports sent to both the student academic intern and their faculty supervisor to aid in monitoring the intern's progress over the course of the semester.

Grading Policy

Normally, all internships will be graded on a Pass/D/Fail basis. Under extenuating circumstances (such as substituting an internship to fulfill a capstone requirement), a letter grade may be assigned for an academic internship. Such requests must be approved in writing by the faculty supervisor or department chair.

Capstone Substitution

Requests to substitute all or part of an academic internship for the capstone experience must be approved in writing by the faculty supervisor and department chair.

On-Campus Internships

There are a limited number of opportunities for academic internships at Southwestern. On-campus internships are allowed provided that they offer significant field or on-the-job experience, that the faculty supervisor and site supervisor are different individuals and the student receives no monetary compensation.

Eligibility

Prerequisites to participation in an academic internship are determined by the academic department on an individual basis and should include assurance that the student has minimum competency to carry out the requirements of the internship. Since academic internship credits are advanced hours, students normally will have successfully completed introductory courses, and preferably intermediate courses, in the field in which the internship is to be taken.

Independent Study

Independent Study is offered to students only after they have successfully completed sufficient work in the department to guarantee that they have a command of the techniques needed to work independently in that field. A student may not take an independent study as the first course in a subject area. The independent study project should be planned and offered by the student. The student's project should be carefully reviewed and evaluated by the supervising professor to ensure that satisfactory scholarship is involved and that the program is suited to the student's educational needs. Provisions should be made for a minimum of four face-to-face contacts for the students to report progress during a regular semester. No professor carrying a regular teaching load should care for more than two independent study students in any semester. (See section of "Faculty Teaching Load" in Chapter IV.)

An independent study may not duplicate courses already appearing in the *University Catalog* without approval of the Provost. The academic department determines the credit hours to be awarded and uses the course numbers 951, 952, 953 to designate the independent study. These course numbers may be repeated for credit with a change in content. Independent study may count as hours in a major. The actual registration and reporting for these projects should take place in the semester in which the project is to be completed, and the number of credit hours to be awarded is indicated at that time.

If the independent study is undertaken in the summer, it must be a part of the Summer School schedule. For Summer School purposes, an independent study student counts as one student on a 12-student class maximum. A minimum of three face-to-face contacts between student and teacher are required for summer terms. Travel and expenses for any on-site conferences are usually borne by the professor.

Research Courses

Research courses, available in certain academic departments, require special permission of the instructor and are available only to those students who have displayed exceptional competence and maturity in their academic discipline. The research course is generally designated to provide guidance in the methodology of research in a discipline for students who plan to pursue the particular discipline in graduate school. Registration is made and credit is awarded in the semester in which the research project is completed. Research courses are designated by the same course numbers used for independent study and may be repeated for credit with a change in content.

Tutorial Courses

On rare occasions, a student may petition to take a regularly offered course on an individual basis. The petition to take a course individually must be submitted to a faculty member responsible for teaching the course on a regular basis, with a copy to the chair of the department. If the petition is approved by the faculty member and the department chair, it should be forwarded to the Records Office for final approval no later than the end of the pre-registration period in the semester prior to taking the course. In the petition, a student must provide a rationale for why the course cannot be taken in the semester in which it is regularly offered and outline a plan for the completion of the course based on the existing syllabus. At a minimum, weekly meetings with the faculty member are required. Students will register for tutorial courses under the tutorial course number in the appropriate department. These courses may be repeated for credit with a change in content. Teaching loads for tutorial courses are calculated on the same basis as for independent study.

Report Form for Special Courses and Programs

The report form for special courses and programs is available in the Records Office. This form is used to describe the content of courses not described in the *University Catalog*, which may be repeated with changed content: Independent Study, Tutorial Course, Research Project, or Honors Program. This form must be filled out by the student and approved by the instructor, the student's academic advisor, and the department chair no later than the last day to add courses. Upon completion, the form is distributed as follows: original-Records Office; copy-instructor; and copy-student. The original is filed permanently in the Records Office.

Policies Governing Summer School

1. Course offerings for Summer School come through the respective department chair and are due by February 15 so that the Records Office can distribute the Summer School schedule about March 1. The Records Office will be the clearinghouse for and will send out a form to each department chair for submitting course offerings, including all summer study abroad courses.

2. Instructors may offer Advanced Standing Examinations according to regular provisions in the *University Catalog*.

3. Academic Internships and Independent Study

   A. Tuition should be paid in the term when the course is taken.

   B. A minimum of three on-site teacher-to-pupil contacts should be made by the instructor. This does not include telephone or letter contacts.

   C. The instructor can offer an Independent Study or an Internship as a course during the summer sessions and the load will be treated the same as any other course offerings in calculating teaching load. That is, an Internship or Independent Study enrollee counts as one student on a 12-student class. Travel and other expenses normally are borne by the instructor.

D. Most Independent Studies and Internships to be offered will not be listed in the official Schedule of Classes in advance. Registration is generally via signed add card. Sections are added as cards are received. The Records Office must receive the Report of Independent Study for each Independent Study and the number must be entered on the student's official registration card before registration closes for the session. If possible, the titles of all Independent Studies should be assigned at pre-registration. No student may take an Independent Study as the first course in a subject area.

E. Independent Studies and Internships are generally placed in the Summer III term as are Southwestern study abroad courses.

4. Teaching Load and Compensation

A. For a regular course, the maximum teaching load is one 4-credit course during a three-week session (May or June term). For study abroad, a maximum of one semester hour may be offered for each week of the program's scheduled duration.

B. Summer School compensation is based on the type of course offered (regular course, tutorial, independent study, or internship). Compensation is determined by the Budget Committee on an annual basis. For summer 2011, the following compensation schedule was in effect:

- Compensation for a regular 4-credit course is $1,000 per student taught up to a maximum of $7,000 per course. Regular courses are capped at 12 students.
- Compensation for a 4-credit tutorial is $900 per student taught up to a maximum of $4,500.
- Compensation for an independent study of 4 or more credits is $800 per student taught.
- Compensation for an internship of 4 or more credits is $700 per student.

Faculty should contact the Provost's Office for a description of instructor expectations across the types of courses offered during summer terms. Compensation for 1, 2, and 3 credit courses, tutorials, independent studies, and internships are proportional to the 4 credit levels.

C. A class with fewer than five students pre-registered may be canceled at the discretion of the instructor immediately after pre-registration. The Records Office will notify pre-registered students of any canceled classes and modify the Summer Schedule of Classes accordingly. If, on the first day of the applicable summer term, enrollment has fallen to three students or less, the instructor, in consultation with the Provost and the Assistant Dean for Academic Advising and Director of Records, may then cancel the course.

D. Faculty are paid immediately following each summer term, provided that grades have been submitted on Grade Request Rosters in accordance with University guidelines.

E. In order to avoid delays in grade reporting and compensation, the summer faculty is urged to follow normal drop/add procedures and observe the Summer School Calendar for drop dates, grade deadlines, etc.

5. Types of courses recommended to be included in the Summer Schedule of Classes are:

A. Courses that meet all-University General Education Requirements.

B. Special opportunities for advanced work in a major such as academic internships, research projects, etc.

C. Non-traditional or experimental courses especially designated for our summer school format.

D. Required courses may not be offered <u>only</u> in summer school.

5. Summer School classes are not ordinarily taught by outside faculty hired especially for summer school. Exceptions to this practice must be approved in advance by the Academic Affairs Council upon

recommendation of the Provost (and the Dean of the School of Fine Arts, when applicable) and the appropriate department chair.

6. Summer School teachers are expected to have an office time of at least thirty minutes daily either immediately before or after their classes.

7. Study abroad programs do not usually follow the Summer School Calendar. These conventions should be followed for drop dates, etc.: the last day to drop without record is at the end of the first one-third of the program, and the last day to drop is at the end of the second one-third of the program. Instructors are requested to enforce these dates and keep a written record of any changes in registration. Further, instructors are requested to confirm enrollments in their classes by Fax during the first week of the program. Grades are due upon the instructor's return to campus. If there is a delay in the instructor's return, grades should be reported by FAX. The last day for removing "Incomplete" grades is twenty-one calendar days after the end of the program.

8. Interpretation and administration of these policies is the responsibility of the Director of Records.

X. SCHEDULING SPECIAL EVENTS

All academic scheduling (classes, labs, etc.) is handled by the Records Office and takes precedence in event scheduling and facilities usage. The Academic Calendar is approved a year in advance by the Academic Affairs Council and the Faculty.

No events involving students are to be scheduled during the periods designated as "study days" and "final examinations" at the end of each semester. Meetings involving faculty may be scheduled during the period from the beginning of final examinations through the deadline for semester grades only if there is urgent semester-end business to be transacted. Exceptions to these restrictions must be approved in advance by the Provost.

Reserve a Facility

To view the University Facility Scheduling Calendar and the Facility Use Request through Scheduler Plus, visit the SU events web page at http://www.southwestern.edu/events/. Faculty secretaries can assist with facility scheduling.

Post to the SU Events Calendar

The SU Events Calendar, which is maintained by the Office of University Events, lists university events, athletics, fine arts, lectures, student events, holidays, Records Office and other events requested to be posted by faculty, staff and students if the event meets the posting requirement; (events must be open to all faculty, staff and students or include at least 50 campus participants to be eligible to be posted). You may also find some off-campus university events. After receiving confirmation of your facility reservation through Scheduler Plus, faculty and staff can request the event be added to the SU Events Calendar by visiting the SU events web page at http://www.southwestern.edu/calendar/. Faculty secretaries can assist with posting events to the calendar.

Priority Events

Requests for event space should not be made if the event coincides with the University Priority Events. Priority events are those events to which no student, faculty, or staff member may be denied the opportunity to attend because of a conflicting meeting or event.

All Chapel Services (including Candlelight Services)
All Homecoming Activities
Family Days
Parent and Student Orientation
The Brown Symposium
Commencement and other special convocations (Matriculation and Honors Convocation)
Study Days and Final Examinations
Town Meetings
Shilling Lecture Series
Writer's Voice
Student Body Forum

XI. POLICY AND PROCEDURES ON SEXUAL HARASSMENT

At the faculty meeting on February 27, 1990, the faculty adopted the following policy and procedures on sexual harassment formulated by the Faculty Affairs Council. The Board of Trustees adopted the same policy and procedures at its regular meeting on April 6, 1990. Amendments to the policy were approved by the faculty on April 28, 1992 and February 15, 1994, and the Board of Trustees on October 30, 1992 and April 15, 1994. On October 31, 2002, the University Council approved a proposal from the Faculty Affairs Council that the Sexual Harassment Advisory Committee report to the University Council effective immediately. Amendments to the procedures were approved by the University Council on February 3, 2003 and subsequently by the faculty on February 11, 2003.

Policy and Definitions

Sexual harassment in any manner or form, including sexual harassment based on sexual orientation, is expressly prohibited. It is the policy of Southwestern University (the University) to maintain both an academic and a working environment free from all forms of sexual harassment of any employee or applicant for employment, student, donor, former student, volunteer, or any other constituent of the University. Two reasons for this policy are to reaffirm the University's commitment of respect for the person and to enhance the University community's level of consciousness regarding gender issues. Sexual harassment violates both University policy and Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991 and the Texas Commission on Human Rights Act. All reported or suspected occurrences of sexual harassment will be promptly and thoroughly investigated. All investigations will be conducted in a professional manner, and to the fullest extent possible. The University intends that these investigations will be kept confidential within the limits of the law. Where sexual harassment has occurred, the University will take appropriate and timely disciplinary action.

As used in this policy, the term "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or education; or

2. submission to or rejections of such conduct by a person is used or threatened as a basis for academic or employment decisions, or evaluations affecting that person; or

3. such conduct has the purpose or effect of a) unreasonably interfering with a person's academic or professional performance or b) of creating an intimidating, hostile, or offensive employment, educational, or campus environment for any person or group of persons.

Other sex-related behaviors, that may or may not be definable as sexual harassment, will hereinafter be referred to as "sex-related misconduct".

Examples of Sexual Harassment

The examples of sexual harassment given below are intended to illustrate inappropriate behavior, but are not all-inclusive. Courts in this country have recognized two types of sexual harassment: The first type is *quid pro quo* ("something for something") harassment, where sexual activity is demanded or offered in exchange for an actual tangible job or benefit; the second type is hostile environment harassment, where there is not necessarily a loss or gain of tangible job or benefit. The University intends for this policy to include *quid pro quo* harassment where sexual activity is demanded or offered in exchange for a tangible academic benefit, and hostile environment harassment where there is not necessarily a loss or gain of a tangible academic benefit.

Examples of unacceptable verbal or physical conduct which may constitute sexual harassment include, but are not limited to:

1. Direct or implied threats that submission to sexual advances will be a condition of employment, work, status, promotion, grades, or letters of recommendation;

2. Intimidating conduct which exerts pressure for sexual activity;

3. A pattern of conduct in class or in the workplace (not legitimately related to the subject matter of the course or job) which would discomfort or humiliate a reasonable person at whom the conduct was directed, through comments of a sexual nature, such as sexually explicit statements, questions, jokes, anecdotes, or references to sexual orientation;

4. A pattern of conduct that would discomfort or humiliate a reasonable person at whom the conduct was directed, through one or more of the following: a) inappropriate touching, patting, hugging, or brushing against a person's body, b) repeated or unwanted staring, c) remarks of a sexual nature about a person's clothing or body, or d) remarks about a person's sexual orientation, sexual activity, or speculations about previous sexual experience;

5. A pattern of conduct which a reasonable person would identify as one or more of the following: a) inappropriate remarks or humor based on gender stereotypes or sexual orientation, b) inequities in references to males and females (e.g., "men and girls"), c) the assignment according to gender stereotype of tasks that are not gender specific.

This policy is not intended to limit legitimate claims of academic freedom. In particular, the policy does not limit classroom teaching concerning sexual topics legitimately related to the content or purposes of a course, even though such topics may elicit discomfort in some class members.

University Administration of Policy

Persons in positions of authority have specific responsibilities in the area of sexual harassment. Particular sensitivity should be addressed to such questions as whether consent is as free as it seems, and to the inherent conflicts of interest in personal relationships where professional and educational relationships are also involved.

When faculty or staff members suspect sexual harassment on the part of a person or persons under their jurisdiction, they should immediately take action by contacting the Sexual Harassment Officer to discuss the situation and determine a course of action.

A Sexual Harassment Officer, appointed by the President of the University, is available to assist the University community in dealing with all complaints of sexual harassment and sex-related misconduct (even if the sex-related misconduct is not processed through the Sexual Harassment Policy).

The duties and responsibilities of the Sexual Harassment Officer include:

1. Receiving notification from University officials and/or members of the University community of all allegations of sex-related misconduct including, but not limited to, "sexual harassment" and "sexual misconduct";

2. Reporting, as needed, to the University community allegations of sexual harassment and sexual misconduct and the subsequent resolution of those reported incidents;

3. Reporting the initiation of any formal complaint to the appropriate member of the University's Senior Staff and to the Associate Vice President for Human Resources;

4. Serving as Chair of the Sexual Harassment Advisory Committee and reporting, as needed, to the University community the activities of the Committee;

5. Arranging for training of Sexual Harassment Advisors;

6. Counseling and assisting Sexual Harassment Advisors throughout the year;

7. Initiating the informal and/or formal complaint processes as appropriate; be involved in resolutions of the incidents as appropriate.

The Sexual Harassment Advisory Committee is appointed by the President of the University and consists of two students, two faculty members, and two staff/administrators. Members of this Sexual Harassment Advisory Committee are hereinafter referred to as "Sexual Harassment Advisors." Members of the University community

interested in serving as Sexual Harassment Advisors indicate their interest to the Provost (faculty), Vice President for Fiscal Affairs (staff), or the Associate Vice President and Dean of Students (students) during the spring semester prior to the academic year of service. The three ex officio members of the Sexual Harassment Advisory Committee (the Sexual Harassment Officer, the Associate Vice President for Human Resources, and the Associate Vice President for Academic Affairs) forward recommendations to the President for approval. Sexual Harassment Advisors are appointed for staggered terms of two academic years, with interim arrangements when necessary for summer.

The Sexual Harassment Advisors' responsibilities include:

1. Providing information regarding the procedures for handling complaints to members of the University community;

2. Offering support to persons who suspect that they have been victims of sexual harassment;

3. Offering support to persons who have been accused of sexual harassment;

4. Actively participating in the Sexual Harassment Advisory Committee; and

5. Willingly participating in training for handling sexual harassment situations.

General Procedures for Handling Complaints

Members of the Southwestern University community who believe they have been sexually harassed may turn for assistance to the University's Sexual Harassment Officer, the Associate Vice President for Human Resources, the appropriate supervisor, the appropriate member of the President's Senior Staff, or any Sexual Harassment Advisor. At this or any subsequent stage, the complainant may ask for the assistance of a Sexual Harassment Advisor, keeping in mind that the role of such an advisor is to provide assistance and support and such advisors are not part of the official University complaint procedure. Whether or not a person consults with a University official or a Sexual Harassment Advisor, she or he has the option of taking an informal or formal action according to the procedures outlined below.

A party accused of sexual harassment may also turn for assistance to any Sexual Harassment Advisor, and, if requested to do so, said advisor shall accompany the accused through any informal and/or formal complaint procedure.

Advisory Option

Any person who believes that she or he has been sexually harassed is encouraged to seek advice from the Sexual Harassment Officer or a Sexual Harassment Advisor. These individuals have been trained and are familiar with the University's procedures for handling such complaints. The Sexual Harassment Officer or Sexual Harassment Advisor who is contacted will be available to aid a member of the University community in the following ways:

1. Provide immediate support by listening to and discussing the allegation with the advisee;

2. Discuss with the advisee the definition of sexual harassment to help the advisee reach a reasonable decision whether sexual harassment as defined in this policy has occurred;

3. Outline for the advisee possible courses of action, including the Informal and Formal Complaint Procedures described in this policy and including selection of the authority who should be notified should the advisee wish to make a formal complaint;

4. Discuss with the advisee possible effects of the various courses of action, including consequences to the advisee and to the person against whom the advisee has a complaint;

5. Accompany the advisee through the University's informal and/or formal complaint procedure, if the advisee as decided to follow such a procedure and wants her or his Sexual Harassment Advisor present.

A Sexual Harassment Advisor will maintain confidentiality within the limits of the law. Unless the complainant gives a Sexual Harassment Advisor permission to disclose specific information concerning the alleged act of harassment, a Sexual Harassment Advisor will limit his or her assistance to the items described in 1 though 5 above and will not discuss with or report the alleged act of harassment to any person other than the Sexual Harassment Officer. The complainant should realize, however, that the Sexual Harassment Advisors, the Sexual Harassment Officer, and the University cannot take any actions to attempt to resolve the alleged problem if the complainant desires to keep the allegation and the circumstances surrounding such allegation anonymous. An exception to non-disclosure of anonymous complaints may be made in cases where the Sexual Harassment Officer reasonably believes that the safety of a member of the University community or general public will be at risk; this includes the risk of other individuals being subjected to sexual harassment.

Contact with the Sexual Harassment Officer or a Sexual Harassment Advisor in no way obligates the complainant to pursue an official complaint. The complainant has the option of choosing, upon reflection, not to pursue the matter and not to make contact with the accused. On the other hand, the complainant may pursue an Informal or Formal Complaint Procedure.

Informal Complaint Procedure

A common method of utilizing the informal approach is through a letter written by the alleged victim to the accused person. Other options may include, but are not limited to, the use of a mediator or facilitated face-to-face meeting between the parties. If a letter is used, it generally should address three matters:

1. The facts of what has occurred, told without evaluation. These facts should be as detailed and precise as possible, with dates, places and a description of the incident(s).

2. How the writer feels about the events.

3. How the writer wants the matter resolved and within what time frame. This part should include a statement that if the matter is not resolved satisfactorily within a specified amount of time the writer may take formal action.

The writer has the option of preparing such a letter with the assistance of the Sexual Harassment Officer and a Sexual Harassment Advisor. If the writer declines that option, the writer is to have the Sexual Harassment Officer review the communication prior to it being sent. In all cases, the Sexual Harassment Officer conducts the final review of the letter. The letter may be delivered in person, by registered or certified mail, or by the Sexual Harassment Officer. The accused person may reply to a writer who wished to remain anonymous through the Sexual Harassment Officer. The writer should keep a copy of the letter, but not send copies to others. If the letter does not achieve its purpose, it can be used to support a formal complaint. Although it is the personal decision of the complainant as to whether she or he wishes to remain anonymous, choosing to remain anonymous may hinder resolution of the matter in circumstances where the accused is unsure or does not clearly recall the incident leading to the complaint.

Formal Complaint Procedure

In a formal complaint action, the complainant must notify in writing an appropriate University official, with or without the help of the Sexual Harassment Officer or a Sexual Harassment Advisor. If the complaint involves a student, the Associate Vice President and Dean of Students will be notified; if it involves a faculty member, the Provost; if it involves staff/administration, the Vice President for Fiscal Affairs; in any of the above cases, the University's Sexual Harassment Officer will be notified. Should either the Associate Vice President and Dean of Students, the Provost, or the Vice President for Fiscal Affairs be notified of a complaint involving sexual harassment, such party shall inform the Sexual Harassment Officer in a timely manner of any such allegations and actions regarding sexual harassment. In any situation where the Sexual Harassment Officer is notified of the complaint because the accused is the party set forth above to whom complaints should be given, then the Sexual Harassment Officer will make the determination described in 1, 2, and 3 below and report directly to the President of the University.

Once the Sexual Harassment Officer is notified of allegations concerning sexual harassment and the complainant's desire to proceed with a formal complaint against the accused, a prompt investigation by the University will follow. The University is committed to investigate formal complaints which it receives and to deal

appropriately with any person found to have violated the policy. Proceedings under the Formal Complaint Procedure shall take place in accordance with the following guidelines:

1. Faculty: Upon receipt of a formal, written complaint involving a faculty member, the Provost shall determine, with the assistance of the Sexual Harassment Officer, and with or without the assistance of the appropriate Dean or Department Chair, depending on whether or not the Provost elects to notify such Dean or Chair, whether further investigation or recommendation for sanctions is warranted. The Provost shall notify the accused faculty member as soon as reasonably possible of the complaint and the Provost's finding as to whether further investigation or recommendation for sanctions is warranted.

2. Staff: Upon receipt of a formal, written complaint involving a staff member/administrator, the Vice President for Fiscal Affairs shall determine, with the assistance of the Sexual Harassment Officer, and with or without the assistance of the appropriate administrator/department head, whether further investigation or recommendation for sanctions is warranted. The Vice President for Fiscal Affairs shall notify the accused staff member/administrator as soon as reasonably possible of the complaint and the finding as to whether further investigation or recommendations for sanctions is warranted.

3. Students: Upon receipt of a formal, written complaint involving a student, the Associate Vice President and Dean of Students shall determine, with the assistance of the Sexual Harassment Officer, whether further investigation or recommendation for sanctions is warranted. The Associate Vice President and Dean of Students shall notify the accused student as soon as reasonably possible of the complaint and the finding as to whether further investigation or recommendation for sanctions is warranted.

With respect to any formal written complaint filed involving faculty, staff, or students, as described in 1, 2, or 3 above, if the circumstances warrant it, the Provost, the Vice President for Fiscal Affairs, or the Associate Vice President and Dean of Students, as the case may be, may convene an *ad hoc* committee to investigate, review, and summarize the facts surrounding the case and make recommendations for resolution of the complaint. If appropriate, the Sexual Harassment Officer may recommend an *ad hoc* committee to the respective Senior Staff member. No member of the committee shall have been the complainant or the accused. The Sexual Harassment Officer shall chair any such *ad hoc* committee unless such person is either the complainant or the accused. The *ad hoc* committee will conduct its own inquiry to gather whatever information it deems necessary to assist it in reaching a determination as to the merits of the allegations. The *ad hoc* committee will summarize the information gathered from the inquiry for the appropriate party who convened the committee. The Sexual Harassment Officer, as chair of the *ad hoc* committee, will consult with the appropriate party who convened the committee to discuss recommendations regarding resolution of the complaint(s).

Once the Senior Staff member has received the report of the *ad hoc* committee convened (if he or she has not served on the committee or has otherwise reached a basis for making a decision) and has consulted with the Sexual Harassment Officer, then he or she shall determine the judgment and sanctions, if any, and shall submit his or her decision in writing to the President. The President shall review the decision and if in agreement with the recommendations, the President shall notify the accused faculty, staff, or student, as well as the complainant, of the decision. If the President does not agree with the decision, he or she shall refer it back to the appropriate Senior Staff member. If either side chooses to appeal the decision for any reason, including but not limited to alleged procedural errors or alleged new evidence, such appeals shall be made to the President. Requests for appeals should be made in writing and addressed to the President within 30 days after notification of the original decision.

University Disciplinary Actions and Penalties

Students found guilty of sexual harassment may receive a warning, specific penalties, disciplinary probation, suspension, or expulsion, as explained in the *Student Handbook* under Personal Conduct Policies.

Faculty members found guilty of sexual harassment may receive penalties ranging from a warning to dismissal with cause. If procedures for dismissal with cause are instituted on the basis of sexual harassment, those procedures must conform to the policy and procedures adopted at the January 27, 1978, meeting of the Board of Trustees and as may be subsequently amended. (See the section in the *Faculty Handbook* on Dismissal with Cause, Section IV.)

Staff and administrative members found guilty of sexual harassment may receive penalties ranging from a warning to immediate dismissal as described within the Performance Management Guidelines section of the *Staff Handbook*.

The University will take timely and appropriate corrective action to end sexual harassment when it is known to have occurred.

Retaliation

Except in regard to false accusations as detailed below, no retaliation by any member of the Southwestern community may be taken against any person because she or he makes a complaint concerning sexual harassment or against any member of the University community who serves as an advocate for a party in any such complaint. All reasonable action will be taken to assure that the complainant and those testifying or participating in other ways in the complaint resolution process will suffer no retaliation as a result of their participation.

False Accusations

While the University is committed to preventing and punishing unlawful discrimination, harassment, and retaliation, it also recognizes that false accusations of sexual harassment or retaliation may harm an innocent party who has been falsely accused. Accordingly, any person, who, after an investigation, is found to have knowingly made a false accusation of sexual harassment or retaliation will be subject to appropriate disciplinary action. However, if a person makes a report of what he or she in good faith believes to be sexual harassment or retaliation, the person will not be subject to disciplinary action even if the person turns out to be mistaken or there has been a finding of no sexual harassment or retaliation.

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Sexual Harassment Advisors

A listing of Sexual Harassment Advisors will be made available to the University community at the beginning of each academic year. General information regarding the University's Sexual Harassment Policy, the Sexual Harassment Officer, and the Sexual Harassment Advisory Committee is available on the University's Web Site at http://www.southwestern.edu/shac/

In conjunction with students, faculty and staff, the University's Counseling Services department coordinates the publishing of a guidebook entitled "Help for Sexual Assault/Sexual Misconduct." The most current version of this guidebook can be found at www.southwestern.edu/offices/counseling.

XII. ASSESSMENT OF ACADEMIC PROGRAMS AT SOUTHWESTERN UNIVERSITY

The faculty of Southwestern University is committed to student learning outcomes-based assessment of academic departments and programs. Each department and program formulates an assessment plan consisting of the following:

- Mission
- Goals
- Desired student learning outcomes
- Methods of assessing student learning outcomes (assessment mechanisms)
- Assessment results
- Improvements as a result of assessment.

These plans are reviewed and updated annually by department and program faculty.

Department and program faculty construct rubrics to guide student performance and enable constructive assessment of student writing and capstone projects.

The Academic Assessment Committee annually evaluates all department and program assessment plans and rubrics and meets with chairs and faculty to discuss the plans and rubrics and suggest possible revisions. The Committee annually reviews and evaluates both draft and final versions of plans and rubrics.

The members of this committee are: the Provost, the Dean of the School of Fine Arts, the Associate Dean of the Brown College, a faculty member from each division and school, and the Assistant Dean for Faculty Development. The Academic Assessment Committee is appointed by the Provost and reports to the Academic Affairs Council.

The Assistant Dean for Faculty Development is responsible for oversight and direction of academic assessment.

Departmental and Program Reviews

Every seven years, academic departments and programs are required to conduct a comprehensive review of their department/program. The purpose of the review is to provide the department/program with an opportunity to self-assess and reflect on the efficacy of their practices as they relate to departmental/program goals and structure, student learning outcomes, and the overall mission of the University. The review process is threefold: a departmental/program self-study (details of which are included below); a review by an outside consultant; and a response to the report of the outside consultant. These three elements constitute the final report that will be submitted to the Office of the Provost and will be reviewed by the Provost and the appropriate academic dean or associate dean. Elements of the review that are relevant to appropriate councils within the governance structure of the University will be shared with those councils. Specific procedure guidelines for conducting the review process are available at the Provost Office website.

Each review is conducted by the members of the department or program committee responsible for the major, a consultant from another university, and a faculty member from another department or program. Current majors or graduates should also be included. The on-campus members of the review committee from outside the department or program will be selected by mutual agreement among the department or program committee chair, the appropriate academic dean or associate dean, and the Provost. The outside consultant will be selected by the Provost in consultation with the appropriate dean or associate dean and the department or program committee. The name and qualifications of the outside consultant will be reported by the Provost to the Academic Affairs Council. Since the outside consultant probably will be unable to be present until the latter part of the review, the consultant's visit should be scheduled for maximum effectiveness.

Elements of the Self-Study

Department/Program Self-Evaluation:

This section provides an opportunity for the department/program to provide information and to reflect on issues related directly to students majoring in the program. Specifically, this section should address the following questions:

1. What are the objectives of the departmental or program majors?

2. What is the design of the major (and minor)? Is there more than one track of emphasis?

3. Are there required courses? Is there a required sequence of courses? What is the frequency with which required courses are taught?

4. Have there been changes in the department/program curriculum based upon previous self-studies/external reviews of the program?

5. Are there electives within the departmental or program curriculum that satisfy the major? Do all courses that count toward the major satisfy the objectives of the major?

6. How many courses are offered by the department or program without prerequisites? Are they offered at all levels?

7. On average, how many independent studies are conducted each year? How many students are invited to participate in departmental honors each year? And how many students complete departmental honors each year?

8. How does the major conform to national guidelines in its field?

9. How do the structure and resources for the program compare with comparable institutions as well as "aspirational" institutions?

10. Is there a perceived need to change or redesign the department or program curriculum? If so, how might a redesign be accomplished if no additional resources were available?

11. How does the capstone experience serve as a culminating learning experience for the major?

Department/Program Data:

1. List all department/program course offerings for the past four years. Indicate which of the courses fall into one or more of the following categories:
    - Are suitable for first-year students
    - Are suitable for non-majors and may be used to fulfill distribution requirements
    - Are writing attentive courses
    - Are approved as Intercultural Perspectives courses
    - Have been taught by an adjunct/visiting professor more than twice in the past four years

2. Provide a description of the teaching loads within the department or program, including number of courses taught per year by each faculty member, number of preparations per faculty member, and range of class sizes.

3. Describe the advising loads for each faculty member in the department or program. What has the department or program done in the last seven years to ensure that students are advised well?

4. Provide a table with the number of students graduating with a major or minor each year during that time period.

5. Describe how the department or program contributes to University programs such as interdisciplinary programs, First-Year Seminar, and Paideia.

6. Provide a summary of the relevant library holdings for the department/program including books, periodicals, and online and/or digital resources. Also provide a description of how well and how often students in the courses are accessing these materials. (Each department and program has an assigned professional librarian in the Smith Library Center who should be contacted early in the review process for assistance in preparing this section of the review.)

7. Are there ways in which student activities and/or accomplishments pre- or post-graduation are valuable tools for assessing the quality of the department/program? If so, provide a brief narrative of this assessment.

Student Learning Outcomes:

This section of the self-study should provide an in-depth examination and discussion of the department's or program's progress toward achieving the student learning goals and outcomes outlined in the annual assessment grid. At a minimum, this section should provide information on the following areas:

1. How well is the department/program accomplishing its stated goals and student learning outcomes? Include a description of how the department/program is using its resources to achieve the stated goals and student learning outcomes.

2. What changes have been made in the last seven years based on the assessment of student learning outcomes?

3. What student learning outcomes would be modified, added, or deleted? Why?

4. What assessment mechanisms would be modified, added, or deleted? Why?

5. In what ways does the capstone experience serve as a means for assessing the overall goals for student learning?

6. In what ways does the department or program contribute to University-wide learning outcomes, including the learning goals for the applicable distribution requirements and/or courses for non-majors?

Plans for the Future:

This section should provide a narrative description of the department/program plans for the next seven years. It should be grounded in the results of the assessment of student learning outcomes and should be framed in terms of the improvement of student learning and success post-graduation. Appropriate linkages to the results of previous self-studies and external reviews should be included here. Resources deemed necessary to achieve the department/program vision for the near future may be listed in this section.

Report from the Outside Consultant:

Within a month of the campus visit, the external reviewer should provide the department/program chair and the Provost with a draft of the written report. At a minimum, the report from the outside consultant should include an assessment of the department/program goals, structure of the curriculum, and student learning outcomes as they compare to other institutions of our type and/or, where applicable, with national guidelines in that particular field of study. The report should also provide the outside consultant's perspective on how well the department/program is achieving the stated goals and student learning outcomes. It should include specific recommendations related to this range of issues. The chair of the department/program and/or the Provost and appropriate academic dean or associate dean may request that the outside consultant include additional information in the report.

Response to the Report of the Outside Consultant:

As a final element of the departmental/program review, the department/program will write a response to the consultant's report that balances the recommendations of the consultant to institutional realities and addresses points of agreement or disagreement with the findings and/or recommendations of the consultant.

XIII. APPENDICIES

Appendix A – Regular Retirement Plan for all Employees

SOUTHWESTERN UNIVERSITY

Southwestern University Plan Document
(Amended and Restated as of July 1, 2007)

PREAMBLE

This Plan Document sets forth the provisions of the Southwestern University Regular Retirement Plan for All Employees (the "Plan"). The Board of Trustees of Southwestern University (the "University") established the Plan as of December 1, 1968. The Board amended and restated the Plan, effective December 1, 2000. The University hereby amends and restates the Plan effective July 1, 2007, to comply with recent changes in the law.

Contributions under the Plan are applied to purchase individual annuities issued to each Participant by Annuity Providers. Except as expressly provided otherwise, the provisions of this amended and restated Plan apply only to employees who are employed by the University on or after July 1, 2007. Except as otherwise provided below, any employee who terminated employment with the University, retired, or died prior to July 1, 2007, shall receive whatever benefits, if any, that he or she was entitled to under the versions of the Plan in effect at that time. Capitalized terms used in this Plan are defined in Article I below. The University intends that annuity contracts funded through the Plan will satisfy the requirements of Code Section 403(b) and that the Plan will satisfy any applicable requirements of ERISA. The Plan shall be interpreted accordingly.

ARTICLE I: DEFINITIONS

1.1 Annuity Provider *means any issuer of individual annuity contracts or the custodian of any account described in Code Section 403(b)(7) to which Plan Contributions are applied, including Teachers Insurance and Annuity Association (TIAA), College Retirement Equities Fund (CREF), or any additional or successor Annuity Provider designated by the Board.*

1.2 Application Date *means the date that a fully completed Early Retirement Application is delivered to the University.*

1.3 Beneficiary *means the individual, institution, trustee, or estate designated by the Participant to receive the Participant's benefits at the Participant's death. The spouse of a married Participant shall be the Beneficiary of no less than half the Participant's benefit, unless the spouse waives that right pursuant to a Qualified Election.*

1.4 Board *or* Board of Trustees *means the Board of Trustees of the University.*

1.5 Break in Service *means a computation period in which an employee fails to complete more than 500 Hours of Service with the University. Each such computation period represents a one-year break in service.*

1.6 Code *means the Internal Revenue Code of 1986, as amended.*

1.7 Date of Employment or Reemployment *means, for a faculty member, the effective date of the faculty member's appointment. For all other employees, the Date of Employment or Reemployment shall be the first day upon which he or she completes an Hour of Service for the University. Under the Plan, the annual computation periods for measuring an employee's Year of Service will be the 12-consecutive month period beginning on an employee's Date of Employment or Reemployment and each 12-consecutive month period thereafter that begins on each anniversary of such Date of Employment or Reemployment. Annual computation periods are measured from the Date of Reemployment in those instances when an employee severs his or her employment relationship with the University and incurs a in Service before resuming employment with the University.*

1.8 Early Retirement Application *means a Participant's application, on the appropriate form provided by the University, for an Early Retirement Contribution.*

1.9 Early Retirement Contribution *means a contribution to the Plan made by the University as a premium on a Participant's existing regular annuity contract to the extent that the contribution is within the general contribution limitations of Code Sections 401(a)(4), 403(b), and 415.*

1.10 ERISA *means the Employee Retirement Income Security Act of 1974, as amended.*

1.11 Hour of Service *means:*

a. Each hour for which an employee is paid, or entitled to payment, for the performance of duties for the University. These hours will be credited to the employee for the computation period in which the duties are performed; and

b. Each hour for which an employee is paid, or entitled to payment, by the University on account of a period of time during which no duties are performed (irrespective of whether employment has terminated) due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty, or leave of absence. However, any period for which a payment is made or due under a plan maintained solely for the purpose of complying with Workers' Compensation or unemployment compensation or disability insurance laws, or solely to reimburse the employee for medical or medically-related expenses is excluded. An employee is directly or indirectly paid, or entitled to payment from the University regardless of whether payment is made by or due from the University directly or made indirectly through a trust fund, insurer, or other entity to which the University contributes or pays premiums. No more than 501 Hours of Service will be credited under this paragraph. Hours of Service under this paragraph will be calculated and credited pursuant to 29 C.F.R. § 2530.200b-2, which is incorporated herein by reference; and

c. Each hour for which back pay, irrespective of mitigation of damages, is either awarded or agreed to by the University. The same Hours of Service will not be credited both under paragraph (1) or paragraph (2), as the case may be, and under this paragraph (3). These hours will be credited to the employee for

the computation period or periods to which the award or agreement pertains rather than the computation period in which the award, agreement, or payment is made.

Hours of Service will be credited for employment with other members of an affiliated service group (under Section 414(m) of the Code), a controlled group of corporations (under Section 414(b) of the Code), a group of trades or businesses under common control (under Section 414(c) of the Code) of which the University is a member, and any other entity required to be aggregated with the University pursuant to Code Section 414(o) and the regulations there under. Hours of Service will also be credited for any individual considered an employee for purposes of this Plan under Sections 414(n) or 414(o) of the Code.

Solely for purposes of determining whether a Break in Service for participation purposes has occurred in a computation period, an individual who is absent from work for maternity or paternity reasons shall receive credit for the Hours of Service which would otherwise have been credited to such individual but for such absence, or in any case in which such hours cannot be determined, eight (8) Hours of Service per day of such absence. For purposes of this paragraph, on absence from work for maternity or paternity reasons means an absence (1) by reason of the pregnancy of the individual, (2) by reason of a birth of a child of the individual, (3) by reason of the placement of a child with the individual in connection with the adoption of such child by such individual, or (4) for purposes of caring for such child for a period beginning immediately following such birth or pregnancy. The Hours of Service credited under this paragraph shall be credited (1) in the computation period in which the absence begins if the crediting is necessary to prevent a break in service in that period, or (2) in all other cases, in the following computation period.

Hours of Service are determined on the basis of the following equivalencies under 29 C.F.R. § 2530.200b-3(b):

- For salaried employees, if an employee receives credit for at least one Hour of Service during a month, the employee is credited with 190 hours for that period.

- For hourly-paid employees, an employee's Hours of Service during a computation period are equal to the employee's total earnings for the period divided by the employee's lowest hourly rate of compensation payable during that period.

- In the case of an employee whose method of payment changes in a computation period from hourly to salaried or from salaried to hourly, the employee's credited hours of service for the entire computation period will be determined under (a) as though the employee had been paid a salary throughout the period.

1.12 Indemnified Person means each member of the Board of Trustees and each individual employee or officer of the University who is deemed to have any fiduciary responsibility under the Plan.

1.13 Participant means any employee who has satisfied the requirements of Articles II and III and is participating in this Plan.

1.14 Plan *means the Southwestern University Regular Retirement Plan for all Employees, as amended from time to time.*

1.15 Plan Administrator means Southwestern University.

1.16 Plan Contribution means a contribution made under the Plan.

1.17 Plan Year means January 1 through December 31 of each year.

1.18 Qualified Joint and Survivor Annuity means an immediate annuity for the life of the Participant with a survivor annuity for the life of the spouse that is not less than 50 percent (and not more than 100 percent) of the amount payable during the joint lives of the Participant and the spouse that can be purchased with the Participant's vested Plan Contributions at the date of death.

1.19 Qualified Pre-retirement Survivor Annuity means an annuity for the life of the surviving spouse of a deceased Participant the actuarial equivalent of which is not less than 50 percent of the Participant's Plan Contributions at the date of death.

1.20 Regular Salary*, for faculty personnel and administrators with faculty rank, means academic year contract salary that is paid in a Year of Participation. For nonacademic employees, Regular Salary means the basic annual earnings actually paid for a Year of Participation, exclusive of overtime. Regular Salary shall not exceed $220,000, as adjusted for cost-of-living increases in accordance with Code Section 401(a)(17).*

1.21 SPD *means the summary plan description for the Plan, as amended from time to time. This Plan Document shall control to the extent that there is a conflict between this Plan document and the SPD.*

1.22 University *means Southwestern University, a non-profit educational institution that is an "exempt organization" within the meaning of Code Section 501(c)(3), or any successor organization.*

1.23 Year of Participation *means any "Year of Service" after participation in the Plan begins, provided that the first Year of Participation will include the Year of Service completed in the computation period which includes the first day of the month on which an employee begins to participate in the Plan pursuant to Article III of the Plan. Years of Participation are measured on the basis of the same computation period defined under "Date of Employment or Reemployment" above.*

1.24 Year of Service *means (i) a twelve consecutive month period starting with the eligible employee's Date of Employment (or anniversary date of such employment) during which the eligible employee has completed 1,000 or more Hours of Service, or (ii) a twelve consecutive month period starting with the eligible employee's date of reemployment (or anniversary date of reemployment) during which the eligible employee has completed 1,000 or more hours of service. If any person in an eligible category of employment does not complete the required hours of service as set forth by the first anniversary date of employment, the hours completed do not count toward establishing a Year of Service, and a "new start" must be made toward meeting the hours test during the second year of employment. Participation in the plan may begin only after the service requirement set forth in Article III has been fulfilled.*

For purposes of Article III, in the case of an employee who has not begun to participate in the Plan, all Years of Service with the University are taken into account in determining whether the service requirement of Article III has been fulfilled, except that Years of Service with the University before any period of consecutive 1-year Breaks in Service are not taken into account if the number of consecutive 1-year Breaks in Service within such period equals or exceeds the greater of five (5) or the aggregate number of Years of Service before such period. If any Years of Service are not required to be taken into account by reason of a period of Breaks in Service to which the preceding sentence applies, such Years of Service will not be taken into account in applying the preceding sentence to a subsequent period of Breaks in Service.

ARTICLE II: ELIGIBLE EMPLOYEES

Subject to the conditions stated in Article III of this Plan Document, all employees on the payroll of the University (including those previously covered by the University's Plan 002 for Nonacademic Employees employed after January 1, 1978) will be eligible to participate in this Plan; provided, however, that employees (i) who also are students enrolled and regularly attending classes at the University and whose employment is incidental to their educational programs or (ii) who normally work fewer than 20 hours per week are not eligible to participate. Any individual who is not an employee on the payroll of the University, regardless of whether such individual is considered a leased employee within the meaning of Sections 414(n) or 414(o) of the Code, is not eligible to participate in this Plan. The determination by any court or administrative agency that an individual not on the payroll of the University is, nevertheless, a common law employee of the University, shall not enable or entitle such individual to participate in this Plan. An employee on an approved sabbatical leave is considered an employee on the payroll of the University for purposes of this Plan.

ARTICLE III: CONDITIONS OF PARTICIPATION

An eligible employee, as defined in Article II of this Plan Document, may begin participation in this Plan on a voluntary basis on or after the first day of the month that immediately follows the employee's completion of one Year of Service at the University and attainment of age 21. However, an eligible employee who is fully vested in employer contributions made under the terms of a retirement plan sponsored by either (1) the employer that employed the eligible employee immediately prior to the University, or (2) the University may begin participation or recommence participation in the Plan, through the regular annuities used under this Plan, on the first day of the month following employment or reemployment by the University. To enroll in the Plan, an eligible employee must apply for and be issued an annuity contract in accordance with Article VI below.

ARTICLE IV: RETIREMENT AGE

Early retirement under this Plan is permitted when a Participant ceases employment with the University on or after attaining age 55. Normal retirement age under the Plan is reached on the last day of the University's academic year in which the Participant attains age 65. A Participant may voluntarily retire at or after normal retirement age.

ARTICLE V: PLAN CONTRIBUTIONS

5.1 Plan Contributions. *Subject to the limitations of Sections 403(b) and 415 of the Code, which are incorporated by reference herein, Plan Contributions will be made on a monthly basis during Years of Participation, except for months in which no Regular Salary is paid, in accordance with the following schedule:*

Plan Contributions as a Percent of Regular Salary

By the Participant	By the University	Total
0%	10%	10%

Plan Contributions for a Participant will commence each year when the University has determined that the Participant has met the requirements for a Year of Participation. Any part of a year's Plan Contributions not contributed prior to such determination will be included in contributions made for that Year of Participation after such determination is made, except for months in which no salary was paid. Plan Contributions shall be forwarded to Annuity Providers to be applied as premiums on regular retirement annuity contracts owned and selected by the Participant. Plan Contributions may be allocated between contracts in any whole-number percentages that equal 100 percent pursuant to procedures established by the Plan Administrator. All Plan Contributions are fully and immediately vested.

5.2 Mistaken Contributions. *Under no circumstances or conditions will any Plan Contributions of the University revert to, be paid to, or inure to the benefit of, directly or indirectly, the University. However, if the Plan Administrator in good faith determines that a Plan Contribution was made by mistake of fact, the amount of the excess Plan Contribution may, upon direction of the Plan Administrator, be returned to the University.*

5.3 Excess Contributions. *If the Code Section 415 contribution limit is exceeded with respect to any Participant, then the Plan Administrator shall have the authority to reduce Plan Contributions for that Participant by the excess amount to the extent permitted by Code Section 415. Notwithstanding any provision in this Plan, the University may take any appropriate action to comply with the contribution limits set forth under the Code, including Code Sections 415 and 403(b). Each Participant shall be solely responsible for any tax, penalty, and/or interest incurred due to exceeding such limits.*

ARTICLE VI: ANNUITY CONTRACTS

A Participant must complete an application form for his or her annuity contract(s) to be issued. A Participant shall select his or her own annuity contract(s) from those available under the Plan. Each annuity contract issued to or for the benefit of a Participant under this Plan is for the sole purpose of providing a retirement and/or death benefit and is fully vested in and solely the property of the individual Participant. Annuity Providers will provide specific provisions of annuity contracts. All benefits under this Plan are provided solely through individually-owned, fully funded annuity contracts.

ARTICLE VII: LEAVE OF ABSENCE AND SABBATICAL LEAVE

During an approved paid leave of absence, the University will continue its Plan Contributions to a Participant's annuities, at the rate specified in Article V, on the basis of the Regular Salary being paid to the Participant by the University during the period of such approved leave of absence. During an approved sabbatical leave granted in accordance with University policy, subject to the limitations of Sections 403(b) and 415 of the Code, the University will continue its Plan Contributions to a Participant's annuities, at the rate specified in Article V, on the basis of the Regular Salary that would have been paid to the Participant by the University had the Participant not been awarded the sabbatical leave.

ARTICLE VIII: REPURCHASE

Subject to applicable Code and ERISA requirements, each Participant's repurchase rights, if any, are set forth in the Participant's annuity contract and are incorporated herein by reference.

ARTICLE IX: RETIREMENT BENEFITS

9.1 Commencement of Benefits. *Upon severance of employment with the University at any age, a Participant shall be entitled, as determined under the terms of his or her annuity contract(s), to receive monthly or other periodic income under one of the options set forth in such contracts. Descriptions of the income options will be provided by Annuity Providers.*

9.2 Retirement Benefits. *Upon retirement at any age, the Participant shall be entitled under the terms of his or her annuity contracts to receive monthly or other periodic income under one of the options set forth in such contracts. Descriptions of the income options will be provided by Annuity Providers. However, notwithstanding any other provision in this Plan, distributions attributable to amounts accrued in an annuity contract after December 31, 1988 and amounts accrued in a mutual fund custodial account regardless of date may be paid only when a Participant attains age 59½, severs employment with the University, dies, or becomes disabled.*

If a Participant dies before the start of retirement benefit payments under the Plan, the full current value of the Particpant's income under the Plan is payable to the Beneficiary(ies) named by the Participant in a single sum or under the options offered by the Annuity Providers. Descriptions of these income options will be provided by the Annuity Providers.

9.3 Commencement of Benefits. *Unless the Participant elects otherwise, distribution of benefits will begin no later than the 60th day after the latest of the close of the Plan Year in which:*

the Participant attains age 65;

occurs the 10th anniversary of the year in which the Participant commenced participation in the Plan; or,

the Participant severs employment with the University.

Notwithstanding the foregoing, the failure of a Participant and spouse to consent to a distribution while a benefit is immediately distributable shall be deemed to be an election to defer commencement of payment of any benefit sufficient to satisfy this Section.

A Participant who elects to defer receipt of benefits may not do so to the extent that he or she is creating a death benefit that is more than incidental.

Payments to a Participant generally must commence no later than April 1 of the calendar year following the calendar year in which occurs the later of (a) Participant's retirement or (b) Participant's attainment of the age of 70½. Payments must occur at least as rapidly as required by Section 401(a)(9) of the Code (generally requiring payments over the life or life expectancy of the Participant or the Participant and his or her Beneficiary). Payments after a Participant's death must occur at least as rapidly as under the method of payment applicable during the Participant's lifetime, or, if payments had not commenced prior to death, must either (1) be completely distributed within five years of death or (2) be distributed over the life or life expectancy of the Participant's Beneficiary, in accordance with Code Section 403(b)(10) and the regulations promulgated thereunder.

Application for Benefits. An application for benefits shall be initiated by writing directly to the Annuity Provider(s). Benefits will be payable by the Annuity Providers upon receipt of a satisfactorily completed application for benefits and supporting documents, including any waiver of spousal rights to retirement benefits, death benefits, or other benefit payments hereunder. The necessary forms will be provided to the Participant, the surviving spouse, or the Beneficiary(ies) by the Annuity Providers.

Minimum Distribution Requirements. The requirements of this Section shall apply to any distribution of a Participant's Plan benefits and will take precedence over any inconsistent provisions of this Plan except as otherwise provided in the "Joint and Survivor Annuity Requirements" section of this Article. Distributions in all cases will satisfy the requirements of Code Section 401(a)(9) and the regulations promulgated thereunder,

including Treas. Reg. Sections 1.401(a)(9)-2 through 1.401(a)(9)-9, the provisions of which are incorporated by reference. With respect to distributions under the Plan made for calendar years beginning on or after January 1,

2001 through December 31, 2002, the Plan will apply the minimum distribution requirements of Section 401(a)(9) of the Internal Revenue Code in accordance with the regulations under Section 401(a)(9) that were proposed on January 17, 2001, notwithstanding any provisions of the Plan to the contrary.

Joint and Survivor Annuity Requirements. The University intends for the distribution options under the Plan to comply with the requirements of ERISA Section 205, and such options shall be interpreted and applied consistent with that intent. Specifically, annuity contracts issued in connection with the Plan must provide that the normal form of payment to an unmarried Participant is an annuity for the life of the Participant and that the normal form of payment to a married Participant is a joint and survivor annuity for the lives of the Participant and his or her surviving spouse, which meets the requirements of ERISA Section 205. Further, any election by a Participant to receive payment in a different form must meet the requirements of ERISA Section 205, including the requirements of a Qualified Election, as described below.

For married Participants, Plan benefits may only be paid as described below, unless a Qualified Election, as described below, is made.

Qualified Election means a waiver of a Qualified Joint and Survivor Annuity or a Qualified Pre-retirement Survivor Annuity. Any waiver of a Qualified Joint and Survivor Annuity or a Qualified Pre-retirement Survivor Annuity shall not be effective unless: (a) the Participant's spouse consents in writing to the election; (b) the election designates a specific Beneficiary(ies), including any class of Beneficiaries or any contingent Beneficiaries, which may not be changed without spousal consent (unless the spouse expressly permits designations by the Participant without any further spousal consent); (c) the spouse's consent acknowledges the effect of the election; and (d) the spouse's consent is witnessed by a Plan representative or notary public. Additionally, a Participant's waiver of the Qualified Joint and Survivor Annuity shall not be effective unless the election designates a form of benefit payment that may not be changed without spousal consent (or the spouse expressly permits designations by the Participant without any further spousal consent). If it is established to the satisfaction of a Plan representative that there is no spouse or that the spouse cannot be located, a waiver will be deemed a Qualified Election. The Annuity Provider shall administer procedures for obtaining all spousal consents under this Section 9.6.

Any consent by a spouse obtained under this provision (or establishment that the consent of a spouse may not be obtained) shall be effective only with respect to such spouse. A consent that permits designations by the Participant without any requirement of further consent by such spouse must acknowledge that the spouse has the right to limit consent to a specific Beneficiary(ies), and a specific form of benefit where applicable, and that the spouse voluntarily elects to relinquish either or both of such rights. A revocation of a prior waiver may be made by a Participant without the consent of the spouse at any time before the commencement of benefits. The number of revocations shall not be limited.

Pre-retirement Spousal Entitlement. Unless a Qualified Election is made, if a married Participant dies before the date benefits commence, the Participant's Plan benefits shall be applied toward the purchase of a Qualified Pre-retirement Survivor Annuity. Under the Qualified Pre-retirement Survivor Annuity, the surviving spouse shall receive a benefit that is at least 50% of the full current value of the Participant's Plan benefits, payable in a single sum or under one of the income options offered by the Annuity Provider(s). The surviving spouse may elect to have such annuity distributed within a reasonable period after the Participant's death. This Qualified Pre-retirement Survivor Annuity may be waived in favor of payment to a non-spouse Beneficiary at any time, pursuant to a Qualified Election. However, any Qualified Election made prior to the date a Participant attains age 35 will be treated as revoked on that date, and the spouse will thereafter be the Participant's Beneficiary unless a new Qualified Election is made.

Post-retirement Spousal Entitlement. Unless a Qualified Election is made within the 90-day period ending on the date benefits commence, a married Participant's Plan benefits will be paid in the form of a Qualified Joint and Survivor Annuity, and an unmarried Participant's Plan benefits will be paid in the form of a single life annuity. Under these circumstances, a Qualified Election may be revoked during 90-day period ending on the date benefits commence. It may not be revoked after the annuity income begins.

Notification of Post-retirement Spousal Entitlement. In the case of a Qualified Joint and Survivor Annuity, the University shall no less than 30 days and no more than 90 days before the date benefits commence provide each Participant a written explanation of: (a) the terms and conditions of a Qualified Joint and Survivor Annuity; (b) the

Participant's right to make and the effect of an election to waive the Qualified Joint and Survivor Annuity form of benefit; (c) the rights of a Participant's spouse; and (d) the right to waive a Qualified Joint and Survivor Annuity.

If the Participant, after receiving the explanation, elects a form of benefit and the spouse consents to the benefit (if necessary), the Plan will not fail to satisfy the requirements of this paragraph merely because the annuity starting date is less than 30 days after the written explanation is given to the Participant provided: (1) the explanation is provided prior to the annuity starting date; (2) the distribution does not commence before the expiration of the 7-day period that begins the day after the explanation is provided to the Participant; and (3) prior to the expiration of the 7-day period, or the annuity starting date, if later, the Participant may revoke the distribution election.

Direct Rollovers. *Notwithstanding any provision of the Plan to the contrary that would otherwise limit a distributee's election under this section, a distributee may elect, at the time and in the manner prescribed by the plan administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.*

For this section, the following definitions apply:

Eligible rollover distribution: An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated Beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Code Section 401(a)(9); the portion of any distribution that is not includable in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities).

Eligible retirement plan: Effective January 1, 2002, an eligible retirement plan an eligible retirement plan shall mean a qualified retirement plan described in Sections 401(a) or 403(a) of the Code, a tax sheltered annuity plan described in Section 403(b) of the Code, and an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this Plan. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a qualified domestic relation order, as defined in Section 414(p) of the Code.

Distributee: A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.

Direct rollover: A direct rollover is a payment by the Plan to the eligible retirement plan specified by the distributee.

VOLUNTARY EARLY RETIREMENT INCENTIVE

Any Participant who is employed by the University will be eligible to apply for an "Early Retirement Contribution" to be contributed as a premium on the Participant's existing regular annuity contract to the extent that the contribution is within the general contribution limitations of Sections 401(a)(4), 403(b) and 415 of the Code, which are incorporated herein by reference to the extent applicable. The early retirement application (the "Early Retirement Application") shall be made on a form prepared by the University. The date a fully completed Early Retirement Application is delivered to the University is hereinafter referred to as the "Application Date." To make an Early Retirement Application, the Participant must:

- Have completed at least ten (10) Years of Service with the University before the payment of the first Early Retirement Contribution, uninterrupted by a Break in Service;
- Be at least 55 years of age at the time the first Early Retirement Contribution is made; and
- Make the Early Retirement Application no less than six months before the payment of any Early Retirement Contribution.

Any Early Retirement Application that requests a retirement date other than those specified in the table below will be denied. A Participant may, however, choose to separate from the University on a date which falls outside the provisions of this Article. If a Break in Service occurs after a Participant submits an Early Retirement Application but before the Participant's final Early Retirement Contribution, the Participant will forfeit his/her remaining Early Retirement Contributions.

On the Early Retirement Application, the Participant must voluntarily agree in writing to retire on one of the dates specified in the table below:

Age of Participant on the Date that is Exactly Six Months After the Application Date	**Retirement Date Options**
55	a. End of the academic year in which Participant reaches age 60, 61 or 62. b. End of the calendar year in which Participant reaches age 60, 61 or 62. c. Actual date Participant reaches age 60, 61 or 62.
56	a. End of the academic year in which Participant reaches age 61 or 62. b. End of the calendar year in which Participant reaches age 61 or 62. c. Actual date Participant reaches age 61 or 62.
57 or Older	a. End of the academic year in which Participant reaches age 62. b. End of the calendar year in which Participant reaches age 62. c. Actual date Participant reaches age 62.

Early Retirement Contributions for a particular Participant shall not begin until each of the following has occurred: (a) the Participant reaches age 55; and (b) six months has transpired from the Application Date. In addition, if there is more than sixty months from the six-month anniversary of the Application Date and the earlier of (i) the date on which the Participant agrees to retire or (ii) the date the Participant will reach age 63, then Early Retirement Contributions will be delayed so that the sixtieth Early Retirement Contribution would be scheduled to be made during the earlier of (x) the month the Participant agrees to retire, or (y) the month immediately preceding the date the Participant will reach age 63.

The amount of the Early Retirement Contribution for the Participant will be a percent of Regular Salary made on a monthly basis, except for months in which no Regular Salary is paid. The Early Retirement Contribution will be paid for the shorter of (x) the sixty-month period that begins immediately following the commencement of the Early Retirement Contribution or (y) the period beginning when the Participant is first eligible to receive an Early Retirement Contribution and ending with the earlier of (i) the date on which the Participant agreed in writing to retire or (ii) the Participant's actual termination of employment with the University. Notwithstanding any provision in this Plan to the contrary, in no event will such Early Retirement Contribution exceed sixty (60) months (the maximum Early Retirement Contribution), nor will any Early Retirement Contribution be made after a Participant reaches age 63.

To the extent permissible under the contribution limitations of the Code, the amount of Early Retirement Contributions by the University will be ten percent (10%) of Regular Salary. This contribution is in addition to the ten percent (10%) contribution a Participant will receive under this Plan normally. If the full amount of such contributions is not permissible under the Code, the maximum permissible contribution under the Code will be made.

In keeping with the eligibility for the Early Retirement Contribution, such contributions will not commence prior to a period which is consistent with the Retirement Date Option chosen. Thus, for illustration purposes only:

Example 1: Participant A was born on November 1, 1947, and turns age 55 on November 1, 2002. On February 1, 2001 (after Participant A has ten Years of Service with the University without a Break in Service), Participant A makes an Early Retirement Application, and selects his/her sixtieth birthday as his/her early retirement date. (S/he can make this election because s/he will be age 55 or less on the six-month anniversary of the Application Date.) Therefore, Early Retirement Contributions will start in December, 2002 (after s/he has reached age 55), and will continue through November, 2007 (assuming s/he retires on his/her scheduled retirement date), so that the sixtieth Early Retirement Contribution will be in November, 2007.

Example 2: Participant B was born on January 1, 1947, and turns age 55 on January 1, 2002. On January 1, 2002 (after Participant B has ten Years of Service with the University), Participant B makes an Early Retirement Application, and selects the end of the calendar year in which s/he will reach age 62 as his/her early retirement date. Thus, s/he has agreed to retire on December 31, 2009. Early Retirement Contributions will start in

January, 2005 (s/he will be age 58 that month), so that the sixtieth Early Retirement Contribution will be in December, 2009.

Example 3: Participant B, discussed in Example 2 above, makes an Early Retirement Application on February 1, 2007 (at age 60), and elects to retire at the end of the calendar year upon reaching age 62 (December 31, 2009). The Early Retirement Contributions will begin in August, 2007 (six months after the Early Application Date), and will continue through December, 2009.

Example 4: Participant B, discussed in Examples 2 and 3 above, makes an Early Retirement Application on February 1, 2007, and elects to retire at the end of the calendar year upon reaching age 61 (December 31, 2008). This is an improper election because Participant B's age on the six-month anniversary of the Early Retirement Application was 60; thus, his/her only options are: (i) to retire at the end of the academic year in which s/he reaches age 62, (ii) to retire at the end of the calendar year in which s/he reaches age 62, or (iii) to retire on the date s/he reaches age 62. Thus, the application is void and ineffective and will be denied.

Notwithstanding any provision in this Plan to the contrary, that a Participant is treated under this Plan as being retired shall not create any inference, presumption, or rule that such Participant is retired or has reached retirement age under any other employee benefit plan or employee pension plan sponsored or maintained by the University. In addition, in any event, a Participant who makes an Early Retirement Application but who does not retire on the date specified in his/her Early Retirement Application (irrespective of the reason, including, without limitation, voluntarily or involuntarily separating from the University) shall not be treated as an early retiree of the University under any employee benefit plan sponsored or maintained by the University and thus may adversely affect his/her eligibility for other benefit plans sponsored or maintained by the University.

ADMINISTRATION

Plan Administrator. Southwestern University, located in Georgetown, Texas 78626 (telephone (512) 863-6511), is the named fiduciary and Plan Administrator for this Plan. The Plan Administrator is responsible for enrolling Participants, sending Plan Contributions for each Participant as premiums for annuity contracts issued for the benefit of each Participant, and for performing other duties required for the operation of the Plan.

Authority of the University. The University has all the powers and authority expressly conferred upon it herein. When acting as the Plan Administrator, it shall have discretionary and final authority to determine all questions concerning eligibility and contributions under the Plan; to interpret and construe all terms of the Plan, including any uncertain terms; to decide and determine all questions, including, without limitation, questions of fact concerning administration of the Plan; to supply any omissions and reconcile any inconsistencies in the Plan; to correct or make equitable adjustments for any errors made in the administration of the Plan; and to decide any disputes arising under and all questions concerning administration of the Plan. Any determination made by the University shall be given deference if it is subject to judicial review and shall be overturned only if it is arbitrary or capricious. In exercising these powers and authority, the University will always exercise good faith, apply standards of uniform application, and refrain from arbitrary action. The University may employ attorneys, agents, and accountants as it finds necessary or advisable to assist it in carrying out its duties. The University will be a "named fiduciary" as that term is defined in section 402(a)(2) of the Employee Retirement Income Security Act of 1974 (ERISA) for determining eligibility and computing and making Plan Contributions. The University, by action of its Board, may designate a person or persons other than the University to carry out any of its powers, authority, or responsibilities. Any delegation will be set forth in writing.

The University, acting by resolution of the Board (or through written approval of any person(s) duly authorized by the Board to so act), may designate from time to time the Annuity Providers and particular annuity contracts that are available for the investment of Plan Contributions. The Annuity Providers control certain aspects of the provision and payment of benefits, and neither the University, the Board, nor their employees, officers, and agents are responsible for actions of the Annuity Providers.

Indemnification. *In the event and to the extent not insured against under any contract of insurance with an insurance company, the University shall indemnify and hold harmless each "Indemnified Person," as defined below, against any and all claims, demands, suits, proceedings, losses, damages, interest, penalties, expenses (specifically including, but not limited to counsel fees to the extent approved by the University or otherwise provided by law, court costs, and other reasonable expenses of litigation), and liability of every kind, including amounts paid in settlement, with the approval of the University, arising from any action or cause of action related to the Indemnified Person's act or acts or failure to act. Such indemnity shall apply regardless of whether such claims, demands, suits, proceedings, losses, damages, interest, penalties, expenses, and liability arise in whole or in part from (a) the negligence or other fault of the Indemnified Person, except when the same is judicially determined to be due to gross negligence, fraud, recklessness, willful or intentional misconduct of such Indemnified Person or (b) from the imposition on such Indemnified Person of any penalties imposed by*

the Secretary of Labor, pursuant to Section 502(l) of ERISA, relating to any breaches of fiduciary responsibility under Part 4 of Title I of ERISA. "Indemnified Person" shall mean each member of the Board of Trustees and each individual ***employee or officer of the University who is deemed to have any fiduciary responsibility hereunder.***

Reporting. *Records for each Participant to whom annuity contracts have been issued are maintained on the calendar year basis. The Annuity Provider sends each annuity owner a report of premiums and benefits summarizing the status of his or her annuity contracts as of December 31 of each year. Similar reports or benefit illustrations may be obtained by the annuity owner upon termination of employment or at any other time by writing directly to the Annuity Provider.*

Request for Information. *Requests for information and claims concerning eligibility, participation, contributions, or other aspects of the operation of the Plan should be in writing and directed to the Plan Administrator.*

Claims for Benefits. *If a Participant or Beneficiary submits a valid application for benefits to an Annuity Provider and has been denied benefits to which he or she believes he or she is entitled, he or she may file a claim for such benefits with the Plan Administrator within 90 days of the date of the denial. All such claims must be in writing and signed by the claimant. If the claimant does not furnish sufficient information to determine the validity of this claim, the Plan Administrator will indicate to the claimant any additional information that is required.*

Processing the claim. The Plan Administrator must process the claim within 90 days after the claim is filed. If an extension of time for processing is needed, written notice will be given to the Participant or Beneficiary before the end of the initial 90-day period. The extension notice will indicate the special circumstances requiring an extension of time and the date by which the Plan expects to render its final decision. In no event will the extension period exceed a period of 90 days from the end of the initial 90-day period.

Denial of claim. If a claim is wholly or partially denied, the Plan Administrator will notify the Participant or Beneficiary within 90 days following receipt of the claim (or 180 days in the case of an extension for special circumstances). The notification will state the specific reason or reasons for the denial, specific references to pertinent plan provisions on which the denial is based, a description of any additional material or information necessary to perfect the claim, and appropriate information about the steps to be taken if the Participant or Beneficiary wishes to submit the claim for review. If notice of the denial of a claim is not furnished within one week of the end of this 90 or180-day period, the claim is considered denied and the Participant or Beneficiary must be permitted to proceed to the review stage.

Review Procedure. The Participant or Beneficiary has 60 days after receipt of a claim denial to appeal the denied claim to the Plan Administrator, or an individual or entity designated by the Plan Administrator, and to receive a full and fair review of the claim. As part of the review, the Participant or Beneficiary will be allowed to review all Plan documents and other papers that affect the claim and to submit issues and comments and argue against the denial in writing.

Decision on review. The Plan Administrator or its delegate will conduct the review and decide the appeal within 60 days after the request for review is made. If special circumstances require an extension of time for processing, the Participant or Beneficiary will be furnished with written notice of the extension, which can be no later than 120 days after receipt of a request for review. The decision on review will be written in clear and understandable language and include specific reasons for the decision as well as specific references to the pertinent Plan provisions on which the decision is based. All interpretations, determinations, and decisions of the reviewing entity with respect to any claim will be its sole discretion based upon its interpretation of the Plan documents and will be deemed final and conclusive. If appeal is denied, in whole or in part, however, the Participant or Beneficiary will have a right to file suit in a state or federal court.

AMENDMENT AND TERMINATION

While it is expected that this Plan will continue indefinitely, the University reserves the right to amend, modify, discontinue, or terminate the Plan, or discontinue any further contributions or payments under the Plan, at any time by adopting or approving a written instrument. The Board may delegate any of its powers and duties with respect to the Plan to any committee of the Board or to one or more officers or other employees of the University. Any such delegation shall be set forth in writing. Specifically, the Board hereby delegates authority to the President of the University to (i) adopt and amend the provisions of the SPD which are incorporated herein by reference so long as such amendment does not materially increase the obligations of the University and is consistent with the terms of this Plan document, (ii) designate funding vehicles with TIAA-CREF that are available for the investment of Plan Contributions, and (iii) amend provisions of the Plan necessary for the Plan to qualify under Section 403(b) of the Code or to qualify for favorable tax treatment. Any discontinuance,

modification or amendment of the Plan may be retroactive, except that it cannot adversely affect the benefits accrued by Participants prior to the date of discontinuance, modification, or amendment. However, no amendment will deprive, take away, or alter any then accrued right of any Participant insofar as Plan Contributions are concerned.

MISCELLANEOUS

Plan Non-Contractual. *Nothing in this Plan will be construed as a commitment or agreement on the part of any person to continue his or her employment with the University. Nothing in this Plan will be construed as a commitment on the part of the University to continue the employment or the rate of compensation of any person for any period. All employees of the University will remain subject to discharge to the same extent as if the Plan had never been put into effect. Nothing in this Plan will be construed to limit the University's ability to change an employee's position or the basis or amount of such employee's compensation.*

Claims of Other Persons. *The provisions of the Plan will not be construed as giving any Participant or any other person, firm, or corporation, any legal or equitable right against the University, its officers, employees, or directors, except the rights as specifically provided for in this Plan or created in accordance with the terms and provisions of this Plan.*

Merger, Consolidation, or Transfers of Plan Assets. *In the event of a merger or consolidation with, or transfer of assets to, another plan, each Participant will receive immediately after such action a benefit under the plan that is equal to or greater than the benefit he or she would have received immediately before a merger, consolidation, or transfer of assets or liabilities.*

Finality of Determination. *All determinations with respect to the crediting of Years of Service under the Plan are made on the basis of the records of the University, and all determinations made are final and conclusive upon employees, former employees, and all other persons claiming a benefit interest under the Plan. Notwithstanding anything to the contrary contained in this Plan, there will be no duplication of Years of Service credited to an Employee for any one period of his or her employment.*

Contracts Incorporated by Reference. *The terms of each annuity contract issued to a Participant are a part of the Plan as if fully set forth in the Plan Document, and the provisions of each are incorporated by reference into the Plan. The terms of the annuity contract control in any case where there is any inconsistency or ambiguity between the terms of the Plan and the terms of the annuity contract.*

Non-Alienation of Retirement Rights or Benefits. *No benefit under the Plan may, at any time, be subject in any manner to alienation, encumbrance, the claims of creditors or legal process to the fullest extent permitted by law. No person will have power in any manner to transfer, assign, alienate, or in any way encumber his or her benefits under the Plan, or any part thereof, and any attempt to do so will be void and of no effect. However, payments will be made in accordance with an order which complies with Section 206(d)(3) of ERISA (hereafter called a "qualified domestic relations order"). The Plan Administrator shall determine whether any order is so qualified.*

Governing Law. *Except to the extent preempted by federal law, the Plan shall be governed by the laws of the State of Texas.*

Tax Withholding. *All benefits under the Plan are subject to withholding of any taxes the Plan Administrator or an Annuity Provider may determine to be due.*

Tax Treatment. *Although the University intends that annuity contracts issued in connection with the Plan will qualify for special tax treatment under Code Section 403(b), neither the University nor its trustees, officers, employees, or agents can guarantee that treatment.*

Uniformed Service Reemployment Rights. *Notwithstanding any provision of the Plan to the contrary, contributions, benefits, and service credit with respect to "qualified military service," which shall mean any services in the uniformed services (as defined in chapter 43 of title 38 of the United States Code) by any individual if such individual is entitled to reemployment rights under such chapter with respect to such service, will be provided in accordance with Section 414(u) of the Code.*

This amendment and restatement of the Plan is executed this _____ day of _____, 2007, but effective as previously stated in the Preamble.

IN WITNESS WHEREOF, the Board of Trustees of Southwestern University has caused this instrument to be executed to be generally effective as of July 1, 2007.

SOUTHWESTERN UNIVERSITY

By: _____

Name: _____

Title: _____

AMENDMENT TWO
SOUTHWESTERN UNIVERSITY REGULAR RETIREMENT PLAN FOR ALL EMPLOYEES

WHEREAS, Southwestern University (the "University") sponsors the Southwestern University Regular Retirement Plan for all Employees, (the "Plan"), as restated effective July 1, 2007; and

WHEREAS, Article XII of the Plan permits the University to amend the Plan; and

WHEREAS, the University wishes to amend the Plan to reduce the amount of the Plan Contribution and the Voluntary Early Retirement Incentive from 10% to 7%; and

WHEREAS, the University wishes to clarify the amendment and investment authority of delegated under the Plan by the University;

NOW, THEREFORE, the Plan is hereby amended, as follows:

1. Article IV, "Plan Contributions," is restated effective July 1, 2010 as follows:

"5.1 *Plan Contributions.* Subject to the limitations of Sections 403(b) and 415 of the Code, which are incorporated by reference herein, Plan Contributions will be made on a monthly basis during Years of Participation, except for months in which no Regular Salary is paid, in accordance with the following schedule:

Plan Contributions as a Percent of Regular Salary

By the Participant	By the University	Total
0%	7%	7%

Plan Contributions for a Participant will commence each year when the University has determined that the Participant has met the requirements for a Year of Participation. Any part of a year's Plan Contributions not contributed prior to such determination will be included in contributions made for that Year of Participation after such determination is made, except for months in which no salary was paid. Plan Contributions shall be forwarded to Annuity Providers to be applied as premiums on regular retirement annuity contracts owned and selected by the Participant. Plan Contributions may be allocated between contracts in any whole-number percentages that equal 100 percent pursuant to procedures established by the Plan Administrator. All Plan Contributions are fully and immediately vested.

Notwithstanding the foregoing, a Participant with an Application Date (as defined in Article X) on or before April 12, 2010 will continue to receive Plan Contributions as provided under Article X equal to 10% of Regular Salary. "

2. Article X, "Voluntary Early Retirement Incentive," is amended effective on the date of adoption of this Amendment by adding the following paragraphs:

"For Early Retirement Contributions made to Participants based on Application Dates on or after April 13, 2010, this paragraph applies notwithstanding any other provision in this Article. To the extent permissible under the contribution limitations of the Code, the amount of Early Retirement Contributions by the University will be seven percent (7%) of Regular Salary. This contribution is in addition to the contribution a Participant will receive under this Plan normally. If the full amount of such contributions is not permissible under the Code, the maximum permissible contribution under the Code will be made."

3. Article XII, "Amendment and Termination," is restated as follows:

"While it is expected that this Plan will continue indefinitely, the University reserves the right to amend, modify, discontinue or terminate the Plan, or discontinue any further contributions or payments under the Plan, at any time by adopting or approving a written instrument. Any discontinuance, modification or amendment of the Plan may be retroactive, except that it cannot adversely affect the benefits accrued by Participants prior to the date of discontinuance, modification or amendment. No amendment will deprive, take away or alter any then accrued right of any Participant insofar as Plan Contributions are concerned. Upon discontinuance of Plan Contributions or full termination of the Plan, the benefits of each affected Participant shall become fully vested and nonforfeitable. Upon partial termination, the benefits of the affected Participants shall be fully vested and nonforfeitable.

The Board may delegate any of its powers and duties with respect to the Plan to any committee of the Board or to one or more officers or other employees of the University. Any such delegation shall be set forth in writing. Specifically, the Board hereby delegates authority to the President of the University or his delegate to (i) amend the provisions of the Plan so long as such amendment does not materially increase the obligations of the University and is consistent with the terms of this Plan document, and (ii) amend provisions of the Plan necessary for the Plan to qualify under Section 403(b) of the Code or to qualify for favorable tax treatment."

The foregoing amendment was adopted this 30th day of MARCH, 2010.

SOUTHWESTERN UNIVERSITY

By Richard L. Anderson
Name RICHARD L. ANDERSON
Title VP FISCAL AFFAIRS

Appendix B – Employee Tuition Assistance Policy

POLICY SCOPE: The following policy applies to current faculty, staff, and administration (hereinafter "employees") at Southwestern University, certain retirees (hereinafter "retirees") of Southwestern University, and to the bona fide spouses/dependents of those employees or retirees.

POLICY SUMMARY: Southwestern University offers tuition assistance to eligible employees and retirees, and to the bona fide spouses/dependents of employees or retirees, in order to defray the costs associated with enrollment in classes at the University. Assistance is available to employees, retirees or their spouses/dependents under the terms and conditions described below. This policy may from time-to-time be modified, deleted, or amended in the sole discretion of the University with or without prior notice.

POLICY SPECIFICATIONS: Employees, retirees and the bona fide spouses/dependents of employees or retirees must satisfy the following requirements in order to be eligible for tuition assistance:

Employees must:

1. have completed at least one (1) year of uninterrupted service to the institution;
2. must work at least 30 hours per week.
3. maintain the uninterrupted level of service as described in items #1 and #2 immediately
4. above for the full duration of the tuition assistance period; and
5. otherwise meet the academic eligibility requirements for admission to the University.

Retirees must:

1. have completed ten (10) years of uninterrupted employment at Southwestern University;
2. have retired from active employment at Southwestern University to an inactive employment status;
3. have worked at least 30 hours per week and
4. otherwise meet the academic eligibility requirements for admission to the University.

Spouses/dependents must:

1. otherwise meet the academic eligibility requirements for admission to the University; and
2. have been claimed as an exemption on the employee's or retiree's Federal Income Tax Return (Form 1040) for the tax year prior to the date of application for tuition assistance.

APPLICATION PROCESS: Eligible persons may apply for tuition assistance by submitting a written request to the appropriate member of the President's Senior Staff. If approved by the member of the President's Senior Staff, the application will be forwarded to the Financial Aid Office for further review. The Human Resources department reviews employee eligibility for this program. The applicant will be notified by the member of the President's Senior Staff of the outcome of the review process. Each application for spouse/dependent tuition assistance must include a copy of IRS Form 1040 for the tax year prior to the date of application or a notarized statement indicating that the individual for whom assistance is sought is a bona fide spouse/dependent of the employee or retiree.

LEVEL OF ASSISTANCE: The tuition assistance provided by the University covers only the cost of tuition and fees. Room and board costs, books and other related costs are not covered by the assistance available under this policy.

ASSISTANCE PRORATION: The level of assistance provided by the University shall vary in proportion with the employment status of the employee. An employee who works at least 40 hours per week may apply for full tuition assistance as described herein for himself/herself or for his or her spouses/dependents. An employee who works between 30 hours but less than 40 hours per week may apply for assistance equivalent to 3/4 tuition. Those employees hired prior to July 1, 1996 who works at least 20 hours per week but less than 30 hours per week may apply for assistance equivalent to 1/2 tuition. An employee who works fewer than 30 hours per week is not eligible for tuition assistance for either himself/herself or his or her spouses/dependents.
The level of assistance provided by the University to eligible retirees and their spouses/dependents shall also vary in proportion with the employment status of the retiree during the majority of the qualifying ten (10) years of

employment. The levels of eligibility shall be the same as those described immediately above for eligible employees and their spouses/dependents.

ASSISTANCE LIMITATIONS: The tuition assistance available under this policy has certain time and program limitations. Those limitations include, but may not be limited to, the following:

1. A maximum of 135 credit hours of tuition assistance is available to eligible applicants under this policy. The number of credit hours to which assistance can be applied will automatically be reduced by the number of credit hours transferred to the University from another institution of higher education.

2. Tuition assistance is not available for summer school sessions.

3. Holders of baccalaureate degrees are not eligible for tuition assistance unless they are seeking to fulfill teaching certification requirements. The University will consider a certification request only if the application contains proof of baccalaureate status and the need for certification.

4. A spouse/dependent student need not be seeking a degree at the University in order to be eligible for tuition assistance under this policy.

5. Eligible employees can receive tuition assistance for one course (3-4 credit hours) per semester.

6. Eligible spouses/dependents and retirees can receive tuition assistance for up to eighteen (18) credit hours per semester. Tuition assistance for additional hours per semester may be requested and will be considered on a case-by-case basis.

7. If an employee leaves the employment of the University at any time during which that employee or that employee's spouse/dependent is participating in the tuition assistance program, the tuition assistance to that employee or spouse/dependent shall cease at the end of the then current semester.

8. An employee may apply for tuition assistance for himself/herself only after previously receiving written approval to do so from his or her supervisor. Employees are permitted release time necessary to attend one three (3) or four (4) credit hour course. Employees need not receive supervisor permission in order to apply for tuition assistance for spouse/dependents.

9. Employees who are not actively employed at the University are not eligible for tuition assistance during their absence from active employment. Similarly, the spouses/dependents of these employees are not eligible for tuition assistance during the period of the employee's absence from active employment. For the purposes of this policy, employees on sabbatical leave or approved leave of absence are considered to be actively employed.

10. Faculty employees are not eligible for tuition assistance to cover the tuition associated with an undergraduate level course in an area related to their professional discipline.

11. The University reserves the right to limit the level of tuition assistance.

TAX RAMIFICATIONS:The University considered the tuition assistance offered under this program to be a non-taxable benefit to employees and their bona fide spouses/dependents under the provisions of Internal Revenue Code, Section 117(d). However, the employee and/or spouse/dependent participating in the program bears full responsibility of responding to any IRS inquiry into the taxability of the benefit in individual situations. The University does not intend with this policy, and more particularly with this paragraph, to offer counsel to employees and/or spouses/dependents regarding the taxability of this benefit in individual cases.

AUDITING COURSES: Eligible employees, retirees and/or spouses/dependents may audit courses free of charge as special students. In order to do so, permission must be granted by the professor who offers the course and by the Provost. In addition, employees must receive permission from a supervisor as described in Paragraph 8 above.

SPECIAL PROVISIONS: Appeals for exception to this policy, or any provision thereof, must be submitted in writing to the Office of the Provost. A committee appointed by the Provost shall review each appeal on its

individual merit. The committee will recommend a course of action to the Provost, whose decision in the case of the appeal is final.

The following supplemental changes or amendments to the current tuition assistance policy are effective February 9, 2005:

The Employee Tuition Assistance Policy will be unchanged for dependents currently certified and enrolled in other colleges for the 2004-2005 academic year. For all others, the following changes are effective immediately:

1. Southwestern will limit the number of exports that may be certified each year. This change is required by, and the limits will be based on the information we receive from, the Tuition Exchange, Inc. program regarding the balance of our "imports" and "exports". If the University must limit the number of exports that may be certified, the University will use continuous employment longevity as the criterion establishing a priority list of dependents to be certified.

2. A one (1) year waiting period for eligibility will continue to apply to current employees, subject to the limits expressed in number 1 above. All new employees beginning employment with Southwestern after February 9, 2005 will have a three (3) year waiting period for the Tuition Exchange, Inc. program benefit before they or their dependents will be eligible for the benefits, subject to the limits expressed in number 1 above.

3. Application Requirement for dependents as they begin their sophomore year in high school (or its equivalent for students being home schooled, the "Equivalent"): All employees must notify the Financial Aid department and complete the application for a Tuition Exchange benefit by September 1st of the year the dependent they wish to enroll begins his or her sophomore year in high school (or Equivalent).

In order to be eligible to apply for the benefit, the applicable one (1) or three (3) year waiting period would have to be met at the beginning of the first semester when the Tuition Exchange Inc. program benefit will be used.

This application requirement change will help the Financial Aid department plan and estimate the number of "exports" that can be offered each year under the Tuition Exchange, Inc. program.

Appendix C – Smoke-free Workplace Policy

GUIDELINES CONCERNING THE USE OF SMOKING TOBACCO
AND NON-TOBACCO PRODUCTS ON CAMPUS

Southwestern University supports the concept of a healthy working and learning atmosphere throughout the entire campus. In that regard, the University has established guidelines governing the use of tobacco on campus. This applies to all employees, students, and other persons while on the premises. The intention of these guidelines is to contribute to a safe and healthy working and learning environment while being responsive to and mindful of the rights and privileges of individuals.

This policy supports the City of Georgetown Smoking Ordinance as well as meeting LEED (Leadership in Environmental and Energy Design) requirements for our LEED certified buildings.

Smoking is prohibited in all academic and administrative buildings and within 25' of building entrances, operable windows or air intakes.

This is a self-enforced policy that requires the support and cooperation of all community members. When necessary, approach the smoker, communicate the policy and ask for cooperation. If this does not resolve the issue, report the matter to the proper University representative (e.g. Residence Life staff member, Campus Police, or the Department Head who supervises the employee).

Appendix D – Policy on Patents, Copyrights, and Trade Secrets

PREAMBLE

Southwestern University is steeped in the tradition of liberal arts universities in providing its students a well-rounded education, and its faculty academic freedom. As the oldest university in Texas existing under its original charter, the University has always striven to be in the forefront of education in the State of Texas by promoting the arts and sciences. Historically, the University has encouraged the free and creative exchange of ideas, the publication of scholarly works, basic scientific research, and the production of artistic works and musical composition.

PURPOSE

The purpose of this policy is to advance the interests of the University, promoting and protecting the results of research, scholarship, and artistic work. The policy also preserves and protects the interests of the University which has the responsibility of the stewardship and cultivation of its financial resources. The policy is committed to academic freedom, recognizing that the pursuit of research, scholarship and artistic work complements instruction as well as enhances it, and is integral to the life of this community of teaching and learning. Members of the University Community may also undertake such a pursuit with the primary goal of creating commercially exploitable products, and where the University makes a substantial financial investment in such an enterprise, it acquires a financial interest that this policy also seeks to protect. This policy has been developed to ensure that the rights and interests of all parties concerned are determined according to established, uniform, and fair procedures.

PROTECTIBLE RIGHTS

Artistic works, musical compositions, computer programs and software, and writings are subject to Copyright protection. The fruits of research are protectible by obtaining Patents, in both the U. S. and foreign countries. For purposes of this policy, computer software shall be treated as Patentable subject matter.

TRADE SECRETS

In order to foster the free exchange of ideas and information, there shall be no trade secrecy or other confidentiality of information arising out of research performed at the University, except as otherwise agreed in a Special Contractual Arrangement, or for a limited time as necessary under this policy for the purposes of preserving the University's right to seek Patent protection on an Invention owned by the University.

DEFINITIONS

The following terms shall have the meaning in this policy defined below:

1. Author. The member of the University Community who writes or creates a Copyrightable Work.

2. Committee. The University's Committee for Patents, Copyrights, and Trade Secrets.

3. Copyright. Copyright refers to the right of literary and artistic property as recognized and protected by law. Copyright protection subsists in original works of authorship fixed in any tangible medium of expression from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. In no case does Copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operations, concept, principle, or discovery disclosed in such work, but rather extends only to the manner in which it is expressed. The Copyright owner has the exclusive right to reproduce the work, prepare derivative works, distribute copies by sale or otherwise, and display or perform the work publicly for a period of time set forth in the U.S. Copyright Law; currently equal to the life of the author plus 70 years after the author's death; or as otherwise set forth in Chapter 3 of Title 17, United States Code.

4. Copyrightable Work. Works of authorship that are copyrightable include, but are not limited to, the following categories:

   A. Literary works such as books, journal articles, poems, manuals, memoranda, tests, computer programs and computer software, programmed instructional material, databases, and bibliographies.

   B. Musical works including any accompanying lyrics.

   C. Dramatic works and screenplays, including any accompanying musical scores.

   D. Improvisational and choreographic works (if fixed, as in notation or videotape).

   E. Recognized forms of art, including, but not limited to, paintings, graphic designs, sculptural works, photographs, architectural designs and sketches.

   F. Film, television and radio and related media.

   G. Sound recordings.

5. Invention or discovery. As defined by current patent law, an invention or discovery is a new and useful process, machine, manufacture, composition of matter or material, or new and useful improvement thereof. It may cover such things as new or improved devices, systems, circuits, chemical compounds, mixtures, etc. An invention may result when something new, useful, and non-obvious has been conceived or developed, or when unusual, unexpected, or non-obvious results are obtained and can be exploited. An invention is made when the conception has been reduced to practice.

6. Inventor. The member of the University Community who conceives an Invention.

7. Patent and Patentable Invention. A United States Patent is a property right granted by the U. S. Government giving the Inventor the right to exclude others from making, using, offering for sale, selling and/or importing the patented Invention in the United States and its territories and possessions for a limited period of time. For Patents issued on applications filed prior to June 8, 1995, the period of time is from issuance until (a) 20 years after the original application was filed or (b) 17 years after the Patent was issued, whichever of (a) or (b) is later. For Patents issued on applications filed on or after June 8, 1995, the period of time is 20 years after the original application was filed. These periods may be extended under certain circumstances. To be a Patentable Invention, the Invention must be a new, useful and unobvious machine, composition of matter, article of manufacture or process.

   Foreign countries' patent laws have various additional or different requirements and time periods. Subject to those differences, Foreign Patents are to be covered by this policy.

8. Substantial Use of University Facilities. Substantial use of University facilities in the creation of intellectual property for purposes herein means extensive, unreimbursed use of University facilities, equipment or space, or human resources which are not normally used in the education or instruction of University students. Facilities commonly available to all faculty and professional staff, whether within a department or at large, and which have a normal educational use or which are primarily instructional in nature, shall not be considered in determining whether Substantial Use of University Facilities has been made. For example, but without limitation, the following facilities, and equipment would not be used in determining whether Substantial Use of University Facilities had been made: (i) faculty offices, faculty studio or laboratory offices, (ii) library, (iii) laboratory and studio space (including classroom, theaters and physical education facilities) and equipment available to all within a department and which is normally used for educational purposes. Facilities will be used in such determination if, for example, but without limitation, they are segregated for use in an individual's research or they are specially purchased or renovated for the purpose of furthering an individual's research. Use will be considered "substantial" if similar use of similar facilities would cost the inventor more than $25,000 (to be adjusted in the future for inflation from January 1, 2001) if purchased or leased in the public market. Any questions as to

whether a facility will be so considered and whether use of included facilities is substantial shall be submitted to the Committee.

9. University. Southwestern University.

10. University Community. The faculty, staff, and students of the University.

POLICY

1. Copyrights. In keeping with academic traditions at the University, the Author retains all rights to Copyrightable Works, unless otherwise agreed pursuant to a Special Contractual Arrangement, or where the primary purpose of the research is the production of a commercially exploitable result, and Substantial Use of University Facilities has been devoted to its production (in such instances, refer to Procedure (Copyright) section that follows).

2. Patents. In keeping with academic traditions at the University, the Inventor retains ownership to patentable works, unless otherwise agreed pursuant to a Special Contractual Arrangement, or where the primary purpose of the research is the production of a commercially exploitable result, and Substantial Use of University Facilities has been devoted to its production (in such instances, refer to Procedure (Patent) section that follows).

   A. No Substantial Use of University Facilities.

      (1) Ownership of Patentable Inventions resulting from the research of a member of the University Community without Substantial Use of University Facilities shall belong to that member, subject only to any Special Contractual Arrangement that a member of the University Community or the University may have executed including, but not limited to, contracts with the Federal Government. Members of the University Community whose Inventions fall into this category may avail themselves of the opportunity to submit the invention to the University for a Patent and for its commercial exploitation and management under terms to be agreed between the University and the Inventor.

      (2) Members of the University Community who believe that they have made Inventions without Substantial Use of University Facilities shall not file, or permit others to file in their name, Patent applications without providing at least 90 days notice and a statement of the circumstances of the invention to the Committee for review and consideration. If requested, additional information as to the nature and circumstances under which the Invention was developed and a copy of the Invention Disclosure or proposed Patent application shall be provided. Requests for such additional information shall be made within 45 days of the original notice. Unless the Committee determines otherwise within 90 days of receiving all requested information, the claim of the Inventor to have made No Substantial Use of University Facilities shall stand and the member of the University Community may then file a Patent application without further coordination with the University or the Committee.

   B. Substantial Use of University Facilities.

      (1) The University shall own Inventions (as defined herein), Patent applications and Patents resulting from research involving Substantial Use of University Facilities. The Inventor shall assign all rights to such Inventions, Patent applications and Patents covering Inventions, under this Section B, to the University.

      (2) If the University in its sole discretion determines that it does not desire to pursue Patent protection for an Invention, it may release the Invention to the Inventor who may apply for a Patent at the Inventor's own expense. Under these circumstances, the University shall retain a royalty-free right to make or use the Invention for its educational, research and public service functions.

(3.) Special Contractual Arrangements. Copyrightable Works and Patentable Inventions resulting from Special Contractual Arrangements, whether with the University or outside sources, shall be handled pursuant to the terms of such contract so long as such terms are not inconsistent with other University policies. Any member of the University Community engaged in Special Contractual Arrangements with outside sources is responsible for ensuring that the provisions of any such contract are not in conflict with University policy or University commitments. Under University policy, any Special Contractual Arrangements with outside sources must not make substantial unreimbursed use of University facilities, except by prior written agreement with the University. For purposes of this policy, a faculty member's general obligation to produce scholarly and artistic works shall not constitute such a Special Contractual Arrangement with the University. Notwithstanding anything herein to the contrary, the University shall retain a royalty-free right to make, use, copy, distribute within the University Community or perform such works in connection with its educational, research and public service functions.

(4.) Dispute. Any dispute pertaining to the above terms and conditions shall be resolved as set forth in the Dispute Resolution section.

PROCEDURE

Copyright

1. General. The Author of any Copyrightable Work resulting from Substantial Use of University Facilities, or under a Special Contractual Arrangement with the University providing for rights in the work to be assigned to the University, shall notify the Committee as soon as practical after its creation. The Author also shall execute any document(s) deemed necessary to perfect legal rights in the University and/or enable the University to file applications for Copyright registration, as applicable. The Disclosure shall be made at the time the contract is negotiated and at the time when legal protection for the work is contemplated; and it must be made before the work is sold, used for profit, or disclosed to the public.

2. Required Copyright Notice.

A. Property rights in Copyrightable Works are secured by creation of the works in any fixed, tangible medium of expression. The Copyright notice, when used, includes either the word "copyright," the abbreviation "Copr.," or the symbol "©," accompanied by the name of the Copyright owner and the year of first publication. Both the word "Copyright" and the symbol "©," i.e., "Copyright [year] by [copyright owner]" are recommended to prevent innocent infringement of the Copyright by others. The notice must be placed on the works in a manner and at any location that is reasonably calculated to give sufficient notice to the public.

B. If Notice appears on sound recordings, the notice must be indicated on the label by the designation "p", the year of the first performance of the sound recording, and the name of the owner of the Copyright in the sound recording.

C. Copyright law also provides for the registration of the Copyright with the U.S. Copyright Office of the Library of Congress. The form for registering Copyrightable material may be obtained from the Register of Copyrights, U.S. Copyright Office, Washington, D. C. 20025.

Patents

1. General. The Inventor of any Invention thought to be Patentable resulting from Substantial Use of University Facilities shall promptly notify the Committee within 60 days of such Invention or discovery. The Notice shall include the Disclosure (as hereinafter defined). The Inventor shall also execute any document(s) deemed necessary to perfect legal rights in the University and enable the University to file Patent applications. Notice to the Committee shall be made at the time when legal protection for the Invention is contemplated, and it must be made before any product or service embodying the Invention is offered for sale, sold, used for profit or disclosed to the public.

2. Responsibility of Inventor and definition of "Disclosure".

   A. When a member of the University Community believes that an Invention has been conceived or made, a Disclosure shall be made to the Committee as soon as possible. The Disclosure is a document describing the Invention and establishing legally the name of the Inventor(s) and the date of conception. Included as part of the Disclosure are drawings, sketches, and other pertinent data and information to show the principle of the Invention, its operation, and performance. The Inventor(s) should sign and date each page of the Disclosure and all sketches and data sheets.

   B. To qualify as a document corroborating the Invention, the Disclosure must be read, understood, and signed by preferably by two witnesses who can understand the Invention. The witnesses must sign and date each sketch and each page of the Disclosure. A working model of the Invention may be prepared and tested before witnesses.

   C. Since priority of a conception date is often the deciding factor in awarding a Patent, it is most important that the Invention be disclosed as early as possible, with the earliest conception date verified by witnesses. Therefore, the Inventor shall consult promptly with the Committee.

   D. Further, the Inventor shall promptly seek the advice of the Committee before taking any steps to publish or disclose publicly the Invention or discovery. Any publication describing an unpatented material, device, or process may make it impossible to secure a valid Patent and thereby reduce any benefit that may accrue to the Inventor and the University from such development.

   E. When the Inventor is conducting research pursuant to a grant to the University from an outside source, the Inventor agrees to assist the University to meet time and documentation constraints required by the grantor.

COMMITTEE ORGANIZATION AND ADMINISTRATION

1. Administrative Matters. The Committee shall be responsible for administrative matters relating to Patents, Copyrights, and Trade Secrets.

2. Members. The Committee, responsible to the University Council, shall consist of the following persons: The Chair of the Division of Humanities; the Chair of the Division of Natural Sciences; the Chair of the Division of Social Sciences; the Dean of the Fayez Sarofim School of Fine Arts; the Provost; and the Vice President for Fiscal Affairs. The Committee shall elect its own chair. Members having business pending with the Committee in the form of a potential Patent application, potential Copyright application, royalty agreement, or related matters shall not participate in the deliberation on that matter. A substitute for such a disqualified member shall be provided for as follows: a replacement for a chair of a division or school shall be elected by that division or school; a replacement for the Provost or Vice President for Fiscal Affairs shall be appointed by the President.

3. Powers and Duties. The Committee shall have the following powers and duties:

A. To examine the merits of each notice to it regarding Patents and Copyrights.

B. To make recommendations to the President of the University with regard to the preparation and filing of Patent and Copyright applications.

C. To consider and make recommendations to the President with regard to license and other agreements covering Patents and Copyrights.

D. To consider and make recommendations to the President with regard to the release of Inventions to the Inventor and Copyrightable Works to the Author.

E. To oversee the distribution of royalties derived from Patents and Copyrights coming into the University.

F. To consider all questions and matters regarding this Policy and its administration and expenses and continuing obligations, and to make recommendations to the President thereon.

G. To take such other action as may come before it regarding Patents and Copyrights, or which may be requested of it from time to time by the President, Provost, Vice President for Fiscal Affairs, or the Board of Trustees.

4. Procedural Matters. Quorum, voting requirements, and other procedural matters of the Committee shall be pursuant to University policy regarding committees. The Committee in exercise of its duties in paragraph 3 above, upon receipt of a Notice from an Inventor(s) or Author(s) shall:

A. Docket the Notice of discovery or Invention or Copyrightable Works and include the date received and all bibliographical data concerning Inventor(s) or Author(s).

B. Within five (5) business days provide a copy of the Notice to a member of the Committee competent to assess the merit of the contents of the Notice.

C. The reviewing member shall provide a written report and recommendation to the Committee within twenty-one (21) days of the member's receipt of the Disclosure for review.

D. The Committee shall consider the recommendation of the member and arrive at a decision concerning its recommendation to the President of the University, advising the named Inventor or Author of its decision in writing no less than sixty (60) days after the docket date of receipt of the Notice.

E. The Committee shall inform the Inventor or Author in writing of the status of the consideration by the President every sixty (60) days until the University makes its decision.

F. The President has final authority for approval of notice for filing for a Patent or copyright registration. The President has final authority for approval to release an Invention or Copyright to the inventor(s) or author(s), subject to the Dispute Resolution procedure herein.

DISTRIBUTION OF INCOME

The following provisions apply only to work resulting from substantial use of University facilities.

1. Special Contractual Arrangements. The following provisions on distribution of income shall not apply to a work prepared pursuant to a special contractual arrangement with the University. The provisions of such special contractual arrangement shall govern unless otherwise agreed in writing. All special

contractual arrangements must conform to University policy or University commitments unless prior written agreements with the University are entered into.

2. Royalty Account. The University shall establish a royalty account for each property for which it anticipates receiving royalties or other income. All expenses and income relating to that item shall be recorded therein. Income to each royalty account shall be distributed as follows:

   A. The direct expenses of the University allocable to preparing and prosecuting the Patent application of the Invention or Copyright registration of the work covered by the account shall be charged to the account before making any distributions of income. Direct expenses shall not include University salaries or other overhead associated with the administration of this policy.

   B. After the direct expenses [as referred to in paragraph (a) above] are paid, any remaining balance shall be distributed as follows: (i) 50% to the Inventor, Author or artist, (ii) 50% to the University, unless other percentages were agreed upon in a Special Contractual Arrangement involving Substantial Use of University Facilities.

   C. In the event the University receives equity in an enterprise as a result of a transfer of rights under an Invention or Copyright, the amount, if any, to share with the Inventor(s) or Author(s) shall be the same percentages as noted in subsection B above unless other percentages were agreed upon in a Special Contractual Arrangement.

3. Payment of Royalty. Payment of royalties to an Inventor or Author shall be on an annual basis on such date each year as is set forth by the Committee, unless the Committee makes special arrangements otherwise.

4. Subsequent Expenses. Any expenses of the University arising subsequent to the preparation and prosecution of a Patent application or Copyright registration, including but not limited to, a) marketing and licensing of an Invention, and b) enforcement of the rights in and to the Invention or work, shall be charged to the account before any further royalties, become due and owing to the Inventor or Author.

CONFLICT OF INTEREST

In order to avoid conflicts of interest relating to any Patent and/or Copyright made with Substantial Use of University Facilities, each member of the University shall (a) disclose to the Committee any equity, consultancy or management relationship which such member has or is considering with any entity then being considered by the University as a potential licensee of such Invention, and (b) refrain from any involvement in the University's evaluation and/or negotiation of the license with that entity or any competitor of that entity. In the event the member elects to participate in management of the entity, the member shall report quarterly to the Committee the proportion of time being devoted to the entity in a manner decided by the Committee.

DISPUTE RESOLUTION

Any question of interpretation or claim arising out of, or relating to, this policy, or dispute as to ownership rights of property affected by this policy, shall be settled as follows:

   A. The matter first shall be submitted to the Committee in written form setting forth the question, claim, or dispute to be resolved. The Committee shall review the matter and take such other steps as may be required to formulate a response, after which the Committee shall advise the parties as to the determination. The Committee shall endeavor to respond as quickly as possible and within 30 days of submittal of the written request.

   B. If any party is dissatisfied with the Committee's decision, the party may appeal in writing to the President, who will respond to the appeal within 30 days of submittal of the written request.

C. If any party is dissatisfied with the President's decision, the party may appeal to an ad hoc committee of the Board of Trustees, which will be convened for purposes of conducting a review of the appeal and rendering a final decision.

D. Final authority for administration of this policy lies with the Board of Trustees of the University.

BOARD OF TRUSTEE APPROVAL

All changes in this policy are subject to review and approval by the Board of Trustees.

Appendix E – Statement on Sponsored Projects for Research, Scholarly Work, and Public Service

Introduction

Southwestern University encourages individuals who seek grant funding in support of their academic work on campus or in any other way to benefit the University. To facilitate this process, the Development Office will coordinate all grant processes. Consultation is available to applicants on the technical aspects of grant application procedures through the Development Office. Assistance in planning appropriate visits to foundations and agencies, when indicated, is also available.

The following procedures are intended to promote efficiency in seeking, coordinating, and monitoring grants on behalf of the University and to ensure timely grant reporting.

These procedures do not apply to requests by faculty or other individuals who seek external funding to support their personal, sabbatical, or private activities unless funding received is managed through the University's Business Office. The Development Office will assist faculty in these personal efforts by providing reference materials on external grant opportunities and, when requested, by reviewing and/or editing their applications for such support.

The conduct of sponsored activities at Southwestern University will be guided at all times by the following primary and basic objectives:

> the advancement, dissemination, and preservation of knowledge through teaching, research, and scholarship at the undergraduate level, and
>
> the protection and advancement of the interest and welfare of the University.

Sponsored activities include all organized programs supported by funds obtained from 1) grants awarded for specific projects, 2) institutional grants (obtained from outside sources but allocated internally at University discretion), and 3) project contracts from sponsoring agencies.

Procedures for Submitting Grant Proposals

All proposals or plans to pursue grants or awards must be circulated at the concept stage to the appropriate Department Chair or Supervisor. The *Grant Proposal Clearance* form serves as cover sheet and remains with each successive draft.

As stated on the cover sheet, the faculty member assures that:

1. The proposal is consistent with the overall academic objectives of the University.
2. Adequate facilities and space will be available for the successful conduct of the proposed research or program. The designated and negotiated share of the time and those members of the faculty, technical personnel, student assistants, and staff who have committed to perform the research will be made available.
3. The technical capacity of the project personnel to perform the proposed effort effectively and to meet the sponsor's requirements is available.
4. The project does not divert University resources from the attainment of the academic goals of the University.
5. The budget for the proposed project will adequately support the work proposed, including allowances for contingencies and compensation. Any University contribution should be specifically provided for and approved whether in the form of direct or indirect expenses.
6. The project conforms with the University's standards of academic freedom, including the right to publish results of the investigation.

From time to time, grantors specify policies or procedures that conflict with University policy (for instance, requirements specifying salary ranges, or required liability coverage for off-campus activities). In cases of incompatibility between the policies of the University and the outside supporting agency, University policy has priority. Exceptions must be approved by the appropriate academic and administrative authorities of the University.

The Department Chair or Supervisor signifies approval of the preliminary draft by signing the cover sheet and forwarding it to the appropriate member of the President's Senior Staff (usually the Provost). If the draft is not approved, it is to be returned to the Project Director (also known as the Principal Investigator) for further development.

A Project Director whose Department Chair or Supervisor rejects a concept has right of appeal to the appropriate member of the President's Senior Staff. In this event, the original proposal and a cover letter appealing the decision is forwarded to the member of the President's Senior Staff by the Project Director. Approval or rejection of the concept is at the discretion of the member of the President's Senior Staff.

Internal Review Timetable

The Development Office determines that all requirements of the sponsoring agency (grantor) and the University (including necessary administrative clearance and signatures) are satisfied before formal application is made. Proposal writers would be well advised to check with their Department Chair and the Provost at least two weeks prior to the proposal deadline, to be sure that these key people will be available to sign the requisite forms.

1. Generally speaking, allow at least two days for the chair and three working days for the Provost to read, request any revisions, and approve the proposed narrative and budget.

2. Allow at least three working days for the Vice President for Fiscal Affairs and the Associate Vice President for Finance, in cooperation with the Provost's Office, to review the budget and check for compliance with institutional and sponsor's regulations.

3. The proposal budget quite often goes through a series of revisions, some prompted by the proposal writer(s) and others at the suggestion of the Provost or Vice President for Fiscal Affairs. If the scope of the project and/or the budget is revised after the initial draft has been approved, the final draft will need to be resubmitted for approval to each of the administrative officers who signed the initial draft. The Development Office is available for assistance in these matters.

4. The Development Office will provide word processing service for the preparation of the final grant application, if needed.

5. In most cases, grant proposals are submitted to the sponsoring agency/funding organization by the Development Office. Copies of proposals are provided by the Development Office to the Provost and to the Vice President for Fiscal Affairs. The Development Office packages and delivers the requisite number of copies to the intended grantor.

6. When a proposal is submitted, the Development Office notifies the President's Senior Staff about the intent of the proposal and the review schedule of the grantor. These individuals can then more accurately
respond to inquiries or conversations about the proposal.

7. If a grant request is denied or held by the funding organization for later review, a copy of the correspondence relating this information is held in the files of the Development Office and also by the intended grant recipient. All University officials notified of the proposal submission are informed by the Development Office about important changes in the status of the proposal.

Management Procedures for a Grant-Funded Account

The Development Office is responsible for circulating any notice received of any proposal funded or refused. From time to time, the President, the Provost, the Department Chair, or the Project Director will receive the initial funding notice. This information should be reported immediately to the Development Office. Information about the receipt of a grant or award remains confidential until the University has officially accepted funding.

1. If the grant request is approved, a copy of the notification is forwarded to the Development Office. The Development Office will consult with the appropriate officers of the University to determine who will serve as the Grant Manager(s). In most cases, the Grant Manager is the intended grant

recipient. One or more officers of the University may also be asked to supervise the grant. Individuals previously notified about the submission of the proposal are similarly notified of the forthcoming grant and the identity of the Grant Manager(s).

2. The Development Office asks the Comptroller to assign an account number to the grant and indicates which Grant Manager(s) can approve expenditures from this grant account. All pertinent information regarding intent of the grant, matching funds necessary for receipt of the grant, effective dates of the grant, and required financial reports due to the Grantor are forwarded to the Comptroller to ensure efficient financial management of the grant account.

3. In the event that a grant award obligates the University to raise matching funds in order to realize the grant, University policy requires that the requisite fund raising be pursued, and the minimum necessary matching funds deposited to the grant account, prior to authorization of any expenditures from the account. The fund raising schedule necessary for securing matching funds will be determined by the Development Office, in cooperation with the Grant Manager(s). Should the fund raising effort not succeed within the specified schedule, the original project funds will be returned by the University to the grantor.

4. The Grant Manager(s) authorized to expend funds from the grant account use this grant account number on purchase requisition forms or any other appropriate University forms to assure that proper debits and credits are processed by the Business Office when bills are paid.

5. The primary Grant Manager maintains a file in his or her department office, which contains all information, including the original proposal and grantor's reporting guidelines. A cover sheet supplied by the Development Office indicates reporting deadlines. The file should also contain copies of all purchase orders, invoices, staff advance payment or reimbursement forms, and/or other materials relating to expenditures from the grant account.

6. Careful coordination between the Grant Manager and the Comptroller should also assure proper expenditures relative to salary and benefits paid out of University accounts, part or all of which can justifiably be transferred from the operating budget to the grant account. These salary and benefit expenses may vary from year to year, but each should be clearly defined in the proposal and the proposal budget approved by the Grantor.

7. The Development Office will notify the Comptroller and Grant Manager(s) regarding receipt of required "matching funds" applicable to a designated grant account. The "combined" amount will assure an accurate total in the grant account.

8. In determining salaries paid to faculty from grants and contracts during the summer and/or academic year, the University will rely on the guidelines of the granting agency to determine the appropriate salary. In the development of grant proposals, faculty may use their current salary and the salaries paid for summer teaching as benchmarks for salary requests.

Grant Reporting Procedures

1. The Development Office maintains a master file containing pertinent information on all grants and required reporting dates. Although the Grant Manager(s) and Comptroller should follow through independently, the Development Office will provide notice of upcoming reporting deadlines.

2. The Grant Manager is responsible for developing appropriate narrative information to be used for interim and/or final reports, and the Comptroller is responsible for preparing financial information for reports as required by the Grantor's guidelines. Submission of the interim and final reports should be coordinated with the Development Office.

3. The Development Office assists Grant Managers and the Comptroller with reporting processes to the extent that they need assistance.

4. When the Grant Manager, the Comptroller, the Development Office, and/or other applicable employee resigns, retires, goes on sabbatical, or is out of his or her office for an extended period of time, all necessary steps should be taken to assure the orderly transition of grant requests, management,

coordination, and reporting responsibilities. Appropriate individuals should be informed about personnel changes that affect grant accounts.

Summary

These procedures are designed to coordinate efficiently and effectively grant-seeking and grant-managing processes. Proposed revisions should be submitted to the Faculty Affairs Council.

APPROVED: April 26, 1994

For more information about applying for grants, go to www.southwestern.edu/grant-process.

See *Proposal Cover Sheet* in Appendix G.

Appendix F – Southwestern University Policies

Equal Employment Opportunity

Southwestern University is committed to the principle of equal opportunity for all persons without regard to sex, race, color, religion, age, disability, national or ethic origin, or any other impermissible factor. Southwestern University's commitment to equal opportunity includes nondiscrimination on the basis of sexual orientation. It is also committed to taking affirmative steps to see that such opportunities are made available for personnel in employment, promotion, transfer, recruitment, rates of pay and other forms of compensation, and selection for training.

If an employee has any questions and concerns about any type of discrimination in the workplace, he/she is strongly encouraged to bring these issues to the attention of your immediate supervisor or to the Associate Vice President for Human Resources. No unlawful retaliation will be made against any employee for raising truthful and good faith concerns or reports concerning equal employment opportunity at Southwestern University.

Policy Statement on Harassment

Two fundamental commitments of Southwestern University are to treat employees with respect and dignity and provide an environment free of intimidation and harassment. All employees have a right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive or disruptive. Consistent with Southwestern Univrsity's respect for the rights and dignity of each employee, harassment based on sex, race color, religion, age, disability, national or ethnic origin, sexual orientation, or any other characteristic protected by law, will not be sanctioned or tolerated.

Sexual Harassment

Sexual harassment in any manner or form, including sexual harassment based on sexual orientation, is expressly prohibited. It is the policy of Southwestern University (the University) to maintain both an academic and a working environment free from all forms of sexual harassment of any employee or applicant for employment, student, donor, or volunteer. Two reasons for this policy are to reaffirm the University's commitment of respect for the person and to enhance the University community's level of consciousness regarding gender issues. Sexual harassment violates both University policy and Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991 and the Texas Commission on Human Rights Act. All reported or suspected occurrences of sexual harassment will be promptly and thoroughly investigated in confidence. Where sexual harassment has occurred, the University will take appropriate and timely disciplinary action.

U.S. Employment Authorization

The University is committed to employing only United States citizens and aliens authorized to work in the United States and does not discriminate on the basis of citizenship and national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Form I-9 and present documentation establishing identity and employment eligibility within the first three days of employment. Former employees who are re-hired must also complete the form if they have not completed an I-9 with the University within the past three years, or if their previous I-9 is no longer retained or valid.

No Solicitation

In an effort to assure a productive and harmonious work environment, persons employed and not employed by the University (except students) may not directly solicit or distribute literature in the workplace, including parking lots, at any time, for any purpose. The only exception to this policy is when the University sanctions the participation of certain charitable organizations' events/drives.

Inclement Weather and Other Emergency Events

Southwestern University is committed to a year-round operating schedule in pursuit of its mission as an undergraduate residential institution of higher education. The University intends to remain open and adhere to full operations, including normal class schedules, insofar as it is possible. Southwestern faculty and staff are expected to come to work unless otherwise notified by telephone contact from a supervisor or by an announcement on the Southwestern University web site or one of the radio and television stations listed below. Southwestern University, however, does not advise members of the University community to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each person must judge for themselves if it is safe to travel from their particular location, or if it makes more sense to simply take time off.

RADIO	TELEVISION (TV)
KASE-FM 100.7	KTBC Austin Channel 7 (Cable-Channel 2)
KLBJ-AM 590	KVUE Austin Channel 24 (Cable-Channel 3)
KUT-FM 90.5	KXAN Austin Channel 36 (Cable-Channel 4)
KVET-AM 1300/FM 98.1	KEYE Austin Channel 42 (Cable-Channel 5)
	News8 Austin Channel 8

Radio and television announcements normally will air before 8:00 a.m., but the news could be delayed due to individual Radio/TV station broadcast priorities.

Information posted on Southwestern's web site should be available before any other information outlet except when the Emergency Notification System is used for significant emergencies. If the SU Home Page is not functional, the emergency Web site http://emergency.southwestern.edu/ is your source of information.

Southwestern's official social media channels also can be a good source of information in the event of inclement weather or other emergencies. Follow Southwestern on Facebook (https://www.facebook.com/SouthwesternUniversity) or on Twitter (@SU_News or @SouthwesternU).

Emergency Notification System. The Emergency Notification System (ENS) will only be used in cases of a "significant emergency or dangerous situation". However, if other communication channels are unavailable or an urgent situation exists, the ENS may be activated. Your first source of information for inclement weather notices remains the University Web site http://www.southwestern.edu/ and the above radio and television stations.

Keep your ENS information current at all times via the Web Advisor tab in the University portal system, https://my.southwestern.edu/.

Sustained Power Outages. In the event the University loses public utility services for a sustained period of time, the University may need to implement emergency management procedures. The telephone system on campus will operate on generator power for an extended period after the loss of power. During this period, relevant information can be relayed, via phone, to faculty and staff about class schedules, building operations, and staffing assignments on campus. If power is lost for a sustained period, all supervisors (students, faculty, and staff) should appoint another person to be "in charge" and assume responsibility for that area. The supervisors should then assemble in the A. Frank Smith, Jr. Library Center, in the space now called "The Sandbox", for emergency management assignments and coordination. The Sandbox is the room adjacent to the Campus Operator switchboard which is now accessible from the main library entrance through Periodicals. If the telephone system is not operating, Physical Plant staff and the Campus Police will be assigned to walk the campus and notify building occupants of the need for supervisors to assemble at the Smith Library Center Sandbox.

Inclement Weather. Should inclement weather or the threat of such weather necessitate the closing of the University, an announcement of the early closing will be disseminated from each staff officer and supervisor to faculty and his/her staff members.

The responsibility for making the decision to close the University during inclement weather rests with the Provost and Dean of the Faculty, Vice President for Student Life, and the Vice President for Fiscal Affairs, in consultation with the President and Chief of Police.

If inclement weather occurs and the University remains open, employees who miss work or who leave work early because of inclement weather must use vacation leave or, if vacation leave is not available, leave without pay, for the work time missed. In these cases, the employee must secure prior permission from his/her supervisor to be absent or to leave early from work.

When the University is in session and students are on campus during inclement weather, provision should be made to keep essential services open and available to students. Physical Plant should sustain sufficient staffing to maintain residence halls and keep necessary campus buildings operational. In addition, the University Dining Services, the Bookstore, the Post Office, the Red & Charline McCombs Campus Center, the A. Frank Smith, Jr. Library Center, Computer Labs, and the Corbin J. Robertson Center should remain open. Supervisors of these buildings are responsible for preparing/organizing a plan to provide sufficient staffing to keep these facilities open and available to students.

When Southwestern is not in session and the University has announced a closing because of inclement weather, **certain key personnel must still report to work**. Supervisors will identify key personnel who must report to work in all conditions.

Inclement weather and other emergency information may also be posted at the following number: 1 (800) 992-9751. "Announcements only" will be posted at this number.

The Campus Operator is a vital resource for coordinating campus closings and emergency situations. Because of the need to deal with priority events, members of the campus community should rely on the SU Web site, the radio and television stations, and the 800 number rather than calling the Campus Operator. Contact your supervisor before calling the Campus Operator.

Always check the Web site(s) before you attempt to call the campus operator for information.

In the event that the University is threatened with severe thunderstorms and/or tornadoes, the Chief of Police, or her designee(s), has full authority to order all faculty, staff, and students to take shelter in designated locations on campus. To ensure the safety for all members of the community, faculty, staff, and students shall adhere to the order(s) of the Chief of Police, or her designee(s), until the threat of severe weather has subsided.

Updated August 19, 2013

Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using University property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines. University property shall be used for official University business only. Any exception to this policy must be pre-approved by the Vice President for Fiscal Affairs.

Employees are required to notify their supervisor if any equipment, machines, tools or vehicles appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. An employee's supervisor can answer any questions about their responsibility for maintenance and care of equipment or vehicles used on the job. The improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

University vehicles shall be used for official University business only and shall be operated within the limits of traffic law and safety regulations. Each employee who drives a University vehicle must successfully complete the

University's Vehicle Safety Program, and possess a valid state driver's license or chauffeur's license, as appropriate. Use of any vehicle for University business requires the checking of Department of Motor Vehicle (DMV) records to determine the user's driving record. This is an activity conducted by the University's Safety Officer in cooperation with the University's Police department.

An employee (or vehicle operator) will be personally responsible for any fines incurred as a result of driving or parking violations while operating a University vehicle (or personally-owned vehicle).

Safety

Southwestern University is committed to providing a recognized safe and healthy campus workplace. Faculty, staff, students, and contractors should practice the highest degree of concern for health and safety issues.

It is the University's policy to promote and support the health and safety program in order to prevent occupational injury, illness and financial loss to the institution. Health and safety related concerns from the campus community are considered important. If an employee has a question about a safety program, contact the Safety Officer.

It is important to review the safety policies and participate in all applicable safety programs including, but not limited to:

- Emergency Response Plan
- Fire Safety Policy
- Accident Prevention Program
- Youth Interaction Policy
- Specific Safety Programs
- Hazard Communication Program - Formal classroom training required (contact Safety Officer)
- Vehicle Safety Program - Formal classroom training required (contact Safety Officer)
- Personal Protective Equipment - Formal classroom training required (contact Safety Officer)
- Hazard Assessment Program - Formal classroom training required (contact Safety Officer)
- Bloodborne Pathogen Program - Formal classroom training required (contact Safety Officer)
- Hazardous Waste Program - Formal classroom training required (contact Safety Officer)
- Child Sitting Policy
- Golf Cart Safety Policy

Safety Policies are available for review at www.southwestern.edu/safety.

Campus Police Department

Southwestern University seeks to maintain a safe and secure environment in which to work and study. The Southwestern University Police Department (SUPD) strives to accomplish this goal through proactive and conventional law enforcement techniques. Any unsafe conditions observed should be reported immediately to the police.

The Department employs full-time officers who are recognized as peace officers under Article 2.12 of the Texas Code of Criminal Procedure and may make arrests for crimes defined in either state or local ordinances. SUPD officers are armed and in uniform, to be highly visible for the campus community and to act as a deterrent against crime. Each police officer receives continual in-service training. The Department also employs part-time officers on an as needed basis.

Southwestern University is concerned about personal safety on campus and employs security measures to provide protection to members of the community. The SUPD provides crime prevention information, public information, and safety information to the University community. Officers are available to present programs on topics such as substance abuse, sexual assault, crime prevention, hazing, workplace violence, and other safety related topics. Officers will present programs on any law enforcement topic with advance notice. The University Police Department has a close working relationship with the Georgetown Police Department and Williamson

County Sheriff's Office. As a result, the University is kept informed of criminal activities occurring off campus and Homeland Security notices.

The SUPD maintains patrol operations seven days a week, 24 hours a day. Calls for emergency police assistance have priority over general calls. Officers patrol University property and adjacent areas during all shifts. Officers actively enforce all state laws, including state traffic and DWI laws, as well as University rules and regulations.

Officers issue three types of citations for traffic offenses:

- Warning citations, which simply remind the driver to practice safe driving.
- University citations, which require an appearance at the Southwestern University Business Office to pay fine(s) levied for offense(s).
- State citations, which require an appearance in the Justice of the Peace Court.

Copies of parking and traffic regulations are available at the SUPD.

No Weapons Policy

Southwestern University believes it is important to establish a clear policy that specifically addresses weapons in the workplace and which is in accordance with the Penal Code of Texas, 46.03.

Southwestern University prohibits all persons who enter Southwestern University property from carrying a handgun, firearm or prohibited weapon of any kind onto the property regardless of whether the person is licensed to carry a weapon or not.

This policy applies to all Southwestern University faculty, staff, students, contract and temporary employees, visitors, customers, contractors, regardless of whether or not they are licensed to carry a concealed weapon. The only exceptions to this policy are campus police officers and state or federal peace officers who are allowed to carry weapons under authority of their status as a peace officer and who may be on campus for a variety of reasons.

Prohibited weapons include any form of weapon or explosive restricted under local, state or federal regulations. This includes all firearms, illegal knives, BB and pellet guns, martial arts weapons, hunting bows and arrows, fireworks, ammunition, and any other device that may be used as a firearm or other weapons covered by the law.
Failure to abide by all the terms and conditions of this policy may result in disciplinary action up to and including termination. Further, carrying a weapon onto Southwestern University property in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from Southwestern University property, and may result in prosecution.
Texas law states that it is a third degree felony, punishable by a fine of up to $10,000 and imprisonment from 2-10 years, if a person is found in violation of Southwestern University's No Weapons Policy. Southwestern University will strictly enforce both the law and the University's No Weapons Policy.

If you are aware of anyone violating this policy, please report it to the Human Resources department or to Campus Police immediately.

Hiring of Relatives

The employment of relatives in the same area of an organization may cause serious conflicts and problems with employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried into day-to-day working relationships. For the purpose of this policy, relatives are defined to include spouses, parents, children, grandparents, brothers, sisters, brothers and sisters-in-law, fathers and mothers-in-law, stepparents, stepbrothers, stepsisters and stepchildren. This policy also may apply to individuals who are not legally related but who reside with another employee. These descriptions are not exclusive of the many relationships that may create actual or perceived conflicts.

Relatives of persons currently employed by the University may be hired only if they will not be working directly for or supervising a relative or will not normally occupy a position in the same line of authority within the

organization. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. You may not be transferred into such a reporting relationship.

Internet Code of Conduct

Access to the Internet has been provided to staff members for the benefit of the University and its customers. It allows employees to connect to information resources around the world. Every employee has a responsibility to maintain and enhance the University's public image, and to use the Internet in a productive manner. To ensure that all employees are responsible, productive Internet users and are protecting the University's public image, the following guidelines have been established for using the Internet.

Acceptable Uses of the Internet
Employees accessing the Internet are representing the University. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Internet Relay Chat channels may be used to conduct official company business, or to gain technical or analytical advice. Databases may be accessed for information as needed. E-mail may be used for business contacts.

Unacceptable Use of the Internet
University provided access to the Internet should not be used for personal gain, or advancement of individual views. Solicitation of non-University business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the University's network or the networks of other users. It must not interfere with your productivity.

Communications
Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have your name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language is transmitted through the system. Employees who wish to express personal opinions on the Internet are encouraged to obtain their own usernames on other Internet systems.

Security
All messages created, sent or retrieved over the Internet are the property of the University and should be considered public information. The University reserves the right to access and monitor messages and files on the computer system as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

Harassment
Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual or group's race, religion, national origin, physical attributes or sexual preference will be transmitted.

Violations
Violations of these guidelines may result in disciplinary action up to and including termination. If necessary, the University will advise appropriate legal officials of any illegal violations.

Drug-Free Workplace Policy

The Federal Drug-Free Workplace Act of 1988 requires institutions that receive federally funded grants, including student aid, to undertake certain actions and adopt various procedures relating to the misuse of controlled substances in the workplace. Any tolerance of the unlawful use of drugs by students, faculty, or staff is inconsistent with the University's mission. As required by the statute, the University has adopted the policy printed below:

Southwestern University realizes its commitment to provide a healthy environment to its employees in which informed decisions are made and responsible behavior maintained. For this reason, Southwestern University prohibits the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, alcohol or inhalants by its employees at any time on the University's premises or when conducting any and all University business. Disciplinary action will be taken against any employee for violation of this policy. Any disciplinary action will depend on the circumstances, but could include termination of employment or could consist of requiring the employee to successfully complete a drug abuse assistance or rehabilitation program. As required by the law, each employee must, as a condition of employment, abide by the terms of this statement, and any employee who is convicted under criminal law of substance abuse while on University property or while performing duties for the University must notify the Human Resources department within five calendar days of such conviction.

In order that there be no misunderstanding of the policy, the following definitions are provided in accordance with the Federal Register:

"Controlled substance" means a controlled substance indicated in schedules I through V of the Federal Controlled Substance Act (21 U.S.C. 812), and as further defined by regulation 21 CFR 1308.11 through 1308.15. Marijuana is a controlled substance, for example.

"Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

"Criminal drug statute" means a federal or state statute involving the manufacture, distribution, dispensing, possession or use of any controlled substance.

"Drug-free workplace" means a site for the performance of work by a University employee at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol.

LEGAL SANCTIONS UNDER FEDERAL LAW FOR THE UNLAWFUL POSSESSION OR DISTRIBUTION OF CONTROLLED SUBSTANCES

Federal Penalties and sanctions for illegal possession of a controlled substance:

21 U.S.C. 844(a)

First conviction: Up to 1 year imprisonment and fined at least $1000 but no more than $100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least $2,500 but not more than $250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to $250,000, or both, if:
(a) First conviction and the amount of crack possessed exceeds 5 grams.
(b) Second crack conviction and the amount of crack possessed exceeds 3 grams.
(c) Third or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853 (a) (2) and 881 (a) (7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment.

21 U.S.C. 881 (a) (4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 884a

Civil fine of up to $10,000.

21 U.S.C. 853a

Denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922 (g)

Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain federal licenses and benefits, e.g. pilot's licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

LEGAL SANCTIONS UNDER STATE LAW FOR THE UNLAWFUL POSSESSION OR DISTRIBUTION OF CONTROLLED SUBSTANCES

Provided is a list for the benefit of every employee the core legal sanctions imposed by the State. This list is not intended to be a complete list of offenses and penalties. Instead, it summarizes the severe penalties that flow from drug and alcohol abuse.

TEXAS LAW

OFFENSES	MINIMUM PUNISHMENT	MAXIMUM PUNISHMENT
Manufacture or delivery of controlled substances	Confinement in the Texas Department of Criminal Justice (TDCJ) for not more than 10 years or less than 2 years in a community correctional facility for not more than 1 year and a fine not to exceed $10,000, or both.	Confinement in the TDCJ for life or a term more than 99 years or not less than 20 years and a fine not to exceed $500,000.
Possession of controlled substances	Confinement in jail for a term of not more than 180 days, a fine not to exceed $1,000 or both.	Confinement in TDCJ for life or a term of not more than 99 years or less than 10 years, and a fine not to exceed $100,000.
Delivery of Marijuana	Confinement in jail for a term of not more than 180 days, a fine not to exceed $1,000, or both.	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed $250,000.
Possession of Marijuana	Confinement in jail for a term not to exceed 180 days, and a fine not to exceed $1,000.	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed $250,000.
Driving While Intoxicated (includes intoxication from alcohol, drugs, or both).	Confinement in jail for a term of not more than two years or less than 72 hours, and a fine of not more than $2,000 or less than $100.	Confinement in jail for a term of not more than 2 years or less than 30 days, or confinement in TDCJ for a term of not more than 5 years or less than 60 days, and a fine of not more than $2,000 or less than $500.
Public Intoxication		A fine not to exceed $200.
Purchase of alcohol by a minor. Consumption of alcohol of a minor Possession of alcohol by a minor	Fine of not less than $25 or more than $200.	For a subsequent offense, a fine of not less than $100 or more than $500.
Sale of alcohol to a minor	Fine of not less than $100 or more than $500 or confinement in jail for not more than 1 year, or both.	For a subsequent offense, a fine of not less than $500 or more than $1000 or confinement in jail for not more than 1 year, or both.
Possession of or delivery of drug paraphernalia	Fine not to exceed $200,000.	Confinement in jail for not more than 10 years or less than 2 years and a fine not to exceed $5,000.

HEALTH RISKS ASSOCIATED WITH THE USE OF CONTROLLED SUBSTANCES AND ALCOHOL

This Appendix contains a listing of controlled substances and the health risks associated with the substances covered by the Controlled Substance Act (21 U.S.C. 811).

While alcohol consumption is legal over the age of 21, it can be dangerous if abused. Alcohol consumption causes marked changes in behavior. Even low consumption can significantly impair judgment and coordination.

Low to moderate consumption of alcohol can also increase a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairments in higher mental functions, greatly altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucination, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

Drug and/or alcohol contribute to 65% of all suicides, 70% of all drowning deaths, 83% of all fire deaths, 50% of all motor vehicle accidents, 60% of all fatal automobile accidents, and 70% of all homicides.

ASSISTANCE PROGRAMS AVAILABLE TO EMPLOYEES:

The University is aware of its obligation to employees with regard to providing a drug and alcohol free work environment.

Drug counseling and treatment are available on an outpatient and in-patient basis under our medical insurance program subject to specific contractual provisions.

NOTIFICATION OF CONVICTIONS

Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off the University premises while conducting University business. A report of a conviction must be made within five (5) days after the conviction to their immediate supervisor. The supervisor will immediately inform the Associate Vice President for Human Resources. Within ten (10) days of learning of an employee's criminal conviction for illegal drug activity within the workplace, the Associate Vice President for Human Resources will notify the Federal government of such conviction. Within thirty (30) days of learning of an employee's criminal conviction for illegal drug activity within the workplace, the Associate Vice President for Human Resources will take appropriate action. (This requirement is mandated by the federally legislated Drug-Free Workplace Act of 1988).

BIENNIAL REVIEW OF THE PROGRAM

The University will conduct a biennial review of the program to: (1) determine its effectiveness and implement changes to the program, if needed, and (2) ensure that University disciplinary sanctions are consistently enforced.

CONCLUSION

A final word - by law, this workplace must be totally free of illegal use of drugs and alcohol. No one is allowed to use, make, sell, distribute or have with them any controlled substances while at work. If this law is violated, the entire institution is affected because of possible loss of funding, which may result in the loss of jobs.

If you are involved with drugs, use the help available. If you know other employees who are involved, encourage them to seek help.

DRUGS OF ABUSE/Uses and Effects

U.S. Department of Justice
Drug Enforcement Administration

				Dependence							
Drugs	**CSA Schedules**	**Trade or Other Names**	**Medical Uses**	**Physical**	**Psycho-logical**	**Tolerance**	**Dura-tion (Hours)**	**Usual Method**	**Possible Effects**	**Effects of Overdose**	**Withdrawal Syndrome**
Narcotics											
Heroin	Substance I	Diamorphine, Horse, Smack, Black tar, *Chiva, Negra (black tar)*	None in U.S., Analgesic, Antitussive	High	High	Yes	3-4	Injected, snorted, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine	Substance II	MS-Contin, Roxanol, Oramorph SR, MSIR	Analgesic	High	High	Yes	3-12	Oral, injected			
Hydrocodone	Substance II, Product III, V	Hydrocodone w/ Acetaminophen, Vicodin, Vicoprofen, Tussionex, Lortab	Analgesic, Antitussive	High	High	Yes	3-6	Oral			
Hydro-morphone	Substance II	Dilaudid	Analgesic	High	High	Yes	3-4	Oral, injected			
Oxycodone	Substance II	Roxicet, Oxycodone w/ Acetaminophen, OxyContin, Endocet, Percocet, Percodan	Analgesic	High	High	Yes	3-12	Oral			
Codeine	Substance II, Products III, V	Acetaminophen, Guaifenesin or Promethazine w/Codeine, Fiorinal, Fioricet or Tylenol w/Codeine	Analgesic, Antitussive	Moderate	Moderate	Yes	3-4	Oral, injected			
Other Narcotics	Substance II, III, IV	Fentanyl, Demerol, Methadone, Darvon, Stadol, Talwin, Paregoric, Buprenex	Analgesic, Antidiarrheal, Antitussive	High-Low	High-Low	Yes	Variable	Oral, injected, snorted, smoked			
Depressants											
gamma Hydroxybutyric Acid	Substance I, Product III	GHB, Liquid Ecstasy, Liquid X, Sodium Oxybate, Xyrem®	None in U.S., Anesthetic	Moderate	Moderate	Yes	3-6	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Benzodiazepines	Substance IV	Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol (Roofies, R-2), Klonopin	Antianxiety, Sedative, Anti-convulsant, Hypnotic, Muscle Relaxant	Moderate	Moderate	Yes	1-8	Oral, injected			
Other Depressants	Substance I, II, III, IV	Ambien, Sonata, Meprobamate, Chloral Hydrate, Barbiturates, Methaqualone (Quaalude)	Antianxiety, Sedative, Hypnotic	Moderate	Moderate	Yes	2-6	Oral			
Stimulants											
Cocaine	Substance II	Coke, Flake, Snow, Crack, *Coca, Blanca, Perico, Nieve*, Soda	Local anesthetic	Possible	High	Yes	1-2	Snorted, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of	Agitation, increased body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamine/ Meth-amphetamine	Substance II	Crank, Ice, Cristal, Krystal Meth, Speed, Adderall, Dexedrine, Desoxyn	Attention deficit/ hyperactivity disorder, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected, smoked			

Methylphenidate	Substance II	Ritalin (Illy's), Concerta, Focalin, Metadate	Attention deficit/ hyperactivity disorder	Possible	High	Yes	2-4	Oral, injected, snorted, smoked	appetite		
Other Stimulants	Substance III, IV	Adipex P, Ionamin, Prelu-2, Didrex, Provigil	Vaso-constriction	Possible	Moderate	Yes	2-4	Oral			
Hallucinogens											
MDMA and Analogs	Substance I	(Ecstasy, XTC, Adam), MDA (Love Drug), MDEA (Eve), MBDB	None	None	Moderate	Yes	4-6	Oral, snorted, smoked	Heightened senses, teeth grinding and dehydration	Increased body temperature, electrolyte imbalance, cardiac arrest	Muscle aches, drowsiness, depression, acne
LSD	Substance I	Acid, Microdot, Sunshine, Boomers	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, altered perception of time and distance	(LSD) Longer, more intense "trip" episodes	None
Phencyclidine and Analogs	Substance I, II, III	PCP, Angel Dust, Hog, Loveboat, Ketamine (Special K), PCE, PCPy, TCP	Anesthetic (Ketamine)	Possible	High	Yes	1-12	Smoked, oral, injected, snorted		Unable to direct movement, feel pain, or remember	Drug seeking behavior *Not regulated
Other Hallucinogens	Substance I	Psilocybe mushrooms, Mescaline, Peyote Cactus, Ayahausca, DMT, Dextro-methorphan* (DXM)	None	None	None	Possible	4-8	Oral			
Cannabis											
Marijuana	Substance I	Pot, Grass, Sinsemilla, Blunts, *Mota*, *Yerba*, *Grifa*	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disorientation	Fatigue, paranoia, possible psychosis	Occasional reports of insomnia, hyperactivity, decreased appetite
Tetrahydro-cannabinol	Substance I, Product III	THC, Marinol	Antinauseant, Appetite stimulant	Yes	Moderate	Yes	2-4	Smoked, oral			
Hashish and Hashish Oil	Substance I	Hash, Hash oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
Anabolic Steroids											
Testosterone	Substance III	Depo Testosterone, Sustanon, Sten, Cypt	Hypogonadism	Unknown	Unknown	Unknown	14-28 days	Injected	Virilization, edema, testicular atrophy, gyneco-mastia, acne, aggressive behavior	Unknown	Possible depression
Other Anabolic Steroids	Substance III	Parabolan, Winstrol, Equipose, Anadrol, Dianabol, Primabolin-Depo, D-Ball	Anemia, Breast cancer	Unknown	Yes	Unknown	Variable	Oral, injected			
Inhalants											
Amyl and Butyl Nitrite		Pearls, Poppers, Rush, Locker Room	Angina (Amyl)	Unknown	Unknown	No	1	Inhaled	Flushing, hypotension, headache	Methemo-globinemia	Agitation
Nitrous Oxide		Laughing gas, balloons, Whippets	Anesthetic	Unknown	Low	No	0.5	Inhaled	Impaired memory, slurred speech, drunken behavior,	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion,
Other Inhalants		Adhesives, spray paint, hair spray, dry cleaning fluid, spot remover, lighter fluid	None	Unknown	High	No	0.5-2	Inhaled			

DRUGS OF ABUSE/Uses and Effects

U.S. Department of Justice
Drug Enforcement Administration

Alcohol		Beer, wine, liquor	None	High	High	Yes	1-3	Oral	slow onset vitamin deficiency, organ damage		hallucinations, convulsions

Memorandum of Understanding between the
Texas Department of Public Safety and the
Texas Higher Education Coordinating Board

Pursuant to Texas Health and Safety Code, Section 481.0621 (b), the Texas Department of Public Safety (DPS) and the Texas Higher Education Coordinating Board (THECB) enter into this memorandum of understanding in order to establish the responsibilities of the DPS, the THECB, and the public or private institutions of higher education for implementing and maintaining a program for reporting information concerning controlled substances, controlled substance analogues, chemical precursors, and chemical laboratory apparatus used in education or research activities of institutions of higher education.

1 - DEFINITIONS

(a) Agent – any peace officer or other person who is authorized by law to enforce or administer state or federal drug laws.

(b) Central Location – location within an institution of higher education where records are maintained.

(c) 21 CFR, Part 1301 – 21 Code of Federal Regulations, Part 1301 to End, providing for the Registration of Manufacturers, Distributors, and Dispensers of Controlled Substances and any amendments to these regulations hereafter adopted.

(d) Client – any person or entity to which DPS has issued a permit authorizing the purchase, sale, transfer or furnishing of a controlled item.

(e) Controlled Glassware – condensers; distilling apparatus; vacuum dryers; single, two-and three-necked flasks; distilling flasks; Florence flasks; filter funnels; Buchner funnels; separatory funnels; Erlenmeyer flasks; round-bottom flasks; thermometer flasks; filtering flasks; Soxhlet extractors; and adapter tubes made of glass.

(f) Controlled Item – precursor chemicals and laboratory apparatus listed in Texas Health and Safety Code Section 481.002 (51) and 481.002 (53) and as named by rule by the Director of the Department of Public Safety pursuant to the Texas Health and Safety Code Section 481.077(b) and 481.080(c).
The table below lists the controlled items as of September 1, 2005.

Precursor Chemicals	**Laboratory Apparatus**
1. Methylamine	**A. Condensers**
2. Ethylamine	**B. Distilling apparatus**
3. D-lysergic acid	**C. Vacuum dryers**
4. Ergotamine tartrate	**D. Three-necked flasks**
5. Diethyl malonate	**E. Distilling flasks**
6. Malonic acid	**F. Tableting machines**
7. Ethyl malonate	**G. Encapsulating machines**
8. Barbituric acid	**H. Filter funnels, buchner funnels, and separatory funnels**
9. Piperidine	

10. N-acetylanthranilic acid 11. Pyrrolidine 12. Phenylacetic acid 13. Anthranilic acid 14. Hypophosphorus acid 15. Ephedrine 16. Pseudoephedrine 17. Norpseudoephedrine 18. Phenylpropanolamine **19. Red phosphorus**	**I. Erlenmyer flasks, two-necked flasks, single neck flasks, round-bottom flasks, Florence flasks, thermometer flasks, and filtering flasks** **J. Soxhlet extractors** **K. Transformers** **L. Flask heaters** **M. Heating mantles** **N. Adapter tubes**

(g) Controlled Substance – a substance, including a drug, an adulterant and a dilutant as defined by the Health and Safety Code, Chapter 481, the Texas Controlled Substances Act.

(h) Controlled Substance Analogue – (1) a substance with a chemical structure substantially similar to the chemical structure of a controlled substance in Schedule I or II or Penalty Group 1, 1-A, or 2 of the Texas Health and Safety Code, Chapter 481, Texas Controlled Substances Act; and (2) a substance specifically designed to produce an effect substantially similar to, or greater than, the effect of a controlled substance in Schedule I or II or Penalty Group 1, 1-A, or 2 of the Texas Health and Safety Code, Chapter 481, Texas Controlled Substances Act.

(i) DPS – Department of Public Safety Narcotics Service Regulatory Program that is charged with the regulation of controlled substances and items listed in this MOU.

(j) Institution of Higher Education or Institution – this term includes an institution of higher education, as defined in Texas Education Code, Section 61.003(8), a private or independent institution of higher education, as defined in Texas Education Code, Section 61.003(15), and a private postsecondary educational institution, as defined in Texas Education Code, Section 61.302(2).

(k) MOU – memorandum of understanding as required by the Texas Health and Safety Code, Section 481.0621(b).

(l) Nar-22 – form prepared and issued by DPS Narcotics Service to clients to report sale, transfer, or furnishing of a controlled substance or item.

(m) Site – a specific location at an institution where controlled items are utilized and/or stored.

(n) THECB – Texas Higher Education Coordinating Board.

(o) Unacceptable Discrepancy – any difference in the amount on hand and the amount documented that cannot reasonably be explained by accidental or normal loss.

2 - <u>PROCEDURES</u>

Institutions of higher education in Texas shall adopt procedures in compliance with this MOU. When requested, the DPS shall provide technical advice to the institution or site, and educational materials or presentations if funds and personnel are available.

3 - <u>RECORDS AND REPORTS</u>

a. The site shall maintain all purchase order records, in accordance with the minimum retention requirements established by the Texas State Library and Archives Commission, of the incoming controlled substances, controlled substance analogues, precursor chemicals and laboratory apparatus (including controlled glassware) covered in this MOU that have been purchased or received by the site or central location.

b. An institution or site that discovers a readily unacceptable discrepancy, loss, pilferage or theft of a

controlled substance, controlled substance analogue, precursor chemical or laboratory apparatus (including controlled glassware) shall submit a written report of the incident to the appropriate law enforcement agency no later than 5 business days after the date of discovery of the discrepancy, loss, pilferage or theft. The institution shall forward the report to DPS within 5 additional business days after the report is submitted to the appropriate law enforcement agency.

c. Upon request, the DPS shall assist the law enforcement agency conducting an investigation regarding the pilferage or theft of the controlled substance, precursor chemical, or laboratory apparatus named in this MOU.

d. The DPS may request that an institution or site provide a duplicate of any record(s) covered by this MOU and the institution or site shall provide such record(s) within 10 business days of the request. The record(s) may be provided in electronic or hard copy form.

4 - SALE, TRANSFER OR FURNISHING OF CONTROLLED ITEMS

a. The institution or site shall prohibit the sale, furnishings, or transfer of controlled items, including glassware, covered by this MOU to any person or entity not holding a DPS permit, unless the recipient is specifically exempted by law or rule.

b. The institution shall report to the DPS on a Nar-22 form or any form mutually agreed upon by all parties, every sale, furnishing or transfer of a controlled item leaving the institution. The site shall submit these reports to the DPS within 30 days of the furnishing or transfer of the controlled items. This report shall include the name, address, telephone number, permit number (if applicable), driver license number, and date of birth of the client receiving the controlled items.

5 - CONTROLLED SUBSTANCES AND CONTROLLED SUBSTANCE ANALOGUES

a. The institution or site is responsible for complying with the established procedures as required in 21 CFR, Part 1301 to End and as required by any amendments to 21 CFR Part 1301.

b. Upon request, the DPS shall provide technical advice to the institution or site regarding the inventories required in 21 CFR, Part 1301 to End.

c. Upon request, the DPS shall assist the law enforcement agency conducting any investigation regarding any significant loss, pilferage or theft of the controlled substances or controlled items contained in this MOU.

6 - AUDITS AND INSPECTIONS

The institution or site shall permit any DPS agent to conduct audits and inspections of all records made in accordance with the MOU at any reasonable time and shall not interfere with the discharge of the agent's duties.

7 - SECURITY AND STORAGE

The institution or site shall ensure the security of the controlled items by cost-effective means that afford a reasonable sense of safety and accountability, such as electronic records keeping and physical security. In addition, the institution or site shall require that the controlled substances and precursor chemicals are stored in accordance with recommendations of the manufacturer, the Texas Commission on Environmental Quality and the Federal Environmental Protection Agency.

8 - CONTACT PERSON(S)

Each institution or site shall appoint one or more individuals, as needed, to be responsible for implementing the security measures established by the institution or site. The institution shall annually provide a list of these individuals to the DPS and shall ensure that these individuals serve as the contact between the institution and the DPS. The initial list of contact persons shall be provided within ninety (90) days after the effective date of this Memorandum of Understanding.

Military Leave

A. Policy

Southwestern University ("University") will allow excused absence for its employees to serve in that capacity, in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Public Law 103-353, the Texas Government Code, Section 431.005, and other state laws where applicable. Leaves of absence and reemployment rights are provided by the University based on these laws. To the extent that this policy may conflict with Federal statutes, the provisions of USERRA prevail.

B. Scope

This policy applies to all regular employees of the University. Employees in temporary positions are excluded from this policy.

C. Definitions

Armed Forces: USERRA provides protection to members of the Uniformed Services, including Active Military, Reserve, and National Guard, including the Texas National Guard and the Texas State Guard.

Temporary Positions: Positions which are brief or non-recurrent, and that cannot reasonably be expected to continue indefinitely or for a significant period. Generally these are positions of less than one (1) year in duration.

D. Procedure

An employee who is an officer or employee of the University and who is a member of the Uniformed Services is entitled to a leave-of-absence from the employee's duties during periods that the employee is engaged in training or duty ordered or authorized by proper authority.

An employee or appropriate officer of the branch in the military in which the employee will be serving must give the employee's supervisor or Department of Human Resources two (2) weeks' written notice in advance of military service unless military necessity prevents the giving of notice or notice is otherwise impossible or unreasonable.

With respect to Reservists and members of the National Guard, the employee's request must indicate which of the following options a) or b) listed below is selected for training periods:

a) Designating the military training period as all or part of their vacation. In this case, employees receive their normal vacation benefits.

b) Taking the employee's normal vacation at another time. In this case, the employee will be paid the difference between his or her normal weekly gross pay and the military pay received, assuming their University pay is greater, up to a maximum period of 15 days per federal fiscal year. To be eligible for this option, employees must have completed one full year of continuous service with the University. Military pay is construed as including base pay plus special compensations (flight pay, etc.), but excluding allowances for travel, subsistence, dependents, etc.

E. Reemployment

1. A University employee who is a member of the Uniformed Services and who is ordered to duty by proper authority is entitled, when relieved from duty, to be restored to the position that the employee held when ordered to duty.

2. Military Service of 1 to 30 days – The employee must report back to work by the beginning of the first regularly scheduled work day that would fall 8 hours after the employee returns home from the place of military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible.

3. Military service of 31 to 180 days - The employee must apply for restoration to employment at the University's Human Resources office not later than 14 days after military service is completed, or the next full

calendar day when application becomes possible. The employee must also provide adequate documentation showing eligibility to return to work.

4. Military service of more than 180 days - The employee must apply for restoration to employment at the University's Human Resources office not later than 90 days after the military service is completed. The employee must also provide adequate documentation showing eligibility to return to work.

5. The employee's separation from military service must be under honorable conditions.

6. The cumulative length of the absence and of all previous absences for Military Service cannot exceed 5 years with certain exceptions provided in USERRA. The two-week annual training sessions and monthly weekend drills mandated by statute for Reservists and National Guard members are exempt from the 5 year limitation.

7. The University is not required to re-employ an employee if its circumstances have changed so as to make such reemployment impossible or unreasonable such as, for example, a reduction-in-force.

8. The reporting or application deadlines will be extended up to two years for employees who are hospitalized or convalescing because of a service-connected illness or injury.

9. If it is impossible or unreasonable for the employee to report or re-apply for work within the applicable time frame, the reporting or application period will be extended if necessary to accommodate a circumstance beyond the employee's control.

10. The University will apply its rules governing unexcused absences in cases where an employee fails to report to work or to apply for reemployment rights within the required time limits.

F. Reemployment Position

An employee serving from 1 to 90 days will be re-employed in the position the employee would have held had the employee remained continuously employed, so long as the employee is qualified for the position or can become qualified after reasonable efforts by the supervisor to qualify the employee.

An employee serving 91 days or more will be reemployed in (i) the position the employee would have held had the employee been continuously employed, or (ii) a position of equivalent seniority, status, and pay, so long as the employee is qualified for the position or can become qualified after reasonable efforts to qualify the employee. If the employee is not, and cannot become, qualified under (i) or (ii), the employee may be re-employed in any other position of lesser status and pay that the employee is qualified to perform with full seniority.

The University may request that an employee, who was absent for a period of service of 31 days or more, provide reasonable documentation regarding the period of military service to show that the application for reemployment was timely, the employee has not exceeded the five-year limitation, and the employee's discharge from service was not dishonorable. If documentation is unavailable, the employer must re-employ the employee. If documentation becomes available that indicates that one or more the reemployment requirements was not met, the employee may then be terminated. Where an employee was absent for 91 days or more, the University may delay making retroactive pension contributions until the employee submits satisfactory documentation of military service.

G. Rights of Re-Employed Employees

Benefits will be continued during a military leave-of-absence according to applicable State and Federal regulations. Service members will be provided all rights and benefits not based on seniority to the extent that those rights and benefits are available to other employees on non-military leave, whether paid or unpaid. If there is a variation among different types of non-military leave, the most favored treatment will be accorded the service member.

If, prior to leaving for military service, an employee knowingly provides written notice of intent not to return to work at the University after military service, the employee waives entitlements to non-seniority leave-of-absence

rights and benefits. The employee must be made aware of the specifics and benefits to be lost, or any waiver will be ineffective

Notice of intent not to return to work can waive only non-seniority leave-of-absence rights and benefits. Service members cannot surrender other rights and benefits that an employee would be entitled to under law, particularly reemployment rights.

H. Health Benefits

Employees who have coverage under the University's health plan may elect to continue such coverage during a military leave.

In accordance with USERRA, those employees performing service of less than 31 days will pay no more than their current employee premium. Employees performing military service of 31 days or more will pay no more than 102% of the full employee premium. The maximum period of coverage for an employee and the employee's dependents is the lesser of: (i) 18 months from the day the absence begins; or (ii) the day after the date on which the employee fails to apply for or return to a position of employment within the timeframes specified in USERRA.

During any period of paid leave, the University will continue normal contributions towards the cost of benefits. When military service is unpaid, the employee will pay the cost of benefits. In addition, the employee will be eligible, upon return to work, to receive any general increases in pay, or any approved benefits that occur during their absence.

An employee who is performing military service may elect to make employee contributions or elective deferrals to the University's pension plan, to the extent allowed by law. The amount may not exceed the amount the employee would have been permitted or required to contribute had he or she remained continuously employed during the period of military service. The employee contribution to the University's pension plan may be paid either during the period of military service or upon reemployment.

I. Disability

The University will make reasonable efforts to accommodate an employee's disability so that the employee can be reemployed consistent with the requirements under the USERRA unless such accommodation will be of such difficulty or expense as to cause undue hardship.

J. Discharge

Southwestern University will take appropriate steps to ensure compliance with the reemployment rights extended to military personnel under the USERRA. Accordingly, employees who perform more than 180 days of military service before reemployment may only be discharged for cause for a period of one year from the date of reemployment. Employees who perform military service more than 30 days but less than 181 days before reemployment may only be discharged for cause for a period of 6 months after the date of reemployment. For purposes of this paragraph, a discharge is for "cause" if it satisfies two criteria of reasonableness: (i) it is reasonable to discharge the employee because of certain conduct; and (ii) the employee had fair notice, express or fairly implied, that such conduct would be grounds for discharge. Following the requisite 6 months or one year of reemployment, the Employee's continued employment with the University will be on an "at will" basis.

Appendix G - Operational Procedures

University Publications

Purchase orders requesting the use of University funds for the production of publications and advertisements must be approved in the Creative Services department within the Office of University Relations. The Creative Services department will not approve requisitions without thorough review of materials to be produced.

Communication Vehicles at Southwestern University

Various vehicles are used to communicate news and events at SU, including Campus Notices, In Focus, The Megaphone, Southwestern Magazine, News from SU for Parents, News from SU for Alumni, News from the Office of the Provost, and the Staff Affairs Council Newsletter. For more detailed information on each of these communication vehicles, please refer to the Newsroom page on our Web site at http://www.southwestern.edu/newsroom/.

Information Technology Allocation Policy

Information Technology (IT) resources are one of the types of resources that support the University's mission and objectives, particularly as stated in the Strategic Plan for 2010. Allocations for projects and functional units may vary from year to year as the strategic plan is implemented. Basic IT infrastructure and services are recognized as essential (non-discretionary) services. With the pervasive infusion of technology resources, using the National Institute for Technology and Liberal Education (NITLE), as just one example, technology resources and services are provided broadly and evenly in much the same way as office space, furniture, and utilities. There are no significant unmet needs across the University operations.

Requests for discretionary IT resources are made annually through Senior Staff. These requests are then reviewed by the Senior Director of Information Technology, the Information Technology Advisory Committee, the Provost, and the Vice President for Fiscal Affairs. Final funding decisions are made by the University's Budget Committee.

This policy will be reviewed annually and assessed to ensure its effectiveness.

Information Security Plan

Southwestern University complies with the Family Educational Rights and Privacy Act (FERPA) and the Federal Trade Commission (FTC) rules regarding safeguarding of employee and student information. The regulations under 16 CFR Part 314 (Code of Federal Regulations) stemming from the Gramm-Leach-Bliley Act (GLB Act) mandate the safeguarding of customer information including, but not limited to, names, addresses, phone numbers, bank and credit card account numbers, income and credit histories, and social security numbers. Southwestern University implemented an Information Security Plan in May of 2003 which ensures compliance with these regulations. The Associate Vice President for Finance is the designated employee who coordinates and executes this plan. The full Information Security Plan is available in the Business Office.

Emergency Preparedness

The University is committed to ensuring continued operations in the event of a significant and sustained interruption of academic or administrative functions. The Business Continuity Plan Task Force has developed a broad plan describing the University's disaster preparedness, emergency response and recovery, crisis communication, and other related matters. The Emergency Management Team is led by the Provost and Dean of the Faculty, the Vice President for Fiscal Affairs, and the Vice President for Student Life and includes members from all campus constituencies. These same three individuals also lead the Avian Flu Pandemic Planning Committee.

The University encourages each member of the campus community to not only be aware of the mechanisms which are in place to communicate information in the event of an emergency, but to develop their own family preparedness plan.

Ethics, Personal Conduct and Business Conduct Statement

It is Southwestern University's longstanding practice to expect and maintain the highest standard of business and ethical conduct. This Statement encompasses compliance with all laws, regulations, and University policies. It is also a University expectation for all its constituents as it relates to the many aspects of the respective academic and administrative work performed, as well as the University's operations, goals and principles. This Statement is intended to augment, generally summarize and emphasize the University's commitment to ensure such conduct consistent with this Statement. It is consistent with existing University policies, practices, and statements, including without limitation, those relating to: 1) respect for all individuals and property; 2) academic freedom; 3) maintaining a culture of trust, credibility and open communication; 4) avoiding conflicts or other activity that would impair or violate the University's high standards and goals; and, 5) protecting the University's uncompromising values. This Statement applies to evidence of a person being verbally, physically or sexually abusive to another person, including acts relating to sexual misconduct. This Statement is also intended to be used as a guide in all situations that may not currently be covered by an existing policy or for the implementation of additional future policies.

These policies and standards are, in part, enforced by our Whistleblower Policy and Confidential Hotline process and apply to all members of the Southwestern community. Any violation will result in the appropriate disciplinary action being taken. For more information, you may contact the Associate Vice President for Human Resources, the Provost and Dean of the Faculty, the Vice President for Fiscal Affairs, the Vice President for Student Life or the Dean of Students and Director of Residence Life.

Updated September 2012

Whistleblower Policy and Confidential Campus Hotline

Policy. Southwestern University requires all faculty, staff and students to observe the highest of business and ethical standards and to comply with all laws, regulations, policies and practices in the conduct of their duties and responsibilities. Guidance for this requirement is provided in the University's Ethics, Personal Conduct and Business Conduct Statement, the University's various policies and procedures, and Southwestern's longstanding commitment to honesty, integrity and excellence in everything we do.

Additionally, should a student, faculty or staff member suspect or have evidence of a person being verbally, physically or sexually abusive to another person, including acts relating to sexual misconduct, the Whistleblower Policy and Confidential Campus Hotline will apply in these circumstances.

It is the responsibility of all concerned to comply with these standards and to report violations or suspected violations. No person who in good faith reports a violation shall suffer harassment, retaliation or adverse employment or education-related consequences. Any member of the University community who retaliates against someone for reporting a violation in good faith will be subject to discipline, (up to and including termination for employees) as set forth herein and in the Faculty, Staff, and Student Handbooks. All reports are expected to be made in good faith with a reasonable expectation that a violation has occurred. However, reports which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidential Hotline. Violations or suspected violations may be reported on a confidential basis by the complainant or may be submitted anonymously. In an effort to provide a confidential method for any member of the University community to report suspected improprieties related to illegal, dishonest or unethical conduct and standards, including without limitation, those relating to financial, accounting, and auditing related issues, and those relating to sexual misconduct and abusive acts, the University has implemented the confidential ***Campus Conduct Hotline©***, 1-866-943-5787, through a third-party administrator. Confidential reports received by the third-party administrator will be forwarded to the University's Chief Human Resources Officer for appropriate

investigation and action. For more information on the hotline, contact the Associate Vice President for Human Resources.

Updated September 2012

Background Check Policy

The University strives to ensure as safe an educational and employment environment as possible for all of its constituents and will, therefore, conduct a Background Check on all individuals who receive a contingent offer of employment with the University. Additionally, the University reserves the right to conduct a Background Check on any employed individual who has applied for an internal transfer and has been offered the position, as may be necessary to ensure such safe surroundings. This Policy does not include provisions for the University to conduct random Background Checks.

The University's Human Resources department administers the Background Check Policy. For detailed information about this policy, see the Human Resources web-site at www.southwestern.edu/hr.

Appendix H - Leaving Southwestern University – Resignation and Separation of Employment

It is hoped that all faculty members will have a rewarding and productive career at Southwestern University, but it must be recognized that situations arise which may cause the voluntary resignation of an individual's employment. When a faculty member decides to leave, for any reason, his/her Department Chair and/or the Provost and Dean of Faculty would like the opportunity to discuss the resignation before final action is taken to consider whether another alternative is possible or preferable.

If, however, after full consideration, the faculty member decides to resign, it is expected that he/she will provide an advance written notice to his/her Department Chair. In addition, a copy of the written resignation notice must be given to the Human Resources department.

All University benefits such as health insurance, dental insurance, vision insurance, life insurance, LTD benefits, and pension benefits will end on the last day of employment or at the end of the month pursuant to the terms of those plans. Some benefits may be continued or converted to individual policies dependant on the terms, conditions and limitations of such continuation.

Final pay will be distributed in accordance with applicable state law.

Please be sure to keep us informed of any address changes within the following year after you leave the University. This will ensure proper and timely handling of forms such as W-2's and pension plan disbursements.

Separaton Procedures / Checkout Process

All employees are required to complete standard separation procedures upon separation of employment. The separation procedures process should begin no later than five days before the individual's last day of work. The purpose of the process is to ensure that all keys, University property, University records, books, credit cards, ID cards and other related items are returned to the University. Upon receipt of an employee's written letter of resignation (or any other type of separation notification, including the end date of an appointment), the Human Resources department will prepare an individualized Separation Procedures Packet for the exiting employee.

Exit Interview

The separating employee may schedule an exit interview with the Human Resources department. Some possible reasons for doing this would be to ensure that all separation procedures have been properly completed, to discuss benefit separation and benefit continuation options, or to discuss other employment-related matters.

Return of University Property

Separating employees are responsible for all University property, materials such as keys, ID badge, or written information issued to you or in your possession or control. Separating employees must return all University property in satisfactory condition immediately upon request or upon voluntary or involuntary separation of employment. Where permitted by law, the University may withhold from your current or final paycheck the cost of any items that are not returned when required. The University may also take all action deemed appropriate to recover or protect its property.

Benefits Continuation (COBRA and HIPAA)

<u>COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985, as amended)</u>

A federal law (Public Law 99-272, Title X) known as COBRA, (Consolidated Omnibus Budget Reconciliation Act of 1985 as amended) requires that most employers sponsoring group health plan(s) offer employees and their families the opportunity for a temporary extension of coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan(s) would otherwise end. This notice is intended to inform you, in a summary fashion on your rights and obligations under the continuation coverage provisions of the law. This summary of rights should be reviewed by both you and your spouse (if applicable), retained with other benefit documents, and referred to in the event that any action as required on your part.

If you are an employee of, Southwestern University, covered by its group health plan(s), you have a right to choose this continuation coverage if you lose your group health plan(s) coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part).

If you are the covered spouse of an employee, you have the right to choose continuation coverage for yourself if you lose coverage for any of the following four reasons:

1. the death of the employee;
2. the termination of the employee's employment (for reasons other than gross misconduct) or a reduction in the employee's hours of employment;
3. divorce or legal separation from the employee; or
4. the employee becomes entitled to Medicare.

In the case of a covered dependent child of an employee, he or she has the right to continuation coverage if group health plan(s) coverage is lost for any of the following five reasons:

1. the death of the employee;
2. the termination of the employee's employment (for reasons other than gross misconduct) or a reduction in the employee's hours of employment;
3. divorce or legal separation from the employee;
4. the employee becomes entitled to Medicare; or
5. the dependent ceases to be a "Dependent Child" under the terms of the group health plan(s).

You also have the right to elect continuation coverage if you are covered under the plan(s) as a retiree or spouse or child of a retiree, and lose coverage within one year before or after the commencement of proceedings under Title 11 (bankruptcy), United States Code. Under the law, the employee or a family member has the responsibility to inform Southwestern University of a divorce, legal separation, or a child losing dependent status under the plan. This notification must be made within 60 days of the date of the qualifying event, which would cause a loss of coverage.

The notice must be in writing, and should be sent to:

Southwestern University
Human Resources Department
Benefits Coordinator
P.O. Box 770
Georgetown, TX 78627-0770
(512)863-1807

When Southwestern University is notified that one of these events has happened, it will in turn notify you that you have the right to choose continuation coverage. Under the law, you have 60 days from the later of the date you would lose coverage or from the date of the notice to elect continuation coverage. If and when you make the election, coverage will become effective the day after coverage would otherwise be terminated.

If you do not choose continuation coverage, your group health plan(s) coverage will terminate in accordance with the provisions outlined in your benefits handbook or other applicable plan documents.

If you choose continuation coverage, your coverage will be identical to the coverage provided under the plan(s) to similarly situated employees or family members. The law requires that you be afforded to the opportunity to maintain continuation coverage for three years unless you lost group health plan(s) coverage because of a termination of employment or reduction in hours. In that case the required continuation coverage period is 18 months (an extension to 29 months is available under certain circumstances to disable person*). However the law also provides that your continuation coverage may be terminated for any of the following reasons:

1. the employer/former employer no longer provides group health plan(s) coverage to any of its employees;
2. the premium for your continuation coverage is not paid in a timely manner;

3. you first become, after electing COBRA, covered under any other group health plan(s) (as an employee or otherwise) which does not contain any exclusion or limitation with respect to any pre-existing condition;
4. you first become, after electing COBRA, entitle to Medicare.

*Note: A qualified beneficiary who is determined under Title II or XVI of the Social Security Act, to have been disabled as of the date of a termination of employment or reduction in hours, or within 60 days of COBRA coverage, may be eligible to continue coverage for an additional 11 months (29 months total). You must notify the employer within 60 days of the determination of disability by the Social Security Administration and prior to the end of the 18-month continuation period. The employer can charge up to 150% of the applicable premium during the 11-month extension. The disabled individual must notify the employer within 30 days of any final determination that he or she is no longer disabled. If the coverage is extended to a total of 29 months, extended coverage will cease upon a final determination that the Qualified Beneficiary is no longer disabled.

You do not have to show that you are insurable to choose continuation coverage. However, you will have to pay the group rate premium plus a 2% administrative fee for your continuation coverage. The law also requires that, at the end of the 18-month, 29-month, or 36-month continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the current group health plan(s), if the plan provides a conversion privilege.

If you have any questions about this, please contact the person or office shown below. Also, if you have had a change in marital status, or you, your spouse, or any eligible covered dependent have had an address change, please notify in writing, the person or office shown below:

Southwestern University
Human Resources Department
Benefits Coordinator
P.O. Box 770
Georgetown, TX 78627-0770
(512)863-1807

HIPAA NOTICE

In 1996 Congress passed the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA impacts group health plans by improving the availability and portability of health coverage. HIPAA also requires that group health plan participants be given the following notices.

Notice of Enrollment Rights - If you are declining enrollment for yourself or your dependents (including your spouse) because of other health insurance coverage, you may in the future be able to enroll yourself or your dependents in this plan, provided that you request enrollment within 30 days after your other coverage ends. In addition, if you have a new dependent as a result of marriage, birth, adoption, or placement for adoption, you may be able to enroll yourself and your dependents, provided that you request enrollment within 30 days after the marriage, birth, adoption, or placement for adoption.
Notice of Pre-existing Condition Exclusion - Under HIPAA, a "pre-existing condition" is a condition for which medical advice, diagnosis, care, or treatment was recommended or received within the six month period ending on the enrollment date in a health plan.

Your plan may exclude a pre-existing condition. If so, the pre-existing condition exclusion waiting period will not exceed 12 months beginning on the enrollment date. (For a late enrollee, the maximum waiting period is 18 months from the date coverage begins.) A pre-existing condition exclusion is inapplicable to a pregnancy or to a newborn child or adopted child under age 18 who becomes covered within 30 days of birth or adoption. A genetic condition without advice, care, or treatment is not a pre-existing condition.

If your plan contains a pre-existing condition exclusion, the existence of a pre-existing condition will be determined using information obtained relating to an individual's health status before his or her enrollment date.

The pre-existing condition waiting period is reduced by any creditable coverage (prior coverage under various plans including, but not limited to, group health plans, individual health policies, Medicare, and Medicaid). You may obtain a certificate of creditable coverage from a prior plan sponsor or health insurance issuer. Should you

disagree with the length of creditable coverage determined by your current plan, you have the right to appeal that determination and provide evidence of creditable coverage.

You should read and consult your schedule of benefits to see if your health plan contains a pre-existing condition exclusion.

HIPAA (The Health Insurance Portability and Accountability Act of 1996)

Notice of Health Information Privacy Practices – This notice describes the HIPAA requirement that health plans notify plan participants and beneficiaries about its policies and practices to protect the confidentially of their health information.

Background: The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires health plans to notify plan participants and beneficiaries about its policies and practices to protect the confidentiality of their health information. This document is intended to satisfy HIPAA's notice requirement with respect to all health information created, received or maintained by the Southwestern University Employee Health Plan, (the "Plan") as sponsored by Southwestern University.
The Plan needs to create, receive, and maintain records that contain health information about you to administer the Plan and provide you with health care benefits. This notice describes the Plan's health information privacy policy with respect to your Medical, Prescription Drug, and Health Care Flexible Spending Arrangement (FSA) benefits. The notice tells you the ways the Plan may use and disclose health information about you, describes your rights, and the obligations the Plan has regarding the use and disclosure of your health information. However, it does not address the health information policies or practices of your health care providers.

Southwestern University's Pledge Regarding Health Information Privacy

The privacy policy and practices of the Plan protects confidential health information that identifies you or could be used to identify you, and relates to a physical or mental health condition or the payment of your health care expenses. This individually identifiable health information is known as "protected health information" (PHI). Your PHI will not be used or disclosed without a written authorization from you, except as described in this notice or as otherwise permitted by federal and state health information privacy laws.

Privacy Obligations of the Plan

The Plan is required by law to:

- Make sure that health information that identifies you is kept private;
- Give you this notice of the Plan's legal duties and privacy practices with respect to health information about you; and
- Follow the terms of the notice that is currently in effect.

How the Plan May Use and Disclose Health Information About You

The following are the different ways the Plan may use and disclose your PHI:

- **For Treatment.** The Plan may disclose your PHI to a health care provider who renders treatment on your behalf. For example, if you are unable to provide your medical history as the result of an accident, the Plan may advise an emergency room physician about the types of prescription drugs you currently take.

- **For Payment.** The Plan may use and disclose your PHI so claims for health care treatment, services, and supplies you receive from health care providers may be paid according to the Plan's terms. For example, the Plan may receive and maintain information about surgery you received to enable the Plan to process a hospital's claim for reimbursement of surgical expenses incurred on your behalf.

- **For Health Care Operations.** The Plan may use and disclose your PHI to enable it to operate or operate more efficiently or make certain all of the Plan's participants receive their health benefits. For example, the Plan may use your PHI for case management or to perform population-based studies designed to reduce health care costs. In addition, the Plan may use or disclose your PHI to conduct compliance reviews, audits, actuarial studies, and/or for fraud and abuse detection. The Plan may also combine health information about many Plan participants and disclose it to the University in summary fashion so it can decide what

coverages the Plan should provide. The Plan may remove information that identifies you from health information disclosed to the University so it may be used without the University learning who the specific participants are.

- **To the University.** The Plan may disclose your PHI to designated University personnel so they can carry out their Plan-related administrative functions, including the uses and disclosures described in this notice. Such disclosures will be made only to the University's Associate Vice President for Human Resources ("the Plan Administrator") and/or the members of the University's Human Resources Department. These individuals will protect the privacy of your health information and ensure it is used only as described in this notice or as permitted by law. Unless authorized by you in writing, your health information: (1) may not be disclosed by the Plan to any other University employee or department; and (2) will not be used by the University for any employment-related actions and decisions, or in connection with any other employee benefit plan sponsored by the University.

- **To a Business Associate.** Certain services are provided to the Plan by third party administrators known as "business associates." For example, the Plan may input information about your health care treatment into an electronic claims processing system maintained by the Plan's business associate so your claim may be paid. In so doing, the Plan will disclose your PHI to its business associate so it can perform its claims payment function. However, the Plan will require its business associates, through contract, to appropriately safeguard your health information.

- **Treatment Alternatives.** The Plan may use and disclose your PHI to tell you about possible treatment options or alternatives that may be of interest to you.

- **Health-Related Benefits and Services.** The Plan may use and disclose your PHI to tell you about health-related benefits or services that may be of interest to you.

- **Individual Involved in Your Care or Payment of Your Care**. The Plan may disclose PHI to a close friend or family member involved in or who helps pay for your health care. The Plan may also advise a family member or close friend about your condition, your location (for example, that you are in the hospital) or death.

- **As Required By Law**. The Plan will disclose your PHI when required to do so by federal, state or local law, including those that require the reporting of certain types of wounds or physical injuries.

Special Use and Disclosure Situations

The Plan may also use or disclose your PHI under the following circumstances:

- **Lawsuits and Disputes.** If you become involved in a lawsuit or other legal action, the Plan may disclose your PHI in response to a court or administrative order, a subpoena, warrant, discovery request, or other lawful due process.

- **Law Enforcement.** The Plan may release your PHI if asked to do so by a law enforcement official, for example, to identify or locate a suspect, material witness, or missing person or to report a crime, the crime's location or victims, or the identity, description or location of the person who committed the crime.

- **Workers' Compensation.** The Plan may disclose your PHI to the extent authorized by and to the extent necessary to comply with workers' compensation laws or other similar programs.

- **Military and Veterans.** If you are or become a member of the U.S. armed forces, the Plan may release medical information about you as deemed necessary by military command authorities.

- **To Avert Serious Threat to Health or Safety**. The Plan may use and disclose your PHI when necessary to prevent a serious threat to your health and safety, or the health and safety of the public or another person.

- **Public Health Risks.** The Plan may disclose health information about you for public health activities. These activities include preventing or controlling disease, injury or disability; reporting births and deaths;

reporting child abuse or neglect; or to report reactions to medication or problems with medical products or to notify people of recalls of products they have been using.

- **Health Oversight Activities.** The Plan may disclose your PHI to a health oversight agency for audits, investigations, inspections, and licensure necessary for the government to monitor the health care system and government programs.

- **Research.** Under certain circumstances, the Plan may use and disclose your PHI for medical research purposes.

- **National Security, Intelligence Activities, and Protective Services**. The Plan may release your PHI to authorized federal officials: (1) for intelligence, counterintelligence, and other national security activities authorized by law; and (2) to enable them to provide protection to the members of the U.S. government, or foreign heads of state or to conduct special investigations.

- **Organ and Tissue Donation.** If you are an organ donor, the Plan may release medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank to facilitate organ or tissue donation and transplantation.

- **Coroners, Medical Examiners, and Funerals Directors**. The Plan may release your PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or to determine the cause of death. The Plan may also release your PHI to a funeral director, as necessary, to carry out his/her duty.

Your Rights Regarding Health Information About You

Your rights regarding the health information the Plan maintains about you are as follows:

- **Right to Inspect and Copy.** You have the right to inspect and copy your PHI. This includes information about your plan eligibility, claim and appeal records, and billing records, but does not include psychotherapy notes.

To inspect and copy health information maintained by the Plan, submit your request in writing to the Plan Administrator. The Plan may charge a fee for the cost of copying and/or mailing your request. In limited circumstances, the Plan may deny your request to inspect and copy your PHI. Generally, if you are denied access to health information, you may request a review of the denial.

- **Right to Amend.** If you feel that health information the Plan has about you is incorrect or incomplete, you may ask the Plan to amend it. You have the right to request an amendment for as long as the information is kept by or for the Plan.

To request an amendment, send a detailed request in writing to the Plan Administrator. You must provide the reason(s) to support your request. The Plan may deny your request if you ask the Plan to amend health information that was: not created by the Plan; not part of the health information kept by or for the Plan; not information that you would be permitted to inspect and copy; or accurate and complete.

- **Right to An Accounting of Disclosures.** You have the right to request an "accounting of disclosures." This is a list of disclosures of your PHI that the Plan has made to others, except for those necessary to carry out health care treatment, payment or operations; disclosures made to you; or in certain other situations.

To request an accounting of disclosures, submit your request in writing to the Plan Administrator. Your request must state a time period, which may not be longer than six years prior to the date the accounting was requested.

- **Right to Request Restrictions.** You have the right to request a restriction on the health information the Plan uses or disclosures about you for treatment, payment or health care operations. You also have the right to request a limit on the health information the Plan discloses about you to someone who is involved in your care or the payment for your care, like a family member or friend. For example, you could ask that the Plan not use or disclose information about a surgery you had.

To request restrictions, make your request in writing to the Plan Administrator. You must advise us: (1) what information you want to limit; (2) whether you want to limit the Plan's use, disclosure or both; and (3) to whom you want the limit(s) to apply.

Note: *The Plan is not required to agree to your request.*

- **Right to Request Confidential Communications**. You have the right to request that the Plan communicate with you about health matters in a certain way or at a certain 1ocation. For example, you can ask that the Plan send your explanation of benefits (EOB) forms about your benefit claims to a specified address.

To request confidential communications, make your request in writing to the Plan Administrator. The Plan will make attempt to accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

- **Right to a Paper Copy of This Notice.** You have the right to a paper copy of this notice. You may write to the Plan Administrator to request a written copy of this notice at any time.

Changes to This Notice

The Plan reserves the right to change this notice at any time and to make the revised or changed notice effective for health information the Plan already has about you, as well as any information the Plan receives in the future. The Plan will post a copy of the current notice in the University's Human Resources Office at all times.

Complaints

If you believe your privacy rights under this policy have been violated, you may file a written complaint with the Plan Administrator at the address listed below. Alternatively, you may complain to the Secretary of the U.S. Department of Health and Human Services, generally, within 180 days of when the act or omission complained of occurred.

Note: *You will not be penalized or retaliated against for filing a complaint.*

Other Uses and Disclosures of Health Information

Other uses and disclosures of health information not covered by this notice or by the laws that apply to the Plan will be made only with your written authorization. If you authorize the Plan to use or disclose your PHI, you may revoke the authorization, in writing, at any time. If you revoke your authorization, the Plan will no longer use or disclosure your PHI for the reasons covered by your written authorization; however, the Plan will not reverse any uses or disclosures already made in reliance on your prior authorization.

Contact Information

If you have any questions about this notice, please contact:

Southwestern University Employee Health Plan Administrator
1001 E. University Avenue
Georgetown, TX 78626
(512) 863-1807
Notice Effective Date: April 8, 2004

Appendix I - Cellular Phone Policy and Procedures

October 1, 2007

Background

This policy describes a simplified approach to cell phone use at Southwestern University and enables the University to be compliant with IRS rules about the taxability of employee cell phones.

The IRS considers cell phones to be *listed property*. The record keeping requirements for listed property are extremely onerous requiring substantial documentation for every call made. Failure to provide the documentation can result in the cost of all undocumented calls being taxable to the employee. Receiving a taxable allowance for an individually owned phone eliminates the requirement for extensive documentation. Furthermore, the handling of personal calls is simplified because the employee owns the phone.

Policy

The University will not own cell phones for use by individual employees except in limited circumstances. Personal use of any university-owned phone is expressly prohibited.

Employees whose job duties require frequent use of a cell phone may receive extra compensation (a stipend) to cover business-related costs of the cell phone service. Infrequent users of their cell phones for university business may submit reimbursement requests for such calls with proper documentation (date, time, cost and business purpose of the call.)

If an employee receives a cell phone stipend under this policy, and/or if an employee uses a personal-owned cell phone for University business and receives a reimbursement for the cost of calls, the use of the phone or data device (including any data services) is subject to Southwestern University policy and practices in the Staff Handbook and Faculty Handbook, including but not limited to: Telephone Use, Telephone Courtesy, Computer Use, and Internet Code of Conduct.

Effective October 1, 2007, the Staff Handbook and Faculty Handbook are hereby amended and this policy is effective immediately.

Procedures

If a supervisor determines that a University employee's job duties require frequent use of a cell phone, the employee is eligible for a stipend to pay for business-related cell phone expenses. To receive this stipend, an employee must submit a Cell Phone Stipend Request form. The stipend will be paid biweekly or monthly, as appropriate, through the payroll process. When the request is approved, departmental funds will be transferred to a central payroll account. The monthly stipend is taxable income and will be taxed in the same way that regular wages are taxed.

The stipend does not constitute an increase to base pay and will not be included in calculations of percentage increases due to raises, job upgrades, bonuses or benefits based on a percentage of salary.

Although the allowance is taxable, the benefits of this approach include: 1) no documentation of calls is required, 2) no monthly reporting is required, 3) phones may be used for personal calls, and 4) the employee is free to pick a cell phone plan that is most beneficial.

Supervisors and the respective senior staff members must approve the cell phone stipend. The following guidelines will help in determining whether a cell phone is justified.

- Safety requirements are an essential part of the position's duties
- More than 50% of work is conducted "in the field"
- Employee is required to be on call and immediately reachable
- Employee is a critical decision maker

Supervisors are responsible for an annual review of business-related cell phone use to determine that the required cell phone plan is still in place and is justified.

Stipends

The stipend amount is designed to cover most of the cost of a cell phone plan. As such, the stipend is deemed adequate to cover business-related use of the cell phone. Allowable expenses include the cost of basic equipment and the cost of the employee's monthly cell phone plan. The stipend will be determined based on the least expensive plan that provides adequate business-related services. Upgrades to basic equipment (cosmetic or unjustifiable technical features) are at the employee's expense. Determination of the stipend amount is made at the departmental level by the supervisor. The stipend amount must be within the guidelines and dollar limits established in this policy. It is expected that the 450 minute plan will be sufficient for nearly all employees.

Plan	Stipend
< 450 minutes	$20
450 minutes	$50
1350 minutes	$80
Data service	$40

Southwestern University will pay only the approved cell phone stipend even if monthly costs exceed the stipend amount. If the stipend amount needs adjustment because of documented business purposes, a new Cell Phone Stipend Request must be submitted and approved.

The cell phone contract will be in the name of the employee who will be solely responsible for all charges incurred including any termination charges should the plan be canceled. Only one stipend will be provided per employee. The University reserves the right to remove a participant from this cell phone program if there is insufficient budget to meet the cost of monthly allowances.

Southwestern University purchasing cards, other credit cards or departmental accounts may no longer be used to acquire cellular services or equipment unless exceptional circumstances exist.

Use of the Phone

Southwestern University does not accept any liability for claims, charges or disputes between the employee and the cellular service provider. **Participants in this plan must notify the University of the cell phone number and must maintain cell phone service while receiving the stipend**.

The employee may, at his or her own expense, add extra services or equipment features as desired. If there is a problem with the service, the employee must work directly with the cellular provider to resolve the issue. ITS provides limited support for Palm Treo devices. Blackberry PDAs are not supported. Please consult with ITS before buying any such device.

Use of the phone in any manner contrary to local, state or federal law will constitute misuse and will result in immediate termination of the cell phone stipend.

Fees for Contract Changes or Cancellations

If, prior to the end of the cell phone contract, the employee decides to cancel the contract or loses eligibility for the stipend due to misuse, the employee will be responsible for any early termination or other fees associated with changes in the contract with the cellular provider.

If the University decides to terminate the stipend for reasons other than employee misconduct, the department is responsible for any early termination charges or other fees associated with changes to the contract. For example, an employee's duties are changed and the cell phone is no longer required. If the employee does not wish to keep the cell phone plan, the department will reimburse the employee for change or cancellation fees.

Individuals who currently have university provided cell phones should be aware that cancellation fees might apply if they decide to switch carriers. ITS will help ensure a smooth transition from university-owned phones to personally owned phones.

Reimbursement for Business Calls on Personal Cell Phones

Employees not eligible for a cell phone stipend may request reimbursement for the actual expense of business cell phone calls. **Reimbursement for per-minute "air time" is limited to the total "over plan" minutes charged on the invoice. Expenses for minutes included in the cell phone plan will not be reimbursed**. The employee will pay the cell phone carrier and then submit a request for reimbursement.

Reimbursement requests must include a copy of the wireless phone bill detailing the individual calls to be reimbursed. Additionally, the business purpose of the call must be documented.

For more information or to obtain a Cellular Phone Stipend Request form, employees should contact the Business Office.

Appendix J - Forms

SOUTHWESTERN UNIVERSITY STUDENT COURSE EVALUATION

Course: _____ Instructor: _____Semester: _____Year: _____

My current status: ___First-year ___Sophomore ___Junior ___Senior ___Other

Reason for taking course: ___Required for major ___Required for minor ___General Ed Distributive ___Elective

PART I: USING THE FOLLOWING SCALE, PLEASE RATE THE EXTENT TO WHICH YOU AGREE WITH EACH OF THE FOLLOWING STATEMENTS. CIRCLE THE RESPONSE (SD, D, N, A, OR SA) THAT BEST REFLECTS YOUR JUDGMENT.

SD	**D**	**N**	**A**	**SA**
Strongly Disagree	**Disagree**	**Neutral**	**Agree**	**Strongly Agree**

1. The content of this course was intellectually/creatively rigorous and challenging.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**
COMMENTS:						
2. Clear expectations for student work and learning were consistently communicated in the course syllabus and assignments.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**
COMMENTS:						
3. The instructor effectively presented information, concepts and ideas of the field.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**
COMMENTS:						
4. The class was well organized.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**
COMMENTS:						

5. The feedback on student work was provided:

(a) in a constructive fashion,	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**
(b) in a timely manner.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**

COMMENTS:

6. The instructor conducted class in a manner that made me feel free to articulate my ideas and ask questions.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**

COMMENTS:

7. The instructor was available to consult with students outside of class when necessary.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**

COMMENTS:

8. I learned a great deal in this course.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**

COMMENTS:

9. The instructor was enthusiastic about student learning in this course.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**

COMMENTS:

10. The effort I put into this course was appropriate, given the expectations.	**SD**	**D**	**N**	**A**	**SA**	**Not Applicable**

COMMENTS:

PART II: Answer each question according to the scale provided; please circle your response.

11. Overall, this instructor was

Very Unsatisfactory	**Unsatisfactory**	**Satisfactory**	**Very Good**	**Excellent**

COMMENTS:

12. Overall, this course was

Very Unsatisfactory	**Unsatisfactory**	**Satisfactory**	**Very Good**	**Excellent**

COMMENTS:

PART III: Please Address the Following Items in the Space Provided.

13. Describe one or more things about the course that you found particularly valuable.

14. What, if any, suggestions do you have about how the course might be improved?

Proposal for Social Justice Designation for a Course

(Spring 2013 version)

In accordance with SU's core values which state that SU "fosters diverse perspectives," "respects the worth and dignity of persons" and "promotes activism in the pursuit of justice," Southwestern requires all students to take one course that provides a critical analysis of the ways in which difference is used in the maintenance of structures of power (e.g. institutions, discourses, etc.) and inequality. These courses also may consider collective and/or individual resistance to systems of inequality and histories of oppression.

A social justice course

- investigates the relationship between socially defined difference and
  - structures of power (institutions, discourses, ideologies, etc) &
  - inequality.
- may includes a consideration of collective and/or individual resistance to systems of inequality and histories of oppression

Course Title	**Course Number:**
Department:	**Instructor**
New Course_____ or Resubmission_____	**First Semester to be Offered**
1. How does the course meet the goals of this requirement?	
2. What major assignments (reading, writing, projects, exams, etc.) are centrally focused on a) the relationship between difference and power; and, if present, b) collective and/or individual resistance to systems of inequality and histories of oppression?	
3. Please either paste in syllabus below, or send along separately. This does not have to be a final version, but give us a sense of main course topics	
4. If course has varying instructors, describe the mechanism by which SJ content will be maintained. Please have dept chair sign/email that they agree to this.	

PROPOSAL FOR INTERCULTURAL PERSPECTIVES COURSE

Understanding and interrogating one's relation to the world is one of the most important goals of liberal learning. This includes analysis of the ways in which cultural beliefs and practices shape everyday life differently for different peoples in different social, global and historical contexts. This process requires in-depth analysis of issues that bring to the forefront similarities and differences in cultural values, beliefs, worldviews and identities. It is essential to this learning that students develop awareness of their own and others' worldviews.

An IP course must entail comparative analysis of different cultural perspectives and investigation of past or present interactions of groups or cultures within their political, economic, ideological, or religious contexts. The IP committee suggests the following pedagogical approaches:

- *Study societies using theories of race, gender, class, ethnicity, religious belief, nationalism or other socially constructed categories*
- *Interrogate how global forces have shaped ideas, groups and institutions*
- *Critically examine the concepts used to interpret and compare cultures*

I. Course title:
Course number:
Department:
Instructor:
New course_____or resubmission_____
First semester to be offered:

II. Course description. If resubmission, is there any change in content? Yes___ No____

III. How does the course meet the goals of this requirement?

_____
(Instructor)

_____
(Department Chair)

Internal Proposal Cover Sheet

Internal Proposal Cover Sheet – Southwestern University

Project Manager's Name _____

Department _____ Phone: _____

Project Title:_____

_____

Deadline:_____Funding Agency: _____

Amount requested: _____

University match – funds, release time, required renovations, staff, etc._____

Project Manager's Assurance: I understand that I am responsible for managing and administering this project if it is funded. This includes submitting any required progress, final, and budget management reports. I will provide copies of all related correspondence, the proposal and proposal revisions, and other important documents to the Director of Foundation Relations and the Associate Provost.

Project Manager: _____ Date:_____
Signature

Department Chair: _____ Date:_____
Signature

Comment:_____

Institutional Reviews. Please return this form with the above signatures and a completed budget (use the Sample Budget on Southwestern's grants website if the funding agency does not provide one) to the Office of Foundation Relations within two days of submitting the Grants Overview online. The staff there will circulate these documents for approval to the following offices on campus:

Provost or other Supervising V.P. _____ Date:_____
Signature

For all grants that require matching funds or other institutional commitments:

Budget Committee Approval: _____ Date:_____
Signature

Comment:_____

V.P. for Advancement: _____ Date:_____
Signature
OR
Associate V.P. for Development: _____ Date:_____
Signature

Comment: _____

Vice President for Fiscal Affairs: _____ Date: _____
Signature
OR
Associate V.P. for Finance: _____ Date: _____
Signature

Comment: _____

Associate V.P. for Facilities and Campus Services (if facility changes are required):

_____ Date: _____
Signature

Comment: _____

Final Clearance: The final version of the proposal, including budget, all attachments, and a cover letter if required, will be submitted to the president for his signature.

President: _____ Date: _____
Signature

Comment: _____

(Note: the president's signature is not required for grant proposals less than $15,000 that do NOT require a match.)

C. Notification: Copies of this completed form and the final proposal will be sent by the Office of Foundation Relations to the following:

- The Project Manager
- The Department Chair
- The Vice President for Fiscal Affairs
- The Associate VP for Facilities and Campus Services
- The Restricted Projects Accountant
- The Director of Foundation Relations
- The Associate Provost
- The President's Office

INTERNAL GRANTS COVER SHEET

Name: _____ **Today's** _____

Program: Choose One _____

Previous Funding for this Project: *(Limited to space below)*

Outcome of Previous Funding: *(Limited to space below)*

Project Abstract: *(Limited to space below)*

THIS DOCUMENT CAN BE LOCATED AT
http://www.southwestern.edu/offices/provost/grants/internalsupport.php

(THIS DOCUMENT NEEDS TO BE TURNED IN ELECTRONICALLY WITH PROPOSAL)

Planned Project Outcome: *(Limited to space below)*

Specify your use of your $1,400 Prof. Dev. Acct. *(Competitive Program and Faculty/Student Project Applications Only)*

Budget Summary:

Faculty Stipend(s)	$0.00	☐ Cash ☐ PDA
7.65% FICA added	0.00	
Student Stipend(s)	$0.00	
7.65% FICA added	0.00	
Student Housing	$0.00	
15.3% FICA added	0.00	
Travel	$0.00	
Supplies	$0.00	
Other	$0.00	
TOTAL REQUEST	**$ 0.00**	

Last Revised 05-12-09 *Send cover sheet and proposal to Christine Vasquez <vasquezc@southwestern.edu>*

Appendix K - Model Policy for Responding to Allegations of Scientific Misconduct for Federally-Funded Research

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I. Introduction*

A. General Policy

It is expected that all research conducted at Southwestern University will be carried out with integrity, consistent with the research ethics of the field in which it is conducted. Reports of suspected scientific misconduct should be made to the Provost and Dean of the Faculty, who serves as the University's Research Integrity Officer. In all cases, University policies and procedures will protect the confidentiality of both the individual who makes the allegation and the individual accused of scientific misconduct.

B. Scope

This policy and the associated procedures apply to all individuals at Southwestern University engaged in research that is supported by or for which support is requested from PHS. The PHS regulation at Code of Federal Regulations, Title 42, Part 50.102 applies to any research, research-training or research- related grant or cooperative agreement with PHS. This policy applies to any person paid by, under the control of, or affiliated with the institution, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators at Southwestern University.

The policy and associated procedures will normally be followed when an allegation of possible misconduct in science is received by an institutional official. Particular circumstances in an individual case may dictate variation from the normal procedure deemed in the best interests of Southwestern University and PHS. Any change from normal procedures also must ensure fair treatment the subject of the inquiry or investigation. Any significant variation should be approved in advance by the Provost and Dean of the Faculty of Southwestern University.

II. Definitions

A. Allegation means any written or oral statement or other indication of possible scientific misconduct made to an institutional official.

B. Conflict of interest means the real or apparent interference of one person's interests with the interests of another person, where potential bias may occur due to prior or existing personal or professional relationships.

C. Deciding Official means the institutional official who makes final determinations on allegations of scientific misconduct and any responsive institutional actions. The Deciding Official will not be the same individual as the Research Integrity Officer and should have no direct prior involvement in the institution's inquiry, investigation, or allegation assessment.

D. Good faith allegation means an allegation made with the honest belief that scientific misconduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

E. Inquiry means gathering information and initial fact-finding to determine whether an allegation or apparent instance of scientific misconduct warrants an investigation.1

F. Investigation means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred, and, if so, to determine the responsible person and the seriousness of the misconduct.2

G. ORI means the Office of Research Integrity, the office within the U. S. Department of Health and Human Services (DHHS) that is responsible for the scientific misconduct and research integrity

* Sections that are based on requirements of the PHS regulations codified at 42 C.F.R. Part 50, Subpart A have endnotes that indicate the applicable section number, e.g., 42 C.F.R. ß 50.103(d)(1).

activities of the U. S. Public Health Service.

H. PHS means the U. S. Public Health Service, an operating component of the DHHS.

I. PHS regulation means the Public Health Service regulation establishing standards for institutional inquiries and investigations into allegations of scientific misconduct, which is set forth at 42 C. F. R. Part 50, Subpart A, entitled "Responsibility of PHS Awardee and Applicant Institutions for Dealing With and Reporting Possible Misconduct in Science."

J. PHS support means PHS grants, contracts, or cooperative agreements or applications therefore.

K. Research Integrity Officer means the institutional official responsible for assessing allegations of scientific misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations.

L. Research record means any data, document, computer file, computer diskette, or any other written or non- written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X- ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

M. Respondent means the person against whom an allegation of scientific misconduct is directed or the person whose actions are the subject of the inquiry of investigation. There can be more than one respondent in any inquiry or investigation.

N. Retaliation means any action that adversely affects the employment or other institutional status of an individual that is taken by an institution or an employee because the individual has in good faith, made an allegation of scientific misconduct or of inadequate institutional response thereto or has cooperated in good faith with an investigation of such allegation.

O. Scientific misconduct or misconduct in science means 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. It does not include honest error or honest differences in interpretations or judgments of data.3

P. Whistleblower means a person who makes an allegation of scientific misconduct.

III. Rights and Responsibilities

A. Research Integrity Officer

The Provost and Dean of the Faculty will serve as the Research Integrity Officer who will have primary responsibility for implementation of the procedures set forth in this document. The Research Integrity Officer will be an institutional official who is well qualified to handle the procedural requirements involved and is sensitive to the varied demands made on those who conduct research, those who are accused of misconduct, and those who report apparent misconduct in good faith.

The Research Integrity Officer will appoint the inquiry and investigation committees and ensure that necessary and appropriate expertise is secured to carry out a thorough and authoritative evaluation of the relevant evidence in an inquiry or investigation. The Research Integrity Officer will attempt to ensure that confidentiality is maintained.

The Research Integrity Officer will assist inquiry and investigation committees and all institutional personnel in complying with these procedures and with applicable standards imposed by government or external funding sources. The Research Integrity Officer is also responsible for maintaining files of all documents and evidence and for the confidentiality and the security of the files.

The Research Integrity Officer will report to ORI as required by regulation and keep ORI apprised of any developments during the course of the inquiry or investigation that may affect current or potential DHHS funding for the individual (s) under investigation or that PHS needs to know to ensure appropriate use of Federal funds and otherwise protect the public interest.[4]

B. Whistleblower

The whistleblower will have an opportunity to testify before the inquiry and investigation committees, to review portions of the inquiry and investigation reports pertinent to his/ her allegations or testimony, to be informed of the results of the inquiry and investigation, and to be protected from retaliation. Also, if the Research Integrity Officer has determined that the whistleblower may be able to provide pertinent information on any portions of the draft report, these portions will be given to the whistleblower for comment.

The whistleblower is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry or investigation.

C. Respondent

The respondent will be informed of the allegations when an inquiry is opened and notified in writing of the final determinations and resulting actions. The respondent will also have the opportunity to be interviewed by and present evidence to the inquiry and investigation committees, to review the draft inquiry and investigation reports, and to have the advice of counsel.

The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry or investigation. If the respondent is not found guilty of scientific misconduct, he or she has the right to receive institutional assistance in restoring his or her reputation.[5]

D. Deciding Official

The Deciding Official will receive the inquiry and/ or investigation report and any written comments made by the respondent or the whistleblower on the draft report. The Deciding Official will consult with the Research Integrity Officer or other appropriate officials and will determine whether to conduct an investigation, whether misconduct occurred, whether to impose sanctions, or whether to take other appropriate administrative actions [see section X].

IV. General Policies and Principles

A. Responsibility to Report Misconduct

All employees or individuals associated with Southwestern University should report observed, suspected, or apparent misconduct in science to the Research Integrity Officer. If an individual is unsure whether a suspected incident falls within the definition of scientific misconduct, he or she may call the Research Integrity Officer at (512) 863-1567 to discuss the suspected misconduct informally. If the circumstances described by the individual do not meet the definition of scientific misconduct, the Research Integrity Officer will refer the individual or allegation to other offices or officials with responsibility for resolving the problem.

At any time, an employee may have confidential discussions and consultations about concerns of possible misconduct with the Research Integrity Officer and will be counseled about appropriate procedures for reporting allegations.

B. Protecting the Whistleblower

The Research Integrity Officer will monitor the treatment of individuals who bring allegations of misconduct or of inadequate institutional response thereto, and those who cooperate in inquiries or investigations. The Research Integrity Officer will ensure that these persons will not be retaliated against in the terms and conditions of their employment or other status at the institution and will review instances of alleged retaliation for appropriate action.

Employees should immediately report any alleged or apparent retaliation to the Research Integrity Officer.

Also the institution will protect the privacy of those who report misconduct in good faith to the maximum extent possible. For example, if the whistleblower 6 requests anonymity, the institution will make an effort to honor the request during the allegation assessment or inquiry within applicable policies and regulations and state and local laws, if any. The whistleblower will be advised that if the matter is referred to an investigation committee and the whistleblower's testimony is required, anonymity may no longer be guaranteed. Institutions are required to undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations.7

C. Protecting the Respondent

Inquiries and investigations will be conducted in a manner that will ensure fair treatment to the respondent(s) in the inquiry or investigation and confidentiality to the extent possible without compromising public health and safety or thoroughly carrying out the inquiry or investigation.8 Institutional employees accused of scientific misconduct may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice and may bring the counsel or personal adviser to interviews or meetings on the case. [Option: Some institutions do not permit the presence of lawyers at interviews or meetings with institutional officials.]

D. Cooperation with Inquiries and Investigations

Institutional employees will cooperate with the Research Integrity Officer and other institutional officials in the review of allegations and the conduct of inquiries and investigations. Employees have an obligation to provide relevant evidence to the Research Integrity Officer or other institutional officials on misconduct allegations.

E. Preliminary Assessment of Allegations

Upon receiving an allegation of scientific misconduct, the Research Integrity Officer will immediately assess the allegation to determine whether there is sufficient evidence to warrant an inquiry, whether PHS support or PHS applications for funding are involved, and whether the allegation falls under the PHS definition of scientific misconduct.

IV. Conducting the Inquiry

A. Initiation and Purpose of the Inquiry

Following the preliminary assessment, if the Research Integrity Officer determines that the allegation provides sufficient information to allow specific follow- up, involves PHS support, and falls under the PHS definition of scientific misconduct, he or she will immediately initiate the inquiry process. In initiating the inquiry, the Research Integrity Officer should identify clearly the original allegation and any related issues that should be evaluated. The purpose of the inquiry is to make a preliminary evaluation of the available evidence and testimony of the respondent, whistleblower, and key witnesses to determine whether there is sufficient evidence of possible scientific misconduct to warrant an investigation. The purpose of the inquiry is *not* to reach a final conclusion about whether misconduct definitely occurred or who was responsible. The findings of the inquiry must be set forth in an inquiry report.

B. Sequestration of the Research Records

After determining that an allegation falls within the definition of misconduct in science and involves PHS funding, the Research Integrity Officer must ensure that all original research records and materials relevant to the allegation are immediately secured. The Research Integrity Officer may consult with ORI for advice and assistance in this regard.

C. Appointment of the Inquiry Committee

The Research Integrity Officer, in consultation with other institutional officials as appropriate, will appoint an inquiry committee and committee chair within 10 days of the initiation of the inquiry. The inquiry committee should consist of individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegations interview the principals and key witnesses, and conduct the inquiry. These individuals may be scientists, subject matter experts, administrators, lawyers, or other qualified persons, and they may be from inside or outside the institution.

The Research Integrity Officer will notify the respondent of the proposed committee membership in 10 days. If the respondent submits a written objection to any appointed member of the inquiry committee or expert based on bias or conflict of interest within 5 days, the Research Integrity Officer will determine whether to replace the challenged member or expert with a qualified substitute.

D. Charge to the Committee and the First Meeting

The Research Integrity Officer will prepare a charge for the inquiry committee that describes the allegations and any related issues identified during the allegation assessment and states that the purpose of the inquiry is to make a preliminary evaluation of the evidence and testimony of the respondent, whistleblower, and key witnesses to determine whether there is sufficient evidence of possible scientific misconduct to warrant an investigation as required by the PHS regulation. The purpose is not to determine whether scientific misconduct definitely occurred or who was responsible.

At the committee's first meeting, the Research Integrity Officer will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The Research Integrity Officer and institutional counsel will be present or available throughout the inquiry to advise the committee as needed.

E. Inquiry Process

The inquiry committee will normally interview the whistleblower, the respondent, and key witnesses as well as examining relevant research records and materials. Then the inquiry committee will evaluate the evidence and testimony obtained during the inquiry. After consultation with the Research Integrity Officer and institutional counsel, the committee members will decide whether there is sufficient evidence of possible scientific misconduct to recommend further investigation. The scope of the inquiry does not include deciding whether misconduct occurred or conducting exhaustive interviews and analyses.

VI. The Inquiry Report

A. Elements of the Inquiry Report

A written inquiry report must be prepared that states the name and title of the committee members and experts, if any; the allegations; the PHS support; a summary of the inquiry process used; a list of the research records reviewed; summaries of any interviews; a description of the evidence in sufficient detail to demonstrate whether and investigation is warranted or

not; and the committee's determination as to whether an investigation is recommended and whether any other actions should be taken if an investigation is not recommended. Institutional counsel will review the report for legal sufficiency.

B. Comments on the Draft Report by the Respondent and the Whistleblower

The Research Integrity Officer will provide the respondent with a copy of the draft inquiry report for comment and rebuttal and will provide the whistleblower, if he or she is identifiable, with a summary of the inquiry findings that address the whistleblower's role and opinions in the investigation.

1. Confidentiality

The Research Integrity Officer may establish reasonable conditions for review to protect the confidentiality of the draft report.

2. Receipt of Comments

Within 14 calendar days of their receipt of the draft report, the whistleblower and respondent will provide their comments, if any, to the inquiry committee. Any comments that the whistleblower or respondent submits on the draft report will become part of the final inquiry report and record. Based on the comments, the inquiry committee may revise the[9] report as appropriate.

C. Inquiry Decision and Notification

1. Decision by Deciding Official

The Research Integrity Officer will transmit the final report and any comments to the Deciding Official, who will make the determination of whether findings from the inquiry provide sufficient evidence of possible scientific misconduct to justify conducting an investigation. The inquiry is completed when the Deciding Official makes this determination, which will be made within 60 days of the first meeting of the inquiry committee. Any extension of this period will be based on good cause and recorded in the inquiry file.

2. Notification

The Research Integrity Officer will notify both the respondent and the whistleblower in writing of the Deciding Official's decision of whether to proceed to an investigation and will remind them of their obligation to cooperate in the event an investigation is opened. The Research Integrity Officer will also notify all appropriate institutional officials of the Deciding Official's decision.

D. Time Limit for Completing the Inquiry Report

The inquiry committee will normally complete the inquiry and submit its report in writing to the Research Integrity Officer no more than 60 calendar days following its first meeting, [10] unless the Research Integrity Officer approves an extension for good cause. If the Research Integrity Officer approves an extension, the reason for the extension will be entered into the records of the case and the report. [11] The respondent also will be notified of the extension.

VII. Conducting the Investigation

A. Purpose of the Investigation

The purpose of the investigation is to explore in detail the allegations, to examine the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to

what extent. The investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

B. Sequestration of the Research Records

The Research Integrity Officer will immediately sequester any additional pertinent research records that were not previously sequestered during the inquiry. This sequestration should occur before or at the time the respondent is notified that an investigation has begun. The need for additional sequestration of records may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

C. Appointment of the Investigation Committee

The Research Integrity Officer, in consultation with other institutional officials as appropriate, will appoint an investigation committee and the committee chair within 10 days of the notification to the respondent that an investigation is planned or as soon thereafter as practicable. The investigation committee should consist of at least three individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegations, interview the principals and key witnesses, and conduct the investigation.[12] These individuals may be scientists, administrators, subject matter experts, lawyers, or other qualified persons, and they may be from inside or outside the institution. Individuals appointed to the investigation committee may also have served on the inquiry committee.

The Research Integrity Officer will notify the respondent of the proposed committee membership within 5 days. If the respondent submits written objection to any appointed member of the investigation committee expert, the Research Integrity Officer will determine whether to replace the challenged member or expert with a qualified substitute.

D. Charge to the Committee and the First Meeting

1. Charge to the Committee

The Research Integrity Officer will define the subject matter of the investigation in a written charge to the committee that describes the allegations and related issues identified during the inquiry, defines scientific misconduct, and identifies the name of the respondent. The charge will state that the committee is to evaluate the evidence and testimony of the respondent, whistleblower, and key witnesses to determine whether, based on a preponderance of the evidence, scientific misconduct occurred and, if so, to what extent, who was responsible, and its seriousness.

During the investigation, if additional information becomes available that substantially changes the subject matter of the investigation or would suggest additional respondents, the committee will notify the Research Integrity Officer, who will determine whether it is necessary to notify the respondent of the new subject matter or to provide notice to additional respondents.

2. The First Meeting

The Research Integrity Officer, with the assistance of institutional counsel, will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation,

including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of these instructions and, where PHS funding is involved, the PHS regulation.

E. Investigation Process

The investigation committee will be appointed and the process initiated within 30 days of the completion of the inquiry, if findings from that inquiry provide a sufficient basis for conducting an investigation.13

The investigation will normally involve examination of all documentation including, but not necessarily limited to, relevant research records, computer files, proposals, manuscripts, publications, correspondence, memoranda, and notes of telephone calls. 14 Whenever possible, the committee should interview the whistleblower(s), the respondent(s), and other individuals who might have information regarding aspects of the allegations.15 Interviews of the respondent should be tape recorded or transcribed. All other interviews should be transcribed, tape recorded, or summarized. Summaries or transcripts of the interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file.16

VIII. The Investigation Report

A. Elements of the Investigation Report

The final report submitted to ORI must describe the policies and procedures under which the investigation was conducted, describe how and from whom information relevant to the investigation was obtained, state the findings, and explain the basis for the findings. The report will include the actual text or an accurate summary of the views of any individual(s) found to have engaged in misconduct as well as a description of any sanctions imposed and administrative actions taken by the institution.17

B. Comments on the Draft Report

1. Respondent

The Research Integrity Officer will provide the respondent with a copy of the draft investigation report for comment and rebuttal. The respondent will be allowed 10 days to review and comment on the draft report. The respondent's comments will be attached to the final report. The findings of the final report should take into account the respondent's comments in addition to all the other evidence.

2. Whistleblower

The Research Integrity Officer will provide the whistleblower, if he or she is identifiable, with those portions of the draft investigation report that address the whistleblower's role and opinions in the investigation. The report should be modified, as appropriate, based on the whistleblower's comments.

3. Institutional Counsel

The draft investigation report will be transmitted to the institutional counsel for a review of its legal sufficiency. Comments should be incorporated into the report as appropriate.

4. Confidentiality

In distributing the draft report, or portions thereof, to the respondent and whistleblower, the Research Integrity Officer will inform the recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to ensure such confidentiality. For example, the Research Integrity Officer may request the recipient to sign a confidentiality statement or to come to his or her office to review the report.

C. Institutional Review and Decision

Based on a preponderance of the evidence, the Deciding Official will make the final determination whether to accept the investigation report, its findings, and the recommended institutional actions. If this determination varies from that of the investigation committee, the Deciding Official will explain in detail the basis for rendering a decision different from that of the investigation committee in the institution's letter transmitting the report to ORI. The Deciding Official's explanation should be consistent with the PHS definition of scientific misconduct, the institution's policies and procedures, and the evidence reviewed and analyzed by the investigation committee. The Deciding Official may also return the report to the investigation committee with a request for further fact-finding or analysis.

The Deciding Official's determination, together with the investigation committee's report, constitutes the final investigation report for purposes of ORI review.

When a final decision on the case has been reached, the Research Integrity Officer will notify both the respondent and the whistleblower in writing. In addition, the Deciding Official will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case. The Research Integrity Officer is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

D. Transmittal of the Final Investigation Report to ORI

After comments have been received and the necessary changes have been made to the draft report, the investigation committee should transmit the final report with attachments, including the respondent's and whistleblower's comments, to the Deciding Official, through the Research Integrity Officer.

E. Time Limit for Completing the Investigation Report

An investigation should ordinarily be completed within 120 days of its initiation,[18] with the initiation being defined as the first meeting of the investigation committee. This includes conducting the investigation, preparing the report of findings, making the draft report available to the subject of the investigation for comment, submitting the report to the Deciding Official for approval, and submitting the report to the ORI.[19]

IX. Requirements for Reporting to ORI

A. An institution's decision to initiate an investigation must be reported in writing to the Director, ORI, on or before the date the investigation begins.[20] At a minimum, the notification should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation as it relates to the PHS definition of scientific misconduct, and the PHS applications or grant number(s) involved.[21] ORI must also be notified of the final outcome of the investigation and must be provided with a copy of the investigation report.[22] Any significant variations from the provisions of the institutional policies and procedures should be explained in any reports submitted to ORI.

B. If an institution plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the PHS regulation, the Research Integrity Officer will submit a report of the planned termination to ORI, including a description of the reasons for the proposed termination.[23]

C. If the institution determines that it will not be able to complete the investigation in 120 days, the Research Integrity Officer will submit to ORI a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes other necessary steps to be taken. If the request is granted, the Research Integrity Officer will file

periodic progress reports as requested by the ORI. 24

D. When PHS funding or applications for funding are involved and an admission of scientific misconduct is made, the Research Integrity Officer will contact ORI for consultation and advice. Normally, the individual making the admission will be asked to sign a statement attesting to the occurrence and extent of misconduct. When the case involves PHS funds, the institution cannot accept an admission of scientific misconduct as a basis for closing a case or not undertaking an investigation without prior approval from ORI.25

E. The Research Integrity Officer will notify ORI at any stage of the inquiry or investigation if:
   1. there is an immediate health hazard involved;26
   2. there is an immediate need to protect Federal funds or equipment;27
   3. there is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;28
   4. it is probable that the alleged incident is going to be reported publicly; or 29
   5. the allegation involves a public health sensitive issue, e. g., a clinical trial; or
   6. there is a reasonable indication of possible criminal violation. In this instance, the institution must inform ORI within 24 hours of obtaining that information.30
   7.

X. Institutional Administrative Actions

Southwestern University will take appropriate administrative actions against individuals when an allegation of misconduct has been substantiated.31
If the Deciding Official determines that the alleged misconduct is substantiated by the findings, he or she will decide on the appropriate actions to be taken, after consultation with the Research Integrity Officer. The actions may include:

- withdrawal or correction of all pending or published abstracts and papers emanating from the research where scientific misconduct was found.

- removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment;

- restitution of funds as appropriate.

XI. Other Considerations

A. Termination of Institutional Employment or Resignation Prior to Completing Inquiry or Investigation

The termination of the respondent's institutional employment, by resignation or otherwise, before or after an allegation of possible scientific misconduct
has been reported, will not preclude or terminate the misconduct procedures.

If the respondent, without admitting to the misconduct, elects to resign his or her position prior to the initiation of an inquiry, but after an allegation has been reported, or during an inquiry or investigation, the inquiry or investigation will proceed. If the respondent refuses to participate in the process after resignation, the committee will use its best efforts to reach a conclusion concerning the allegations, noting in its report the respondent's failure to cooperate and its effect on the committee's review of all the evidence.

B. Restoration of the Respondent's Reputation

If the institution finds no misconduct and ORI concurs, after consulting with the respondent, the Research Integrity Officer will undertake reasonable efforts to restore the respondent's reputation. Depending on the particular circumstances, the Research Integrity Officer should consider notifying

those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of scientific misconduct was previously publicized, or expunging all reference to the scientific misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation must first be approved by the Deciding Official.

C. Protection of the Whistleblower and Others[32]

Regardless of whether the institution or ORI determines that scientific misconduct occurred, the Research Integrity Officer will undertake reasonable efforts to protect whistleblowers who made allegations of scientific misconduct in good faith and others who cooperate in good faith with inquiries and investigations of such allegations. Upon completion of an investigation, the Deciding Official will determine, after consulting with the whistleblower, what steps, if any, are needed to restore the position or reputation of the whistleblower. The Research Integrity Officer is responsible for implementing any steps the Deciding Official approves. The Research Integrity Officer will also take appropriate steps during the inquiry and investigation to prevent any retaliation against the whistleblower.

D. Allegations Not Made in Good Faith

If relevant, the Deciding Official will determine whether the whistleblower's allegations of scientific misconduct were made in good faith. If an allegation was not made in good faith, the Deciding Official will determine whether any administrative action should be taken against the whistleblower.

E. Interim Administrative Actions

Institutional officials will take interim administrative actions, as appropriate, to protect Federal funds and ensure that the purposes of the Federal financial assistance are carried out.[33]

XII. Record Retention

After completion of a case and all ensuing related actions, the Research Integrity Officer will prepare a complete file, including the records of any inquiry or investigation and copies of all documents and other materials furnished to the Research Integrity Officer or committees. The Research Integrity Officer will keep the file for three years after completion of the case to permit later assessment of the case. ORI or other authorized DHHS personnel will be given access to the records upon request.[34]

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Revised February 1997

NOTES:

1. 42 C. F. R. ß 50.102.
2. 42 C. F. R. ß 50.102.
3. 42 C. F. R. ß 50.102.
4. 42 C. F. R. ß 50.103(d)(12).
5. 42 C. F. R. ß 50.103(d)(13).
6. 42 C. F. R. ß 50.103(d)(2).
7. 42 C. F. R. ß 50.103(d)(13).
8. 42 C. F. R. ß 50.103(d)(3).
9. 42 C. F. R. ß 50.103(d)(1).
10. 42 C. F. R. ß 50.103(d)(1).
11. 42 C. F. R. ß 50.103(d)(1).
12. 42 C. F. R. ß 50.103(d)(8).
13. 42 C. F. R. ß 50.103(d)(7).
14. 42 C. F. R. ß 50.103(d)(7).
15. 42 C. F. R. ß 50.103(d)(7).
16. 42 C. F. R. ß 50.103(d)(7).
17. 42 C. F. R. ß 50.104(a)(4); 42 C. F. R. ß 50.103(d)(15).
18. 42 C. F. R. ß 50.104(a)(2).
19. 42 C. F. R. ß 50.104(a)(2).
20. 42 C. F. R. ß 50.104(a)(1).
21. 42 C. F. R. ß 50.104(a)(1).
22. 42 C. F. R. ß 50.103(d)(15).
23. 42 C. F. R. ß 50.104(a)(3).
24. 42 C. F. R. ß 50.104(a)(5).
25. 42 C. F. R. ß 50.104(a)(3).
26. 42 C. F. R. ß 50.104(b)(1).
27. 42 C. F. R. ß 50.104(b)(2).
28. 42 C. F. R. ß 50.104(b)(3).
29. 42 C. F. R. ß 50.104(b)(4).
30. 42 C. F. R. ß 50.104(b)(5).
31. 42 C. F. R. ß 50.103(d)(14).
32. 42 C. F. R. ß 50.103(d)(14).
33. 42 C. F. R. ß 50.103(d)(11).
34. 42 C. F. R. ß 50.103(d)(10).

Appendix L - Substantive Change Policy

Substantive Change Policy

Importance of Policy

Southwestern University (the University) is responsible for following the substantive change procedures of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and to inform SACSCOC of such changes in accordance with those procedures. Individuals or departments with questions about the substantive change policy should consult the University's Accreditation Liaison, who if necessary, will contact the institution's assigned SASCOC Vice President for further advice and guidance. It is expected that each SACSCOC member institution will follow the reporting requirements of the substantive change policy.

Institutional Obligations:

1. Southwestern University is required to notify the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) of changes in accordance with the substantive change policy and, when required, seek approval prior to the initiation of changes.
2. Southwestern University, to comply with SACSCOC *Principles of Accreditation*, must have a policy and procedure to ensure that all substantive changes are reported to the Commission in a timely fashion.

Definition: Substantive change is a significant modification or expansion of the nature and scope of an accredited institution. Under federal regulations, substantive change includes

- Any change in the established mission or objectives of the institution
- Any change in legal status, form of control, or ownership of the institution
- The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated
- The addition of courses or programs at a degree or credential level above that which is included in the institution's current accreditation or reaffirmation
- A change from clock hours to credit hours
- A substantial increase in the number of clock or credit hours awarded for successful completion of a program
- The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50 percent of an educational program
- The establishment of a branch campus
- Closing a program, off-campus site, branch campus or institution
- Entering into a collaborative academic arrangement such as a dual degree program or a joint degree program with another institution
- Acquiring another institution or a program or location of another institution
- Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution
- Entering into a contract by which an entity not eligible for Title IV funding offers 25% or more of one or more of the accredited institution's programs

SACSCOC Procedures

The Commission outlines three procedures for substantive changes and provides a table (Appendix A) illustrating the types of changes, the specific procedure to be used for each, their respective approval/notification requirements, and the reporting time lines. The three procedures are:

1. Substantive Changes Requiring Notification and Approval Prior to Implementation
2. Substantive Changes Requiring Only Notification Prior to Implementation
3. Closing a Program, Site, Branch Campus or Institution: Teach-out Plans and Teach-out Agreements.

Procedures for Southwestern University Curricular Changes

The President shall submit with his/her own recommendation all legislation taken by the faculty relative to instituting, eliminating, or substantially changing the nature of University degrees to the Board of Trustees for its confirmation.

The action of all University legislative bodies instituting, eliminating, or substantially changing the nature of major and minor fields of study, academic programs, and academic departments, including changes in names or titles, shall be brought to the University Council, which will in turn forward it to the President with its recommendation. [Approved by the Board of Trustees, January 18, 1980.]

The President will consult with the University Accreditation Liaison to determine if the curricular changes are at a level of significance that would warrant submission to SACOC as a substantive change.

Procedures for Southwestern University Administrative Substantive Changes

Administrative substantive changes are first proposed in writing to the appropriate Senior Administrator who will consult the University's Accreditation Liaison. The proposal should include the need and rationale for the proposed action; objectives of the proposed change; issues related to quality, costs, benefits and funding sources.

With endorsement from the Senior Administrator, the proposal will be submitted to the University Council, and if necessary other bodies within the University governance system, for consideration and approval. Following its approval, the University Council will submit the proposal to the President for consideration. If approved, the Senior Administrator will supervise the development of the required prospectus for submission to SACSCOC. Assistance is available from the University's Accreditation Liaison, who will mail the prospectus to the SACSCOC with correspondence from the President or his designee.

Timeline for Reporting Substantive Changes

Depending on the type of change proposed, notification and approval requirements vary. The chart in the SACSCOC Policy Statement regarding Substantive Change (pages 3 and 4) clearly outlines exactly the time frame and paperwork required. The University will comply with these or updated requirements when seeking a Substantive Change.

That table is shown here for your quick reference. It is also found on the SACS official website: http://www.sacscoc.org/pdf/081705/Substantive%20change%20policy.pdf

Implementation Date

Immediate upon approval by University Council – February 14, 2012

Notification

The Substantive Change Policy and Procedures will be presented to University's Senior Administrators in a meeting in February, 2012. It will be posted on the University's website and will be published in the Faculty Handbook and the Staff Handbook beginning fall, 2012.

Appendix M - Scheduling Courses and Other Academic Activities

Scheduling Courses and Other Academic Activities

As a residential, liberal arts institution, Southwestern University is committed to providing students with a rich and robust learning environment. While the center of the learning environment is the academic program and the work that occurs in the classroom, we also acknowledge that a great deal of student learning and growth occurs in the myriad of other activities in which students engage, including athletics, artistic performances, cultural events, field trips, lectures, programming provided by Student Life, internships, and employment opportunities.

So that students may take the fullest advantage of the learning Southwestern has to offer, the faculty are committed to continuing our tradition of scheduling classes and activities in a manner that maximizes the opportunities that students have to engage in these experiences and that allows them to plan in advance when developing their daily schedules. To this end, regular academic courses will be scheduled in the time slots indicated in the Course Time Grid. Exceptions to course scheduling must be approved by the appropriate academic Dean and the Director of Records in advance of scheduling the course.

The Southwestern University course grid is designed to give faculty a variety of options for scheduling class times, including variable lengths of class meeting times. When scheduling courses, faculty should, where feasible, schedule classes with sufficient contact hours to ensure that all required class meetings, events, and activities, including tutorial sessions, can be scheduled during these hours. Classes and labs should end at the publicized hours, and a student who must leave on time, whether it is to attend another class or an extracurricular activity, should never be put at a disadvantage. If course activities are scheduled outside of class, faculty must follow the *Policies for Scheduling Course Activities*, below.

The All-Campus Time (TH 4:00-5:00) is a time in which most faculty and students should be free to participate in campus wide activities. It is designed to provide a space in the week for academically supportive events (outside lectures, panels, student presentations of work, film showings, etc.). In addition, the first All-Campus Time of each month is reserved for Student Town Hall, a Priority Event. Although the All-Campus Time is intended for academically-supportive activities, any one student may have multiple activities that s/he would like to participate in during that time; therefore, faculty should not treat the All-Campus Time as a time in which a required course activity may be added to a course without following the policies below.

Since there may be situations that warrant consideration, requests for exceptions to this policy will be handled by the Provost.

Policies for Scheduling Course Activities Between 5:00pm and 7:30pm and Other Non-scheduled Class Times:

Class Field Trips Outside of Class Time

Faculty whose courses require field trips that fall outside the scheduled time for the course, should include the requirement in the on-line course description. The exact dates and times of the field trip must be included in the course syllabus and presented to the students on the first day of class to allow students time to resolve schedule conflicts or drop/add courses, if necessary. Faculty and students should adhere to the excused absence policy outlined in the *Faculty Handbook* when scheduling field trips.

Exams Outside of Class Time

Exams can be scheduled outside of the regular course time, provided that students with reasonable conflicts are provided an alternate time that does not conflict with their other activities. Reasonable conflicts include, but are not limited to, other courses, events required by other courses, athletic practices and events, rehearsals and performances, and work schedules. The syllabus will indicate the method students use to request an alternative exam time. So that students can make informed decisions about taking the course, faculty are expected to state their use of outside of class exams in the on-line listing for the course prior to registration and include the exam dates and times in the course syllabus presented to students on the first day of class. Exams should not be scheduled during the All-Campus Time or Priority Events.

Tutorial and Other Study Sessions

All students should have access to any tutorial and study sessions conducted by the faculty member for a course. If faculty include tutorial or other study sessions as regular elements of their courses, they should schedule their courses in the time slots that provide sufficient contact time to include these sessions in the allotted class time. If a tutorial or study session is scheduled outside of the regular class period, students with scheduling conflicts must be provided with an alternative time for an equivalent tutorial or study session. This could include a group review session during scheduled office hours.

Capstone Presentations

As the culminating experience in a student's academic program, capstone presentations hold special significance within the Southwestern educational experience. While faculty should make every effort to schedule capstone presentations within the Course Time Grid, faculty may require attendance outside of regular class time for students presenting their capstone work if students are given adequate notice of the date and time to allow them to adjust their schedules as necessary.

Other Class Meetings and Events Outside Regular Hours

Normally, class meetings and required class activities will be held within times reserved for the class. However, as a liberal arts college with an emphasis on engaged student learning, we recognize that some important class activities, such as attendance at evening performances or certain Priority Events such as Brown Symposium, cannot be scheduled during class, lab, or exam times. Events held outside the regular course times can be tied to a course if (a) the activity is a Priority Event, (b) the attendance at the event is optional (i.e. the student's grade will not be adversely affected if they miss the event – either by penalty or the inability to gain extra credit), or (c) when students have flexibility choosing among several evening or special events, some of which must be outside the Non-Scheduled times, or are given other alternatives. When meetings and events outside regular class hours cannot reasonably fit within this policy, faculty should contact the Provost to discuss an exemption to this policy.

To-Be-Arranged Course Times

To-Be-Arranged (TBA) course times and activities (independent studies, applied music, research, etc.) may be scheduled at any time that is mutually agreeable between the faculty member and student(s); however, faculty should be considerate of students' academic and non-academic schedules when working with their students to create a TBA schedule.

Scheduling a required class related activity without following the policies outlined above or without prior approval of the Provost will constitute a violation of the stated Academic Rights for Students (*Faculty Handbook*, page 88) and will be considered valid grounds for a grade appeal.

Appendix N – Conflict of Interest Model Policy

(suggested for use by subrecipients who are not prime awardees of HHS/PHS funding)

INTRODUCTION

[The subrecipient may want to insert itsown statements, principles or standards regarding financial conflicts of interest. This policy has been limited to PHS-sponsored research but it could be broadened for all research regardless of funding source.]

This policy governing financial conflict of interest applies to all PHS-sponsored Investigators of the Institution. The Institutional Official is responsible for ensuring implementation of this policy and may suspend all relevant activities until the financial conflict of interest is resolved or other action deemed appropriate by the Institutional official is implemented. Violation of any part of these policies may also constitute cause for disciplinary or other administrative action pursuant to Institutional policy.

DEFINITIONS

Clinical Trial means any PHS-sponsored research study that involves interaction with human subjects and the concurrent investigative use of drugs, biologics, devices or medical or other clinical procedures, such as surgery. [option for those organizations conducting clinical trials as a subawardee]

Conflict of Interest Committee (*COI Committee*) means the Institution's committee or individual that advises the Institutional Official on conflict of interest matters. The committee consists of <to be completed by subrecipient>. [option; a committee is specifically not required]

Family means any member of the Investigator's immediate family, specifically, any dependent children and spouse.

Financial Interest means anything of monetary value received or held by an Investigator or an Investigator's Family, whether or not the value is readily ascertainable, including, but not limited to: salary or other payments for services (e.g., consulting fees, honoraria, or paid authorships for other than scholarly works); any equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights and interests (e.g., patents, trademarks, service marks, and copyrights), upon receipt of royalties or other income related to such intellectual property rights and interests.

Financial Interest does NOT include:

a) salary, royalties, or other remuneration from the Institution;
b) income from the authorship of academic or scholarly works;
c) income from seminars, lectures, or teaching engagements sponsored by or from advisory committees or review panels for U.S. Federal, state or local governmental agencies; U.S. institutions of higher education; research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers; or
d) equity interests or income from investment vehicles, such as mutual funds and retirement accounts, so long as the Investigator does not directly control the investment decisions made in these vehicles.

For Investigators, *Financial Interest* also includes any reimbursed or sponsored travel undertaken by the Investigator and related to his/her institutional responsibilities. This includes travel that is paid on behalf of the Investigator as well as travel that is reimbursed, even if the exact monetary value is not readily available. It excludes travel reimbursed or sponsored by U.S. Federal, state or local governmental agencies, U.S. institutions of higher education, research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers.

Significant Financial Interest means a Financial Interest that reasonably appears to be related to the Investigator's Institutional Responsibilities, and:

a) if with a publicly traded entity, the aggregate value of any salary or other payments for services received during the 12 month period preceding the disclosure, and the value of any equity interest during the 12 month period preceding or as of the date of disclosure, exceeds $5,000; or
b) if with a non-publicly traded entity, the aggregate value of any salary or other payments for services received during the 12 month period preceding the disclosure exceeds $5,000; or
c) if with a non-publicly-traded company, is an equity interest of any value during the 12 month period preceding or as of the date of disclosure; or
d) is income exceeding $5,000 related to intellectual property rights and interests not reimbursed through the Institution, or
e) is reimbursed or sponsored travel related to their institutional responsibilities.

Financial Conflict of Interest means a Significant Financial Interest (or, where the Institutional official requires disclosure of other Financial Interests, a Financial Interest) that the Institution reasonably determines could directly and significantly affect the design, conduct or reporting of PHS-sponsored research.

Institutional official means the individual within the Institution that is responsible for the solicitation and review of disclosures of significant financial interests including those of the Investigator's Family related to the Investigator's institutional responsibilities. For the purposes of this policy, the Institutional Official is designated as <to be completed by subrecipient>.

Institutional responsibilities means the Investigator's professional responsibilities associated with his or her Institutional appointment or position, such as research, teaching, clinical activities, administration, and institutional, internal and external professional committee service.

Investigator means any individual who is responsible for the design, conduct, or reporting of PHS sponsored research, or proposals for such funding. This definition is not limited to those titled or budgeted as principal investigator or co-investigator on a particular proposal, and may include postdoctoral associates, senior scientists, or graduate students. The definition may also include collaborators or consultants as appropriate.

Public Health Service or *PHS* means the Public Health Service of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority of the PHS may be delegated. The components of the PHS include, but are not limited to, the Administration for Children and Families, Administration on Aging, Agency for Healthcare Research and Quality, Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Federal Occupational Health, Food and Drug Administration, Health Resources and Services Administration, Indian Health Service, National Institutes of Health, and Substance Abuse and Mental Health Services Administration.

Research means a systematic investigation, study, or experiment designed to contribute to generalizable knowledge relating broadly to public health, including behavioral and social-sciences research. The term encompasses basic and applied research (e.g., a published article, book or book chapter) and product development (e.g., a diagnostic test or drug).

CONFLICT OF INTEREST:

This policy is predicated on the expectation that Investigators should conduct their affairs so as to avoid or minimize conflicts of interest, and must respond appropriately when conflicts of interest arise. To that end, this policy informs Investigators about situations that generate conflicts of interest related to research, provides mechanisms for Investigators and the Institution to manage those conflicts of interest that arise, and describes situations that are prohibited. Every Investigator has an obligation to become familiar with, and abide by, the provisions of this policy. If a situation raising questions of conflict of interest arises, an Investigator should discuss the situation with the Institutional official.

1) DISCLOSURE OF FINANCIAL INTERESTS

All Investigators are required to disclose their outside financial interests as defined above to the Institution on an annual and on an ad hoc basis, as described below. The Institutional official is responsible for the

distribution, receipt, processing, review and retention of disclosure forms. [option; a committee is specifically not required--The COI Committee will assist with the review of those forms and processes.]

a) **Annual Disclosures**
All Investigators must disclose their Significant Financial Interests that are related to the investigator's institutional responsibilities to the Institution, through the Institutional Official, on an annual basis. All forms should be submitted to the Institutional official or designee by <March 1 for the previous calendar year or as determined by the subrecipient>.

b) **Ad hoc Disclosures**
In addition to annual disclosure, certain situations require ad hoc disclosure. All Investigators must disclose their Significant Financial Interests to the Institution, through the Institutional Official, within 30 days of their initial appointment or employment.

Prior to entering into PHS-sponsored projects or applications for PHS-sponsored projects, where the Investigator has a Significant Financial Interest, the Investigator must affirm the currency of the annual disclosure or submit to the Institutional Official an ad hoc updated disclosure of his or her Significant Financial Interests with the outside entity. The Institution will not submit a research proposal unless the Investigator(s) have submitted such ad hoc disclosures.

In addition, all Investigators must submit to the Institutional official an ad hoc disclosure of any Significant Financial Interest they acquire or discover during the course of the year within thirty (30) days of discovering or acquiring the Significant Financial Interest.

c) **Travel**
Investigators must also disclose reimbursed or sponsored travel related to their institutional responsibilities, as defined above in the definition of Financial Interest and Significant Financial Interest. Such disclosures must include, at a minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, the duration, and, if known, the monetary value. The Institutional Official will determine if additional information is needed (e.g., the monetary value if not already disclosed) to determine whether the travel constitutes a Financial Conflict of Interest with the Investigator's research.

2) REVIEW AND DECISION OF THE INSTITUTIONAL OFFICIAL

If the disclosure form reveals a Significant Financial Interest, it will be reviewed promptly by the Institutional Official or designee for a determination of whether it constitutes a Financial Conflict of Interest. If a Financial Conflict of Interest exists, the Institutional Official will take action to manage the financial conflict of interest including the reduction or elimination of the conflict, as appropriate. [option; a committee is specifically not required--The Institutional Official may consult the COI Committee for guidance in specific cases, or in the application of the policy to particular situations.]

A Financial Conflict of Interest will exist when the Institutional Official or designee determines that a Significant Financial Interest could directly and significantly affect the design, conduct, or reporting of PHS-sponsored research. If the Institutional Official determines that there is a Financial Conflict of Interest that can be managed, he or she must develop and implement a written management plan. The affected Investigator must formally agree to the proposed management strategies and sign the written management plan before any related PHS-sponsored research goes forward.

The Institutional Official will periodically review the ongoing activity, monitor the conduct of the activity (including use of students and postdoctoral appointees), to ensure open and timely dissemination of the research results, and to otherwise oversee compliance with the management plan.

3) CLINICAL TRIALS [option for those organizations conducting clinical trials as a subawardee]

Review of Significant Financial Interests Related to Clinical Trials

Clinical trials involve particularly sensitive issues if the Investigator has a Financial Interest related to the clinical trial.

a) [The subrecipient may want to insert its own statements, principles or standards regarding financial conflicts of interest as they may relate to clinical trials or human subjects research, and under what circumstances this type of research may be conducted when a financial conflict of interest exists.]

b) In the event of non-compliance with reporting and/or management of a financial conflict of interest involving a PHS-sponsored clinical research project whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment as required by this Policy, the investigator must disclose the financial conflicts of interest in each public presentation of the results of the affected PHS-sponsored research and request an addendum to previously published presentations.

4) REPORTING TO PHS

The institutional official will report financial conflicts of interest or non-compliance to PHS in accordance with PHS regulations. If the funding for the Research is made available from a prime PHS-awardee, such reports shall be made to the prime awardee prior to the expenditure of any funds and within 60 days of any subsequently identified financial conflict of interest such that the prime awardee may fulfill their reporting obligations to the PHS.

5) INVESTIGATOR NON-COMPLIANCE

a) Disciplinary Action

In the event of an Investigator's failure to comply with this Policy, the Institutional official may suspend all relevant activities or take other disciplinary action until the matter is resolved or other action deemed appropriate by the Institutional official is implemented.

A Institutional Official's decision to impose sanctions on an Investigator because of failure to comply with this Policy, or failure to comply with the decision of the Institutional official, will be described in a written explanation of the decision to the investigator, COI Committee [option], and, where applicable, the IRB, and will notify the individual of the right to appeal the decision. The institution will promptly notify the PHS Awarding Component of the action taken or to be taken. If the funding for the research is made available from a prime PHS awardee, such notification shall be made promptly to the prime awardee for reporting to PHS.

b) Retrospective Review

In addition, if the Institutional Official determines that a Financial Conflict of Interest was not identified or managed in a timely manner, including but not limited to an Investigator's failure to disclose a Significant Financial Interest that is determined to be a Financial Conflict of Interest, or failure by an Investigator to materially comply with a management plan for a Financial Conflict of Interest, a [option] committee appointed by the Institutional Official will complete a retrospective review of the Investigator's activities and the PHS-sponsored research project to determine whether the research conducted during the period of non-compliance was biased in the design, conduct or reporting of the research.

Documentation of the retrospective review shall include the project number, project title, PI, name of Investigator with the Financial Conflict of Interest, name of the entity with which the

Investigator has the Financial Conflict of Interest, reason(s) for the retrospective review, detailed methodology used for the retrospective review, and findings and conclusions of the review.

The Institutional official will update any previously submitted report to the PHS or the prime PHS-awardee relating to the research, specifying the actions that will be taken to manage the Financial Conflict of Interest going forward. This retrospective review will be completed in the manner and within the time frame established in PHS regulations. If bias is found, the institution will promptly notify the PHS Awarding Component and submit a mitigation report in accordance with the PHS regulations. The mitigation report will identify elements documented in the retrospective review, a description of the impact of the bias on the research project and the plan of action to eliminate or mitigate the effect of the bias.

6) TRAINING

Each Investigator must complete training on this Policy, the investigator's responsibilities regarding disclosure and the PHS regulations prior to engaging in research funded by PHS, and at least every four years thereafter. They must also complete training within a reasonable period of time as determined by the Institutional Official in the event that this Policy is substantively amended in a manner that affects the requirements of Investigators, if the investigator is new to the institution, or if it is determined that the Investigator has not complied with this policy or with a management plan related to their activities.

7) RECORD RETENTION

The Institutional Official will retain all disclosure forms, conflict management plans, and related documents for a period of three years from the date the final expenditure report is submitted to the PHS or to the prime PHS awardee, unless any litigation, claim, financial management review, or audit is started before the expiration of the three year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.

8) CONFIDENTIALITY

To the extent permitted by law, all disclosure forms, conflict management plans, and related information will be confidential. However, the Institution may be required to make make such information available to the PHS Awarding Component and/or HHS, to a requestor of information concerning financial conflict of interest related to PHS funding or to the primary entity who made the funding available to the Institution, if requested or required. If the Institution is requested to provide disclosure forms, conflict management plans, and related information to an outside entity, the Investigator will be informed of this disclosure.

9) PUBLIC ACCESSIBILITY

Prior to the expenditure of funds, the Institution will publish on a publicly-accessible website or respond to any requestor within five business days of the request, information concerning any Significant Financial Interest that meets the following criteria:

a) The Significant Financial Interest was disclosed and is still held by the senior and key personnel;
b) A determination has been made that the Significant Financial Interest is related to the PHS-funded research; and
c) A determination has been made that the Significant Financial Interest is a Financial Conflict of Interest.

The information to be made available shall be consistent with the requirements of the PHS regulation.

10) REGULATORY AUTHORITY

This policy implements the requirements of 42 CFR 50 Subpart F and 45 CFR 94; where there are substantive differences between this policy and the requirements, the requirements shall take precedence.

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