

UNIVERSITY HANDBOOK

2008-2009



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SECTION I

General Information

1. History

- a. In 1960 the General Assembly of Virginia established Christopher Newport College as a non-residential branch college of The College of William and Mary and located it in Newport News, Virginia. The Board of Visitors of The College of William and Mary authorized Christopher Newport College to offer a lower-level undergraduate liberal arts curriculum through which a student could receive an Associate of Arts degree.
- b. In September 1961 the College enrolled 171 students at its initial home, the John W. Daniel School, a former public school building in downtown Newport News. In 1963, the City purchased and deeded to the Commonwealth the 75-acre tract where the present campus is now located.
- c. From 1961 to 1969, the College matured as a two-year institution, and in 1969 the Board received approval from the General Assembly to broaden the role of the College by adding upper-level bachelor's programs and awarding Bachelor of Arts and Bachelor of Science degrees.
- d. In its 1976 session, the General Assembly of Virginia established Christopher Newport College as a four-year baccalaureate institution independent of The College of William and Mary. The operation of the College was transferred to the Board of Visitors of Christopher Newport College, a 12-member board appointed by the Governor of Virginia on July 1, 1977. Since that date the Board has increased by two members.
- e. In its 1990 session, the General Assembly of Virginia authorized Christopher Newport College to offer degrees at the master's level. The 1992 session of the General Assembly of Virginia changed the status of Christopher Newport College to Christopher Newport University, effective July 1, 1992.
- f. University Presidents
 - 1) H. Westcott Cunningham, 1961–1970
 - 2) James C. Windsor, 1970–1979
 - 3) John E. Anderson, Jr., 1980–1986
 - 4) Anthony R. Santoro, 1987–1996
 - 5) Paul S. Tribble, Jr., 1996–

2. The Values of Christopher Newport University

- a. We will always put students first!
- b. We will remain committed to liberal learning.
- c. We will provide access and opportunity to a diverse community.
- d. We will be actively engaged in shaping the economic, civic and cultural life of this community.
- e. We will always offer outstanding teaching.

3. Vision

Christopher Newport University, a small academically selective public university, is grounded in the principles of liberal learning and dedicated to the ideals of scholarship, leadership, and service. We celebrate the values inherent in the liberal arts and sciences and live as a community of honor to inspire our students to lead lives of significance. We aspire to be a preeminent, public liberal arts and sciences university. We will pursue excellence in all that we do and dedicate ourselves to those initiatives that will strengthen our teaching, our scholarship, our academic programs and disciplines, and our campus community. We will build an intimate, diverse, residential community which will attract the most academically talented, inquisitive, and intellectually adventuresome students. We will ignite in our students a love of learning and instill a sense of responsibility

and civic duty that will give our graduates the knowledge and confidence to engage as responsible leaders and citizens in their communities, the nation, and the world.

4. Mission Statement

The mission of Christopher Newport University is to provide educational and cultural opportunities that benefit CNU students, the residents of the Commonwealth of Virginia, and the nation. CNU provides outstanding academic programs, encourages service and leadership within the community, and provides opportunities for student involvement in nationally and regionally recognized research and arts programs.

Our primary focus is excellence in teaching, inspired by sound scholarship. At CNU, personal attention in small classes creates a student-centered environment where creativity and excellence can flourish. Our primary emphasis is to provide outstanding undergraduate education. We also serve the Commonwealth with Master's degree programs that provide intellectual and professional development for graduate level students.

We are committed to providing a liberal arts education that stimulates intellectual inquiry and fosters social and civic values. CNU students acquire the qualities of mind and spirit that prepare them to lead lives with meaning and purpose. As a state university, we are committed to service that shapes the economic, civic, and cultural life of our community and Commonwealth.

5. University Strategic Plan - Vision 2010

a. University Priority I – A vital curriculum.

An excellent liberal learning curriculum, providing students a rigorous higher education rooted in the liberal arts and sciences and responding to the values inherent in the University's mission.

Goals:

- 1) Provide an intellectually challenging and dynamic liberal learning curriculum.
- 2) Support learning that cultivates critical and innovative thinking.
- 3) Foster independent student learning.
- 4) Connect liberal learning to ethical conduct and civic responsibility.

b. University Priority II - A culture of student learning and engagement.

Independent, disciplined, and dedicated students committed to learning, scholarship, and civic responsibility in a community of honor.

Goals:

- 1) Foster campus-wide commitment to academic life and culture.
- 2) Promote personal initiative, integrity, and responsibility for learning.
- 3) Sustain and promote a climate of University-wide undergraduate and graduate intellectual engagement.
- 4) Connect liberal learning to community outreach through service and leadership.
- 5) Create learning opportunities that expand individual potential.
- 6) Foster a culture of academic success as reflected in retention and graduation rates.

c. University Priority III - An inspired faculty.

An exceptional faculty of respected teacher-scholars who thrive in a community of honor committed to liberal learning and civic responsibility.

Goals:

- 1) Cultivate a faculty committed to teaching and learning excellence and to University citizenship.
- 2) Recognize and support faculty innovations and achievements tied to excellence in teaching, scholarship, and service.
- 3) Affirm and support principles of shared governance.

d. University Priority IV - A purposeful campus community.

A safe, aesthetically pleasing campus of beauty and function that promotes community and achievement as well as intellectual and social engagement.

Goals:

- 1) Cultivate a talented, inspired, and diverse staff committed to the University's mission.
 - 2) Sustain a program of intercollegiate athletics that enhances the quality of campus life and supports the mission of the University.
 - 3) Employ state-of-the-art technology in the service of the University.
 - 4) Reflect the University's character through creative and functional design.
 - 5) Sustain a campus identified by outstanding architecture and natural beauty.
- e. University Priority V: An engagement between the campus and the larger community.
A dynamic University community whose members will transform and energize the cultural, intellectual, and economic lives of the region.
Goals:
- 1) Foster and promote the civic benefits of the public liberal arts and sciences university.
 - 2) Build community-university collaborative relationships.
 - 3) Promote university-related opportunities for the region.
 - 4) Promote the university as an economic, intellectual, and social asset for the region.
6. Academic Accreditation
- a. Regional Accreditation
Christopher Newport University is accredited by the Commission on Colleges of the Southern Association of Academics and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097; Telephone number 404-679-4501), to award degrees at the bachelor's level and at the master's level.
- b. Specialized Accreditation
- 1) The baccalaureate social work program of Christopher Newport University is accredited by the Council on Social Work Education.
 - 2) The music program of CNU is accredited by the National Association of Schools of Music.
 - 3) The baccalaureate computer engineering program of Christopher Newport University is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (ABET).
 - 4) The business program of Christopher Newport University is accredited by AACSB International, the Association to Advance Collegiate Schools of Business.
7. The University is authorized to confer the following degrees:
- a. Bachelor of Arts in the fields of:
- 1) American studies,
 - 2) biology,
 - 3) communication studies,
 - 4) English,
 - 5) fine and performing arts (Fine Art, Music, Theater),
 - 6) history,
 - 7) interdisciplinary studies,
 - 8) mathematics,
 - 9) modern languages (French, German, Spanish),
 - 10) philosophy,
 - 11) political science,
 - 12) psychology,
 - 13) sociology (sociology, social work), and
- b. Bachelor of Science in the fields of:
- 1) biology, environmental science,

- 2) chemistry,
 - 3) computer engineering,
 - 4) computer foundations, applied physics, computer science, information systems,
 - 5) interdisciplinary studies,
 - 6) mathematics, and
 - 7) psychology.
- c. Bachelor of Science in Business Administration, with majors in:
- 1) accounting,
 - 2) economics,
 - 3) finance,
 - 4) management, and
 - 5) marketing.
- d. Bachelor of Science in Information Science.
- e. Bachelor of Music, with concentrations in the areas of:
- 1) history and literature,
 - 2) music education,
 - 3) performance, and
 - 4) theory/composition.
- f. Master of Arts in Teaching in the endorsement area of:
- 1) art,
 - 2) biology,
 - 3) computer science,
 - 4) elementary,
 - 5) English,
 - 6) French,
 - 7) history and social science,
 - 8) mathematics,
 - 9) music (choral and instrumental),
 - 10) physics,
 - 11) Spanish, and
 - 12) theater.
- Upon completion of the program, students are recommended for licensure through the Virginia Department of Education to teach in the Commonwealth of Virginia.
- g. Master of Science in the fields of:
- 1) applied physics and computer science, with concentrations in the areas of
 - a) computer systems engineering and instrumentation,
 - b) computer science,
 - c) applied physics, and
 - 2) environmental science.
8. Cooperative Arrangements
The University has cooperative programs with other educational institutions allowing students the opportunity to pursue formal degree programs through joint efforts. The University has moved the review of transfer students to competitive admission standards and has developed Articulation Agreements with the Virginia Community College System for guaranteed admission.

SECTION II

Board of Visitors

This section describes the legal basis for the operation of the University, which is contained in the By-Laws of the Board of Visitors, the governing body of the University by the provisions thereof and referenced therein. This section is authorized by the Board of Visitors and changes in this section are effected only with the approval of the Board.

1. By-Laws, Board of Visitors, Christopher Newport University

a. Article I. Corporate Name and Governing Body

Christopher Newport University is a public corporation created by an Act approved by the General Assembly of Virginia on March fifth, nineteen hundred seventy-six, to amend the Code of Virginia by adding Title 23, Chapter 5.3, sections 23-49.23 through 23-49.33. The method of appointment of members of the Board of Visitors of Christopher Newport University, their eligibility for service, and their powers and duties are set forth therein.

b. Article II. Composition, Appointment, Removal

- 1) The Board of Visitors shall consist of fourteen members appointed by the Governor, subject to confirmation by the General Assembly of Virginia, for terms of four years. Members may be reappointed for one additional four-year term. No more than two of such members may be nonresidents of Virginia. Visitors shall continue to serve until their successors have been appointed and have qualified.
- 2) A vacancy on the Board is filled by appointment by the Governor for the unexpired term. A person filling an unexpired term may be reappointed by the Governor, subject to confirmation by the General Assembly, for two additional four-year terms.
- 3) Removal of Visitors shall be made pursuant to statute.

c. Article III. Powers and Duties

The Board shall control and expend the funds of the University and any appropriation hereafter provided; control all real estate and personal property of the University; make all needful rules and regulations concerning the University, appoint the president who shall be its chief executive officer, and all **members of the faculty**; fix their salaries; provide for the employment of other personnel as required; and generally direct the affairs of the University.

d. Article IV. Meetings

Meetings of the Board of Visitors are of three kinds: the Annual meeting, regular meetings and special meetings. There will be four meetings held per year.

- 1) Section 1. The Annual Meeting - The annual meeting of the Board is the first meeting in the new academic year. Board officers are elected at the annual meeting.
- 2) Section 2. Regular Meetings - The Board shall meet in addition to the Annual meeting, in September, December, March, and at other such times as it may designate. The days, times and places of the meetings shall be fixed by the Board.
- 3) Section 3. Special Meetings - Special meetings of the Board may be called by the Rector or any three members of the Board. Notice of such meetings shall be given by the Secretary to every member and

1 shall include the date, time, and place of the meeting. No matter may be considered which was not
2 specified in the call except by a two-thirds vote of the members of the Board present at the meeting.
3

4 4) Section 4. Due notice, in writing, of the Annual Meeting, all regular meetings, and any changes in the
5 dates, times, or places of regular meetings shall be given by the Secretary of the Board. Such notice
6 shall be sent at least seven days prior to the meeting. Notice of all Special Meetings shall be sent at
7 least five days prior to the meeting and shall specify the item or items of business to be considered.
8

9 5) Section 5. An agenda shall be prepared by the Secretary, under the supervision of the President. Such
10 agenda shall be distributed to the Visitors at least seven days prior to the meeting for which it is
11 prepared. Matters which arise between the distribution of the Agenda and the convening of the Board
12 shall be presented to the Board as a Supplementary Agenda, which is to be prepared by the Secretary
13 under the supervision of the President. The written notice of a Special Meeting specifying the item to
14 be considered at the Special Meeting shall take the place of the Agenda at the special meeting.
15

16 6) Section 6. A quorum for the conduct of business shall consist of seven members of the Board (as
17 required by statute) except in those instances where other statutory provisions require a larger number
18 for the transaction of particular items of business.
19

20 7) Section 7. Attendance at any meeting or a waiver of notice signed by a member shall be the equivalent
21 to the giving of proper notice of the meeting.
22

23 8) Section 8. Minutes of all meetings of the Board shall be maintained by the Secretary and shall be
24 available to the members of the Board, the President, and such others as required by law.
25

26 9) Section 9. Faculty or student committee representatives and others may be invited by the Rector to
27 attend any meeting of the Board for the purpose of presenting matters to the Board. All meetings of
28 the Board of Visitors shall be open to the public.
29

30 10) Section 10. All meetings of the Board shall be conducted in accordance with the principles of
31 procedure prescribed in *Robert's Rules of Order*, Newly Revised.
32

33 e. Article V. Officers

34 1) Section 1. The Board of Visitors shall at the Annual Meeting in even numbered years elect from its
35 membership a Rector, a Vice-Rector and a Secretary. Said officers shall serve for a two-year term.
36 The elections shall be by secret ballot, unless waived unanimously by consent. The Secretary shall
37 serve as the presiding officer until an election is accomplished or the Board appoints another presiding
38 officer. Election of officers shall be by a majority vote of the members present.
39

40 2) Section 2. Powers and Duties of the Rector - The Rector shall be the presiding officer of the Board at
41 all of its meetings and as such shall have the power, unless otherwise directed by the Board, to fix the
42 order of business, appoint all standing and special committees (except the Executive Committee), and
43 require the proper preservation of a record of the Board's proceedings by the Secretary. Upon the
44 request of the Board, the Rector shall act as its spokesperson or representative.
45

46 The Rector shall perform such additional duties as may be imposed on the office by statute or by the
47 direction of the Board. Whenever the Office of the President becomes vacant or a vacancy is
48 impending, the Rector shall appoint a Special Committee on the Nomination of a President from
49 among the membership of the Board to seek and recommend to the Board a person to fill the vacancy.
50 This special committee shall be chaired by the Rector, and the committee shall consist of no fewer than
51 five members.
52

- 3) Section 3. Vacancies - A vacancy in the office of Rector shall be filled by the Board for the unexpired term, following the procedure set forth in Article V, Section 1. If the cause of the vacancy is the expiration of the Rector's term as a member of the Board, the vacancy shall be filled at the first regular meeting following such expiration. If the vacancy occurs from any other cause, the vacancy shall be filled at the first regular meeting after such vacancy occurs or at a special meeting called for that purpose, at which meeting a quorum shall consist of nine Visitors.
- 4) Section 4. Powers and Duties of the Vice-Rector - In the absence of the Rector at any meeting or in the event of the Rector's disability or of a vacancy in office, all the powers and duties of the office of Rector shall devolve upon and be executed by the Vice-Rector. The Vice-Rector shall perform such other duties as may be imposed on the Vice-Rector by direction of the Board. In the absence of the Rector, the Vice Rector shall preside at all meetings.
- 5) Section 5. Powers and Duties of the Secretary - The Secretary of the Board shall be responsible for the notices to every member of all meetings of the Board, for recording, maintaining and distributing minutes of all meetings of the Board, and for such correspondence and communications as the business of the Board may require. In the absence of the Rector and Vice-Rector, the Secretary shall preside.
- 6) Section 6. In the absence of the Rector, Vice-Rector and Secretary, the Board shall appoint a pro tempore officer to preside.
- 7) Section 7. Vacancies in the offices of Vice-Rector or Secretary shall be filled by the Board at the next regularly scheduled meeting or at a Special Meeting, called for such purpose, for the unexpired term.

f. Article VI. The Executive Committee

- 1) Section 1. The members of the Executive Committee shall be the Rector, who shall serve as Chair, Vice-Rector, Secretary, and two members-at-large, all of whom shall be elected as required by Article V, Section 1 above, and chairs of the Standing Committees, who shall be appointed by the Rector. Any member of the Board of Visitors who wishes to do so may attend an Executive Committee meeting with full voting privileges.
- 2) Section 2. The *ex officio* and appointed members of the Executive Committee shall be designated at the Annual Meeting and may be designated at each Annual Meeting.
- 3) Section 3. The Executive committee shall meet upon the call of the Rector. It shall transact the business of the Board in its recess. All actions taken by the Executive Committee during the recess of the Board shall be reported to the Board at the next regular meeting by the Chair.
- 4) Section 4. A simple majority of the Rector, Vice Rector, Secretary, two members-at-large and chair of the standing committees shall constitute a quorum.
- 5) Section 5. The Executive Committee may make rules and set the agenda for the conduct of its meetings and the notice given thereof.
- 6) Section 6. Vacancies on the Executive Committee shall be filled at the next regularly scheduled meeting of the Board and by the same method as set forth in Article VI, Section 1.

g. Article VII. Standing Committees

- 1) The Standing Committees of the Board of Visitors shall be the Committee on Finance and Audit; the Committee on Academic Affairs; the Committee on Student Life; and the Committee on Development.

2) The Rector shall appoint the chair and members of the committees. Each committee shall have a minimum of four members who shall serve for a period of two years. Three members shall constitute a quorum.

3) The duties of the committees shall be as follows:

a) The Committee on Finance and Audit

Finance. It shall be the duty of this committee to consider and make recommendations to the Board concerning fiscal policy and the financial and economic operations of the university. It shall be the duty of this committee to consider and make recommendations to the Board on matters relating to the buildings and grounds of the university. It shall be the duty of this committee to ascertain the existence of an effective accounting and internal control system. The Committee shall, through regular reporting to the Board, aid it in meeting its fiduciary responsibilities to the Commonwealth of Virginia.

Audit. It shall be the duty of this committee to oversee the entire audit function, both independent and internal. It is of primary importance that this committee provides good communication between the auditors and the Board of Visitors. The committee shall examine and approve the annual financial statement of the University to the Board of Visitors that the President submits by November 1 of each year and to conduct other such audits as deemed necessary for the good order of the University's finances. The committee shall meet at least once each year and as needed at other times.

b) The Committee on Academic Affairs. It shall be the duty of this committee to consider and make recommendations to the Board on matters of faculty appointments and the academic organization of the university.

c) The Committee on Student Life. It shall be the duty of this committee to consider and make recommendations to the Board on policies affecting the students of the university.

d) The Committee on Development. It shall be the duty of this committee to consider and make recommendations concerning the ways and means of fostering the relationship between the university and its alumni and the general development and fund-raising efforts of the university. The committee shall oversee the management by the University of its investment policy.

h. Article VIII. Ad Hoc Committees

1) The Rector may from time to time appoint ad hoc committees of the Board as the Rector deems necessary for the good conduct of Board and University affairs. Each such committee shall have a minimum of four members, including a chair appointed by the Rector. Three members shall constitute a quorum.

2) The duties of all ad hoc committees shall be specified by the Rector at the time of their appointment.

i. Article IX

1) The President of the University shall be the chief executive and academic officer of the University. The President shall be appointed by the Board and shall serve at its pleasure.

2) Duties of the President — The President shall

a) attend all meetings of the Board and shall have notice of and the privilege of attending all meetings of its committees;

- b) have responsibility for the operation of the University in conformity with the purposes and policies determined by the Board;
 - c) act as adviser to the Board and shall have responsibility for recommending to it for consideration those policies and programs which in the President's opinion will best promote the interests of the University;
 - d) recommend to the Board long-range educational goals and programs and the new degrees which may be best suited to attain those goals and programs;
 - e) recommend to the Board the election, compensation, promotion, and leaves of absence of the faculty except as otherwise provided;
 - f) have primary responsibility for the establishment and maintenance of proper relationships with the graduates of the University;
 - g) at all times maintain cordial relationships with the students, guarding and protecting their best interests;
 - h) submit to the Board at the June meeting each year an annual budget for the operation of the University for the following fiscal year, and shall prepare and submit to the Governor, after approval by the Board, a biennial budget request as required by law or regulation;
 - i) promote the development of the endowment funds of the University and be authorized to accept any gift or grant subject to the approval of the Governor as required, making a report thereon to the Board of such gifts or grants;
 - j) present by November 1 of each year the annual financial statements of the University to the Board of Visitors, the Secretary of Education, and, under oath, to the Auditor of Public Accounts as required by Section 2.1-160 of the Code of Virginia (1950), as amended; [report of the President to the Board at its January meeting] and to give the Board an update of University matters at each meeting of the Board.
 - k) perform such other duties as may be required by the Board.
- j. Article X. Hearings
The Board at its discretion shall hear such appeals, as are provided for in the University regulations.
- k. Article XI. Amendment of By-Laws
The By-Laws may be amended at a regular meeting of the Christopher Newport University Board of Visitors provided that the amendment has been submitted in writing at the previous meeting and shall receive not less than eight affirmative votes.
- l. Article XII. Construction of By-Laws
These By-Laws and any amendments shall be construed consistently with the provisions of the laws of the Commonwealth of Virginia.
- m. Article XIII. Date of Implementation
The effective date of the provisions of these By-Laws shall be **April 29, 2008**, and as of that date shall supersede all prior actions of the Board which are inconsistent with them.

2. Policies of the Board of Visitors of Christopher Newport Universitya. General Policies

- 1) The Board authorizes the establishment of a *University Handbook*, which shall be a collection of documents which fall into three categories.

The first category is Board Bylaws and Policies. The contents of the documents in this category are contractual in nature and authorized by the Board.

The second category is University Regulations. The contents of the documents in this category are subordinate to, and derived from the Board Bylaws and Policies, and are authorized by the President under delegated authority from the Board, with right of review. They are contractual in nature.

The third category is University Information, the contents of which documents are authorized by the Vice Presidents under the delegated authority from the President, and are not contractual in nature, and may be changed at any time.

A *University Handbook* Committee, appointed by the President, reviews all proposed changes to the University Regulations and Information categories of the *Handbook*, and makes its recommendations to the President.

The maintenance of the *Handbook* is the responsibility of the President or the President's delegate.

Should the occasion arise for an official interpretation of the contents of the *Handbook*, that interpretation is vested in the President, subject to review of the Board. The Board reserves the right from time to time to clarify and/or change, consistent with applicable law, the contractual conditions and contents of the documents contained in the *Handbook*.

- 2) Consistency

All by-laws, handbooks, policies, regulations, and procedures of the faculty, students, administration, alumni, and other organizations of the University must be consistent with, or subordinate to the By-laws and Policies of the Board of Visitors (hereinafter referred to as the "Board").

- 3) Construction

These policies shall be construed consistently with the laws of the Commonwealth of Virginia; and nothing contained herein shall affect or diminish the rights and powers thereby vested in the Board.

- 4) Independence

Although certain policies and procedures contained in the documents in the *Handbook* and in other places may be similar to those of the American Council on Education, the American Association of State Colleges and Universities, the Southern Association of Academics and Schools, the American Association of University Professors, and other organizations, the Board hereby declares that its policies and procedures are independent of those or any other organizations: it shall not be bound by interpretations of its policies by any organizations. Moreover, the University does not consider membership in any organizations as binding to follow recommendations, policies, procedures, interpretations, guidelines, or any other statements by any organizations of which it is a member.

- 5) Emergency Provisions

The Board by vote of two-thirds majority of a quorum at any regular or specially called meeting may declare a "State of Emergency" and thereafter take whatever actions by a simple majority it deems necessary toward resolution of the emergency state.

6) Financial Exigency

The Board by vote of two-thirds majority of a quorum at any regular or specially called meeting may declare a “State of Financial Exigency.” The condition of financial exigency is defined as a circumstance in which the University will clearly violate its primary financial policy of liquidity, which is herein stated. It is a circumstance in which recorded or anticipated expenditures are expected to exceed anticipated revenues and fund balances by material amounts, requiring substantive budgetary reductions to achieve a balanced state in the institutional budgets. The state of financial exigency may exist in the institution as a whole or within financial account groups as defined by numbered items in the Commonwealth Appropriations Act.

Upon declaration of a state of financial exigency, the Board shall direct the President to prepare revised budget plans. Such plans shall be based on general guidelines as may be provided to the President at the discretion of the Board, including program reduction, and other actions as may be necessary to reduce anticipated expenditures. The revised plan shall be subject to the final approval of the Board.

7) Control of Content

The Board reserves the right to withdraw, add to, or change the content of publications, handbooks, or other Christopher Newport University materials.

b. Academic Policies1) Admission

The Board shall determine the general policies for admission of students to the University.

2) Curriculum

Courses of study shall be developed under the direction of the President, consistent with the mission of the University and applicable laws of the Commonwealth.

3) Instruction

Subject to the legal obligations of the University and to the approval of the Board, and except as otherwise provided, actual instruction shall be discharged by the faculty of the University under the direction of the President.

4) Academic Credit

The University shall operate on the semester credit unit system.

5) Academic Freedom

The Board recognizes “academic freedom” as:

- a) the right to full freedom in the classroom in presenting and discussing subjects within one’s own recognized area of academic expertise germane to the course. The Board does not construe academic freedom in the classroom as constituting license on the part of the **faculty members** to deviate from legitimately established definitions of course content or conduct;
- b) the right to full freedom in scholarly research and publication within the time and resource limits imposed by teaching as a faculty member’s primary obligation to the University;
- c) the right of a **faculty member**, when speaking or writing as a private citizen, to be free from institutional censorship or discipline; provided, the **faculty member**, consistent with one’s obligation as a member of a learned profession and employee of the University, should endeavor to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to make every reasonable effort to indicate that the **faculty member** is not an institutional spokesperson.

6) Degrees

Degrees authorized by the Board will be conferred upon students who have completed satisfactorily the prescribed courses of study for such degrees as approved by the President.

7) Graduation

The University shall conduct at least one formal graduation exercise in each calendar year.

8) Awards

The Board of Visitors may confer the following:

a) Honorary Degrees

- (1) Doctor of Science, for scholarship in science
- (2) Doctor of Letters, for scholarship other than in science or the humanities
- (3) Doctor of Humane Letters, for scholarship in the humanities
- (4) Doctor of Laws, (generally) for distinguished service to the Commonwealth and to learning

b) Other Awards

- (1) Distinguished Service Award
- (2) Mace Award
- (3) Plaque of Recognition

9) Accreditation

The University shall maintain its accreditation by the Southern Association of Colleges and Schools.

c. Personnel Policies

1) Affirmative Action and Equal Opportunity

Christopher Newport University is an Affirmative Action and Equal Opportunity Employer.

2) Appointments

a) The Board exclusively is empowered to make all full-time faculty appointments, administrative/professional or instructional, upon recommendation by the President. All Instructional Faculty appointments shall be for the term as specified in the appointment contract.

b) In accordance with Resolution 1, dated December 14, 1993, the Board of Visitors delegates to the President of the University the authority to act on its behalf, in any instance in which he deems such action appropriate, as the final authority on the appointment of full-time, salaried members of the teaching/research and/or administrative/professional faculty of the University, regardless of type of appointment status. The President shall report the substance of all actions taken under the authority of this resolution to the Board of Visitors at the first regular meeting of the Board following any exercise of the authority hereby delegated.

3) Completeness of Contracts

a) Individual contracts constitute the complete agreements of employment between Christopher Newport University and its employees. No covenants or promises other than those expressly set forth in such contracts are made by the University.

b) Incorporation by reference into such contracts of documents and materials beyond those referred to in the contract is explicitly disclaimed.

4) Leaves

It is the policy of the Board to grant to its personnel leaves of absence which benefit the University. Leaves may be given with or without pay and with or without fringe benefits.

5) Academic Rank

The Board authorizes the following academic ranks, in hierarchical order:

- a) Distinguished Professor
- b) Professor
- c) Associate Professor
- d) Assistant Professor
- e) Instructor

6) Teaching Loads

The workload of full-time Instructional faculty requires teaching, an ongoing program of professional-development, student advising, and service to the Department, College, University, and professional and civic-communities. The full-time teaching load for probationary faculty may consist of twelve (12) lecture hours or the equivalent per week in either the Fall or Spring term, and nine (9) lecture hours or the equivalent per week in the remaining semester, for a total of twenty-one (21) lecture hours per academic year. For tenured and restricted faculty, the full-time teaching load may consist of twelve (12) lecture hours or the equivalent per week, for a total of twenty-four (24) lecture hours per academic year. The full-time teaching load for tenured faculty shall adjust to match that of probationary faculty in Fall 2010. Teaching loads are adjusted, however, when circumstances warrant.

7) Uniform Faculty Evaluation

There shall be uniform plans for the evaluation of Instructional and Administrative faculty.

8) Promotion of Faculty

All faculty promotions are elevations in academic rank only and are made by the Board, upon non-binding recommendation of the President.

9) Tenure

The Board recognizes the concept of tenure as the right of a faculty member having been conferred such status by the Board to be offered each academic year, employment for the succeeding academic year at an academic year salary and academic rank no less than the stipulated academic year salary and academic rank of the preceding academic year, subject to the contractual terms and conditions of employment which exist from period to period. Only the Board confers tenure and all rights incident thereto end with termination of employment. Only faculty whose appointment is with rank in an academic department are eligible for tenure. Tenure cannot be earned de facto, regardless of years in service. Administrative faculty cannot be tenured in their administrative positions. A tenure appointment may be terminated as provided in Section II.2.c.12) of this *Handbook*.

10) Hearingsa) Mandatory

The Board shall provide a hearing for any full-time faculty member who has been dismissed for cause, if requested in writing by the employee within 30 days of notification of the dismissal.

b) Discretionary

The Board may hear appeals, of full-time faculty on decisions of the President on matters of initial employment, promotions, tenure, or terminations other than dismissal, at its discretion.

11) Retirement

The age 70 mandatory retirement provisions have been removed from the Virginia Supplemental Retirement Act for state employees and teachers, as well as for employees serving under contracts of unlimited tenure at institutions of higher education.

12) Termination of Tenure Appointments

Employment of a tenured faculty member may be terminated at any time as a consequence of:

- a) Retirement
- b) Resignation
- c) Failure of the faculty member to execute and return a new employment contract within the time period specified by the University, such failure to be deemed a voluntary resignation
- d) Physical or mental incapacity
- e) Financial exigency as declared by the Board of Visitors
- f) Noncontinuance of positions compensated by wages
- g) Elimination or reduction of a program, department, or college/school
- h) Declaration of an emergency, as made by specified Board resolution
- i) Dismissal for one or more of the following causes:
 - (1) Incompetence in one or more areas of assigned job responsibilities
 - (2) Continuing neglect of duty in one or more areas of assigned job responsibilities
 - (3) Academic misconduct in one or more areas of teaching, research, public service, or administration
 - (4) Physical or mental incapacity in one or more areas of assigned job responsibilities
 - (5) Fraud or falsification of official documents, credentials, or experience
 - (6) Violation of Board policies
 - (7) Violation of the terms of the employment contract
 - (8) Violation of the rights and freedom of students, Board members, or employees of the University
 - (9) Conviction of a felony after initial employment

13) Termination of Nontenure Appointments

All appointments for faculty not on tenure shall be for the period specified in the employment contract and shall terminate automatically at their expiration date. A new appointment may be made for nontenured faculty in writing by the University at its discretion. The University is not obligated to show cause when no new appointment is made. Nontenured faculty shall be given reasonable notice of the University's intention not to offer a new appointment.

Employment of nontenured faculty also may be terminated at any time as a consequence of one or more of the circumstances under which the employment of a tenured faculty may be terminated (Section II.2.c.12)).

14) Termination of Employees Other Than Faculty

Employment of persons other than faculty shall be terminated in accordance with the provisions of the Virginia Personnel Act and applicable directives of the Department of Personnel and Training of the Commonwealth.

15) Sexual Harassmenta) Rationale

The Board of Visitors has a substantial and compelling responsibility to prohibit conduct by members of the University community which adversely affects the learning process, the unique academic working environment, or the University's academic image and reputation. Sexual harassment by any member of the campus community subverts the educational mission of the University and endangers the educational experiences, the careers, and the mental, physical, and/or financial well-being of faculty, students, and staff. The Board of Visitors expects the highest standards of personal behavior from its faculty, staff and students.

b) Prohibited Acts

The Board of Visitors defines sexual harassment as being any unwelcome sexual advance, unwelcome request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature that meets one or more of the following three conditions:

- (1) Such conduct requires submission/acceptance explicitly or implicitly as a term or condition of an individual's employment or educational pursuit.
- (2) Agreement to submit/accept or the rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual.
- (3) Such conduct has the purpose or effect of substantially and unreasonably interfering with any individual's performance or of creating an intimidating, hostile or offensive working or learning environment for any individual.

Sexual harassment by any member of the University community is a violation of both law and University policy and will not be tolerated.

c) Sanctions

Violations of this policy by faculty, staff, or students shall be sanctioned under the appropriate disciplinary procedures for faculty, staff, or students. In cases involving sanctions for the conduct of faculty, sanctions include dismissal pursuant to section II.2.c.12) or II.2.c.13), as appropriate, of the *University Handbook*, including:

- (1) academic misconduct in one or more areas of teaching, research, public service, or administration; b) violation of Board policies; c) violation of the terms of the employment contract; or d) violation of the rights and freedom of students, Board members, or employees of the University. In cases involving sanctions for the conduct of students, the *Code of Student Rights, Responsibilities, and Conduct* shall apply. In cases involving sanctions for the conduct of classified employees, the applicable standards of conduct established by the Department of Personnel and Training, promulgated pursuant to the Virginia Personnel Act, shall apply.

d) Complaints

Complaints of sexual harassment shall be directed to the **Director of Equal Opportunity for investigation**.

e) False or Malicious Charges

This policy shall not be used to bring false or malicious charges against fellow students, faculty members, or employees. Disciplinary action under University personnel policies or the *Code of Student Rights, Responsibilities, and Conduct*, as appropriate, shall apply.

16) Faculty-Student Relationships

a) Rationale

The Board of Visitors has a substantial and compelling responsibility to prohibit conduct by members of the University community which adversely affects the learning process, the unique academic working environment, or the University's academic image and reputation. The University's educational mission requires that the relationship between the faculty of the University and the students of the University be professional in nature. To this end, the Board deems it necessary and appropriate that *every* instructional faculty member and *every* administrative/professional faculty member have a *professional* relationship to and responsibility toward *every* student of the University. The Board deems such professional relationships to be incompatible with intimate relationships. The Board deems such intimate instructional faculty-student and administrative/professional faculty-student relationships to

1 have the potential to subvert the educational mission of the University; to have the potential to
2 affect adversely the educational experiences of students; to have the potential to affect adversely
3 the effectiveness of both instructional and administrative/professional faculty in the discharge of
4 their professional responsibilities; and to have the potential to affect adversely the mental,
5 physical and/or financial well-being of faculty, staff, and students — including in all instances
6 instructional and administrative/professional faculty, staff, and students who may not be direct
7 parties to the relationship itself.

8
9 b) Prohibited Acts

10 No instructional or administrative/professional faculty member shall have an amorous relation-
11 ship (consensual or otherwise) with a student. However, nothing in this policy shall be
12 construed as prohibiting the spouse of an instructional or administrative/professional faculty
13 member from enrolling as a student. Moreover, nothing in this policy shall be construed as
14 prohibiting the spouse of a student from accepting employment as an instructional or
15 administrative/professional faculty member.

16
17 c) Sanctions

18 Violations of this policy by instructional or administrative/professional faculty members shall
19 be considered cause for dismissal. In dismissing instructional faculty, the University will follow
20 the Due Process procedures set forth in the *University Handbook*. However, the University may
21 place the instructional faculty member on administrative leave with pay pending the completion
22 of the dismissal process.

23
24
25 d) Complaints

26 Complaints involving violations of this policy shall be directed to the Director of Equal
27 Opportunity for investigation.

28
29 e) False Charges

30 A student who knowingly brings false charges under this policy against an instructional or
31 administrative/professional faculty member shall be considered in violation of the Honor Code
32 and, upon conviction of the offense, shall be expelled. An instructional or
33 administrative/professional faculty member who knowingly brings false charges under this
34 policy against another instructional or administrative/professional faculty member shall be
35 considered guilty of violating the “rights and freedoms of students, Board Members, or
36 employees of the University.” Under these by-laws, violation of the “rights and freedoms of
37 students, Board Members, or employees of the University” constitutes cause for termination of
38 employment. A classified employee who knowingly brings false charges under this policy
39 against an instructional or administrative/professional faculty member shall be considered to
40 have lied to their employer and shall be subjected to appropriate discipline under the
41 Commonwealth of Virginia State Classified Employee system.

42
43 d. Financial Policies

- 44 1) The primary principle which shall govern financial management of the University is liquidity, which is
45 that the Board shall authorize only expenditures of those funds which the University has received.
46 Budgeted expenditures will be developed on reasonable expectations of revenues; however,
47 irrevocable commitments to expend, or actual expenditures will not occur until the University is in
48 receipt of revenues, gifts, transfers, and appropriations adequate to support such commitment or
49 expenditure.

2) Reporting Principles

Revenues shall be collected, expenditures made, and transactions recorded and reported in accordance with established principles, regulations, and law. A listing of applicable statements of standards and governing directives shall be presented by the President to the Board and annually reviewed by the Board.

3) Tuition and Fees

The Board shall establish mandatory tuition and fee schedules. Non-mandatory fees and user rates shall be established by the President or the President's designee. The underlying principle governing establishment of fees, tuition, and user rates is that sufficient funds be raised to support planned operations and capital development with due consideration to requirements of law, market conditions, and fund balances which may otherwise be available from appropriations and gifts.

4) Tuition Waiver

The Board shall establish appropriate tuition waiver plans.

5) Internal Audit

There shall be an Office of Internal Audit which shall report to the Board.

6) Compensation Plan

The Board shall annually approve a plan of compensation for faculty.

7) Budget

The Board shall annually approve a budget.

e. Policy Concerning Student Conduct

The University shall establish and maintain standards of student conduct in order to preserve the rights and enforce the responsibilities of students as members of the University community.

f. Operational Policy

The President of the University shall be the chief executive and academic officer of the University. The President shall have responsibility for the operation of the University in conformity with the purpose and policies determined by the Board.

g. Policy Concerning Indemnification

The following policy of indemnification includes all prior occurrences brought to action or which may be brought to action.

Christopher Newport University shall, to the extent permitted by law, indemnify each of its Board members, officers or employees (including persons who serve at its request as trustees, directors, officers, employees, or agents of other organizations in which it has an interest) against all liabilities and expenses, including amounts paid in satisfaction of judgments, in compromise or settlement, as fines and penalties, and for attorneys' fees, reasonably incurred in connection with the defense or disposition of any action, suit or proceeding, whether civil, criminal, administrative, arbitrative, or investigative and whether derivative or nonderivative, in which such person may be involved or with which such person may be threatened, while in office or thereafter, by reason of being a Board member, officer, or employee of the University, except with respect to any matter as to which such person shall have been adjudicated in any such action, suit, or proceeding not to have acted in good faith in the reasonable belief that the action was in or not opposed to the best interests of the University; provided, however, that as to any matter disposed of by a payment in compromise or settlement made by such Board member, officer, or employee, pursuant to a consent decree or otherwise, no indemnification shall be provided unless such compromise or settlement shall be approved as in the best interests of the University, after notice that it involves indemnification, (a) by a majority vote of a quorum of disinterested Board members of the University or (b) if such a quorum is not obtainable, by

a majority of the disinterested Board members, provided that, in the case of a Board member, there has been obtained a written opinion of the Attorney General of Virginia, or the Attorney General's designee, other than the University's legal counsel, to the effect that such Board member appears to have acted in good faith in the reasonable belief that the Board member's action was in or not opposed to the best interests of the University or (c) if there be no disinterested Board members, by a majority vote of a quorum of Board members of the University provided that, in the case of a Board member, there has been obtained a written opinion of the Attorney General of Virginia, or the Attorney General's designee, other than the University's legal counsel, to the effect that such Board member appears to have acted in good faith in the reasonable belief that the Board member's action was in or not opposed to the best interests of the University.

Indemnification shall include payment by the University of expenses, including attorney's fees, incurred in defending an action, suit or proceeding in advance of the final disposition of such action, suit or proceeding, upon receipt of an undertaking by or on behalf of the Board member, officer, or employee indemnified to repay the amount so paid, even though such person shall be adjudicated to be not entitled to indemnification.

h. Policy on Ownership of Intellectual Property

1) Introduction

- a) The results of scholarly activities may take many forms, including research papers, books, inventions, computer software, musical scores, articles for magazines and journals, and new technologies. Many of these intellectual properties have value for the owner(s) and should be protected under the appropriate patent or copyright laws.
- b) This policy is designed to:
 - (1) protect the equities of the authors and the inventors, as well as the University,
 - (2) define the responsibilities, rights and privileges of those involved, and
 - (3) establish basic guidelines to be included in the administration of this policy.

2) Definitions

Most of the following definitions explain words or phrases that are used in particular ways in these guidelines. Two terms, "assigned duty" and "significant use of general funds," are defined because state law requires that they be defined. Throughout these guidelines, where it is appropriate, the singular form of a noun also includes the plural: "creator" also means "creators" if there are more than one, etc.

- a) Assigned duty (Required by legislation for determining when transfers of intellectual property must be approved by the Governor.)

"Assigned duty" is narrower than "scope of employment," and is an undertaking of a task or project as a result of a specific request or direction. A general obligation to do research, even if it results in a specific end product such as a vaccine, a published article, or a computer program, or to produce scholarly publications, is not a specific request or direction and hence is not an assigned duty. In contrast, an obligation to develop a particular vaccine or write a particular article or produce a particular computer program is a specific request or direction and is therefore an assigned duty.

b) Claims an interest

The University "claims an interest" in intellectual property when it asserts a right in the property under its intellectual property policy. The University may choose not to "claim an interest" in some forms of intellectual property that it does not want to own, even though it might legally be able to assert ownership.

c) Council or State Council

The State Council of Higher Education for Virginia.

d) Creator

Either an inventor in the context of patentable inventions, or an author in the context of copyrightable works of authorship.

e) Employees

Full and part-time faculty; classified employees; administrative staff; and students who are paid for specific work by the University. Students may be employees for some purposes and not for others. If they are paid as student assistants, for example, or given grants to do specific research, they will be employees. Students receiving general scholarship or stipend funds would not normally be considered employees.

f) Intellectual Property

Anything developed by anyone covered by the University's intellectual property policy that fits one or more of the following categories:

- (1) a potentially patentable machine, article of manufacture, composition of matter, process, or improvement in any of these; or
- (2) an issued patent; or
- (3) a legal right that inheres in a patent; or
- (4) anything that is copyrightable (in legal terms, this means anything that is an original work of authorship, fixed in a tangible medium of expression).

g) Reporting Period

The period from July 1 of one year through June 30 of the following year.

h) Royalties Received

Any value received during the reporting period, including cash payments as well as the market value of any property or services received, in consideration for a transfer of any intellectual property in which the University claims an interest.

i) Significant Use of General Funds (Required by legislation for determining when transfers of intellectual property must be approved by the Governor.)

This phrase, and the phrase "developed wholly or significantly through the use of general funds," mean that general funds provided \$10,000 or more of the identifiable resources used to develop a particular intellectual property. A reasonable cost should be assigned to those resources for which a cost figure is not readily available, such as salary, support staff, and other equipment and resources dedicated to the creator's efforts. Resources such as libraries that are available to employees generally should not be counted in the assessment of the use of general funds.

- j) State Council
See "Council."

- k) Work-Made-for-Hire
Intellectual property, either an invention or copyrightable material, which has been produced by an individual or group acting as an employee of the University with the use of University resources.

3) Applicability of the Policy

The Intellectual Property policy of Christopher Newport University applies to employees; visiting faculty and researchers; and those employees and visitors covered by sponsored program agreements or other contractual arrangements, as well as employed students.

4) Ownership of Intellectual Property

Unless otherwise required by agreement, law, or this policy, Christopher Newport University assumes the creator of intellectual property retains the proprietary interest.

a) Patentable Discoveries and Inventions

Any employee of the University who has made a discovery or invention which in the employee's judgment appears to be patentable, or upon which the employee plans to seek to obtain a patent, shall bring such discovery or invention to the attention of the Chair of the Patents Subcommittee. The purpose of this disclosure is to determine whether and to what extent the University has a proprietary interest in the discovery or invention. All such discoveries should be disclosed as promptly as possible. Upon receipt, a disclosure shall be reviewed by the Subcommittee on Patents. Each discovery or invention should be disclosed regardless of whether or not the inventor(s) plan to exploit the discovery or invention for financial gain. Failure to make the required disclosure may result in a forfeiture of any proceeds or profits which the University would otherwise be obligated to pay pursuant to this policy.

b) Ownership of Discoveries and Inventions

(1) Outside Ownership

Certain research projects sponsored by governmental agencies, industrial organizations, or others may entitle the sponsors to ownership of a discovery or invention made by a faculty or staff member of the University without payment of any royalty. This ownership may occur when the sponsor provides funds for the entire project and in research involving the testing of a product or products developed by the sponsor. The Chair of the Patents Subcommittee is authorized to ratify such agreement on patent matters where it is necessary to do so as a prerequisite to University participation in the project or receipt of a grant or contract. The determination of the Chair may be subject to review by the Subcommittee on Patents.

(2) Faculty or Staff Ownership

A discovery or invention developed by a faculty or staff member shall be the exclusive property of the inventor(s), if: (i) the University has contributed no funds, facilities, or time of the inventor(s) and (ii) the discovery or invention is not along lines related to any University research program then in progress or completed within the past twelve (12) months with which the inventor(s) may have a connection.

(3) Review and Disposition of New Discoveries and Inventions

Where the University has a proprietary interest, the discovery or invention shall be reviewed by the Chair of the Patents Subcommittee. A recommendation may be made to seek patent protection. In the absence of interest on the part of commercial or University-related entities to license and/or develop the invention or new technology, the invention will be reviewed by the Patents Subcommittee prior to releasing any interest to the inventor(s). Upon concurrence

of the Subcommittee on Patents the invention may be pursued by the inventor's own patent agent, subject to the remaining provisions of this document. Expenses incurred by the inventor pursuing this option may be recoverable from subsequent royalty income received by the University. The University shall have the right to review the patent documents prior to submission of an application for patent.

Such determination shall be made within 90 days from the date of receipt of the disclosure, unless it is mutually agreed by the Subcommittee and the inventor(s) that additional time is needed and an alternative deadline is established. The inventor(s) shall have the right to make recommendations pertaining to such determinations.

If the discovery or invention in which the University has a proprietary interest is submitted to an organization for invention development, and the organization decides not to file or abandons an application for a patent, the invention may be submitted to other organizations for the same purpose. If all potentially interested organizations have been queried, the application is abandoned, or no action is taken within the 60 days after receipt of the notice of declination, the University's rights to the invention shall be assigned to the inventors at the inventor's request. At the time of assignment, the University may elect to continue to maintain its proprietary interest.

c) Determining Copyright Ownership

All materials in which the University may have a proprietary interest under the provisions of this policy shall be promptly reported in writing by University personnel concerned, through their department head, to the Copyright Subcommittee. The purpose of this disclosure is to determine whether, and to what extent, the University has a proprietary interest in the materials. This report shall include a full and complete disclosure of the subject matter of the materials concerned and identity of all persons participating in the development.

The Copyright Act (P. L. 94-553) provides that, when a copyrightable work is produced by one person who has been employed by another for that purpose, it is the employer and not the actual producer that is the copyright proprietor. In the academic setting, complex issues can arise as to whether the faculty or staff person produced the copyrightable work in the course of the employee's employment. Generally, the courts have placed a heavy burden of proof on the employee to prove the copyright was not a product of the employee's employment.

(1) Outside Ownership

Funds and facilities provided by governmental, commercial, industrial or other private organizations, which however are administered and controlled by the University, shall be considered to be funds and facilities provided by or through the University for the purpose of this policy statement. Agreement between the University and the sponsor pertaining to sharing royalties and title to copyrightable materials shall be addressed in the contract between the University and the sponsor. University personnel who contract with third parties for the development of copyrightable materials can relinquish no greater interests in the materials than they legally possess. Therefore, if substantial University resources are employed in the development of materials subject to copyright, the University retains interests in the materials, regardless of the terms of a contract between the third party and the University employee, unless the University specifically has waived its rights.

(2) Faculty or Staff Ownership

Copyrightable materials developed by University employees shall usually be the property of the employee. The University will exercise ownership under the work-made-for-hire rationale only when the employee was assigned to create the specific product whose ownership is in question. A faculty member's general obligation to produce scholarly works

(for example, textbooks and related instructional materials) does not constitute an assigned duty for purposes of determining copyright ownership. If a copyright work, produced as an assigned duty of an employee, is marketed, the employee ordinarily will not share in any royalties from sales of the work.

(3) Audio and Video Recordings

When a faculty member has been assigned to teach a specific class, and that class is transmitted electronically to another site, on or off campus, and in the performance of those duties, a recording is made simultaneously with such transmission, the resulting fixed work shall be considered University property. The retention and/or marketing of recordings for subsequent instructional use, on or off campus, will be undertaken only with the consent of the faculty member. Retention of such materials will normally be only for the academic term in which they are created.

(4) Return to Ownership

If, within a period of twelve (12) consecutive months, the University or its assignee fails to make progress toward exploiting copyrighted materials in which the employee has a share, the employee may make a written request to the Subcommittee on Copyrights that the ownership of the materials pass to the employee.

(5) Review for Obsolescence

Materials in which the University has a proprietary interest, but which are the result of the individual initiative of an employee, may be reviewed for obsolescence by the employee after five (5) years. If the employee considers the material to be obsolete, the employee has the right to refer the matter to the University Committee on Intellectual Property, with a recommendation for disposal of the material.

(6) Student Ownership

Ownership of intellectual properties developed by students who are also employees of the University will be determined by the rules which apply to all University employees. Copyrightable works developed in connection with course work assignments may be deemed to belong to the student. However, in cases of significant use of University personnel and facilities in the development of the intellectual property, the University may exercise its right to ownership.

(7) Individuals External to the University

Individuals outside the University, who may hold intellectual properties that they wish to exploit, may request inclusion under the University's Intellectual Property Policy. If it is in the University's interest to accept such a request, the University and the individual shall execute a legally binding contract, clearly stating the terms and conditions of the arrangement. The sharing of royalties will be explicitly stated.

5) Administrative Organization

a) Committee on Intellectual Property

The Committee on Intellectual Property is responsible for making policy recommendations to the President for dealing with patents, copyrights, and related mechanisms for the protection/exploitation of intellectual properties in which the University may have proprietary interest. The Provost shall serve as Chair of the Committee.

Two subcommittees shall be organized under the Committee on Intellectual Property. One subcommittee shall be responsible for various matters concerning University-originated inventions and new technology. The other subcommittee shall be responsible for matters relating to copyrightable materials. The full Committee on Intellectual Property shall comprise the

subcommittee members and the *ex officio* members listed below. Each subcommittee shall be composed of three faculty members, having experience with patent or copyright matters, depending on the subcommittee appointment. The Subcommittee on Patents shall be chaired by the Chair of the Physics and Computer Science Dept. The Subcommittee on Copyrights shall be chaired by the Dean of the College of Liberal Arts and Sciences. The Assistant to the President shall serve as *ex officio* member of the Committee and shall sit on both Subcommittees.

The President shall receive faculty nominations from the Faculty Senate and shall make all appointments. All terms are for three years. Members may be reappointed.

The Committee on Intellectual Property is composed of the members of the Subcommittee on Patents and the Subcommittee on Copyrights, the *ex officio* members, and the Chair. The President shall make all appointments. All terms are for three years. Members may be reappointed. The Committee shall have the following authority and responsibility with respect to intellectual property.

- (1) To develop and recommend University policy to the President dealing with intellectual property.
- (2) To review discoveries, inventions and copyrightable materials to determine whether or not the University has proprietary interest.
- (3) To hear and make recommendations to the President on disputed ownership of discoveries, inventions and copyrightable materials.
- (4) To hear and make recommendations to the President on disputed equities of the University, the inventors or authors and other parties associated with the intellectual property concerned.
- (5) To make recommendations to the President for the sharing of royalties between the University and the authors or inventor(s) of the intellectual property in which the University has a proprietary interest.
- (6) To promulgate such guidelines and procedures as may be necessary for the implementation of this policy, subject to review and approval of the President.

b) Subcommittee on Patents

The Subcommittee on Patents shall:

- (1) Review all invention disclosures. Such review, when possible, should occur prior to submission of disclosures to any other party. Exceptions to this practice must be approved by the Subcommittee Chair or Committee Chair and by the Inventor.
- (2) Review, as appropriate, agreements on patent matters that may be entered into as a prerequisite to University participation in a sponsored project or receipt of a grant or contract.
- (3) Establish deadlines for the disposition of inventions and discoveries, as provided for in the section Ownership of Discoveries and Inventions (*See h.4)b*)).
- (4) If a decision is made by the University not to pursue a potential patent or other forms of protection or exploitation, advise the appropriate individuals on the assignment of the University's rights to an invention or discovery.

c) Subcommittee On Copyrights

The Subcommittee on Copyrights shall:

- (1) Review all disclosures of copyrightable materials. Such review, when possible, should occur prior to submission of such information to any other party. Exceptions to this practice must be approved by the Subcommittee Chair or by the Committee Chair and by the author of the copyrightable materials.
- (2) Review, as appropriate, agreements on copyright matters that may be entered into as a prerequisite to University participation in a sponsored project or receipt of a grant or contract.
- (3) Establish deadlines for the disposition of copyrightable materials as provided for in the Section determining Copyright Ownership ((*See h.4)c*)).
- (4) If a decision is made by the University not to pursue publication or marketing of these materials, advise the appropriate administrators on the assignment of the University's rights to copyrightable materials.

6) Procedures for Notification

Each Subcommittee shall establish, maintain, and distribute procedures and forms for the reporting of University-originated inventions, new technology, and copyrightable materials. The notification must describe the intellectual property, identify all creators, and identify the source of funding that has supported creation of the intellectual property. When more than one person created the intellectual property, the notification must specify the percentage that each claims in any royalties accruing to them resulting from the property. Notification should be made as promptly as possible. If Christopher Newport University does not claim an interest in an intellectual property about which it is notified, it will so advise the creator in writing.

7) Protection and Commercialization

Christopher Newport University will decide which patent and copyright properties if any, they will commercialize on a case-by-case basis.

a) Patents

Because patent review is highly technical, few institutions can maintain the entire operation in-house. In order to evaluate a possible patent Christopher Newport University will submit each employee's invention to an external agency specializing in patent review and commercialization, such as the Center for Innovative Technology, Research Corporation, University Patents, or similar organizations. Agencies like these can evaluate inventions for patentability and commercial potential, and obtain patents, license them, manage the royalties, and protect the patents from infringement.

b) Copyrights

Copyright protection applies to any work of authorship as soon as it is written or otherwise recorded. When a work is published, it should contain a copyright notice: a small "c" in a circle or the word "copyright" or the abbreviation "copr.", the year of publication, and the name of the copyright owner. Registration of copyright is not generally a condition of copyright protection, but is a prerequisite to an infringement suit. Registration does offer the advantages of public record of the copyright claim, *prima facie* evidence of the validity of the copyright, and availability of a broader range of remedies in infringement suits.

Registration can occur at any time, but requires a small fee (currently \$10 for each work registered) and administrative time. Thus the decision of whether, and when, to register copyrights is a cost-benefit decision. As a practice, Christopher Newport University will seldom register a copyright until a high commercial value is perceived for a work. For example, a major computer program or a semiconductor chip design would be registered immediately, though a newsletter might never be registered.

8) Work-Made-For-Hire

a) Patents

Except as herein provided, the University shall obtain the entire right, title, and interest in and to any invention made by any faculty or staff member of the University: (a) while at work for the University or during working hours, as applicable, or (b) with a substantial contribution by the University of facilities, equipment, materials, funds, or information, or of time or services of other University employees during working hours, or (c) which is made in consequence of the official assigned duties of the inventor. For purposes of this policy, it shall be deemed that an invention has been "made-for-hire" if the employee is employed or assigned to: (a) invent, improve, or perfect any art, machine, design, manufacture, or composition of matter, (b) conduct or perform research, development work, or both, (c) supervise, direct, coordinate, or review University-financed or conducted research or development work, or both, or (d) act in a liaison capacity with agencies or individuals engaged in such research or development. This assignment, however, does not preclude the sharing of royalties or other payments with the employee in accordance with this policy.

In any case where the contribution of the University, as measured by the foregoing criteria, is *de minimis* and is insufficient to justify equitably the requirement of assignment to the University of the entire right, title, and interest, the University shall reserve an exclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all University purposes.

The University claims no interest in the invention if University facilities, services, funds, or time have not been used. An example would be inventions resulting from pursuance of a hobby, not related to the employee's University activities, and conducted off campus.

b) Copyrights

In order to encourage creative efforts by the faculty and staff, the University will exercise its rights as an employer under the concept of "work-made-for-hire" only when: (1) the materials subject to copyright represents an assigned duty of a member of the faculty or staff of the University, and/or (2) substantial use of University facilities and resources is made in the production of the materials.

In any case where the contribution of the University, as measured by the foregoing criteria, is *de minimis* and is insufficient to justify equitably the requirement of assignment to the University of the entire right, title, and interest, the University shall reserve an exclusive, irrevocable, royalty-free license in the copyrightable work with the power to grant licenses for all University purposes.

9) Management and Exploitation of University Intellectual Property

If the University possesses a proprietary interest, the President shall determine the manner in which the intellectual property shall be managed and exploited. With the Board of Visitors' approval the rights to patentable or copyrightable materials may be assigned to the Christopher Newport University Foundation. Upon such assignment, the Foundation shall have all rights to use, promote, manage, market, sell, or in any other way dispose of such material, on such terms and conditions, or for such consideration, if any, as the Foundation shall determine. However, the inventor(s) or author(s) shall have the right to make recommendations to the President on such matters through the appropriate administrative channels.

10) Substantial Use of University Facilities

What constitutes "substantial use" of University facilities and resources must be answered on the basis of the facts and circumstances of each case. The University will not ordinarily construe the provision of office or laboratory space, access to the library, or the payment of employees' salary as significant use of University facilities and resources.

As a general guideline, the use of University resources (other than the library, the employee's office or laboratory, and salary) will be considered substantial if the value of those other resources used exceeds \$5,000 in any twelve consecutive month period. Examples of resources subject to the \$5,000 limitation include computer charges, laboratory assistant or technician salaries and wages, laboratory materials, and secretarial salary.

11) Royalty Provisions

Where the University has an equity position in an intellectual property, the inventor(s) or author(s) and the University will share equally in any income received by or on behalf of the University from royalties, front-end payments, or incentives, after any expenses incurred by or on behalf of the University to protect, market, or develop the intellectual property have been repaid to the University. In this context the "University" shall be understood to include all those units (departments, centers, etc.) which have contributed materially towards development of the intellectual property. The University's share of royalties or other income shall be divided commensurate with involvement of the University units during development. In usual practice, division of the University share shall follow recommendations of the Committee to the President and shall typically include an assignment to the employee's primary unit (e.g., departments, centers, etc.) equal to at least 25% of the total income as defined above. The remaining portion of the University share shall be used to maintain an environment supportive of employee activities in development of intellectual properties.

Payments received by the University or its agents for an intellectual property that is not yet protected by patent or copyright shall also be distributed in accordance with this policy.

12) Dispute Resolution

Should any issues develop as to the ownership of the intellectual property involved, the Committee on Intellectual Property shall make a finding as to ownership and shall report such findings to the President for final resolution. The parties involved shall be entitled to appear before the Committee and to present evidence with respect to the disputed ownership. The Committee's determination shall be made in writing and shall contain a statement of the basis for its decision. The Committee shall also serve as an advisory body to assist University personnel in establishing the equitable and legal distribution of ownership.

The President, on his/her own motion or at the request of any interested party, may review any determination of the Committee. The President may affirm, modify or reject any determination of the Committee.

13) Right Of Appeal

The inventor(s) or author(s) of an intellectual property covered by this policy shall have the right to appeal application of the policy regarding ownership, equity, classification, sharing of royalties, disposition, management, or exploitation of any patent or copyright, or any procedure relating thereto made by the appropriate subcommittee, to the Committee on Intellectual Properties.

The Committee will formulate recommendations relative to each such appeal, and will forward both the appeal and its recommendations to the President in a timely manner. The President will determine the University's response to each appeal, and will so notify the inventor(s) or author(s) and the Committee.

14) Transfers of Intellectual Property

Except when the Governor's prior written approval is required, the Board of Visitors may transfer any intellectual property in which the University claims an interest.

The Governor's prior written approval is required for transfers of title to patents and copyrights that were:

- a) developed wholly or significantly through the use of state general funds, by an employee of the University acting within the scope of the employee's assigned duties; or
- b) developed wholly or significantly through the use of state general funds, and are to be transferred to an entity other than the following:
 - (1) the Innovative Technology Authority; or
 - (2) an entity whose purpose is to manage intellectual properties on behalf of nonprofit institutions; or
 - (3) an entity whose purpose is to benefit the transferring institution.

When prior written approval is required, the President will send a description of the intellectual property and the proposed transaction to the State Council of Higher Education. Within thirty days, the Council will recommend action to the Governor, including any conditions the Council thinks should be attached to the proposed transfer. The Governor also may attach conditions to the transfer.

Note that approval is not required for the grant of a license to use an intellectual property, but only when actual title is to be transferred. The statute also requires the Council to define the conditions under which a "Significant use of general funds" occurs, and the circumstances constituting an "assigned duty," for the purpose of reporting transfers. These definitions appear in the Definitions section, under "significant use of general funds," and "assigned duty."

The University need not claim an interest in all intellectual properties in which they might legally be able to assert an interest. The requirements for approval of transfers of intellectual properties, and the following commentary, refer to intellectual properties in which the University does claim an interest.

Most intellectual properties will be developed by employees, but not all of those will be developed within the scope of assigned duties. When employees create intellectual property on their own initiative, or as part of their general obligation of scholarship, the University may transfer title to the property without approval if the transfer is to one of the entities noted as exception in this section.

On the other hand, when the University specifically directs an employee to develop a particular intellectual property, the development becomes an assigned duty. If the development is done with significant use of state funds, the University must obtain the Governor's approval before transferring the property, whether or not the transferee is one of the entities listed as an exception in this section.

Note that an employment agreement (contract) allowing certain intellectual properties to be retained by an employee from the moment of their creation is not a "transfer" to the employee, and hence need not be reported. An intellectual property that is owned by the University and later transferred to an employee is a "transfer," however, and should be reported if it meets the requirement above. The requirement for approval of certain transfers refers to transfers by the University itself, not to later transfers made by anyone other than the institution.

15) Reporting Requirements

The General Assembly has directed the State Council of Higher Education, in cooperation with the Innovative Technology Authority, to collect and report certain information about intellectual property. So that the Council may comply with this requirement, each institution must annually collect and report the information for the preceding fiscal year. The Chair of the Committee on Intellectual Properties is designated as the person responsible for compiling and submitting the report.

The Council will annually set a date by which reports on intellectual property are to be received by the Council. Each annual report should include the following information:

- (a) The name of the University.
- (b) The name of the Chair of the Committee on Intellectual Property.
- (c) The number of intellectual properties in which the University claims an interest under its intellectual property policy. The number should be divided into patentable subject matter and copyrightable subject matter.
- (d) The name of all transferees to whom the institution has transferred any interests, including licenses, in intellectual properties. (The requirement to report the name of any transferee of intellectual property refers to transfers by the University itself, not to later transfers made by anyone other than the University.)
- (e) If the University is not able publicly to identify the transferee of any intellectual property, the University should identify the particulars of the transfer as well as the reasons why such information should not be reported. The Council will determine whether to report the information to the legislature.
- (f) The total royalties received by the University during the reporting period.

SECTION III

The Honor System

1. The Honor System

The reputation and credibility of an institution of higher education requires the commitment of every member of the community to uphold and to protect its academic and social integrity. As such, all members of the Christopher Newport University community uphold and enforce the following:

The Honor Code

*“On my honor, I will maintain the **highest standards** of honesty, integrity and personal responsibility. This means I will not lie, cheat or steal, and as a member of this academic community, I am committed to creating an environment of respect and mutual trust.”*

Under the Honor Code of Christopher Newport University, it is expected that all members of the University community will demonstrate honesty and integrity in their conduct. Intentional acts of lying, cheating, or stealing are violations of the Code that can result in sanctioning.

Each member of the University community is responsible for upholding and enforcing the Honor Code. The Honor System cannot function unless each member of the University community takes action when he or she believes any person may have violated the Honor Code. Members of this University community are obligated to report violations to appropriate University personnel in order to ensure the efficacy of the system.

2. Student Regulations

Learning takes place through individual effort; achievement can be evaluated only on the basis of the work a student produces independently. A student who seeks credit for work, words and ideas that are not the products of the student's own effort is dishonest. Such behavior infringes on the Honor System and can result in academic and university sanctions ranging from a reduced grade on the assignment to dismissal from the University.

Misunderstanding of the Honor System will not be accepted as an excuse for dishonest work. If a student is in doubt on some point with respect to the student's work in a course, he/she should consult the instructor before submitting the work in question.

A violation of any principle is considered cheating and any resulting work dishonest.

a. Infractions

1) Lying is the expression of an untruth made with the intent to mislead another or with reckless disregard for the truth of the matter asserted. Lying includes, but is not limited to, forgery, the use of false identification, **and the omission of truthful statements**.

2) Cheating is the act of wrongfully using or taking the ideas or work of another in order to gain an unfair advantage. It includes, but is not limited to: (1) the act of plagiarism*; (2) the acts of **attempting to give** or giving unauthorized aid to another student or **attempting to receive** or receiving unauthorized aid from another person on quizzes, tests, assignments, or examinations; (3) the acts of using or consulting unauthorized materials or using unauthorized equipment or devices on tests, assignments, quizzes or examinations; (4) the act of using any material portion of a paper or project to fulfill the requirements of more than one course unless the student has received prior permission to do so; or (5) the acts of intentionally commencing work or failing to terminate work on any examination, test, quiz, or assignment in violation of the time constraints imposed.

- 3) Stealing is the intentional taking or appropriating of the property of another without consent or permission and with the intent to keep or use the property without the owner's or the rightful possessor's permission. Although the prohibition against stealing includes property of whatever nature, it also covers theft of the academic work product of another.
- 4) Plagiarism occurs when a student, with intent to deceive or with reckless disregard for proper scholarly procedures, presents any information, ideas or phrasing of another as if they were his or her own and does not give appropriate credit to the original source.

Students are responsible for learning proper scholarly procedure. Proper scholarly procedures require that, at a minimum, all quoted material be identified by quotation marks or indentation on the page, and the source of information and ideas, if from another, must be identified and be attributed to that source. While any amount of improperly attributed or unattributed material may be sufficient to find plagiarism, a student may be presumed to have acted with intent to deceive or with reckless disregard for proper scholarly procedures when a significant amount of improperly attributed or unattributed material is presented as if it were the student's own work. The faculty member is responsible for drawing a conclusion regarding whether the amount of improperly attributed or unattributed material is so significant that intent may be presumed. When a faculty member has sufficient reason to believe that a student was intentionally deceptive in his/her work the faculty member is required to report the infraction. An Honor Council will be convened to determine an appropriate university response to the student's actions. The university response will be in addition to the academic response determined by the faculty member.

b. Statement of Principles

1) Basic Policy

A student's name on any assignment is regarded as assurance that it is the result of the student's own thought and study, stated in the student's own words, and produced without assistance, except when quotation marks, references and footnotes acknowledge the use of other sources. In particular, the use of purchased term papers or research for submission as one's own work is expressly forbidden. Utilizing purchased work as one's own work will be considered an indicator of the student's intent to deceive his/her faculty member. In some instances, an instructor or department may authorize students to work jointly in solving problems or completing projects, but such efforts must be indicated as joint work on the paper submitted. Unless permission is obtained in advance from the instructors of the courses involved, a student may not submit a single written work for completion of assignments in more than one course. Students who perceive the possibility for an overlapping assignment in courses should consult with the instructors involved before presuming that a single effort will meet the requirements of both papers or projects.

2) Factual Work

In preparing papers or themes, a student often needs or is required to employ sources of information or opinion. All such sources used should be listed in the bibliography. It is not necessary to reference specific facts that are common knowledge and obtain general agreement. However, facts, observations and opinions which are new discoveries or are debatable must be credited to the source with specific reference to edition and page even when the student restates the matter in his or her own words. Inclusion word-for-word of any part, even only a phrase or sentence, from the written or oral statement of someone else must be enclosed in quotation marks and the source cited. Paraphrasing or summarizing the contents of another's work is not dishonest if the source is clearly identified, but such work does not constitute independent work and may be rejected by the instructor.

3) Laboratory Work and Assignments

Notebooks, homework and reports of investigations or experiments must meet the same standard as all other written work. If any of the work is done jointly or if any part of the experiment or analysis is made

by anyone other than the writer, acknowledgement of this fact must be made in the report submitted. It is dishonest for a student to falsify or invent data; doing so will be considered an intent to deceive the faculty member into accepting knowingly inaccurate work.

4) Imaginative Work

A piece of written work presented as the individual creation of the student is assumed to involve no assistance other than the incidental criticism from any other person. A student may not, with honesty, knowingly employ story material, wording or dialogue taken from published work, the Internet, motion pictures, radio, television, lecture or similar sources.

5) Quizzes and Tests

In writing examinations and quizzes the student is required to respond entirely on the basis of the student's own memory and capacity without any assistance whatsoever except as is specifically authorized by the instructor. It is not necessary under these circumstances to give source references appropriate to other written work unless required by the instructor.

6) Tampering with the Work of Others

Any student who intentionally tampers with the work of another student or a faculty member shall be subject to the same sanctions imposed for other violations of this Honor System. Such tampering includes, but is not limited to:

- a) contaminating the results of scientific experiments by interfering with the conduct of the experiments in any way;
- b) altering or in any way interfering with computer programs used by other students or faculty members in class preparation, simulation games, or otherwise;
- c) altering or attempting to alter any academic or other official records maintained by the University.

3. Academic Violations of the Honor Code

An academic violation of the Honor Code is a serious offense that impacts the university in the following two distinct ways:

- a. It is a direct offense to the faculty member and to the members of the class in which the violation occurred.
- b. It is an affront to the institutional values and purpose of Christopher Newport University's community of Honor.

Therefore, both the faculty member and the university will review the incident and issue appropriate **remedies**.

As stewards of the academic experience of Christopher Newport University students, faculty members are obligated to resolve any suspicions of academic dishonesty. Generally, the process undertaken for resolving an alleged academic violation of the Honor Code will be as follows:

A faculty member who suspects that the Honor System has been violated is responsible for investigating the suspected violation in such a manner as to preserve the integrity of the Honor System and not unduly harm the reputation of the suspected violator.

The faculty member should inform the department chair of a suspected incident of academic dishonesty. The faculty member should attempt to confer personally with the student who is suspected of violating the Honor System and determine if the student has committed the violation intentionally and/or if the student admits to the violation. The faculty member may choose to contact the Director of the Center for Honor Enrichment & Community Standards to participate in a preliminary investigation.

Using his/her best judgment, the faculty member will draw a conclusion regarding whether or not the student's actions or his/her submitted work, or any portion thereof, constitute an academic violation of the Honor Code. In cases where the faculty member has sufficient reason to find a violation of the Honor Code has occurred,

he/she will issue an appropriate academic remedy. Faculty members may use discretion in issuing academic remedies. Examples of academic remedies include, but are not limited to, the following:

- 1) The faculty member may assign an “F” for the course to the student with a notation to the confidential University file of that student that the “F” was for an academic violation of the Honor Code. This **determination** requires a letter of notification to the department chair and the Director of the Center for Honor Enrichment & Community Standards signed by the professor stating the reason for the assigned “F”. This letter will be placed in the student’s permanent file.
- 2) The faculty member may assign a grade of “F” to the student for the work in question, which would be averaged into the student’s other grades should the professor determine the student is remorseful and the violation occurred with no intent to deceive the faculty member. A letter of notification indicating an academic violation of the Honor Code has occurred should be signed by the professor and sent to the department chair and the Director of the Center for Honor Enrichment & Community Standards for placement in the student’s permanent file.
- 3) The faculty member may reduce the grade he/she would otherwise assign to the work in question. A letter of notification indicating an academic violation of the Honor Code has occurred should be signed by the professor and sent to the department chair and the Director of the Center for Honor Enrichment & Community Standards for placement in the student’s permanent file.

In a situation where the faculty member and student fail to meet regarding the incident or fail to agree about whether there has been a violation of the Honor System, the faculty member will, using his/her best judgment, determine if a violation has occurred and issue appropriate academic remedies, if necessary. The faculty member will notify the Director of the Center for Honor Enrichment & Community Standards, who will initiate a university review of the incident to determine what university sanctions may apply.

Due to the serious nature of academic violations, faculty members will make every effort to determine the validity of any suspicions of academic dishonesty in a timely manner, typically within five business days of discovery of the issue. If the suspicion of academic dishonesty is confirmed, then faculty members will typically issue the letter of notification to the Director of the Center for Honor Enrichment & Community Standards within five business days.

Students and administrative personnel also bear responsibility for insuring the efficacy of the Honor System and in supporting the academic environment of Christopher Newport University. Students who suspect another student has violated the Honor System are obligated to report this violation directly to the faculty member(s) of the course, the faculty member(s) responsible for the activity, or to the Center for Honor Enrichment & Community Standards, which will then notify the appropriate faculty member(s) of the allegation(s). Administrative personnel are also obligated to notify the faculty member(s) of the course, the faculty member(s) responsible for the activity, or the Center for Honor Enrichment & Community Standards.

When there is a question about a student’s honesty with regard to his/her academic work, it is the student’s responsibility to:

- a) Meet with the faculty member to discuss the alleged violation
- b) Provide accurate and truthful information regarding the scholarly work in question
- c) Report the finding, in writing, to the Director of the Center for Honor Enrichment & Community Standards within five business days of resolution
- d) Pursue the grade appeal process, when appropriate, for resolution of the academic remedy

When the Director of the Center for Honor Enrichment & Community Standards has been notified of an academic violation of the Honor Code, it is the Director’s responsibility to:

- a) Initiate university review of the violation
- b) Determine an appropriate University response to the violation
- c) Notify the faculty member and the student if an Honor Council will be convened

In a situation where the faculty member has provided an academic remedy to a violation of the Honor Code, an Honor Council may be convened under certain circumstances. These circumstances include, but are not limited to, the following:

- a) In the faculty member's judgment, the student's actions constitute "intent to deceive" the faculty member into accepting work other than that which is the product of the student
- b) The student has been previously found responsible for an Honor Code violation
- c) The Director of the Center for Honor Enrichment & Community Standards has completed the University review of the incident and determined an Honor Council is warranted

In any of these circumstances an Honor Council will determine suitable university sanctions, to include the student's continued enrollment status, in addition to the academic sanctions issued by the faculty member. In the event a student remains at the University after having been found in violation of the Honor Code, the student **may** be required to complete integrity education seminars in an effort to insure future Honor Code violations do not occur.

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- SECTION IV**
Academic Catalog
- A copy of the University Catalog may be obtained through the Office of Admissions or the CNU website.

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SECTION V

Academic Regulations and Information

1. Roles

While the initiation of an academic program change may come from any University constituency, it is the Instructional faculty, the deans, and the Provost who have the major responsibility for the development and organization of the curriculum. The Provost acts on the establishment, reorganization or discontinuance of academic programs after formal faculty consultation, with the Faculty Senate or Graduate Programs Council, as appropriate. Changes in the University's curriculum are recommended to the Provost for approval or approval by the President and Board of Visitors, as appropriate. In meeting this responsibility, the Provost may appoint such task forces and commission such studies as the Provost deems appropriate. The Undergraduate Academic Program Review Committee (PRC) advises the Provost on curriculum reorganization or program discontinuation and on the reallocation of resources committed to program support. The PRC utilizes data provided by many sources, including the Provost and the academic department under study. The recommendations of the PRC are forwarded directly to the Provost with copies to the department, Curriculum Committee, and Faculty Senate. The department is provided with a suitable period of time in which to respond to the recommendations. The response is forwarded directly to the Provost. If the Provost decides that a change in the curriculum should be considered, an appropriate proposal is forwarded to the dean for action.

The academic programs, procedures, and criteria described in this section apply only to matters which are generated from within the University's academic structure. This section does not apply to the actions of agencies or authorities outside the University which are empowered to establish requirements and initiate actions which may affect the University's programs, procedures, or criteria.

2. Criteria for the Establishment of Academic Programs (Major Changes)

In considering the establishment of new academic programs the following criteria are examined:

- a. academic integrity;
- b. consistency with the University's missions;
- c. enrollment projections;
- d. needs of the University's service area;
- e. financial feasibility, and
- f. availability of Instructional faculty personnel.

3. Criteria for the Reorganization and Discontinuance of Academic Programs (Major Changes)

- a. The following criteria for reorganization and discontinuance are examined:
- b. centrality to the mission of the University;
- c. community and student demand;
- d. program management;
- e. program quality; and
- f. financial viability.

4. Procedure for Major Changes to Academic Programs

Timeliness of action is required of all participants to ensure that external deadlines and the needs of the University are met. In the absence of timely recommendations, the process continues. The review procedure cannot be terminated by a level below the one which initiated the process. For proposed changes in the undergraduate program, a department may petition the Undergraduate Curriculum Committee or the Faculty Senate to call for recommendations on a proposed change which has been initiated at a lower level; for proposed changes in the graduate program, the petition must go to the Graduate Programs Council.

Changes in the University's academic programs initiated from within the University are effected after this procedure is followed, or a deviation there from is approved by the Provost. The Provost may prescribe reasonable timetables

for the procedure in order to ensure timeliness of action. Recommendations to make such changes may be initiated at any level; however, the process begins at Step 1—the department level.

a. Procedures for Initiating or Eliminating an Undergraduate Academic Degree Program

1) Step 1. Departmental Level

The recommendation of the department and a completed “New Program/Program Change” form (available: <http://provost.cnu.edu/ucc/forms.html>) are forwarded to the appropriate academic Dean.

2) Step 2. College/School Level

Upon receipt of the department's recommendation, a request from the Provost or at the Dean's own initiative, the dean refers the department recommendation to an interdepartmental body that the Dean has designated to review curriculum changes for the college/school. The Dean forwards the recommendation of the interdepartmental body along with his or her recommendation with accompanying evidence to the Undergraduate Curriculum.

3) Step 3. Curriculum Committee Level

The Undergraduate Curriculum Committee reviews the proposed change and accompanying evidence and recommendations and makes its recommendations to the Faculty Senate.

4) Step 4. Faculty Level

The Faculty Senate reviews the proposed change, accompanying evidence and recommendations and makes its recommendations to the Provost.

5) Step 5. Provost Level

The Provost reviews the proposed change and recommendations. The Provost makes recommendations to the President.

6) Step 6. President Level

The President reviews the proposed change, accompanying evidence, and recommendations. If the president approves, a recommendation for program initiation or elimination (as appropriate) is presented to the Board of Visitors.

7) Step 7. Board of Visitors Level

The Board of Visitors reviews the proposed change, accompanying evidence and recommendations and makes a final decision.

b. Procedures for Initiating or Eliminating Undergraduate Majors under Degrees Programs with Multiple Majors; Procedures for Initiating or Eliminating a Concentration Under an Undergraduate Major

1) Steps 1-4. Follow steps 1 through 4 for initiating or eliminating an undergraduate academic degree program, above (Section V.4.a.)

2) Step 5. The Provost reviews the proposed change and accompanying evidence and makes a final decision.

c. Procedures for Changes to the Liberal Learning Core Requirements (Adding or removing requirements)

The Liberal Learning Core includes the Liberal Learning Foundations, Areas of Inquiry, and a Liberal Learning Emphasis. Note: this section deals with core requirements only, not individual courses that may fall under these requirements. (For information how to propose courses for inclusion in these areas, see Section V.4.d.1, First Year Seminars; Section V.4.d.2, Mathematics Courses above the 110-level Intended for the Liberal Learning Core; Section V.4.d.3, Second Year Writing Seminars/223 courses, Section V.4.e., Areas of Inquiry. Writing Intensive courses are not part of the Liberal Learning Core. Information on these courses may be found in Section V.5.)

Liberal Learning Foundation requirements include FYSM 100, two Mathematics courses above the 110 level, ENGL 123, ULLC 223, and one foreign language course at the 200-level or higher. Recommendations to change these requirements may be initiated at any level; however, the process begins at Step 1—the department level.

1) Step 1. Departmental Level.

If a change of this nature is initiated at the department level, the recommendation of the department is forwarded to both academic deans (CLAS and Luter **College of Business and Leadership**).

2) Step 2. **College level.**

Upon receipt of the department's recommendation, a request from the Provost, or at the Dean's own initiative, the Deans refer the department recommendation to an interdepartmental body that the dean has designated to review curriculum changes for the college/school. The Deans forward the recommendation of the interdepartmental body along with their recommendations and accompanying evidence to the Liberal Learning Council.

3) Step 3. Liberal Learning Council.

The Liberal Learning Council reviews the proposed requirements change, accompanying evidence, and recommendations, and makes its recommendations to the Undergraduate Curriculum Committee.

4) Step 4. Curriculum Committee Level.

The Undergraduate Curriculum Committee reviews the proposed requirements change, accompanying evidence, and recommendations, and makes its recommendations to the Faculty Senate.

5) Step 5. Faculty Senate Level.

The Faculty Senate reviews the proposed change, accompanying evidence, and recommendations, and makes its recommendation to the Provost.

6) Step 6. Provost Level.

The Provost reviews the proposed change, accompanying evidence, and recommendations, and makes a final decision.

d. Procedures for Changes to Courses Associated with the Liberal Learning Foundations

1) Procedures for Proposing Individual Sections of First Year Seminars (FYSM).

The overall theme of the First Year Seminars will change every 3-4 years as directed by the Liberal Learning Council. First Year Seminar courses related to the overall theme are created by individual faculty members in departments across the university.

a) Step 1. Departmental Level.

Faculty member completes a "First Year Seminar Proposal" form (available: <http://liberallearning.cnu.edu/proposalprocess.html>) and forwards FYSM proposal to department chair. Upon approval of department chair, the proposal is forwarded to the Liberal Learning Council.

b) Step 2. Liberal Learning Council.

The Liberal Learning Council reviews the proposed course and accompanying evidence for adherence to program objectives (available: <http://liberallearning.cnu.edu/seminar.html>) and overall program theme, and makes its recommendations to the Provost.

c) Step 3. Provost Level.

The Provost reviews the proposed course, accompanying evidence and recommendations and makes a final decision.

2) Procedures for Creating Mathematics Courses Above the 110-Level Intended for the Liberal Learning Foundations.

Follow steps 1 through 6, Procedures for Changes to the Liberal Learning Core Requirements, above (Section V.4.c.)

3) Procedures for Creating and Recertifying Departmental Second Year Writing Seminars (223 courses).

a) To establish an initial 223 course offering in a department, follow steps 1 through 6, Procedures for Changes to the Liberal Learning Core Requirements, above (Section V.4.c.)

b) If a 223 course has already been approved and a placeholder number exists in the catalogue, then approval of 223 topics is at the discretion of the department chair, who adds approved topics to the course schedule. Instructors teaching 223 courses must be WI certified (criteria available: <http://provost.cnu.edu/ucc/docs/wicertificationII.doc>) and careful to adhere to the university program objectives specified at <http://provost.cnu.edu/ucc/docs/secondyrfaq.doc>.

c) To ensure that subsequent iterations of 223 adhere to the current university program objectives, these courses must be re-certified every three years. Follow steps 1 through 6, Procedures for Changes to the Liberal Learning Core Requirements, above (Section V.4.c.)

e. Procedures for Changes to Area of Inquiry Courses. (Adding Both New and Existing Courses and Deleting Courses). The specific criteria and objectives for including courses within the Liberal Learning Core may be found at <http://liberallearning.cnu.edu/ForFaculty.html>.

1) Step 1. Departmental Level.

If a change of this nature is initiated at the department level, the recommendation of the department is forwarded to the **appropriate academic dean**.

2) Step 2. **College level.**

Upon receipt of the department's recommendation, a request from the Provost, or at the Dean's own initiative, the Dean refers the department recommendation to an interdepartmental body that the dean has designated to review curriculum changes for the college/school. The Dean forwards the recommendation of the interdepartmental body along with his or her recommendation with accompanying evidence to the Undergraduate Curriculum Committee.

3) Step 3. Curriculum Committee Level.

The Undergraduate Curriculum Committee reviews the proposed change, accompanying evidence, and recommendations, and makes its recommendations regarding the proposed course's fitness for the university's curriculum to the Liberal Learning Council.

4) Step 4. Liberal Learning Council.

The Liberal Learning Council reviews the proposed change, accompanying evidence, and recommendations, and makes its recommendations regarding the proposed course's fitness for the Liberal Learning Core to the Faculty Senate.

5) Step 5. Faculty Senate Level.

The Faculty Senate reviews the proposed change, recommendations, and accompanying evidence, and makes its recommendation to the Provost.

6) Step 6. Provost Level.

The Provost reviews the proposed change, accompanying evidence and recommendations and makes a final decision.

5. Procedure for Other than Major Changes to Academic Programs (Adding Courses, Establishing Minors, and Making Internal Adjustments to Degree Programs at the Undergraduate level and Designating and Recertifying Writing Intensive Courses)

In these matters the Provost approves changes in the University curriculum upon the recommendation of the Undergraduate Curriculum Committee.

- a. Adding Courses, Establishing Minors, and Making Internal Adjustments to Undergraduate Degree Programs. Courses are added to the University curriculum, minor programs are established and internal adjustments to degree programs are made when evidence demonstrates that such changes:

- 1) improve the quality and integrity of the curriculum;
- 2) meet a student demand;
- 3) reflect the University's mission;
- 4) are consistent with the aims and purposes of the department, college/school and University; and
- 5) are financially feasible.

- b. Writing Intensive Courses. The University requires all students to present two Writing Intensive courses for graduation, but departments determine which courses satisfy this requirement within their majors. To ensure subsequent iterations of Writing Intensive courses adhere to the original university program objectives, Writing Intensive courses must be re-certified every three years following steps 1, 3, and 4 in the procedure below. Criteria and forms for initial WI certification of courses, WI course recertification, and criteria for certification of WI faculty may be found at <http://provost.cnu.edu/ucc/forms.html>.

1) Step 1. Departmental Level

If a change of this nature is initiated at the department level, the recommendation of the department and the appropriate form, "New Course Proposal," "New Program/Program Change," "Writing Intensive Course Proposal" or "Writing Intensive Course Re-Certification" (available <http://provost.cnu.edu/ucc/forms.html>), are forwarded to the appropriate academic Dean.

2) Step 2. College level

Upon receipt of the department's recommendation, a request from the Provost, or at the Dean's own initiative, the Dean refers the department recommendation to an interdepartmental body that the dean has designated to review curriculum changes for the college/school. The Dean forwards the recommendation of the interdepartmental body along with his or her recommendation with accompanying evidence to the Undergraduate Curriculum Committee as appropriate.

3) Step 3. Curriculum Committee Level

If the major is an undergraduate major, the Undergraduate Curriculum Committee reviews the proposed change, accompanying evidence and recommendations and makes its recommendations to the Provost.

4) Step 4. Provost Level

The Provost reviews the proposed change and recommendations and makes a final decision.

6. Procedure for Approving Special Topics (195/295/395/495).

The purpose of special topics courses is to allow departments to experiment in their curricular offerings. Such courses may be offered in all departments.

A "New Topics Course Proposal" form (available: <http://provost.cnu.edu/ucc/docs/newtopicprop.doc>) must be completed and approved by the department chair and appropriate academic dean and submitted to the Registrar before the course is offered for the first time. An electronic version of the form must also be submitted in

order to post the topics course description on the web. Each topics course may be offered a maximum of three times. Before the course can be scheduled to be offered a fourth time, it must be formally added to the curriculum (see Section V.5) and assigned an appropriate course number.

7. Procedure for Minor Changes to Existing Courses.

These changes include: changing course credit hours, apportionment of lecture and lab hours, titles, numbers, pre-or co-requisites, and equivalents. Chairs complete the UCC "Change to an Existing Course Form" (available: http://provost.cnu.edu/ucc/docs/change_existing_course.doc) and forwards to the appropriate academic Dean, who forwards to the UCC for processing and forwarding to the Provost, who makes a final decision.

8. Procedure for Deleting Courses.

Courses are deleted from the University's curriculum if:

- a. Deletion is approved by the academic department, the appropriate academic dean, and either the Undergraduate Curriculum Committee or the Graduate Programs Council (as appropriate) via the UCC "Change to an Existing Course Form" (available: http://provost.cnu.edu/ucc/docs/change_existing_course.doc); or
- b. The courses are not offered within three consecutive calendar years and such deletion is not annulled by the dean.
- c. The Provost's approval is required for all course deletions. In making such a decision, the effect of such a deletion on other curricular areas is a matter of consideration. The Instructional faculty is informed of all course deletions through the Provost.

9. Procedures for All Changes in the Graduate Curriculum or Graduate Courses Except the Initiation or Elimination of a Degree.

The same procedures are followed for all changes to the graduate curriculum or graduate courses.

- a. Step 1. Graduate Program Level
If a change is initiated at the graduate program level, the recommendation of the program graduate faculty and appropriate department chair is forwarded to the Graduate Program Coordinator. In the case of the MAT, the program graduate faculty are represented by the Teacher Preparation Program Council.
- b. Step 2. Graduate Program Coordinator Level
The Graduate Program Coordinator reviews the proposed change and accompanying evidence and recommendation. She or he forwards the recommendation of the program graduate faculty along with his or her recommendation with accompanying evidence to the Graduate Curriculum Committee
- c. Step 3. Graduate Curriculum Committee Level
The Graduate Curriculum Committee reviews the proposed change and accompanying evidence and recommendations. The recommendation of the GCC along with the other recommendations and supporting evidence are forwarded to the Graduate Programs Council.
- d. Step 4. The Graduate Programs Council Level
The Graduate Programs Council reviews the proposed change. The recommendation of the Graduate Programs Council along with the other recommendations and supporting evidence are forwarded to the Provost.
- e. Step 5. The Provost Level
The Provost reviews the proposed changes, accompanying evidence and recommendations and makes a final decision.

10. Procedures for Initiating or Eliminating a Graduate Degree

- a. Follow steps 1-4 for Changes in the Graduate Curriculum or Graduate Courses (Section V. 9).
Proposed additions or eliminations of graduate degrees will proceed from the program faculty to the Director of Graduate Studies to the Graduate Curriculum Committee to the Graduate Programs Council and then to the Provost.
- b. Step 5. The Provost reviews the proposed change, accompanying evidence and recommendations and recommends to the President.
- c. Step 6. The President reviews the proposed change, accompanying evidence and recommendations and recommends to the Board of Visitors.
- d. Step 7. The Board of Visitors
The Board of Visitors reviews the proposed change, accompanying evidence and recommendations and makes a final decision.

Approval Procedures for Undergraduate Curricular Changes

Change	Dept.	Academic Dean	College or School Curriculum Comm.	LLC	UCC	Faculty Senate	Provost	BOV
Initiating or Eliminating an Undergraduate Academic Degree (Section V. 4.a)	Step 1	Step 2a	Step 2b	N/A	Step 3	Step 4	Step 5	Step 6
Initiating or Eliminating UG Majors under Degrees with Multiple Majors; Initiating or Eliminating a Concentration Under an UG Major (Section V. 4.b)	Step 1	Step 2a	Step 2b	N/A	Step 3	Step 4	Step 5	N/A
Changes to the Liberal Learning Core Requirements (Adding or removing requirements) (Section V. 4.c)	Step 1	Step 2a	Step 2b	Step 3	Step 4	Step 5	Step 6	N/A
Changes to Area of Inquiry Courses. (Adding New or Existing Courses and Deleting Courses) (Section V. 4. e)	Step 1	Step 2a	Step 2b	Step 4	Step 3	Step 5	Step 6	N/A
Proposing Individual Sections of First Year Seminars (FYSM) (Section V. 4.d.1)	Step 1	N/A	N/A	Step 2	N/A	N/A	Step 3	N/A
Creating Mathematics Courses Above the 110-Level Intended for the Liberal Learning Foundations (Section V. 4.d.2)	Step 1	Step 2a	Step 2b	Step 3	Step 4	Step 5	Step 6	N/A
Creating Departmental Second Year Writing Seminars (223 courses) (Section V. 4.d.3)	Step 1	Step 2a	Step 2b	Step 3	Step 4	Step 5	Step 6	N/A
Proposing Individual Sections of Departmental Second Year Writing Seminars (223 courses) (Section V. 4.d.3)	Step 1	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Recertifying Departmental Second Year Writing Seminars (223 courses) (Section V. 4.d.3)	Step 1	Step 2a	Step 2b	Step 3	Step 4	Step 5	Step 6	N/A
Non- Major Changes to Academic Programs (Adding Courses, Designating/Recertifying Writing Intensive Courses, Establishing Minors, Internal Adjustments to Degree Programs) (Section V. 5)	Step 1	Step 2a	Step 2b	N/A	Step 3	N/A	Step 4	N/A
Procedure for Minor Changes to Existing Courses (Section V. 7)	Step 1	Step 2	N/A	N/A	Step 3	N/A	Step 4	N/A

11. Distribution and Core Courses

The undergraduate curriculum of the University is built upon a core of liberal studies. This liberal arts core assures that each student is introduced to a broad base of general studies upon which one can specialize.

12. Grade Appeal Procedure

The purpose of this policy is to ensure students and instructional faculty members are afforded due process and fair treatment when a student wishes to appeal a final course grade.

a. Informal Discussion

The student discusses the course grade with the relevant instructor. Should resolution not be reached, the student moves to the Formal Appeal process outlined below:

b. Formal Appeal

- 1) The student files a formal, written appeal of the course grade with the chair of the relevant department. Students must file no later than the third week of classes of the fall semester to appeal spring and summer grades, no later than the third week of classes of the spring semester to appeal fall semester grades.
- 2) In cases where the instructor whose grade is being appealed is the department chair, the faculty member of the department (other than the department chair) who is senior in terms of years of membership on the University faculty assumes the duties of the department chair.
- 3) The student may obtain copies of the form "Student Appeal of a Course Grade" from the Registrar's Office.
- 4) Two copies of the completed appeal form and other evidence are submitted to the department chair, who sends one copy to the instructor within two academic days of its receipt. The student should keep a third copy of the completed form and submissions for the student's own records.
- 5) The evidence submitted by the student is offered to substantiate the claim that an incorrect grade has been registered by the instructor. Such evidence might include any or all of the following plus other material deemed appropriate and relevant by the student:
 - a) course syllabus and other written guidelines relevant to the course and assignments;
 - b) evaluated written assignments or tests;
 - c) written evaluation of the student's oral or skill performance.
- 6) The instructor, upon receipt of the copy of the "Student Appeal of a Course Grade" form and evidence, may submit any relevant documentation to substantiate the grade. A copy of this evidence is forwarded to the student within five (5) academic days of its receipt.
- 7) The student and department chair will discuss the case set forth by the student and the evidence supporting the grade appeal.
- 8) The department chair will discuss the appeal with the instructor. It is the student's responsibility to show that the student has earned a grade other than that submitted on the grade sheet to the Registrar's Office.
- 9) The department chair makes a decision based on all evidence and documentation and communicates that decision in writing to both instructor and student within three academic weeks of the date the Appeal Form is filed.
- 10) The decisions which can be made by the department chair are either to deny the appeal of the student or to forward the appeal to the appropriate academic dean with a recommendation that a three-member departmental review panel* be appointed by the dean to review the challenge of the student as set forth on the form with accompanying evidence, and to render a written recommendation.

11) If the department chair denies the appeal, the student retains the right to request a departmental review panel*. A request for a review panel must be submitted, in writing, to the appropriate dean or the Director of Graduate Studies within ten academic days of receipt of notification of the department chair's decision.

12) Should the department chair fail to make a decision within the three-week period specified, the grade appeal will automatically go forward to the appropriate dean or the Director of Graduate Studies.

* The Review Panel will be composed of instructional faculty from the college/school of the instructor whose grade is challenged. Review Panels considering appeals of grades awarded in graduate courses shall be composed of members of the graduate faculty. The Review Panel will choose a chair and examine the data submitted by the student and the submissions of the instructor. The recommendation of the Review Panel will be forwarded to the Dean for a final decision.

c. Exceptional Cases

If the professor whose grade is appealed is seriously ill, deceased, institutionalized, or no longer with the University, the relevant "department-as-a-whole" shall take the place of the instructor in this subsection and will make every effort to seek all relevant evidence. The department shall operate by majority vote, and is empowered to make a grade change in the name of the instructor on a timely basis.

13. Library Information

Library information is available at the main desk of the Captain John Smith Library and on the CNU website.

14. Classroom Expression

In the classroom, subject to the responsibility of the instructor to maintain order and to monitor time limitations, the discussion and expression of all views relevant to the subject matter are permitted. In addition, the following shall apply:

- a. Student academic performance shall be evaluated solely on an academic basis.
- b. Students shall be free to take exception to the material or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study in which they are enrolled. This right to take exception does not permit the disruption of class or infringement on the rights of others to learn.
- c. Requirements of participation in classroom discussion and submission of written exercises are not inconsistent with this section.
- d. Information about student views, beliefs, and political associations acquired by faculty in the course of their work as instructors, advisers, and counselors, is confidential and is not to be disclosed to others unless under legal compulsion.
- e. Should a faculty member determine that a student is disrupting a class and ask the student to leave the classroom, the student shall do so immediately.

When a student believes that he/she has been unjustly treated in the classroom, either by the denial of freedom of expression or by improper evaluation, or on any other right enumerated above, the student should discuss the concern with the instructor. The student may appeal the faculty member's decision, in order, to the chair of the department, and to the appropriate academic Dean.

For procedures to follow when "The Honor System" is violated, refer to "Section III The Honor System."

15. Grading System and Quality Points

The CNU Catalog describes the grading system and quality points. The Catalog is available from the Admissions Office and on the CNU website.

16. English as a Second Language Policy

English as a second language policy is available through the Office of Admissions and the CNU website.

17. Class Attendance

The class attendance policy is available in the CNU Catalog and the CNU website. The Faculty Senate recommended and the Provost approved the following addition to the Catalog policy: Students who must miss class to represent the university must notify the class instructors in advance of those absences. Given prior notice, instructors will allow students to make up class work or to complete work in advance of class absence. In case of disagreement about whether an activity represents the university, the appropriate dean will make the determination. It is the policy of the University to provide reasonable accommodations for students' observations of religious holidays. Students have the responsibility to notify professors well in advance regarding any request for an accommodation.

18. Regulations Concerning Conduct of Classes

a. Toward the beginning of each course, the instructor will provide each student with a syllabus which includes such information as course objectives, schedule of class assignments, grading criteria. The instructor must indicate, in writing, to students the relative weight or importance attached to each piece of required work in arriving at the final course grade. Minor changes in a course syllabus (e.g., due dates, slight alterations of the relative weights of various assignments) may be made as long as due notice is given to the affected students. Major changes in a course syllabus (e.g., additional major assignments, papers, tests, etc.) should be avoided except in the most extreme and unusual circumstances. It is the responsibility of each instructor to teach the assigned course in a manner consistent with the course description in the University Catalog. If there is evidence that a specific course is not being taught as described in the Catalog, the concerned party should bring the matter to the attention of the instructor for resolution. If the resolution of the matter is unsatisfactory, the concerned party should elicit resolution in turn from the department chair, the appropriate academic dean, and the Provost. The final authority for resolving this issue rests with the Provost.

b. In the conduct of classes, several activities are required.

- 1) Instructors are expected to meet their classes on time and for the full duration of each officially scheduled period.
- 2) Each instructor must report discrepancies between the class roll, provided by the Registrar, and student attendance to assure the accuracy of student enrollment records.
- 3) Smoking in classrooms is prohibited.
- 4) Each instructor must evaluate the quality of each student's work, using the evidence of papers, tests, reports, projects, classroom performance, and examinations as appropriate.
- 5) Toward the end of each course, instructors will administer an instructional evaluation in accordance with the procedures as specified by the Provost.
- 6) Each examination must be supervised by the instructor or a designated proctor.
- 7) Final Examination.

- a) **Unless exempted in advance in writing by the appropriate academic dean, each course that can be used to satisfy the Liberal Learning Foundations requirements requires a final exam or a similarly comprehensive assessment of a student's ability to analyze and synthesize material presented over the entire semester.**

The course instructor will administer the final examination during the final examination schedule published by the University Registrar. The giving of final examinations during the last week of classes is specifically prohibited. If an individual student is forced by conflict to request a change, the request must be made to the dean through the instructor or department chair.

- b) Final examinations are not returned to students. Each instructor is to keep final examination papers for one year, during which time students have the right to review their papers with the instructor.
- c) A student may be excused from taking an examination at the scheduled time by prior approval of the instructor. The student will be excused on the grounds of illness when it is verified by a physician and received by the instructor or Registrar. The instructor must be notified as soon as possible if illness or any other emergency causes a student to be absent from an examination. Verification is required.

- 8) Associated with the conduct of classes, a file of course descriptions, syllabi, and sample examinations is kept in the office of the dean and is open to any faculty member who wishes to consult it. The maintenance of this file is a requirement of the Southern Association of Colleges and Schools and each instructor is responsible for forwarding an up- to-date syllabus for each class to the dean's office through the office of the department chair. The Department chair must keep a copy of all final examinations given in the department for seven years.

- c. Exceptions to these required activities must be approved in advance by the dean.

19. Academic Regulations Pertaining to Students with Disabilities

Academic regulations pertaining to students with disabilities are published in the *Student Handbook*. Copies are available from the Division of Student Services and on the CNU website.

In order to provide reasonable accommodation in the classroom students are obligated to make their faculty members aware of their needs and the faculty members are obligated to accommodate reasonable needs. In order to enhance student awareness about services to students with disabilities verbal announcements by instructors and statements in their syllabi are desirable means of encouraging students to reveal their disabilities. A statement such as the following is recommended:

If you believe that you have a disability, you should make an appointment to discuss your needs. In order to receive an accommodation, your disability must be on record in Disability Services located in the Academic Advising Center, Room 125, Administration Building (telephone: 757-594-8763; TDD 757-594-7938 or TDD 800-828-1120, the Virginia Relay Center).

Faculty members should not speculate about a disability or imply a belief that a disability is responsible for any aspect of the student's performance or behavior. The diagnosis of a student's disability will be clarified by the Coordinator of Services to students with disabilities in the Academic Advising Center through the process of determining needs and reasonable accommodations.

20. Regulations Pertaining to the Scheduling of Classes

Regulations pertaining to the scheduling of classes are available from the Office of the Registrar and on the CNU website.

- 1 21. Intellectual Property
- 2 Information on regulations regarding intellectual property is located in the Board of Visitors section of the University
- 3 Handbook and published on the CNU website.

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SECTION VI

Adjunct Faculty Handbook Personnel Regulations

A copy of the Adjunct Faculty Handbook may be obtained through the Office of the Provost or the CNU website.

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SECTION VII

Administrative and Professional Faculty Personnel Regulations

1. Introduction

The Administrative/Professional Faculty of the University is the body of all persons holding administrative or professional appointments with faculty rank. Definitions for the Administrative/Professional Faculty positions are given in the Governor's Consolidated Salary Authorization for Institutions of Higher Education. These definitions state:

- a. Administrative Faculty Positions: Administrative faculty positions require the performance of work directly related to the management of the educational and general activities of the University, department or subdivision thereof. Incumbents in these positions exercise discretion and independent judgment and generally direct the work of others. The organization reporting relationship normally does not go lower than two levels below the President.
- b. Professional Faculty Positions: Professional faculty positions require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. Incumbents in these positions regularly exercise professional discretion and judgment and produce work that is intellectual and varied in character.

Changes in Administrative and Professional faculty personnel regulations and information are authorized by the President after consultation with the Provost **and the Chief of Staff** or the appropriate Vice President(s) and University constituencies.

2. Selection/Appointment/Termination

Administrative and Professional faculty are normally selected with the aid of advisory search committees operating in accordance with procedures outlined in Section XI. Recommendations of the search committee are considered by the hiring official, and a recommendation for appointment is made to the President **who is the final authority on the appointment. All appointments are reported to the Board of Visitors at the next scheduled meeting of the Board.** Appointments which will include academic department affiliation must include participation of the academic department in the selection process and the concurrence of the appropriate academic dean and the Provost prior to including academic department affiliation in the employment offer. Recommendation for appropriate academic rank must be processed through the Provost prior to referral to the **President. Each** Administrative appointee serves at the pleasure of a responsible official. Administrative and professional faculty are, in their administrative or professional faculty employment status, employees at will; accordingly, the University may terminate such appointments at any time, without notice, and without stating reasons. [If the terminated individual holds rank in an academic department (i.e., holds concurrent membership on the Instructional faculty) at the effective date of termination, the individual's employment status as a member of the Instructional faculty does not necessarily terminate as well. This Instructional faculty employment status of the subject individual is governed by the applicable provisions of "Instructional Faculty" section of this *Handbook*.]

3. Administrative and Professional Faculty Grievances

Administrative and Professional faculty members who consider themselves to have suffered material professional detriment as a result of an action, decision, or recommendation of their administrative supervisor may seek recourse by:

- a. Requesting reconsideration by the official making the decision or recommendation or taking the action in question.

- b. Failing resolution in Step a), submitting a written request for reconsideration or reversal of the action, decision, or recommendation at successively higher administrative levels through the Presidential level. Matters concerning compensation and termination are not grievable under this section.

The Board of Visitors, at its discretion, may hear appeals, of full-time Administrative and Professional faculty on decisions of the President on matters subject to discretionary review as established by Board policy. The Board's discretionary review must be sought in writing within five (5) working days of the Presidential decision for which discretionary review is sought.

4. Leaves of Absence

a. Leave Without Pay – Family Medical Leave

The University grants leave in compliance with the Family and Medical Leave Act (FMLA) that requires the University give eligible Administrative and Professional Faculty up to twelve (12) weeks of unpaid, job-protected (for continuing positions), leave during any calendar year for; the birth, adoption, or foster care of a child; serious health condition of the employee; or the serious health condition of an immediate family member. Employees are eligible for FMLA if they have been employed with CNU for at least 12 months and have worked 1,250 hours during the prior 12-month period.

Administrative and Professional faculty taking leave under the FMLA have a guaranteed right to return to their same or equivalent position and pay (based on position availability). Health benefits may continue during the leave at the same level and conditions as if the administrator had continued to work. The administrator must give 30 days advance notice to the Provost or Vice President of the need to take FMLA leave, unless emergencies or unforeseen events preclude such advance notice.

A request for leave due to a serious health condition must be supported by a certification from the health care provider. This requirement includes the administrator's or family member's health care provider. The certification for a family member should include a statement from the health care provider that the administrator is needed to care for the family member. Certification forms are available in the Office of Human Resources.

b. Leave with Full Pay

The University grants leave with full pay and benefits for pregnancy and childbirth, illness, and disability to Administrative and Professional faculty members during the fiscal year providing there is a medical certification by a physician provided to the employee's supervisor and the Office of Human Resources. If the employee chooses to use this leave with full pay policy, any time under this leave policy that qualifies under the family and medical leave policy (FMLA) will run concurrently with FMLA. The following apply:

- 1) In the first year of employment, the maximum leave period is three months.
- 2) Except for employees in their first year, the maximum period of sick leave for Administrative and Professional faculty is for the remainder of the fiscal year. A member who is on sick leave at the end of a fiscal year may, at the discretion of the University, be offered a new appointment to the position in which member is incumbent or be placed on leave without pay for a period of at most one year or be removed from the administrative or professional faculty position in which the member is incumbent. Administrative and professional faculty who participate in the VSDP program of the Commonwealth of Virginia must follow the sick leave and disability provisions provided by the program. If needed, please contact the Office of Human Resources for VSDP guidelines.
- 3) Leave may be used when serious illness in the member's immediate family requires absence from assigned duties. The employee will be entitled to the provisions of the FMLA leave without pay (12 weeks unpaid leave) with five (5) workdays being paid, for any one absence. A family illness request requires certification from a health care provider.

- 4) Leave may be used when death in the employee's immediate family requires absence from assigned duties. Administrators may use five (5) paid workdays for any one absence.
- 5) Administrators requesting leave must notify or cause to be notified the immediate supervisor of the absence and the estimated return date.
- 6) If the absence lasts longer than two weeks, the illness or disability must be certified by the attending physician. This certification sets forth the nature of the illness, disability or injury and the estimated date of return to work.

c. Annual Leave

Annual leave for twelve-month administrative and professional faculty, is credited at the beginning of the fiscal year as though it were accrued at the rate of eight (8) hours of each pay period (192 hours credited on July 10). No more than ten (10) days or 80 hours of unused leave may be carried forward into the next fiscal year, unless an exception has been granted by the President. The approval of annual leave shall be subject to such scheduling as to insure minimum disruption of the normal operation of the University.

Annual leave in excess of 80 hours at the end of the fiscal year should be used by July 9. Appointments made after the beginning of the fiscal year will be provided annual leave based on the accrual rate of eight (8) hours for each remaining pay period of the fiscal year.

Employees in the first year of administrative or professional faculty employment will not be paid for unused leave upon separation from the University. After the first year of administrative or professional faculty employment, employees will be paid for up to 80 hours of unused accrued leave upon separation from CNU unless the employee is grant funded and grant funds are not available. Payment is calculated by adding 8 hours for each completed pay period, the number of leave hours carried over from the previous fiscal year, less the number of annual leave hours taken. The payment rate will be determined by converting the annual salary to an hourly rate. Under unique and extraordinary circumstances exceptions granting more than 80 hours leave may be given by the President.

d. Holidays

Officially designated holidays by the University will generally be observed with no deductions against leave accounts. However, an office or department may need to be open based on unique service needs as approved by the Chief of Staff or Provost, or appropriate Vice **President**. **Annual** leave may be granted during this period at the discretion of the supervisor.

e. Administrative Leave

Administrative leave may be granted with full pay for any absence necessary for serving on a jury, attending court as a witness under formal subpoena, or appearing before an administrative agency under subpoena. Leave with pay can be granted at the discretion of the **Chief of Staff**, Provost, Vice President, or President where the charging of annual leave would be unfair to the employee due to the nature of the absence.

f. Sabbatical Leave

Members of the Administrative and Professional faculty are also eligible for consideration for sabbatical leave. (See index: Sabbatical Leave)

g. Leave with Full or Partial Pay for Educational and Research Purposes (Professional Development)

- 1) Introduction: Leave of this kind is intended to permit administrative and professional faculty to devote their full energies to the development of knowledge and skills that will benefit the University. Such development will ordinarily take the form of pursuit of graduate study which will better-prepare the individual to be effective in his or her present position, which will prepare the individual for

1 advancement in his or her present career path, and/or which will prepare the individual to serve the
2 University effectively in a new career path. Leave of this kind requires that the recipient be engaged
3 throughout the period of leave in fulltime study and professional development. In particular,
4 individuals who are granted such leave are prohibited from engaging in any employment or other
5 activity of a remunerative nature during the period of leave. Leave of this kind must be taken for all or
6 part of one fiscal year and, once granted, cannot be granted again until the grantee has completed at
7 least six consecutive years of active, full-time, post-leave service to University. Administrative and
8 professional faculty considering this leave should consult with Human Resources concerning benefits
9 during this leave status.

10
11 2) Selection and Timetable:

- 12 a) Administrative and professional faculty requesting such leave must prepare a statement (not to
13 exceed 1,000 words) describing the activity to which the individual will commit if such leave is
14 granted. The statement should begin with a clear, succinct, and cogent statement describing the
15 purpose of the leave and the benefits, which will accrue to the University if the leave is granted.
16 Beginning and ending dates of the proposed leave must be specified. If the leave involves formal
17 enrollment in graduate courses, the courses and the semester and institution of each enrollment
18 must be specified. If the activity is intended to lead to a graduate degree, the name of the degree,
19 the name of the institution to confer the degree, and the date of expected receipt of the degree must
20 be specified. The applicant must specify the fraction of salary being requested and provide
21 appropriate justification for support at this level. A current curriculum vita of the applicant must
22 accompany the statement.
- 23
24 b) No later than January 7 of each fiscal year, **the Vice** President for Human Resources will issue a
25 timetable for the consideration of requests by administrative and professional faculty for leave of
26 this kind in the next fiscal year. No later than February 7 of the same fiscal year, applicants must
27 submit the materials described in the preceding section, together with statements of support or
28 non-support from all members of the applicant's reporting line through the provost or vice
29 presidential level, as appropriate. The statement of support or non-support from the applicant's
30 immediate supervisor must include a plan and related costs for compensating for the applicant's
31 absence should the requested leave be granted. The statement of support or non-support from the
32 provost or appropriate vice president must assign a priority level (1, 2, 3, etc., with 1 being the
33 highest priority) to each application from that office's jurisdiction.
- 34
35 c) No later than February 14 of the same fiscal year, **the Vice** President for Human Resources will
36 refer the applications to the Administrative and Professional Faculty Peer Review Committee,
37 which will judge the merits of each application, render a statement of support or non-support for
38 each, and assign a priority number to each without regard to the vice presidential jurisdiction in
39 which it originated. The Administrative and Professional Faculty Peer Review Committee will
40 report these results to **the Vice** President for Human Resources, together with all application
41 materials, no later than March 7 of the same fiscal year.
- 42
43 d) No later than March 14 of the same fiscal year, **the Vice** President for Human Resources shall
44 render a judgment of support or non-support for each application, assign his own priorities, and
45 communicate his findings, together with the application documents and the findings of the
46 Administrative and Professional Faculty Peer Review Committee to the President of the
47 University.
- 48
49 e) The President shall render a decision as to which applications shall be approved and shall have
50 appropriate resolutions granting leave prepared for consideration of the Board of Visitors at its
51 next meeting.
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3) Obligations of the Recipient.

- a) Upon completion of a leave for educational/research purposes, the recipient shall, within 30 days, prepare a report on his or her accomplishments during the period of leave. The report shall take note of and explain any differences between actual accomplishments and those anticipated in the application for leave.
- b) Any recipient of such leave shall be obliged to remain in the employ of the University for a period following the leave, which must include two complete fiscal years. Failure to satisfy this requirement can result in the employee being required to repay to the University all cost of salary and fringe benefits provided during the period of leave. This requirement shall be waived, however, if the individual leaves the employ of the University at the University's behest.

5. Evaluation

The supervisor of each Administrative or Professional faculty member is responsible for an annual evaluation of the faculty member prior to the beginning of each new fiscal year. The supervisor may solicit information from the employee's files, peers, and subordinates, but the responsibility for the evaluation lies with the supervisor.

6. Promotions in Academic Ranka. Introduction

The faculty is arranged in a hierarchical system of academic ranks, representing successively higher experience, accomplishments, expectations, and recognition.

For Administrative and Professional faculty members these ranks are: Professor, Associate Professor, Assistant Professor and Instructor. Position, degree of responsibility, level of relevant education, and experience are factors in establishing rank. Deficiencies in some respects may be balanced by unusual excellence in others. The standards and procedures given in this section apply only to administrative and professional faculty who do not hold their faculty rank in an academic department of the University. Administrative or professional faculty holding rank in an academic department (i.e., holding concurrent Instructional faculty appointments) must have candidacies for promotion in academic rank considered in accordance with the provisions of this *Handbook*. (See index: Academic Rank)

b. Academic Rank Promotional Procedures

A member of the administrative or professional faculty who wishes to be considered for promotion in academic rank should notify the appropriate, immediate administrative supervisor. The formal request for promotion should be accompanied by a file of materials (dossier) to support the candidacy. The dossier can include any supportive materials that the candidate deems appropriate, but it must contain both documentation that the minimum requirements for the rank sought have been satisfied and information sufficient to permit those involved in the review of the candidacy to apply the "evaluation standards" specified for the rank sought. The Provost or appropriate Vice President is responsible for determining any additional procedures for candidates within that officer's jurisdiction.

The files of those candidates being recommended for promotion are submitted to the Provost after the appropriate review in their division. Candidates for promotion must have a recommendation for or against promotion from their vice president, before their dossier is submitted to the Provost. Within the Academic Affairs Division, the appropriate director must recommend for or against promotion prior to submission to the Provost. The deadline for submission to the Office of the Provost is established annually by the Provost.

The Provost will forward the dossier and recommendations to the Administrative and Professional Faculty Peer Review Committee (APFPRC). This five-person campus-wide committee serves as an advisory committee to the Provost. As such, members of the Committee, including the Chair, are appointed by the Provost on an annual basis.

The APFPRC submits recommendations and priorities to the Provost who recommends to the President. Recommendations may be either for or against promotion. The names of those candidates that the President recommends for promotion will be submitted to the Board of Visitors for final action.

c. Academic Rank Promotional Standards

Academic rank is bestowed by the Board of Visitors, consistent with the following criteria:

1) Instructor

An instructor normally holds at least the master's degree. Evidence or promise of competence in service is expected of faculty at the rank of instructor.

2) Assistant Professor

a) An assistant professor must hold at least a master's degree and should have successfully completed at least 30 hours beyond the master's degree. In exceptional cases, evidence of equivalent experience appropriate to the position may be presented in lieu of the 30 hours. Such evidence will be reviewed by the APFPRC and its recommendation as to whether or not the minimum qualifications for promotion have been met will be included as part of its recommendation to the Provost.

b) Evaluation Standards

A candidate for promotion to assistant professor will be judged according to:

- (1) evidence of exemplary performance in the candidate's position;
- (2) evidence of professional development including but not limited to the following activities: membership in professional organizations, attendance at professional meetings, professional presentations, professional publications, relevant research, grants development, etc.;
- (3) evidence of service to the University as appropriate for the position such as teaching and serving on committees;
- (4) evidence of service to the community in providing professional expertise in any way that promotes a positive image of the University; and
- (5) evidence of a history of predominantly positive evaluations.

3) Associate Professor

a) An associate professor should hold a terminal degree, or a functional equivalent as authorized by the Provost, but must have:

- (1) at least 30 hours of graduate work beyond the master's degree;
- (2) at least four years of relevant university experience at the rank of assistant professor; and
- (3) a total of six years of relevant university experience.

b) Evaluation Standards

A candidate for promotion to associate professor will be judged according to:

- (1) evidence of exemplary performance as an assistant professor;
- (2) evidence of continuing professional development (see index: professional development);
- (3) evidence of outstanding service to the University (see index: service);
- (4) evidence of outstanding service to the community in providing professional expertise in any way that promotes a positive image of the University;
- (5) evidence of a history of predominately positive evaluations; and
- (6) extent to which minimal qualifications in 3)-a) are exceeded.

4) Professor

a) A professor must have:

- (1) at least a terminal degree (see index: terminal degree);
- (2) at least seven years of relevant university experience at the rank of associate professor; and
- (3) a total of twelve years of relevant university experience.

b) Evaluation Standards

A candidate for promotion to professor will be judged according to:

- (1) sustained evidence of successful compliance with the expectations of the rank of associate professor;
- (2) sustained evidence of truly outstanding professional effectiveness;
- (3) sustained evidence of widely respected professional development (see index: professional development).
- (4) sustained evidence of leadership and high achievement on academic and administrative service (see index: service);
- (5) sustained evidence of great stature as a member of the University and academic community;
- (6) evidence of outstanding service to the community in providing professional expertise in any way that promotes a positive image of the University;
- (7) evidence of a history of strongly positive evaluations; and
- (8) extent to which minimal qualifications in 4)-a) are exceeded.

7. Administrative Actions for Inappropriate Conduct on the Part of Administrative and Professional Facultya. Examples of Unsatisfactory Behavior

- 1) Failure to perform satisfactorily one's duties, follow instructions, comply with established written policy, or otherwise fail to maintain professional standards of conduct.
- 2) Acts of violence or harassment; unauthorized use of drugs or alcohol; unauthorized use of, misuse of, or willful or negligent damage to state or employee property, equipment or facilities.

b. Purposes

- 1) These sanctions are designed to protect the rights of Administrative and Professional faculty and to assure compliance with University rules and policy and public law.
- 2) The sanctions provide directors, deans, vice presidents, Provost and **the Chief of Staff** with guidelines to follow when an administrator's conduct is inappropriate or in violation of the policies of the University.
- 3) This process also defines the measures, which are appropriate in relation to the offense.

c. Sanctions1) Introduction

There are four types of sanctions. These sanctions are not progressive or sequential; rather, the seriousness of the offense(s) will determine the sanction which is initiated. Dismissal need not be preceded by any of these lesser sanctions.

2) Admonition

- a) An admonition is warranted when an administrator's behavior is of such a nature that it is likely to or does reflect unfavorably upon the office or the University or on the administrator's professional status.
- b) The director, dean, vice president, Provost or **Chief of Staff** is responsible for orally admonishing the administrator and keeping a memorandum of the substance and date of the discussion.

3) Written Warning

- a) A written warning is issued when unacceptable behavior continues after admonishment or when an administrator's misbehavior is of a more serious nature to such a degree that a written warning is appropriate.

- b) The director, dean, vice president, Provost or **Chief of Staff** is authorized to issue written warnings.
 - c) An appeal, is permitted to the next higher level, but not beyond the appropriate vice president or the Provost
 - d) The written warning will include descriptions of the unacceptable behavior and those actions necessary to correct or eliminate the problem, a reasonable time within which those actions must be taken, and the consequences of failure to take those actions.
- 4) Suspension
- a) Suspension, with or without loss of pay, occurs when an administrator's misbehavior continues after written warnings, or when the misbehavior is of such a nature that immediate suspension is warranted.
 - b) Only the appropriate vice president, Provost, **Chief of Staff** or the President are authorized to impose this sanction.
 - c) If a vice president, the Provost or the **Chief of Staff** has taken the action an appeal, is permitted to the President.
 - d) The President has the final authority.
- 5) Dismissal
8. Library Faculty
- a. Definition: Library faculty are a special category of administrative and professional faculty. The library faculty includes the University Librarian (Library Director) and all other professional librarians who hold the MLS or equivalent degree and whose assigned responsibilities in the library require the attainment of the MLS degree or its equivalent. The University Librarian is a member of the administrative faculty; all other members of the library faculty are members of the professional faculty.
 - b. Precedence: Unless otherwise specified in the individual's employment contract or letter of appointment, for library faculty the provisions of this subsection take precedence over those of all other subsections of section VII with which they might differ. Otherwise, the regulations applicable to library faculty are those specified in section VII for all administrative and professional faculty. All matters of interpretation involving this subsection shall be decided by the provost.
 - c. Employment Status: Library faculty are employees by contract rather than employees at will. For full-time, salaried library faculty, contracts of employment normally extend from July 1 through June 30 of the following calendar year, with nonrenewal decisions requiring notification to the employee to that effect being given no later than the April 1 immediately preceding the expiration of the final contract. Contracts of employment which begin on a date other than July 1 will normally expire on the next June 30 and are not subject to the April 1 nonrenewal notification deadline. Library faculty serving on part-time, temporary, or other wage (as opposed to salaried) employment may be employed by contract for specified periods of time; such employment terminates automatically at the expiration of the applicable contract, with no notice of termination required.
 - d. Relationship to the Instructional Faculty: Inasmuch as the University Library is a unit in the budgetary program of "academic support" rather than the budgetary program of "instruction," library faculty are not members of the instructional faculty and their positions are not tenure-eligible. However, because library

1 faculty play a key professional role in support of the instructional program of the University, it is
2 appropriate that Library Faculty participate in the governance of the University in a fashion consistent with
3 this role. Accordingly, library faculty may serve as members of committees and other bodies of
4 governance of the instructional faculty. The conditions of such membership, if and when it occurs, are
5 determined by the provost, acting on the recommendation of the Faculty Senate.

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7 e. Academic Freedom: The provisions of the Board of Visitors' policy on academic freedom are applicable to
8 members of the library faculty.
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10 f. Participation in Academic Ceremony: Library faculty shall participate with the instructional faculty in all
11 formal, academic University ceremonies and, when appropriate, shall do so in appropriate academic
12 regalia.
13
14 g. Emeritus Status: Library faculty shall be eligible for consideration for emeritus status, as that term is
15 defined for the instructional faculty in section XII. The process of consideration shall be as defined in
16 section XII, subsection 11, with the library faculty as a whole substituting for the academic department and
17 with the University Librarian substituting for **the college** dean.

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- SECTION VIII**
Business Office Regulations
- Financial policies and practices are governed by federal and state laws and policies. Contact the University Business Office for additional information.

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SECTION X

Code of Student Rights, Responsibilities, and Conduct

1. Philosophy of University Policies for Student Life

Christopher Newport University is maintained and governed by the following five values: (1) We will always put students first; (2) We will always offer outstanding teaching; (3) We will remain committed to liberal learning; (4) We will provide access and opportunity; (5) We will be actively engaged in shaping the economic, civic, and cultural life of this community. Additionally, we hold the ideal of Honor as an important element of the Christopher Newport University experience. Accordingly, the University has implemented policies that reinforce **these values and ideals**. As an educational institution, the University is concerned with the formal, in-class education of its students as well as their growth into mature men and women who conduct themselves as responsible, **honorable** citizens.

The uniqueness of the academic community requires particular sensitivity to the individual rights **of students** and the rights of the University community. Rules and regulations are imperative as a basis for the orderly conduct of University activities and for maintaining an environment conducive to study, **recreation and** personal growth. Regulations are intended to create sound living and learning conditions for all members of the campus community, and to promote an atmosphere that encourages personal integrity.

Student Life policies are based upon the assumption that students and groups have the capacity to assume responsibility for their own behavior and that the University has the authority to establish an internal structure for enforcement of its policies and procedures which students have agreed to accept by enrolling at the University. Conversely, students have the right to expect the University to fulfill its educational responsibilities as effectively as its capacity and resources permit.

Since rights carry with them certain responsibilities, the following rights and responsibilities - institutional as well as student - are set forth.

2. Basic Rights

The following **listing** of basic rights is not intended to deny or limit the rights of students in any way. Rather, it is intended to focus special attention on **these rights because** of their importance in the educational process. Christopher Newport University students may freely and openly exercise the following freedoms as long as their actions do not interfere with the regular operation of the University:

- a. Campus Expression - Free inquiry, expression, and assembly are guaranteed to all students subject to the limitations of this document and other University regulations and policies which are consistent with the provisions of the Constitutions and laws of Virginia and the United States. Public statements and demonstrations by individual members of the University community or organizations shall be clearly identified as representative only of those individuals or organizations and not of the University. Sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed either by the sponsoring group or the institution.
- b. Pursuit of Goals - Students are free to pursue their educational goals; appropriate opportunities for learning shall be provided by the University.
- c. Equal Protection - No student shall be subject to any regulations that discriminate on the basis of race, sex, color, age, religion, national origin, disability, **sexual orientation** or political affiliation. Any individual living in a community must respect the rights of others in that community. Students are responsible for their actions. They are obligated to respect authority, to be truthful, to maintain standards of academic performance, to respect the rights of others and to protect private and public property. Students must uphold federal, state and local laws, as well as University regulations.

3. Equal Opportunity

CNU does not discriminate in admission, employment or any other activity on the basis of race, gender, color, age, religion, veteran status, national origin, disability, sexual orientation or political affiliation.

All student requests for disability accommodations and assistance should be directed to the Coordinator of Disability Services located in the Academic Advising Center on the third floor of the David Student Union. Students who feel they have been discriminated against because of a disability should contact the Coordinator of Disability Services.

Any student who believes that he/she has been unlawfully discriminated against or harassed may file a complaint with the **Director of Equal Opportunity**.

4. Student Records

Christopher Newport University complies with the Family Educational Rights and Privacy Act. Questions concerning this policy may be referred to the Dean of Students or the University Registrar.

5. Student Code of Conduct

Generally, University jurisdiction and discipline shall be limited to conduct that occurs on University premises, at any official University function or activity regardless of location, or such action that adversely affects the University community's pursuit of its education or other legitimate objectives. **Engaging in activities that are inconsistent with values expressed in documents and/or the articulated expectation of student conduct, regardless of the location of the activity, may be addressed as potential violations of the Student Code of Conduct or Honor Code.**

The following misconduct is subject to disciplinary action, including possible suspension or dismissal from the University.

a. Abusive, Disorderly or Obscene Conduct1) Abusive Conduct

Any use of words or acts against one's self or others that causes physical injury or that demeans, intimidates, harasses, threatens or otherwise interferes with another person's rightful actions or comfort. This includes but is not limited to, verbal abuse, physical battery, and sexual misconduct.

Abusive conduct as intimidation **includes** engaging in a course of conduct or committing acts that alarm another person and serve no legitimate purpose. This includes but is not limited to unlawful coercion, extortion or duress that places the recipient in fear.

Abusive conduct that is harassing is defined as any words, gestures or actions directed at an individual or group that may cause a reasonable person to experience fear or intimidation. Harassment of all kinds **that is directed at an individual** is reprehensible and will not be tolerated by the University.

Sexual misconduct is defined as sexual contact without consent and includes intentional touching, either of the victim or when the victim is forced to touch, directly or through clothing, another person's genitals, breasts, thighs, anus or buttocks; rape (sexual intercourse without consent, whether by an acquaintance or a stranger); attempted rape; sodomy (oral or anal intercourse) without consent; attempted forcible sodomy; or sexual penetration with an object without consent. To constitute a lack of consent, the act(s) must be committed either by force, intimidation, or through the use of the victim's mental incapacity or physical helplessness (to include the influence of alcohol or other incapacitating substances).

2) Disorderly Conduct/Conduct Infringing on the Rights of Others

Behavior that disrupts or interferes with the orderly functioning of the University or disturbs the peace and/or comfort of persons or interferes with the performance of the duties by University personnel.

3) Obscene Conduct

Any conduct or expression that is lewd or indecent.

b. Actions Related to Criminal Offenses

Any student arrested, charged with and/or convicted of a serious criminal offense may be subject to University disciplinary actions. **Students arrested or charged with felonies and/or serious misdemeanors may be subject to an immediate interim suspension pending a University investigation into the allegations.**

c. Alcoholic Beverage Policy

Use, possession, consumption or distribution of alcoholic beverages by **students, except as expressly permitted by Virginia law and University regulations will not be tolerated.**

Public intoxication that results in disorderly behavior that negatively impacts the University community and community at large will not be tolerated.

Students found in the presence of alcohol are also subject to disciplinary actions.

d. Damage or Destruction

Attempted or actual damage to or destruction of University property of a member of the University community or other personal or public property while on University premises or at University sponsored functions. Attempts to damage, or actions that could damage, property will also not be tolerated.

e. Drugs

Use, possession or distribution of narcotic or other controlled substances **by Virginia law will not be tolerated.**

Being in the presence of or under the influence of illicitly obtained or illegal controlled **substances will not be tolerated. Similarly, inappropriate or abusive use of prescription, over-the-counter medication, or other items in order to produce a drug-like effect is unacceptable**

Additionally, possession of drug paraphernalia including but not limited to bongs, bowls, scales, **hookah pipes, scales and roach clips is prohibited. Due to concerns regarding the psychoactive effects of Salvia Divinorum, use, possession, or distribution of “Salvia” is prohibited.**

Christopher Newport University supports and encourages a drug-free educational experience. CNU fully complies with the narcotic and controlled substance regulations of the Commonwealth of Virginia.

f. Failure to Comply with a University Official

Failure to comply with a request of an authorized University official, including failure of a student to present his/her University identification card when requested by an authorized University official.

g. Failure to Observe Rules and Regulations

Failure to observe rules and regulations issued by the University, including all publications and notices pertaining to student life and student services.

h. Fireworks/Explosives/Hazardous Chemicals/Weapons

Unauthorized possession or use of fireworks, explosives, or weapons is prohibited. Hazardous chemicals, which could pose a health risk, are also prohibited from the campus. This includes chemicals which, when combined with other substances, could be hazardous or present a danger to others.

Unauthorized possession, storage, or control of firearms and weapons on University property is prohibited. This includes storage in vehicles on campus as well as in the residence hall. Firearms **include** as any gun, rifle, pistol, or handgun designed to fire bullets, BB's, pellets, or shot regardless of the propellant used. **Additionally, possession of ammunition that could be used with a prohibited item is forbidden.** Other weapons **include** any instrument of combat, or any object not designed as an instrument of combat but carried for the purpose of inflicting or threatening bodily injury. Examples include, but are not limited to, knives with fixed blades or pocket knives with blades longer than four inches, razors, metal knuckles, blackjacks, hatchets, bows and arrows, nunchakas, foils, or explosives and incendiary devices.

i. Hazing

Hazing, which includes any act that causes humiliation, physical discomfort, bodily injury or ridicule, is a criminal offense in the Commonwealth of Virginia. For a more detailed explanation of this policy and a more comprehensive definition of hazing, please see Section IV-IX of the CNU Student Handbook.

j. Involvement in a University Violation

Presence during any **violation defined** in the Code of Student Rights, Responsibilities and Conduct or the Honor System that condones, supports or encourages the violation. Students who anticipate or observe a violation of University policy are expected to remove themselves from the situation and are **expected** to report the violation to the proper authorities. Students are obligated to report Honor Code violations.

k. Misuse of Fire-Fighting Equipment/Arson/Disregard of Fire Alarm/Tampering

Misuse of fire-fighting equipment, including tampering, removing or discharging a fire extinguisher or any other fire emergency equipment except when the need is real.

Unauthorized burning of any material in any University building or on University property.

The disregard of a fire alarm system or the refusal to vacate a building or section of a building when a fire alarm is sounding.

Tampering with detection systems, including deliberately initiating a false alarm or creating conditions that result in a false alarm, or tampering which would cause a malfunction or non-function.

l. Misuse of Identification Cards

Improper use of any identification card, including knowingly altering or mutilating a University identification card is prohibited. Using the identification card of another or allowing one's own card to be used by another is a violation of university policy and may also be considered an Honor Code violation.

m. Stalking

No person may intentionally stalk another person.

"Stalk" means to engage in an intentional course of behavior directed at a specific person which frightens, intimidates, or harasses that person, and that serves no legitimate purpose. The course of behavior may be **directed toward that person or a member of that person's immediate family and may cause a reasonable person to experience fear, intimidation, or harassment.**

n. Tampering with University Property

Tampering with any elevator, wiring, plumbing, or other University equipment/property without prior authority from the appropriate University official.

o. Unauthorized Entry or Access

Unauthorized possession or use of keys to any University door or **facility, or unauthorized** entry to or use of **facilities and/or unauthorized use of an emergency exit door is prohibited.**

6. The University Judicial Systema. Preamble

The purpose of the University Judicial System is to involve the University community in the administration of the discipline system, to provide any student the right to due process, to help provide corrective and educative action in response to behavior deemed unacceptable and to help **foster** a fair, **just, disciplined and honorable** University community.

b. Jurisdiction

The President of Christopher Newport University is ultimately responsible for the discipline of all students at the University. Administrative authority and responsibility for judicial policies and procedures is delegated to the Dean of Students who will determine if an alleged violation is a violation of the Honor System or the Student Code of Conduct. The decision of the Dean of Students is final. Within the Division of Student Services, the Director of the Center for Honor Enrichment & Community Standards (CHECS) assumes the direct supervisory jurisdiction of disciplinary matters involving violation of University policy. The Director of CHECS serves as the Chief Judicial Officer for the University.

Members of the University community will be considered for disciplinary action whenever violations are committed on University property. For violations not occurring on University property, action will be considered when University officials **determine** that University interests are involved. Disciplinary action may be taken by the University for any act constituting a violation of the law when the act is contrary to the University community's pursuit of its educational and other legitimate objectives. Whenever conduct violates both the law and University policies, the University may take disciplinary action irrespective of and separate from action taken by civil authorities. The University will proceed with disciplinary action according to its regular timeline, unless directed otherwise by University counsel. The policies and procedures of the University Judicial System are designed to provide a fair and equitable resolution concerning involvement in alleged misconduct.

c. Procedure

Any member of the University community may bring an alleged violation of University policy to the attention of the Director of CHECS or a designated judicial officer for review. Formal action requires evidence and/or testimony by the person referring the case.

Allegations must be filed with Director of CHECS or a designated judicial officer in writing, within ten working days of the occurrence or the discovery of the alleged infraction(s) excluding weekends, official University holidays, and Winter and Spring Breaks. The complaint should contain a clear, concise and complete written statement of the allegations of infractions(s).

Individuals filing cases that cite physical abuse, conduct that threatens or endangers members of the community, harassment, intimidation or hazing may file a written appeal for an extension of the ten-day filing period. Such appeals should be submitted to the Director of CHECS. Appeals may be made up to one major semester (fall or spring) after the date of discovery of the alleged incident.

The University Judicial System is supported by a network of University community representatives who comprise the University Committee for Student Discipline and are appointed as members of Hearing Panels, Honor Councils and Hearing Panel/Honors Councils as necessary. These individuals have been trained in judicial procedures and are knowledgeable about university policies and judicial system precedent.

d. Academic Violations of the Honor Code

For specific information regarding academic violations of the Honor Code, please refer to the Honor System section of this handbook.

e. Other Violations

- 1) Should an alleged violation of University policy occur, an incident report will be completed and submitted to **CHECS**. These violations may include, but are not limited to violations of the Student Code of Conduct, violations of residence hall policy, violations of **sections of the *Student Handbook* (for example, the Computer Usage Policy or the Hazing Policy)** and violations of the Honor Code. Students listed on the incident report and alleged to have violated policy will be notified in writing of the charges stemming from the allegation(s). This form is referred to as a Charge Notice.

Students notified of an allegation of wrongdoing must contact **CHECS** to schedule an Initial Conference to discuss the allegation(s). The Initial Conference **is an informal preliminary step conducted by a designated judicial officer which** will provide the student with the opportunity to respond to the **allegation(s)**. **During** this Initial Conference students are invited to discuss and review the alleged misconduct, and are encouraged to ask questions concerning the University judicial process. At the Initial Conference, **which is a conversation between the designated judicial officer (s) and the responding student, the student is expected to present their perspective regarding the incident in question.**

The student may accept responsibility for the allegation(s) outlined in the Charge Notice. If this occurs, the judicial officer may, after talking with all necessary parties, assign appropriate sanctions based on the information received **and judicial history, if any.**

The student may **also** deny the allegation(s) outlined in the Charge Notice and provide any information **he/she** deems appropriate. Sanction decisions, if appropriate, will not be rendered **until the** judicial officer has completed an investigation of the incident, to include talking with all necessary parties. At the conclusion of the investigation the judicial officer will **determine if a violation has occurred and will make sanction decisions**, if necessary.

Whether a student admits responsibility or is believed to be responsible for the allegation(s) outlined in the Charge Notice, should the appropriate sanction, based on the severity of the violation **and/or the student's** judicial history, be suspension or dismissal from the University, an Honor Council or Hearing Panel may be convened to hear the case.

If a student fails to respond to the Charge Notice and/or appear at the Initial Conference, all charges will be considered true and the appropriate sanctions will apply.

Should a student be found responsible for a violation, he/she may appeal the decision, in writing, to the Director of CHECS within five business days of the initial decision. This appeal must demonstrate a violation of due process occurred or new information exists which should be considered.

f. University Committee on Student Discipline (UCSD)

The University Committee on Student Discipline (UCSD) will be comprised of members of the University community to include faculty and students.

Faculty: Faculty from the College of Liberal Arts and Sciences and the Luter **College of Business and Leadership** will be appointed by the respective Academic Dean in consultation with Dean of Students and the Faculty Senate.

Students: Representatives from each academic class, including graduate students, will be appointed by the Dean of Students in consultation with the Academic Deans. Additionally, students from computer science and computer engineering will be appointed to help address issues related to computer violations.

The UCSD consists of three subcommittees which are Honor Councils, Hearing Panels, and the Honor Council/Hearing Panels.

Honor Councils will be convened as necessary to hear allegations of Honor System violations that are independent of Student Code of Conduct violations. When convened, this body will be called an Honor Council.

Hearing Panels will be convened as necessary to hear allegations of Student Code of Conduct violations. When convened, this body will be called a Hearing Panel. When convened to hear allegations of sexual misconduct, this body will be called a Sexual Misconduct Hearing Panel.

Honor Council/Hearing Panels will be convened when an alleged violation of community standards occurs in the **Honor System and the Student Code of Conduct during** the same incident.

Any UCSD subcommittee convened because of allegations of computer misuse **may** include at least one faculty member from the College of Liberal Arts and Sciences having a significant technical background in computing, **and one** computer science or computer engineering student.

Composition of the UCSD subcommittees shall be no less than five drawn from the UCSD, to include a combination of faculty and students, with the exception of the Sexual Misconduct Hearing Panel. If the situation warrants, a subcommittee may contain less than five members when the student respondent waives his/her right to a five-member panel. The Chair, who is appointed by the Chief Judicial Officer, has the authority to conduct the hearing and will subsequently notify the Chief Judicial Officer of **any decisions**. All members have voting privileges except as noted for Sexual Misconduct Hearing Panels.

The final decision of a Hearing Panel will be determined by a simple majority vote. The final decision of an Honor Council must be unanimous. A Panel/Council decision will be determined by a majority for the Student Code of Conduct violation and unanimity for the Honor System violation.

UCSD subcommittees will usually only convene during the Fall and Spring semester. During summer or inter-session written appeals resulting from an Initial Conference will typically be reviewed and decided upon by the Director of the **CHECS**. During summer or inter-session, a Special Panel may be convened to hear serious allegations that should be addressed prior to the start of the upcoming semester. The Special Panel will consist of one faculty member from the UCSD, one student from the UCSD, and one **administrator trained in judicial procedures. When an administrator is unavailable, a member of the Center for Honor Enrichment & Community Standards not directly involved in the investigation will assume this role.**

g. Procedure

UCSD Subcommittees will be convened at the request of a designated judicial officer. They may also be requested by the accused as an appeal to a decision made during an Initial Conference if new information exists or a violation of due process has occurred. Appeal requests are submitted, in writing, to a judicial **officer, unless** the judicial **officer** held the Initial Conference, in which case the appeal is made to the Director of CHECS.

- 1) A date, time and place of the hearing shall be determined **with notification given to all parties**. Every effort shall be made to schedule this hearing within two weeks of the time a complaint is filed, although it shall not be scheduled less than five (5) days from the filing date of the complaint, except by mutual agreement of the **complainant** and respondent.
 - 2) The judicial officer must notify the respondent in writing of the complaint and **the allegations** that have been filed along with the information outlined in number one above.
 - 3) All hearings will be closed to the public unless both parties agree in writing not less than 24 hours in advance that a hearing **will** be open. The UCSD subcommittee reserves the right to limit the number of observers at an open hearing.
 - 4) In a hearing, **the burden of proof shall be** based on a preponderance of the evidence.
 - 5) Witnesses may be called by the parties and/or by members of the UCSD. Witnesses may be either witness to actual events or character references. Character references may only be reviewed or heard, if appropriate, during the sanctioning phase of the hearing. The UCSD subcommittee may, by majority vote, limit the number of witnesses for reasons of redundancy or irrelevancy.
 - 6) Both parties and UCSD members will have the right **to question** witnesses as necessary.
 - 7) All hearings shall be recorded and the notice, exhibits, taped or stenographic records, and findings of fact shall be filed with the **Director of CHECS**.
 - 8) In cases involving more than one student, the UCSD subcommittee may hear the case as one, but shall make separate findings of fact for each student.
 - 9) In closed session, the UCSD subcommittee, after deliberation, will decide, by the preponderance of the evidence standard, whether the respondent is or is not in violation of the University **policy defined**.
 - 10) **If a respondent is found to have violated University policy**, the UCSD subcommittee will decide on appropriate sanctions. This determination, in the form of a recommendation, will be forwarded to Director of the Center for Honor Enrichment & Community Standards, along with their findings of fact.
 - 11) Final determination of the sanctions rests with the Director of CHECS. Respondents will be notified in writing of the decision within ten (10) business days of the proceedings.
 - 12) Individuals wishing to appeal the decision may do so only if there has been a violation of due process or if there is new evidence to be presented.
 - 13) A request for an appeal from a UCSD subcommittee decision must be made in writing to the Dean of Students within five (5) business days of notification.
- h. Sexual Misconduct Hearing Panel Procedure
- Upon receipt of an incident report alleging a form of sexual **misconduct**, the following process will be utilized.
- 1) A from CHECS will investigate the allegations and collect pertinent information. The investigation may include interviews with different parties as well as reviewing physical evidence, if any.

- 2) Upon completion of the investigation the judicial officer will present his/her findings to a Sexual Misconduct Review Panel (SMRP) for consideration. The SMRP will consist of three members, two of whom are UCSD faculty and one of whom is a UCSD student. One of the faculty members will coordinate the SMRP meeting. Each member of the SMRP must have participated in training specific to sexual misconduct issues.
- 3) The SMRP will make decisions by a majority vote.
 - a) Upon hearing the presentation of the evidence collected by the judicial officer, the SMRP will determine if there is substantial evidence warranting a Sexual Misconduct Hearing Panel (SMHP). Based on this substantial evidence standard the SMRP will make a recommendation, in writing, to the judicial officer to convene an SMHP or pursue other judicial actions.
 - b) The SMRP must consider each charge presented to the accused student and decide which charges, if any, warrant further review. Included in their recommendation will be the specific charges to be reviewed by the SMHP or other hearing panels. If the SMRP does not believe a violation of the sexual misconduct policy has occurred but other violations have occurred, they may recommend to the judicial officer that a Hearing Panel, Honor Council or Hearing Panel/Honor Council be convened or that the judicial officer resolve the issues.
 - c) Should the SMRP recommend a sexual misconduct hearing is warranted, they will include in their written recommendation a list of witnesses they believe the SMRP should hear. The respondent and/or the alleged victim may appeal to the Director of CHECS for the admittance of additional witnesses. This appeal must be in writing and should be received in CHECS within **72 hours** of the notification of the witness list. The appeal must articulate why a particular witness is pertinent to the case being heard.
 - d) Should the SMRP recommend a hearing is not warranted, they will communicate this decision, in writing, to the judicial officer. The **judicial officer** will notify the respondent and the alleged victim of the SMRP's decision within three business days of receipt of the decision. The alleged victim may appeal this SMRP decision to the Director of CHECS within five business days. **The appeal should include, at a minimum, any new information to be considered. Additionally, if the alleged victim believes a procedural error occurred, this should also be included in the appeal.**
 - e) The Director of CHECS may elect to review the appeal or remand the case to the SMRP for further study. The Director of CHECS must make a decision regarding the appeal within five business days of receipt of the appeal letter.
- 4) The judicial officer must act on the recommendation of the SMRP within 3 business days of receipt of the recommendation. Action must include one of the following:
 - a) Initiate the convening of the SMHP or
 - b) Pursue other judicial action, including the convening of a UCSD Hearing Panel or Honor Council if necessary or
 - c) Determine that insufficient evidence exists to pursue further judicial action.
- 5) The members serving on the SMRP are ineligible to serve on the SMHP for the case they have reviewed.
- 7) Members serving on an SMHP must have participated in training specific to sexual misconduct issues.
- 7) SMHPs will consist of four members, one of whom is a UCSD faculty member and two of whom are UCSD students. The SMHP will be managed by the fourth member, **either a specially trained university administrator or a non-investigating judicial officer from CHECS.**
- 8) The role of the investigating judicial officer, who is present throughout the hearing, is to present the evidence he/she has shared with the SMRP. He/she may also present additional evidence discovered after the SMRP convened and prior to the SMHP convening. He/she may also respond to questions

- from any of the participants in the process with the exception of the advisor, who is ineligible to pose questions.
- 9) During an SMHP, the respondent and the alleged victim may select an assistant from a group of students who have been trained for this role. Assistants serve as guides through the judicial process and may help their student prepare for the hearing, present information, develop and/or ask questions and help articulate their responses. Assistants do not assume prosecutorial or defense roles and as such do not argue for or against the student they represent.
 - 10) Students electing not to utilize an assistant may choose another individual to serve as an advisor during the hearing. The role of the advisor is to counsel their advisee. As a result, they may not present information, ask questions, or speak on behalf of their advisee.
 - 11) The student filing the accusation may choose to be present throughout the entire hearing or to be present for a portion of the hearing. **The student** may elect to present information and ask questions. He/she is expected to respond to inquiries from all parties. If the alleged victim prefers to participate from behind a screen, the institution will provide one.
 - 12) The format for a sexual misconduct hearing will reflect all other hearings except as outlined within this document. This means opening and closing statements should be given, respondents and witnesses are expected to share their perspective on the events in question, and panel members are expected to ask questions and review the information received.
 - 13) Upon hearing all of the evidence, the SMHP will privately deliberate. The managing **administrator or non-investigative judicial officer** will not participate in deliberations but may serve as a resource to the SMHP. A majority of the **remaining** three panelists must decide the facts of the case based on the preponderance of the evidence standard.
 - 14) The findings of **the Hearing Panel**, and any associated recommended sanctions, must be communicated to the Director of **CHECS** within five business days of the conclusion of the hearing.
 - 15) The Director of **CHECS** will communicate the results of the SMHP to the respondent and the alleged victim within five business days of receipt of the SMHP decisions.
 - 16) Should the respondent be found responsible for a violation of university policy, he or she may appeal to the Dean of Students in writing no later than five days from the date of the finding letter from the Director of **CHECS**. This appeal must be based on due process violations or new information unavailable to the SMHP at the time their decision was rendered.
 - 17) Should the alleged victim wish to appeal the decisions of the SMHP, he or she may appeal to the Dean of Students in writing no later than five days from receipt of the finding letter from the Director of **CHECS**. This appeal must be based on procedural errors or new information unavailable to the SMHP at the time their decision was rendered.
 - 18) The Dean of Students may elect to review the case and render alternative decisions, remand the case to the SMHP or decline a review of the case at which point the decisions of the SMHP will stand.

The decision of the Dean of Students is final.

i. Provisions for Due Process

Within the formal UCSD hearing process, a student who is alleged to have violated University policy is entitled to certain procedural guarantees to insure a fair resolution. These **procedural** guarantees also apply to student organizations **engaged in the formal UCSD hearing process**.

- 1) The student will be provided with a written statement of charges in advance of the hearing so as to allow the student time to prepare a response. In addition, the student, upon request will be given the opportunity for advance inspection of any statements or exhibits the judicial officer intends to submit at the hearing. Students may also request, in writing, the anticipated list of witnesses.
- 2) Students are expected to present an explanation of their situation at the hearing and may ask individuals to present information on their behalf (**e.g. witnesses**). Should the respondent fail to appear at the scheduled time and place, the hearing will be held in his/her absence.
- 3) To assist in preparation **for the UCSD**, a student may choose an advisor to be present during the hearing. The role of the advisor is to "advise" and as such is limited to conferring with the advisee only. Advisors shall not participate orally at any point during the hearing.
- 4) Prior to a hearing, the student may challenge the objectivity of any one panel member assigned to their case given reasonable cause to believe that the member may be biased or have a conflict of interest. **This challenge must be presented to the Director of CHECS, in writing, at least 48 hours prior to the scheduled hearing date. The student must articulate the reason for potential bias or conflict of interest in order for the Director to consider the challenge. Should the Director uphold the challenge, replacements to the board may be only made when time permits.**
- 5) The **findings** of the hearing will be based solely on information provided during the hearing.
- 6) Receipt of written notification of **the findings** of the hearing will be within ten (10) business days of the proceedings.
- 7) Following the proceedings, the student may appeal the decision only if there is an alleged violation of due process or new evidence to be presented. Appeals must be submitted within five (5) business days of receipt of notification.

j. Judicial Appeals

An *appeal* is defined as a request for review of the original case. This may involve a review of the judicial decision as recorded on paper, a new hearing, or other procedures such as those described below. The burden is on the appealing student to demonstrate why the **findings** should be altered.

Students who violate the Student Code of Conduct or the Honor System may appeal their case to the Dean of Students. Appeals may be based only on the following grounds: (1) denial of due process; (2) significant and relevant new evidence that was not available at the time of the hearing. Appeal requests will be denied in cases not having sufficient grounds.

A written request for an appeal, stating the specific grounds upon which the appeal is based, must be received by the end of the fifth business day following written notification of the original decision regarding the case. Appeals submitted after the fifth day may not be accepted.

The Dean of Students will review the appeal request and the entire record of the case. The Dean of Students may also meet with the student, **panel members and/or members of the CHECS staff** to discuss the appeal. After reviewing the **appeal request and, if necessary, the entire record of the case, the Dean of Students** may take any of the following actions:

- 1) Alter or sustain the original finding or sanction.
- 2) Refer the case to the Director of CHECS and request that a hearing be convened.

The action of the Dean of Students will be communicated to the student in writing. This decision is the final step in the formal appeal process.

k. University Sanctions

The sanctions listed below may be imposed upon a student or student organization for a violation of University policy. Generally speaking, judicial sanctions are cumulative in nature. In situations where multiple incidents occur over a short period of time, judicial hearings are generally scheduled in chronological order according to the date of the incident and all judicial records are considered when determining an appropriate sanction.

- 1) *Academic Dismissal*: Separation of the student from the University with the expectation that the separation is permanent. Academic Dismissal will be noted on the transcript.
- 2) *Academic Suspension*: Separation of the student from the University for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified. Academic Suspension will be noted on the transcript.
- 3) *Deferred Housing Registration and Selection*: Students found in violation of University policy may have their housing registration and selection privilege restricted. Such a sanction means that the student will not be permitted to participate in the housing registration and selection process until all other returning residential students have made their selections.
- 4) *Deferred Sanction*: In some cases, a sanction of suspension or dismissal may be held in abeyance for a specified period. This means that, should the student be found in violation of any University policies during the stated period, he or she may be subject to the deferred sanction without further review in addition to the disciplinary action appropriate to the new violation.
- 5) *Disciplinary Dismissal*: Separation of the student from the University with the expectation that the separation will be permanent. Disciplinary Dismissal will be noted on the transcript.
- 6) *Disciplinary Suspension*: Separation of the student from the University for a defined period of time, after which the student is eligible to return. Conditions for readmission may be **specified**. **Disciplinary** Suspension will be noted on the transcript.
- 7) *Disciplinary Probation*: This action is given for a stated period of time. A student's further misconduct during this period of time may lead to suspension or dismissal. A student on such probation may remain at the University only upon condition that the student complies with regulations as may be imposed as a condition of the student's probation.
- 8) *Educational Experiences*: The student is required to demonstrate his or her responsibilities within the University community by performance of certain reasonable and relevant activities. Failure to complete the educational experience in the time prescribed may result **in suspension** from the **University**. **Failure** of student organizations to complete the educational experience in the time prescribed may result in withdrawal of university recognition. **Any fees associated with the educational experiences will be the responsibility of the student/student organization.**
- 9) *Failure of an Assignment*: A grade of "F" is given for the assignment in question. A letter stating the reason for this grade will be placed in the confidential file in the Office of the Dean of Students and remain there for a period of five years or until the student receives a baccalaureate degree.
- 10) *Failure of a Course*: A grade of "F" is given for the course and the student is dropped from the course. A letter stating the reason for this grade will be placed in the confidential file in the Office of the Dean of Students and remain there for a period of five years or until the student receives a baccalaureate degree.

- 11) **Fees/Fines:** Students/Student Organizations in violation of University policy may be assessed **fees/fines** for their infraction(s). **Fees/Fines** will be based on the severity of the violation and generally are cumulative in nature. **Money** collected from **fees/fines** will generally be used to support educational programs for the community.
- 12) **Future Housing Privilege Revocation:** Students found in violation of University policy may have their privilege to live in University housing revoked for subsequent years. Students who have their future housing privilege revoked will not be permitted to participate in the housing registration and selection process. Further violation of University policy may result in immediate **removal** from the halls.
- 13) **Letter of Censure:** The student is notified in writing that his or her actions have constituted a violation of University policy and are, therefore, inappropriate. Further violations may result in more serious disciplinary action.
- 14) **Loss of Privilege/Privilege Restrictions:** A student may lose or have restricted a privilege, where appropriate. Such privileges include, but are not limited to parking, facilities access, and event participation.
- 15) **Parental Notification:** A parent/guardian will be notified of **the student's** the **infraction**, when appropriate. Notification **may** usually occur for any violation of the University's Drug Policy and for **violations** of the University's Alcohol Policy **or when there is a health or safety concern**.
- 16) **Removal from University Housing:** A student may be removed from University owned and operated housing. The removal may be for a defined period of time or may be permanent. If the former, conditions for potential readmission to University housing may be specified but are not a guarantee to future housing.
- 17) **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- 18) **Verbal Warning:** A verbal statement notifying the student that he or she is or has violated University policy.

l. Interim Suspension

The University retains the authority to impose an interim (immediate) suspension, pending an Initial Conference and/or a UCSD hearing if such action is necessary to preserve the safety of persons or property. During the period of interim suspension the student may be denied access to the campus and/or be excluded from a class or all classes and denied all other University activities or privileges for which the student might normally be eligible.

The University also retains the authority to impose an interim (immediate) suspension pending medical intervention, should a student be deemed a threat to him/herself or if their behavior disrupts the health and welfare of those in the community. A return to the University community may be contingent upon a medical release.

m. University Judicial Records

Disciplinary sanctions other than suspension or dismissal shall not be made a part of the student's academic record but shall become part of the student's personal **record**. Cases involving suspension or dismissal **shall** permanently remain in a student's personal record and a permanent notation may be made on the student's academic record. Cases involving the imposition of all other sanctions **may** be expunged from the student's personal record **three (3)** years after final disposition of the case, upon request of the student. **In very limited instances, a student's personal record that does not include a suspension or dismissal**

may be expunged at the discretion of the Vice President for Student Services or the Director of CHECS upon graduation of the student.

7. Student Life Policies

Students who violate University regulations and/or State and Federal laws on campus or at University sponsored events or when University interests are involved are subject to University disciplinary procedures. Any person who engages in unlawful or disruptive conduct or violates University policy may be asked to leave the campus or the University sponsored activity or event. Failure to comply with such requests constitutes trespassing under Virginia state law and may lead to disciplinary action and/or arrest **in addition to University actions for the initial behavior.**

a. Student Clubs and Organizations

All policies and procedures governing student clubs and organizations are outlined in the *Student Handbook*.

b. Harassment

Harassment of all kinds that is directed at an individual is reprehensible and will not be tolerated by the University. Such behavior subverts the mission of the University and threatens the careers, educational experience, and well being of all members of its community. When, through fear of reprisal, a student, **faculty member, or staff member, tolerates** such behaviors, the University's ability to carry out its mission is undermined. **For mor specific information, please see Section II, 15 of this handbook.**

c. Hazing

Hazing is a criminal offense in the Commonwealth of Virginia. Hazing is a serious violation of University policy and is prohibited in all forms. This policy is based upon the proposition that students are entitled to be treated with consideration and respect at all times. It applies to all student organizations and individuals. Concurrently, the NCAA National Interfraternity Conference, the National Panhellenic Conference and the National Pan-Hellenic Council state unequivocally that hazing has no place in the collegiate **organization they govern.** In determining whether a specific behavior violates the hazing polity, consideration will be given to the behavior's relationship to the University's mission and purpose.

Hazing is defined as any mental or physical requirement, request, or obligation placed upon any person which could cause discomfort, pain, fright, disgrace, injury, or which is personally degrading, or which violates any federal, state, local statute or University policy, the willingness of an individual to participate in such activity notwithstanding. Examples include, but are not limited to, tests of endurance, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, **exposure** of members or prospective members to potentially dangerous or hazardous circumstances, activities which have a foreseeable potential for resulting in personal injury, such as drop-offs, or any activity which by its nature is so profound that it would have a potential to cause severe mental anxiety or distress, such as sleep deprivation, forced **or encouraged** exclusion from social contact, forced **or encouraged** conduct which could result in extreme embarrassment, panic, degradation, or any other forced **or encouraged** activity which could adversely affect the mental health or dignity of the student.

The officers, principally the president or chair of each organization, are responsible for informing members and prospective members of this hazing policy **each semester.** **The Office of Student Activities and the Center for Honor Enrichment & Community Standards are excellent resources regarding hazing behavior and prevention.** Violations of the hazing policy should be reported to the Director of the Center for Honor Enrichment & Community Standards.

d. Sexual Misconduct

Christopher Newport University is a community of trust and respect whose existence depends on strict adherence to standards of conduct set by and for its members. CNU recognizes its obligation to uphold the laws and standards of the community of which it is a part. Sexual misconduct is a serious violation of these standards and will not be tolerated. Punishable by both civil and criminal legal action, sexual misconduct is a serious violation of University policy. The University Judicial System adjudicates, **typically** at the request of the **complainant**, all cases involving sexual misconduct where the accused is a Christopher Newport University student. CNU encourages all alleged victims to prosecute to the full extent of the law.

Sexual misconduct in the Student Code of Conduct is defined as a violation of the abusive conduct policy (refer to the Student Handbook for specific language). Depending on the circumstances of the case, students who are found in violation of the abusive conduct policy may receive sanctions which include suspension for one or more semesters or dismissal from the University.

1) Resources

The following are available to complainants:

- a) University Health and Wellness Services
- b) **Counseling Services**
- c) Director of the Center for Honor Enrichment & Community Standards
- d) Director of Equal Opportunity and Faculty Recruitment
- e) Dean of Students

Students who feel they have been a victim of a sexual assault should first seek appropriate medical attention as soon as possible. Every effort should be made to find the emotional support necessary. Physical and other medical evidence should be collected even if the student has not yet decided what, if any, course of action will be taken against the assailant. Students can go to Riverside Hospital, located on J. Clyde Morris Boulevard, for medical assistance.

2) Judicial Action

Students who feel they have been sexually assaulted have several legal options to explore. Within the University community, **survivors are encouraged** to complete an incident **report**. The student filing the **complaint** should be willing to testify at all judicial **proceedings**. A complete review of the University judicial process can be found in this section under the heading “The University Judicial System.” Specific information can be found under the heading “Sexual Misconduct Hearing Panel.”

Civil and criminal action may also be taken through the appropriate court system. **Initiating criminal** or civil action against the accused does not preclude the **complainant from pursuing** University judicial action.

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SECTION XI

Information Technology Services

Information may be obtained through Information Technology Services or on the CNU website.

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SECTION XII

Instructional Faculty Personnel Regulations

Changes in regulations affecting the Instructional faculty are recommended by the Provost to the President after adequate consultation with the faculty and other appropriate constituencies of the University.

1. Authorization of Positions

The Provost, with the approval of the President, authorizes all new and replacement full-time faculty positions and approves the qualifications for each position. The final approval of candidates to fill such position(s) is made by the **President and reported to the** Board of Visitors.

2. Information on Appointments to the Faculty

a. Non-Discrimination and Equal Opportunity

The University is fully committed to access and opportunity for all persons. Therefore, the University does not unlawfully discriminate.

b. Types of Instructional Faculty Appointments

The University makes eight types of appointments to the Instructional faculty. These are: adjunct; temporary; part-time; sponsored research; restricted; probationary; tenured; and terminal.

The minimum qualifications for all faculty, including adjuncts, who are appointed to the Instructional Faculty to teach undergraduate and/or graduate courses are:

Undergraduate courses – Faculty should hold an earned doctorate, other appropriate terminal degree, or master's degree in the discipline taught. Faculty holding an advanced degree in another discipline should have completed at least 18 graduate hours in the discipline taught.

Graduate courses – Faculty should hold an earned doctorate or other appropriate terminal degree in the discipline taught.

Exceptions can be made for persons not meeting the minimum qualifications, but who are considered by the department to possess other demonstrated competencies and achievements that will contribute to effective teaching and student learning outcomes. Exceptions must be authorized by the Provost.

1) Adjunct Appointments are made for one semester at a time to provide for specific defined projects not requiring a full-time appointment. A person holding an adjunct appointment normally teaches one or two courses during a semester. Adjunct appointments have no continuing status but may be renewed if the need exists. Adjunct appointments provide no fringe benefits, and do not carry academic rank.

2) Temporary Appointments are those made for periods not exceeding six months to provide for specific, defined projects, for peak workloads, and for short-term replacements of permanent employees on leave of absence when a full-time appointment is not required. Temporary appointments have no continuing status and provide no fringe benefits.

3) Part-time Appointments are made for periods not exceeding one academic year to augment the strength or expertise of the faculty on specific, defined projects not requiring a full-time appointment. Part-time appointments have no continuing status, but a new appointment may be made at the discretion of the University. Part-time appointments provide no fringe benefits.

4) Sponsored Research Appointments are made for specific research projects. The length of the appointment and benefits, if any, are subject to the terms of the research contract.

- 5) Restricted Appointments are **term** appointments **ranging from one to three academic years in length**. Restricted appointments have no continuing status, but a new appointment may be made by the Provost **upon successful performance review**, recommendation of the dean and the department chair, **and the continuing need of the university**. These appointments are typically made to replace a faculty member on leave; to fill a position of doubtful permanency; to allow for an extended period of recruitment for a probationary appointment; **to provide continuity in curricular programs in which probationary appointments are not currently be feasible**; or to employ visiting faculty and therefore are not normally indefinitely renewed. **Appointments involving visiting faculty will be at the appropriate academic rank as determined by the Provost and include the designation “visiting” in the title. Visiting restricted appointments will not exceed two years.** Any position which has been filled by a restricted appointee or appointees for six consecutive years or more **may** be reviewed for purposes of appointing a probationary appointee to the position. Restricted appointments provide fringe benefits.
- 6) Probationary Appointments are tenure track appointments which terminate automatically at their expiration date. New probationary appointments may be made by the University at its discretion for a total of not more than six (6) years until tenure is granted or denied. The University is not obligated to show cause when no new appointment is made. Probationary appointments provide fringe benefits.
- 7) Tenure Appointments entitle the holders of such appointments to be offered each academic year, employment for the succeeding academic year at an academic year salary and academic rank no less than the stipulated academic year salary and academic rank of the preceding academic year, subject to the contractual terms and conditions of employment which exist from period to period. Tenure appointments provide fringe benefits.
- 8) Terminal Appointments are given to provide adequate notice of termination of employment. Terminal appointments are for no more than one year and are not renewable. Terminal appointments provide fringe benefits.
- c. Procedures for Recruiting and Initial Appointment of Full-Time Instructional Faculty
 - 1) Establishment of Positions
Requests for new or replacement positions are initiated by the Department Chair and are reviewed by the Dean of the College/School. If the Dean concurs there is a need for a new or replacement position, the Dean forwards the request to the Provost. If the Provost agrees and if there are sufficient financial resources to support the position, the new or replacement position will be created.
 - 2) Recruitment Phase
 - a) Initiation of Search Process
Once a position has been established, the Department Chair secures permission to recruit by filling out the first two sections of Form AP-15F (Position Information and Recruitment/Advertising) and obtaining the appropriate signatures. For Instructional Faculty these would include the following: Department Head, Dean, Provost, Chief Budget Officer, and **Director of Equal Opportunity and Faculty Recruitment**. For Administrative/Professional Faculty these would include the following: Director/Supervisor, **Vice President/ Provost/Chief of Staff**, Chief Budget Officer, and **Director of Equal Opportunity**.
 - b) Appointment of Search Committee
The Department Chair appoints a Search Committee of at least three and no more than five members. The Search Committee will meet with the Director of Equal Opportunity and Faculty Recruitment to discuss the requirements of the position, to write the advertisement, and to discuss where the placement of the advertisement will be most effective. The Director of Equal Opportunity and Faculty Recruitment will place all advertisements; therefore the Search

Committee must make sure that any necessary contact information for any publication, website, etc. is brought to the Director's attention.

c) Scope of Search

Unless there are exceptional circumstances, all searches will be national in scope. Searches may be limited to the local area with the prior express approval of the Director/Supervisor (Administrative/Professional)/Department Chair (Instructional), Dean (**Instructional**), Vice President **or Chief of Staff** (Administrative/Professional)/Provost (Instructional), **and** Director of Equal Opportunity and Faculty **Recruitment**. In exceptional circumstances, an appointment may be made without a search. The requestor must fill out the Request To Modify Instructional and Administrative/Professional Faculty Search Process Form and attach a memorandum which provides a detailed explanation as to why the search process should be waived. This form must then be approved and signed by the Dean (Instructional)/Vice President (Administrative/Professional), **Director of Equal Opportunity**, and Provost (Instructional) or Chief of Staff (Administrative/Professional).

d) Processing of Applications

All applications will be sent to the Director of Equal Opportunity and Faculty Recruitment who will be responsible for mailing the letters acknowledging receipt of each candidate's application. This letter will also request voluntary EEO information of each candidate (race, gender, age, and disability status). A franked envelope with postage pre-paid and addressed to the Director of Equal Opportunity and Faculty Recruitment will be included with acknowledgement letter. The Director of Equal Opportunity and Faculty Recruitment will collect all EEO data of which none will be disclosed to the Search Committee. The Director of Equal Opportunity and Faculty Recruitment will maintain a database to include each the mailing information and EEO data of each candidate.

3) Screening Phase

a) Review of Applications by the Search Committee

The Director of Equal Opportunity and Faculty Recruitment will forward the applications to the Search Committee on the date that the application review is to begin as stated in the position advertisement. An Applicant Flow Log that lists all of the candidates alphabetically will also be included with the applications. If an application is missing any letters of recommendation or transcripts, it is recommended that the Search Committee contact the candidate and ask them to forward the missing materials. The Search Committee should take caution and only talk to the candidates about the missing information and avoid any conversation that would take the form of an interview no matter how informal. Once the applications are received, all members of the Search Committee will individually review each one. (Minimum qualifications for each academic rank are listed in Section XI.8.c.3). The Search Committee will not at any time have direct knowledge of the race, gender, age, or disability status of any candidate. The Search Committee will then meet to discuss all applications. During this meeting, the Search Committee, by consensus if possible, will divide the applications into three categories as noted on the Applicant Flow Log: (1) Initial Non-Selection (Definite Rejections), (2) Additional Consideration But Not Selected (Possible Interviews), and (3) Selected For Telephone Interview (Telephone Interviews).

b) Selecting Persons for a Telephone Interview

If the number of Telephone Interviews is at least three, then those persons are to be interviewed. If the number of Telephone Interviews is less than three, the Search Committee will reevaluate the persons in the Possible Interviews category. Once the Search Committee is in agreement with the selections for each category, the appropriate column by each candidate will be checked on the Applicant Flow Log. The Search Committee will not specify a reason why someone was or was not selected. However, the Search Committee is strongly encouraged to keep careful personal notes. The Director of Equal Opportunity and Faculty Recruitment will review the Search

Committee's selections after receiving a completed copy of the Applicant Flow Log and address any concerns that may have arisen with the Search Committee. Once the Director of Equal Opportunity and Faculty Recruitment has approved the selections, the persons who were chosen may be contacted for a telephone interview.

c) Selecting Persons for a Campus Interview

Once the Search Committee has conducted all telephone interviews, two candidates will be selected for campus interviews. After the Search Committee is in agreement with the selections for campus interviews, the appropriate column (Selected for Campus Interview) will be checked on the Applicant Flow Log and forwarded to the Director of Equal Opportunity and Faculty Recruitment for review. The Search Committee will not specify a reason why someone was or was not selected. However, the Search Committee is strongly encouraged to keep careful personal notes. Once the Director of Equal Opportunity and Faculty Recruitment has approved the selections and addressed any concerns that may have arisen with the Search Committee, the persons that were chosen may be contacted for a campus interview. The Search Committee is responsible for making sure that the appropriate Dean and the Provost are also scheduled to meet with each candidate that is being interviewed on campus.

d) Exceptions to the Required Number of Candidates to be Interviewed

With the proper authorization, the Search Committee may conduct fewer than three telephone interviews. Express prior approval of the Provost/appropriate Vice President, Director of Equal Opportunity and Faculty **Recruitment** is required.

With proper authorization, the Search Committee may interview fewer than two persons or more than two persons on campus. Express prior approval of the Provost/appropriate Vice President, **and Director of Equal Opportunity and Faculty Recruitment is required.**

e) Exceptions to the Telephone Interviews

With proper authorization, the Search Committee may forgo the telephone interviews. Express prior approval of the Provost/appropriate Vice President, **and Director of Equal Opportunity and Faculty Recruitment is required.**

4) Interviewing Phase

a) Developing Interview Questions

Prior to conducting any interviews, the Search Committee will meet with the Director of Equal Opportunity and Faculty Recruitment to discuss the following: (1) what questions are impermissible; (2) how to phrase any troubling questions so that the questions will be permissible; and (3) any other concerns that the Search Committee may have about the search.

b) Search Committee Interviews

The Search Committee will then conduct the interviews. There are no standard questions in the interview, and there is no requirement that the same questions be asked of all the candidates. The Search Committee is presumed to have the knowledge to ask appropriate questions and to avoid impermissible questions. After conducting the interview, the Search Committee will then make a recommendation by filling out the second page of the AP-15F (Appointment Recommendation) and obtaining the appropriate signatures. For Instructional Faculty these would include the following: Provost, Chief Budget Officer, **Director of Equal Opportunity and Faculty Recruitment**, and Chief of Staff,. The Search Committee will not specify a reason why any candidate was not selected. However, the Search Committee is strongly encouraged to keep careful personal notes. In case of legal challenge, the **Director of Equal Opportunity and Faculty Recruitment** may ask the Search Committee to provide reasons.

5) Offer and Appointment Phasea) Extending the Offer

The Provost will extend the offer for employment to the Instructional Faculty. The **Director of Equal Opportunity and Faculty Recruitment** will extend the offer for employment to the Administrative/Professional Faculty. If the candidate selected by the Search Committee does not accept the employment offer, the Search Committee will be asked if it would like to make another recommendation from the persons that were interviewed. It will be the responsibility of the Provost or the **Director of Equal Opportunity and Faculty Recruitment** to fill out the last section of the AP-15F Form (Extending The Offer). The Director of Equal Opportunity and Faculty Recruitment will be responsible for sending the non-selected candidates a letter informing them that the position has been filled once a signed Letter of Appointment is received back from the selected candidate. All of the application materials received from each candidate that are in the possession of the Search Committee will be returned to the Director of Equal Opportunity and Faculty Recruitment. The Director of Equal Opportunity and Faculty Recruitment will place these materials in the search folder and is responsible for its proper storage.

b) Appointment as a Faculty Member

The successful candidate will be offered a contract. **The Board of Visitors has delegated to the President the authority to act on its behalf, as the final authority on the appointment of full-time, salaried members of the teaching/research and or administrative/professional faculty of the University, regardless of type of appointment status. All actions taken under this authority shall be reported to the Board of Visitors.**

6) Non-Faculty Hiring

The recruiting and hiring procedures for classified and hourly positions are promulgated and governed by the Commonwealth of Virginia as set forth in the policies of the Department of Human Resources Management. Any questions regarding this hiring process should be directed to Christopher Newport University's Office of Human Resources.

3. Regulatory Responsibilities and Privileges of Academic Ranka. Responsibilities

- 1) Each faculty member is expected to meet the requirements of rank. (Minimum qualifications for each academic rank are listed in Section XII.8.c.3).
- 2) While the major responsibility of each faculty member is teaching, and while it is expected that those faculty members who serve at the rank of Instructor and Assistant Professor will regard teaching as their overriding primary responsibility, promotion to the ranks of Associate Professor, Professor, and Distinguished Professor, suggests not only sustained excellence in teaching, but also increased involvement in the faculty member's academic discipline, department, college/school, the University, and the community. It is the responsibility of each faculty member to demonstrate continued evidence of carrying out the expectations of the faculty member's rank.

b. Privileges1) Released Time (Also see Workload and Faculty Workload)

Each academic year, the Provost will stipulate the amount of release time available for activities such as research, teaching innovation, service, and program direction. Released time for all academic ranks is dependent upon the availability of funding.

Any faculty member (graduate or undergraduate) who has a proposal which advances the University's mission may request release time by submitting a proposal, in consultation with the department chair, to the appropriate academic dean. The dean will forward ranked recommendations to the Provost.

2) Sabbatical Leavea) Purpose

Christopher Newport University will offer sabbatical leaves so that faculty may extend teaching abilities and continue professional and intellectual growth. Projects in such areas as research, creative work, professional retraining, and advanced study may be proposed. These activities should result in (1) improved teaching effectiveness, (2) enhanced research and/or artistic activity, (3) new capacity for service to the University or community, and/or (4) an advanced degree or retraining that permits teaching in a new area.

b) Eligibility

Full-time tenured or tenure-track Instructional faculty and full-time administrative faculty are eligible to apply after six years of service at CNU, and may reapply after intervals of no less than six years of service after receiving a sabbatical. The applicant must hold the rank of assistant professor or higher at the time of application. The terms of the sabbatical enable a recipient to elect to use one full academic year, nine months, at one-half salary, or one semester (fall or spring) at full salary. If the one-semester option is taken, the remaining semester of the year may not be applied to the accumulation of the six years of service required before becoming eligible for the next sabbatical.

In either option, subject to consistency with applicable state policy, the University continues to contribute its full share of all established fringe benefits.

c) Application and Selection

Applicants should submit proposals to their Deans (or, in the case of administrative faculty, to their immediate administrative superiors) no later than November 1 of the year preceding the academic year in which the leave is desired. The application must be made on the approved forms and include both a detailed description of the proposed activities for the leave period and the manner in which these activities will contribute to the applicant's professional development and to the improvement of the University's academic program. Only those proposals received by the application deadline are eligible for consideration.

The Dean (or, in the case of administrative faculty, another appropriate officer) shall rank the proposals from the college/school or unit that have been approved (where appropriate) by the chair, and shall furnish an explanation of what arrangements are contemplated for staffing and what budget adjustments will be required to maintain any affected program(s) during the applicant's absence. The ranked proposals must be forwarded to the Faculty Senate no later than November 15 of the year preceding the academic year in which the leaves are desired. If there is any proposal from a member of the administrative faculty, who is also a member of the Instructional faculty, the Provost shall appoint a member of the administrative faculty (not an applicant) to serve as a non-voting, *ex officio* member during the Senate's deliberations on all proposals under consideration at that time. Any member of the Senate who is a candidate for a sabbatical may not participate in any deliberations pertaining to either that member's own proposal or any other proposal under concurrent consideration.

By December 10 the Senate shall rank the proposals and indicate in writing which proposals should be approved and which should not. The Senate's recommendations are not subject to appeal, but the Senate shall maintain records of its deliberations and, upon written request of an applicant, provide a summary evaluation of the applicant's proposal after the announcement of leave recipients. Leaves will be awarded on the basis of the merit of the proposals. Subject to funding availability, at least ten leaves will be granted each academic year, if there are enough meritorious proposals. All of the awards for a single year may not be given to administrative faculty or to the faculty of a single college/school.

Seniority will be a factor in considering proposals of equal merit since, presumably, the need for renewal is greatest among those with the longest terms of service.

The Provost shall act on the Senate's recommendations and forward the Provost's recommendations to the President no later than January 10. The President shall forward the names of those applicants selected for leave approval to the Board of Visitors at its Spring meeting.

d) Proposal Format

(1) Application for Sabbatical Leave Form

The application should be made on the approved form and include an abstract of the proposal.

(2) Departmental Recommendation

Appropriate recommendation from the department chair after consultation with the department will accompany each application of the Instructional Faculty. In the case that a department chair is an applicant, the Dean will consult with the department. Administrative faculty shall include a recommendation from the appropriate supervisor.

(3) Narrative

The description of the project is the only demonstration that the Faculty Senate and others subsequently involved in the decision-making process will have of the substance and potential of the project. It is important that the proposer not presume extensive knowledge on the part of the reviewers. Therefore, since members of the review committee may not have a specialized knowledge of the proposer's field, the proposal must be sufficiently detailed to describe the project in plain, non-technical English. There is no required format for the narrative. The following points should be addressed when they are appropriate to the proposal. The narrative should not exceed 1250 words and must include subsections:

(a) Objectives

The proposal should state the objectives of the leave.

(b) Program of Study or Research

The proposal should clearly describe the applicant's specific program of study or research. It should explain the basic ideas, problems, or questions intended to be examined, and illustrate the planned approach or line of thought, to the extent that it has been worked out. The proposal should incorporate statements about the need for and the contribution of the project to teaching and scholarship in the particular field of study. It should include a concise review of the relevant literature or state of affairs.

The proposal should indicate the project's relation to long-range teaching and scholarly objectives and its specific relationship to the university's strategic plan. The proposal should specify the current status and feasibility of the project, and specify where the project will be conducted, and indicate the likelihood of access to archives, collections, or institutions, if pertinent. The proposal should describe the special skills needed for the project (e.g., foreign languages, computer literacy, etc.).

(c) Funding Sources

The proposal should identify all sources of funding in support of the sabbatical.

(d) Deliverables or Expected Activities

The proposal should state what scholarly activities might be expected at the end of the leave.

(4) Professional Resume

The proposer shall provide an up-to-date outline of professional activities and accomplishments, including such items as:

- (a) degrees earned and date of conferral;
- (b) employment record;
- (c) list of academic honors, awards, or fellowships received and dates;
- (d) list of publications and important academic or professional presentations; and
- (e) other pertinent experiences and current activities.

e) Criteria

The Faculty Senate will make recommendations on the basis of the following criteria:

- (1) the concept and organization of the project;
- (2) the enhancement the project will have on the teaching effectiveness and professional development of the applicant;
- (3) the quality or the promise of quality of the applicant's work as a teacher and scholar;
- (4) commitment by the applicant to work full-time on the project to completion;
- (5) the length and quality of the applicant's service to the University; and
- (6) the potential of the project to benefit the University.

f) Governing Policies

- (1) Competition is limited to full-time tenured or tenure-track Instructional faculty and full-time administrative faculty who have completed six years of service at CNU. The six years must be completed before an initial educational leave award and between successive awards of educational leaves.
- (2) Proposals should be written in a clear, coherent and concise manner.
- (3) Final choices will be based upon recommendations by the Faculty Senate as to the relative merit of each proposal.
- (4) Receiving a sabbatical will not preclude eligibility for a faculty development grant for purposes of supporting the sabbatical project.
- (5) All proposals become the property of the University and will not be returned to the proposer.

g) Terms of Leave

A recipient of a sabbatical leave is expected to return to the service of the University for a least two full academic years after the leave is completed. Failure to meet the requirement may, at the discretion of the University, result in the recipient being required to repay all or part of salary, fringe benefits, and other costs borne by the University in support of the leave.

h) Reports and Acknowledgments

A written report summarizing what was accomplished during the sabbatical must be submitted to the Provost, and, where applicable, to the faculty member's Dean and the department chair within three months of the end of the leave.

In addition to a detailed summary of activities, the report should comment on the extent to which the experiences contributed to the faculty member's teaching effectiveness and professional development.

This report will constitute a major portion of the faculty member's evaluation for the academic year of the sabbatical. After completing the sabbatical leave, the faculty member is encouraged to apply to the Dean's Colloquia Committee to present all or part of the results of the leave activities.

Any publication or exhibition resulting from activity assisted by these sabbatical leaves shall carry the following acknowledgment: "This work was supported by a grant from Christopher Newport University, Newport News, Virginia."

3) Educational Leave Other Than Sabbatical Leave

- a) A full-time faculty member may apply for educational leave, with full or partial salary, according to State regulations and the availability of funds. Educational leave may be granted for the purpose of academic research, study or publication; an exchange professorship; or any other like activity which will enhance the faculty member's academic expertise, experience, and contribution to the institution. One semester of educational leave may be granted to faculty members holding the rank of Associate Professor after four years of full-time service to the University. Two semesters of leave may be granted to faculty members holding the rank of Professor or Distinguished Professor after each 6 years of full-time service to the University. Exceptions to these requirements (on rank and time of service) may be made, based on the discretion of and recommendation by the dean and department chair. Application for educational leave is made to the Provost through the appropriate department chair and academic dean at least one calendar year before the beginning of the requested leave period. In the application letter the faculty member should state:

- (1) the date of the leave;
- (2) the purpose(s);
- (3) a detailed description of the activity to be pursued during this period;
- (4) the worth of this activity to the member, the academic department, and the University; and
- (5) the amount of salary requested.

- b) Other relevant data should be attached to the application letter. The Provost may request data from the appropriate dean and chair concerning the impact of granting such leave. The Provost recommends action on the application to the President. The decision to authorize educational leave is made by the Board of Visitors upon the recommendation of the President. When accepting full or partial salary from the University during an educational leave, the faculty member will fulfill the faculty member's teaching role at the University at the end of the leave for a period at least twice the length of the leave or reimburse the University at an appropriate rate should the faculty member terminate University employment before this time has expired. The designated salary and time commitment will be included in the contract for the educational leave period.

- c) Upon the completion of the leave, the faculty member will file a written report with the Provost for inclusion in the faculty member's file with copies to the chair and dean concerning the faculty member's accomplishments during the leave.

- d) A full-time faculty member may apply for educational leave without salary under the same guidelines and requirements as listed above. Such application will ordinarily be made by the beginning of the semester previous to the requested leave.

4) Leaves of Absence for Other Than Educational Purpose

Leaves of absence without pay may be granted to a faculty member for other than educational purposes. Such leaves unrelated to teaching responsibilities may not count for purposes of promotion or tenure. Leaves of absence of this type must be approved by the Provost, and all terms and conditions of the leave must be stated in writing in advance of the leave.

5) Part-time Status of Regular Faculty

From time to time, for reasons of health or leave of absence, regular faculty members may wish to change their full-time workload to part-time status. A number of State personnel guidelines apply to such changes, and faculty members contemplating a change of status should discuss their plans with

the appropriate academic dean and the Personnel Officer. Changes in status, including all terms and conditions of reduced status, must be approved by the Provost in advance of the change.

6) Information on Faculty Development Grants

The objectives of the faculty development program are to improve instructional effectiveness and promote the professional development of faculty members.

a) Faculty members may apply for faculty development grants (one year in length).

b) Development Categories

(1) Professional Development

Activities to be supported in this category are those designed to expand the academic expertise of full-time faculty. This category includes such activities as: research, preparation of a product of this research, the presentation of this research, writing, delivering academic papers, additional training, retraining to serve the University in a new area, supplemental funds for academic activities, and support of course reductions from the University to allow for research time.

(2) Instructional Development

Activities to be supported in this category are those designed to increase teaching effectiveness and improve course content. This category includes such activities as innovations in pedagogy, application of Information Technology to course content, and activities directed at improving course content.

(3) Dissertation Grants

Grants may be awarded to help offset the expenses incurred in preparing doctoral dissertations.

c) Grant Priorities

Grants will be considered first taking into account the following priorities:

- (1) Professional development;
- (2) Instructional development; and
- (3) Dissertation grants.

d) Guidelines for Levels of Support

(1) Normally, dissertation grants will be made up to \$500.00.

(2) The level of support for faculty development grants will be determined by

- (a) the financial sources allocated to this activity for the relevant budget period and
- (b) the substance of the application.

e) Procedures

(1) The Faculty Senate is responsible for initial University-wide review of faculty development, and dissertation grants. The Provost will supply the Faculty Senate with a list of faculty who are not eligible for grants due to non-compliance with (6) below.

(2) Applications for grant support are made on the appropriate form that is on the Provost's website. (<http://www.cnu.edu/admin/provost>) The completed application form is submitted to the department for its recommendation. The department's recommendation (positive, negative, or mixed) is an important part of the screening process. The department chair will make a recommendation and circulate it to department members for signatures and recommendations. The department's recommendation is forwarded directly to the academic dean by the department chair. The academic dean assigns priorities from the

college/school-wide perspective to all applications and forwards them to the Faculty Senate. The Faculty Senate will consider only those applications accompanied by departmental recommendations and assigned priorities by the academic dean.

(3) Normally, the Faculty Senate will schedule fall and spring application periods.

(4) Applications are reviewed by the Faculty Senate and recommendations for approval or rejection will be forwarded to the Provost who has the final discretionary authority over the disposition of applications and the amounts of awards.

(5) Dissertation grant awards may be subject to further requirements.

(6) Each recipient of a Faculty Development Grant is required to submit a written report on the progress of the project or research at the end of the grant period to the Provost with copies to the academic department chair and the appropriate college/school. Future grant applications will not be considered from faculty members who fail to file a report regarding a previous grant.

7) Summer Stipends

Faculty members may apply for summer stipend grants to the Office of the Dean of the College of Liberal Arts or the Dean of the **Luter College of Business and Leadership**, as appropriate. Requests for proposals will be announced in the spring of each year. Applications and guidelines are available in the dean's offices. The level of support for faculty summer stipends will be determined by each Dean.

8) Retraining of Faculty

a) Rationale

During a period in which the University must undergo curricular change to meet student needs within the context of limited resources, a plan must be implemented by which personnel, as well as material resources, may be reallocated. This reallocation must be effected in an academically sound and efficient manner and should take cognizance of the unique relationship which exists in higher education between a tenured faculty member and an institution.

b) Overall Objective of Retraining

To utilize the services of full-time faculty members to the best advantage of the students, institution, and the individual.

c) Specific Objectives

- (1) To prepare a faculty member to teach a course(s) in another academic department when the faculty member's own department is overstaffed and the latter department is understaffed.
- (2) To prepare a faculty member to make a permanent change to another department, part-time or full-time.
- (3) To prepare a faculty member to assume an administrative faculty position within University.

d) Guidelines

- (1) Retraining is implemented only when one academic department is overstaffed with tenured faculty, or when another academic department is understaffed, or both.
- (2) The concept of retraining encompasses activities ranging from a relatively informal process to an academic degree program.
- (3) Academic integrity is of overriding importance.
- (4) The expertise of the retrained faculty member must be appropriate to the new duties to be assumed as determined by the academic dean; or, in the case of inter-college/school retraining, by the Provost; or in the case of retraining for administrative faculty duties, by the appropriate vice president, **Chief of Staff** or President.

- (5) During the decision-making process relative to retraining, the participation of the following constituencies is to be solicited:
 - (a) the faculty member;
 - (b) the department whose member is a candidate for retraining, the overstaffed department;
 - (c) the department, either academic or administrative, which will utilize services of the retrainee, the receiving department;
 - (d) appropriate dean(s); and
 - (e) appropriate vice president(s) Provost or **Chief of Staff**.
 - e) Retraining begins only after a "retraining statement" has been approved by the appropriate vice president(s) after consultation with all concerned parties. This statement stipulates the following:
 - (1) person to be retrained, present affiliation, reason for retraining;
 - (2) specific competencies and level of skill attainment to be reached, particularly when an applied skill, as well as knowledge, is involved;
 - (3) specific retraining tasks to be performed include formal courses, degrees to be earned, informal learning, apprenticeships;
 - (4) a time schedule;
 - (5) location(s) of the retraining;
 - (6) compensation mode for the retraining process; i.e., payment of tuition, textbooks, relevant fees, services, or retrainers;
 - (7) the financial obligation of the retrainee to CNU;
 - (8) released time and/or compensation to the retrainee during the period of the retraining; (In turn, the statement specifies the obligation of the receiving department, subject to the retrainee's completion of the required retraining.)
 - (9) the general duties for which the retrainee will be responsible in post-retraining assignment; and;
 - (10) the status of the retrainee in the receiving department upon completion of the requirements of their training will be specified, i.e., joint appointment, full-time, or less than full-time appointment.
 - f) Documentation
To ensure academic integrity or professional qualification, the retrainee is responsible for documenting formal retraining and expertise to the satisfaction of the appropriate vice president or Provost.
4. Academic Freedom
Since a vital role of a college or university is to examine intelligently and carefully ideologies and institutions, it is essential that faculty members be able to express their views without fear of unlawful censorship or penalty. This statement is embodied in the Board Policy on Academic Freedom.
5. Faculty Workload Responsibilities
 - a. General Requirements
The workload of full-time Instructional faculty requires teaching, an ongoing program of professional development, student advising, and service to the Department, College, University and professional and civic communities. The full-time teaching load for probationary faculty may consist of twelve (12) lecture hours or the equivalent per week in either the fall or spring term, and nine (9) lecture hours or the equivalent per week in the remaining semester, for a total of twenty-one (21) lecture hours per academic year. For tenured and restricted faculty, the full-time teaching load may consist of twelve (12) lecture hours or the equivalent per week, for a total of twenty-four (24) lecture hours per academic year. The full-time teaching load for tenured faculty shall adjust to match that of probationary faculty in fall 2010. Teaching loads are adjusted, however, when circumstances warrant.

b. Specific Requirements

In the fulfillment of their duties faculty members must participate in a number of activities:

1) Meeting of Classes

a) Each faculty member's teaching assignment is determined by the academic dean upon the recommendation of the appropriate department chair(s).

b) Faculty members are required to meet their assigned classes at the times and places designated by the academic dean. Changes in established schedules must be approved by the department chair and the appropriate academic dean. If an emergency should prevent a member of the faculty from teaching a class, the faculty member must notify, at the earliest possible time, the department chair or the appropriate academic dean and must make every effort to arrange for a colleague to meet the class. In the case of a prolonged illness, the department chair is responsible for preserving the continuity of the class. Temporary adjustments may be made by the instructor with the knowledge and agreement of the class, so long as the department chair is informed.

2) Program Accessibility for Qualified Disabled Students

Program Accessibility for Qualified Disabled Students is described herein, the University Handbook, the *Student Handbook*, and on the CNU website. The *Student Handbook* is available through the Office of Career and Counseling Services.

3) Residence During the Academic Calendar

Full-time and part-time faculty members are required to be on campus in the late summer in time to participate in fall registration and orientation. The exact date on which faculty report in late summer is determined by the Provost. The regular academic year concludes with spring commencement. Faculty members are in residence during the academic calendar of orientation, registration, classes, and examinations. They are, therefore, to be available to students and colleagues during this period.

The beginning and end of each semester are especially critical times when student advising, registration, grade reporting, and decisions on academic or degree status may necessitate the ready availability of a faculty member. Requests for absences from required activities are made to the dean of the appropriate college/school.

4) Office Hours

It is required that each member of the faculty be regularly available to students for consultation during the academic calendar of registration, classes, and examinations. As a convenience to students and colleagues, specific office hours will be posted by each faculty member on the door of the office. A copy of these office hours must be submitted each semester prior to the first day of classes to the department chair and the dean of the appropriate college/school.

5) Submission of Mid-Term and Final Grades

Mid-term and final grades must be submitted by the deadlines established by the Registrar. Mid-term grades must be submitted for all freshmen in all classes. Mid-term grades must be submitted for all other students who have a course grade of D+ or below at the time of submission.

6) IDEA Student Ratings of Instruction (IDEA)

Faculty members are required to administer the IDEA Student Ratings of Instruction instrument to class sections, and according to procedures, as specified by the Provost.

7) Overload Teaching

- a) Overload teaching is a means of meeting student needs, serving the professional development of faculty, and supplementing faculty salaries. As such it is an important element in the academic scheduling and program development at Christopher Newport University. The possibility of some negative results from excessive hours of teaching must, however, be carefully guarded against. Teaching "burn-out" and inability because of lack of time or energy to meet daily responsibilities such as office hours and committee work are only the most obvious potential problems.
- b) The following policy guidelines will be observed by the academic deans in approving requests for approval of overload teaching.
 - (1) No Instructional faculty member will be assigned more than four lecture hour equivalents (LHE) of overload courses per semester at Christopher Newport University.
 - (2) In addition, one course per academic year at another institution may be approved if the kind of teaching opportunity is not available at CNU (e.g., doctoral level courses, distinctive subject areas), or meets a need for a subject matter expert at that institution and is viewed by the dean of the college/school as being in the University's best interest to provide the instructor. This kind of possibility must be demonstrated to be a means of professional development. The chair of the department in which the faculty member is a member will also submit a report of the impact of such an overload on the department and on the individual faculty member.
 - (3) In no case shall overload teaching be considered to relieve a faculty member of involvement in areas other than teaching. Professional development in one's discipline, departmental and University responsibilities, and community service remain important in the evaluation process.
 - (4) In semesters when a full-time, salaried member of the Instructional faculty has a regular-load teaching assignment of fewer than 12 LHE's (i.e., a teaching assignment of fewer than 12 LHE's under the faculty member's contract of salaried employment), overload teaching for additional compensation for that faculty member is prohibited. Exceptions may be granted only by the Provost and only when they serve pressing University needs.

8) Commencement Ceremonies

The University holds commencement ceremonies in the course of the academic year. Full-time faculty members are required to attend each of these ceremonies unless their absence has been authorized in advance by the Provost. Academic regalia is prescribed for the occasion. The University Bookstore assists the faculty with the purchase, loan, or rental of academic regalia.

c. Regulations Pertaining to Professional Activity1) Consultation, Research, and Public Service Requiring University Facilities, Services, or Personnel

- a) Faculty members wishing to use University facilities, services, or personnel to provide consultation, conduct research or to sponsor public service conferences must have the approval of the appropriate dean.
- b) Participating faculty members have the right to publish and copyright the results of these studies. Reference to the University, including names of faculty members, for commercial advertising purposes is prohibited unless approved in advance by the dean; reference made in research publications is allowed.

2) Grants and Contractsa) Philosophy

Faculty members are encouraged to seek support for professional development, research or public service projects from sources outside the University; federal agencies; state and local

governmental agencies; nonprofit foundations and agencies; businesses and industries. The Director of Sponsored Programs will assist faculty in these efforts by gathering information about grant sources and will provide guidance in the preparation of proposals.

b) Division of Responsibilities

The University recognizes the principle of the division of the professional responsibilities of the faculty into the work of instruction, research, and service. Faculty members may be released for externally sponsored grant and/or contract activities otherwise approved by the University for up to 50% of their time as a normally acceptable limit.

Faculty members desiring to be released from their regularly assigned university duties for over 50% of their total time for engagement in externally sponsored grants or contract activities must specifically justify in writing the benefits of released time of over 50% for the externally sponsored grant or contract engagement.

Such justification shall be submitted for the approval of the respective dean and the office of the Provost prior to acceptance of a grant or contract entailing released time greater than 50%. (This paragraph does not apply to full time SPONSORED RESEARCH APPOINTMENTS as previously defined in this handbook).

c) Certification

The Proposal Review Cover Sheet, which contains lines for the signature or initials of the appropriate University officials, is to accompany the proposal during the internal approval process and can be obtained from the Grants Office. These signatures indicate the proposed project is feasible and can be carried out within the scope of the University's mission and the faculty member's responsibilities.

d) Responsibilities

The project director is responsible for duplicating and delivering proposals to the grantor. Once the project is funded, the director is responsible for performing the proposed activity within the guidelines of the award, including the approved budget. The director is to meet with the Director of Sponsored Programs at the outset of the approved projects, periodically during, and prior to closing out the account in order to prevent complications.

The Director of Sponsored Programs will assist the project director in the preparation of forms required by the Commonwealth of Virginia and in the preparation of reports of expenditures and requests for funds to the funding agency. The Director of Sponsored Programs will serve as the liaison between the project director and the Business Office.

e) Fiscal Management

For grants and contracts made to the University, funds are deposited with and disbursed from the Business Office. Any salary and accompanying fringe benefits to be paid from such awards are included in the grant or contract budget and must be paid as part of the annual compensation through routine University procedures. This becomes part of the total annual compensation, which will be defined as the original CNU contract amount less the percentage of salary equivalent to requested release time plus the amount awarded to the individual as salary in the grant.

f) Indirect Cost Recovery, Fund 0303

(1) Indirect cost Recovery Funds, Fund 0303, are generated by the University's collection of 70 percent of indirect costs for grants programmed under Program 110-04, Sponsored Research.

- (2) The State mandates 100 percent recovery of indirect costs for grants awarded to the University. Prior to the transfer of funds to Fund 0303, the State collects a 30 percent share of indirect costs, as support to Educational and General Services.
- (3) During the current biennium, institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grants and contract levels in excess of actual recoveries in the second year of the previous biennium. This provision is included as an additional incentive for increasing externally funded research activities.
- (4) Revenues to Fund 0303 are allocated to the following expenditure budgets:
- (a) Grant Administration (25 percent)
Funds are used to support the work of the Office of Sponsored Programs. Requests for expenditures from this category are initiated by the Director of Sponsored Programs with fund availability certified in accordance with University procedures.
 - (b) Departmental Research (30 percent)
Funds are used to support departmentally sponsored research. Requests for expenditures from this category are initiated by the department chair to the Director of Sponsored Programs. In recommending approval of the funding request, the Director of Sponsored Programs will give priority to departments which have sponsored grants resulting in revenue to Fund 0303. Priority will be based on the percentage of monies attributable to the department during the previous academic year. If no attribution applies to Fund 0303 during the previous academic year, priority will be based on the department's attribution in the current academic year.

The Director of Sponsored Programs will verify availability of funds in 0303 with the Comptroller and forward a recommendation to the appropriate dean. The dean will approve or disapprove the request. The dean will forward an approved request to the Provost for final approval. The budget office will certify fund availability within the allocation percentages above.
 - (c) Faculty Development (30 percent)
Funds are used to support faculty research and development. The Provost determines the allocation of monies included in this category. The majority of funds will be used to support research and scholarship in accordance with criteria established by the University. The Provost will consult with the Budget Office to determine available budget allocation for this purpose. Fund availability will be certified prior to grant award.
 - (d) Federal Audit Costs (15 percent)
Funds are used to defray the cost of the annual audit of Federal Funds required under Office of Management and Budget Circular A-21, A-110 and A-128. All expenditures will be approved by the Executive Vice President or Comptroller.
- (5) Budget Allocation Procedures
Unexpended budget balances within the percentage allocations reflected above shall carry forward at the end of each fiscal year. On July 1, of each year the revenue collected during the previous fiscal year will be allocated in accordance with established percentages and added to each carry forward balance. The Comptroller will notify the Budget Director of the revenue allocation each fiscal year and the expenditure budgets will be adjusted accordingly. When the combined total of the beginning fund balances and revenues to Fund 0303 exceed the appropriated expenditure plan, a request for an additional appropriation and allotment will be processed through the **Office of Planning and Budget**.

g) Conflict of Interest Policy

Some federal agencies require grantees employing more than fifty persons to maintain an appropriate written and enforced policy on conflict of interest. The University's conflict of interest policy is the State and Local Government Conflict of Interest Act of the *Virginia Code*. Questions concerning this policy should be **forwarded to the Provost, who will refer them to the University's assigned Attorney General.**

3) Research Involving Human Subjects

The University safeguards the rights and welfare of subjects at risk in research activities conducted through the University. Where research involving human subjects is to be supported by a grant or contract, the Review Board for the Protection of Human Subjects (RBPHS) reviews, approves, and certifies that research benefits clearly outweigh risks to subjects and legal risks to the University, that the rights and welfare of subjects are adequately protected, and that the proposed project is in full compliance with all applicable laws. In undertaking this process, the Review Board for the Protection of Human Subjects will consult with the **University's assigned Attorney General** regarding legal issues and potential liability to the University.

To submit a request for approval of research proposals, surveys, etc. please follow these described procedures:

- a) Make 5 copies of the research proposal.
- b) Write a cover letter that includes the following:
 - (1) Name of faculty member sponsoring the research.
 - (2) Name of department and departmental approval of research proposal.
- c) Cover letter also should explicitly address the 4 RBPHS principals:
 - (1) Respect for subjects.
 - (2) Protection of subjects from danger.
 - (3) Research has some beneficial prospect.
 - (4) Researcher is just and impartial.
- d) Cover letter should also describe how the specific research proposal meets the 7 RBPHS requirements:
 - (1) Fair selection of subjects
 - (2) Informed consent
 - (3) Confidentiality & Anonymity
 - (4) No coercion or exploitation
 - (5) Protection from physical & mental stress
 - (6) Project benefits
 - (7) Post research debriefing
- e) Send entire package (i.e. Cover letter with 5 copies of research proposal) via campus mail to the Chair of the RBPHS.

4) Research Involving Animal Subjects

The University safeguards the humane use and treatment of animal subjects in teaching and research activities conducted through the University. The Institutional Animal Care and Use Committee (IACUC) is charged with the specific responsibility of regulating the humane use and treatment of animals used in teaching and research by the University as mandated by the Animal Welfare Act (AWA, 1966, and as subsequently amended 1970, 1976, 1985, 1990), and other relevant federal, state, and local authorities. and other relevant authorities. Where research involving animal subjects is to be

supported by a grant or contract, the IACUC reviews, approves, and certifies that the treatment of the animal subjects is in accordance with the mandates of the AWA.

To submit a request for approval of research proposals using animal subjects, please contact the Associate Provost for Research and Graduate Studies.

6. Administrative Leaves and Reduced Loads for Non-Academic Reasons

a. Sick Leave with Full Pay and Benefits

- 1) Sick Leave Generally – The University, upon approval of the Provost, grants sick leave with full pay and benefits when this becomes necessary during the period covered by the faculty member's contract. Prior to approving such a request, the Provost may require the submission of medical records and/or a physical examination by a physician mutually agreed upon by the University and the faculty member. The maximum period of such leave is the remainder of the current semester and one additional semester during a seven-year period. When employee takes Sick Leave with Full Benefits and Pay for a period in excess of twelve weeks, the employee is not entitled to Family and Medical Leave (described below). When a faculty member takes sick leave with full pay and benefits, please contact the Human Resources Office for additional information on benefit provisions for leave without pay status.

- 2) Reduced Load when Returning from Sick Leave – A full-time faculty member who returns from Sick Leave *may* be given a one-course reduction in teaching load, while still maintaining full-time employment status (and therefore, in particular, full benefits), either for one full academic year or for one semester. Such reduction, if awarded, must commence in the semester immediately following the leave.

Such reduction must be approved by the Provost upon the recommendation of the appropriate Dean. Prior to approving such a request, the Provost may require the submission of medical records and/or a physical examination by a physician mutually agreed upon by the University and the faculty member.

No faculty member shall be granted more than four full semesters of reduced load when returning from Sick Leave in a lifetime, regardless of the number of years the person is in the employ of Christopher Newport University.

b. Family and Medical Leave

- 1) The University, in accordance with the federal Family and Medical Leave Act, grants Family and Medical Leave to eligible full time faculty members for up to 12 weeks in the period from August 1 to July 31. Although federal law does not require that the University provide full pay and benefits, the University may choose to grant full pay and benefits during the period of Family and Medical Leave. Pursuant to federal law, Family and Medical Leave is used for the birth of a child or placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes him or her unable to do his or her job. However, when an employee is taking Sick Leave with Full Pay and Benefits (described above), the employee is not entitled to Family and Medical Leave. The use of Family and Medical Leave has no effect on matter of retention, promotion, or completion of the probationary period of service.
- 2) A faculty member requesting Family and Medical Leave submits such a request to the Provost at the earliest possible time and provides such documentation as may be required by the University. If approved by Provost, the appropriate academic dean then creates contingency plans to assure that all assigned classes and other pertinent responsibilities of the requesting faculty member are met as scheduled and forwards this information to the Provost.

c. Leave without Pay and Benefits

A full or partial leave of absence for illness, disability, family, or educational and/or research purposes without pay may be granted by the Provost on request. Please contact the Human Resources Office for additional information on benefit provisions for leave without pay status. Please visit the Office of Human Resources website at www.cnu.edu/admin/hr.

7. Administrative Actions for Inappropriate Conduct on the Part of Instructional Faculty Membersa. Purposes

- 1) These sanctions are designed to protect the rights of faculty members and to assure compliance with University rules and policy and public law.
- 2) The sanctions provide chair, deans, and the Provost with a process to follow when it is deemed that a faculty member's conduct is inappropriate or in violation of the policies of the University.
- 3) This process also defines the measures which are appropriate in relation to the offense.

b. Sanctions1) Introduction

There are four types of sanctions short of dismissal. These do not represent a process wherein one must always begin with an admonition. The seriousness of the offense(s) will determine the sanction, which is initiated. Dismissal, furthermore, need not be preceded by any of these sanctions.

2) Examples of Unsatisfactory Behavior

- a) Excessive tardiness to required activities to include assigned classes;
- b) Repeated absence from class, repeated failure to meet classes at assigned times, or repeated early release of classes;
- c) Unauthorized use of University/State equipment or facilities; and
- d) Failing to comply with established policy.

3) Admonition

- a) An admonition is warranted when a faculty member's behavior is of such a nature that is likely to or does reflect unfavorably upon the department or the University or on the faculty member's professional status.
- b) The departmental chairman, dean or Provost is responsible for orally admonishing the faculty member and keeping a memorandum of the substance and date of the discussion.

4) Written Warning

- a) A written warning is issued when unacceptable behavior continues after admonition or when a faculty member's misbehavior is of a more serious nature to such a degree that a written warning is appropriate.
- b) The chair, dean, or Provost is authorized to issue written warnings.
- c) An appeal is permitted to the next higher level.
- d) The written warning will include descriptions of the unacceptable behavior and those actions necessary to correct or eliminate the problem, a reasonable time within which those actions must be taken, and the consequences of failure to take those actions.

5) Suspension

- a) Suspension, with or without loss of pay, occurs when a faculty member's misconduct continues after written warnings or when the conduct is of such a nature that immediate suspension is warranted to protect the interests of the University, the faculty members, students, or other members of the University community.
- b) The dean or Provost is authorized to impose this sanction.
- c) An appeal is permitted to the next higher level.
- d) The President has the final authority.
- e) Suspension with loss of pay is a sanction that may be imposed only with the approval of the President. No loss of pay will be incurred until the faculty member has had an opportunity for a hearing.

8. Evaluation, Promotion, Tenure, and Salary of Instructional Facultya. Introduction

- 1) The evaluation procedures for decisions concerning retention, promotion, and tenure are predicated on the propositions that peers ought to have first-hand familiarity with the accomplishments, limitations, and potential of each faculty member; thus, members of the department and, to a lesser extent, members of related departments are directly involved in an initial recommendation. The dean reviews the recommendation and acts on it from the perspective of academic management. A University committee of members of the faculty provides University-wide faculty perspective in its review of all recommendations and forwards its recommendation, together with that of the dean, to the Provost, who makes the final recommendations to the President. The President makes the final decision and, subject to the approval of the Board of Visitors, authorizes a contract reflecting that decision.
- 2) The University considers promotion, tenure, and (in the case of non-tenured faculty) retention to be privileges to be sought by the evaluatee. In so seeking, the evaluatee asks that both certain peers and certain academic administrators render informed **judgments** on the strength of the evaluatee's candidacy. It is therefore a condition of the evaluation process that the recommendations or decisions of peer groups, committees, and administrative officers be accepted by the evaluatee unless the evaluatee can demonstrate that the recommendation or decision has been rendered in a fashion that violates applicable policy, regulations, or law.
- 3) An annual evaluation of all faculty members will be conducted by **their chairs**, their deans and the Provost. This annual evaluation may lead to a full-scale peer review when the faculty member's performance is considered to be unsatisfactory and in need of significant improvement in one or more area(s).

b. General Standards and Procedures for all Evaluations1) University-wide Standards and Procedures

- a) The criteria for retention, promotion, and tenure are teaching, professional development, and service. At Christopher Newport University the first, teaching, is of paramount importance, and poor teaching cannot be redeemed by superiority in the other two areas.
- b) Decisions involving **probationary appointments**, promotions or awarding of tenure, henceforth designated "class A decisions," receive special attention, due to the long-term commitment involved. **Decisions on the conversion of restricted appointments to probationary status and performance reviews of tenured faculty are henceforth-designated "class B" decisions.**

2) Departmental Standards and Procedures

Consistent with the general standards described below, each department delineates the specific criteria and procedures it will use in evaluating its members. The criteria are submitted to the appropriate dean for approval of the initial statement or amendments thereto. The dean submits the resulting criteria to the Provost for final approval. (In the absence of departmental action, the dean writes the departmental criteria.) In rendering this decision, the Provost acts on the advice of the Faculty Review Committee (FRC). **Such departmental criteria supplements but does not supersede the evaluation criteria contained in this *University Handbook*.**

3) Evaluation Scope and Schedule

a) By the end of January, the Provost **publishes the PEER REVIEW, ANNUAL EVALUATION and MERIT EVALUATION CALENDAR** of deadlines for each step of the peer review and evaluation process. The schedule is driven by the deadlines for notification of appointment for probationary faculty members. (See index: termination)

b) Probationary faculty **receive an initial appointment letter that provides employment through their third year and specifies that a review for reappointment will be scheduled in the second year. In the spring of the first year, and during the fall or spring of the third and fifth years probationary faculty meet with the department chair to receive verbal formative assessment and share any concerns. Chairs assign probationary faculty members a faculty peer mentor during the first year.**

c) Probationary faculty are evaluated under the peer group format in the fall of their second year for reappointment **to a new three-year probationary contract for years three, four, and five starting in the fall of the third year (the third year of the first probationary appointment is thus superseded).** Possible outcomes of this peer review include:

- (1) **Recommendation to reappoint to a third, fourth and fifth year.**
- (2) **Recommendation not to reappoint to a fourth year.**

d) Probationary faculty members are evaluated under the peer group format in the fall of their fourth year for reappointment to a new three year probationary contract for years five, six and seven starting in the fall of the fifth year (the fifth year of the second probationary appointment is thus superseded). Possible outcomes of this peer review include:

- (1) **Recommendation to reappoint to a fifth, sixth, and seventh year.**
- (2) **Recommendation not to reappoint to a sixth year.**

e) Probationary faculty are evaluated under the peer group format in the fall of their sixth year for **promotion (if applicable) and reappointment with tenure. Possible outcomes of this peer review include:**

- (1) **Recommendation to reappoint with tenure and promote (if applicable), effective the following fall term.**
- (2) **Recommendation to offer a terminal contract in year seven.**

f) **All full-faculty will be evaluated by their chairs, their dean, and the Provost as outlined in Section 5) Step-by-Step Procedure for Annual Evaluation of Faculty Members. Tenured faculty will undergo performance evaluation in the peer group format no less frequently than every six years.**

Evaluation under the peer group format required as a result of an unsatisfactory Annual Evaluation will take place in the next (spring) evaluation cycle immediately following.

g) Distinguished Professors may elect to waive the Annual Evaluation by so indicating in writing on an annual basis to their respective department chair, their dean, and the Provost.

- h) Except as required elsewhere in this section, evaluation of faculty members holding restricted or part-time appointments is conducted entirely within the department by a committee appointed by the chair, or, if circumstances prevent this, by a committee appointed by the appropriate dean. Such evaluation provides information for the chair or the dean for future decisions; it does not constitute an intention to renew these restricted or part-time appointments.

4) Step-by-Step Procedure for a Peer Review

(All questions of interpretation or consistency that may arise concerning these procedures are decided by the Provost.)

The Provost publishes the PEER REVIEW, ANNUAL EVALUATION and MERIT EVALUATION CALENDAR for the next academic year by the end of January, with deadlines for each step.

Step 1

Each department chair submits for the review and approval of the appropriate dean a completed EVAL-4 DEPARTMENTAL STANDARDS AND PROCEDURES FOR FACULTY EVALUATIONS.

Step 2

The dean reviews each department's EVAL-4 statement for consistency with university-wide standards and procedures, notifies the department of any required changes, and forwards an approved statement for each department to the provost.

Step 3

The provost reviews each EVAL-4 statement submitted by the deans for consistency with university-wide standards and procedures, notifies the dean and the department of any required changes, and forwards an approved statement for each department to the appropriate dean and the FRC.

Step 4

The provost generates and provides to the deans the EVAL-2 FACULTY PEER REVIEW LIST. Each dean, using the EVAL-2 FACULTY PEER REVIEW LIST: (1) notifies the appropriate department chair of required peer review of probationary faculty and any other required peer review, (2) notifies the chair of faculty meeting requirements for consideration for promotion.

Step 5

The department chair holds a meeting of the department's faculty for the purpose of notifying faculty of those meeting requirements for consideration for promotion.

Step 6

The department chair submits to the dean a list of faculty requesting consideration for promotion.

Step 7

The dean prepares and submits to the department chair, FRC, and provost a final list of the year's peer reviews. The dean notifies tenured faculty of required peer review.

Step 8

The department chair (or, in the event that the evaluatee is a department chair, the dean) in consultation with the Vice Provost organizes the Department Review Committee (DRC). The DRC should be composed of at least four and no more than seven members. The department chair submits the appropriately completed EVAL-5 CONSTITUTION OF DEPARTMENT REVIEW COMMITTEE FOR INSTRUCTIONAL FACULTY EVALUATION to the Vice Provost for review, who may consult with the dean. General guidelines regarding DRC formation:

- a) The department chair is a member of the DRC, (except the chair's own,) and acts as chair of the DRC or appoints a chair. The chair of the peer group for the department chair is appointed by the Vice Provost.
- b) For tenure and promotion decisions and any decisions involving tenured members of the faculty, all DRC members are tenured; for promotion decisions, DRC members are also of the same or higher rank as that sought by the evaluatee. For reappointment decisions, ideally all DRC members are members of the tenured faculty.
- c) When the number of tenured faculty in a department is four or fewer, it is expected that all such members will serve on the DRC. When the number is greater than four, the Chair will work with the Vice Provost to determine the DRC membership. When the number is fewer than three, additional peer group members will be selected according to the procedure outlined in paragraph d), below.
- d) The DRC will include one member from outside the department, selected as follows: The evaluatee generates a list of at least four tenured faculty members who are in the evaluatee's division but not in the evaluatee's department. The evaluatee may not approach colleagues to serve on his/her DRC. The department chair consults with the Vice Provost to prioritize this list of nominees; consensus is to be sought but the Vice Provost's decision carries forward. The Vice Provost contacts the nominees in the order of approved preference. While non-departmental DRC members ideally are chosen from within the department's academic division, the Vice Provost can approve a faculty member outside the division when circumstances warrant and with the permission of the evaluatee. In the event that no members of the evaluatee's generated list are able or willing to serve, the evaluatee will be asked to generate more nominees until a DRC member is appointed (thus identification of outside members must always begin with the evaluatee's nomination).
- e) Departments may approach the review process in a number of ways. For example, they can create a review committee that is expected to follow the candidate through the tenure/promotion reviews, or they can create a standing DRC for all reviews that year in the department.
- f) No member of the FRC who serves on a **DRC** shall also participate in the FRC review of the recommendation of that **DRC** (see index: Faculty Review Committee).
- g) Each member of the **DRC** must be a full-time member of the Instructional faculty serving in an instructional capacity at the time of the formation of, and throughout the life of, the **DRC**.
- h) When the requirements of this paragraph conflict with the requirement that the department chair serve as a member of the **DRC**, the requirement for the chair membership takes precedence.

Step 9

The provost reviews the EVAL-5 for consistency with university-wide requirements, effects any necessary changes (including **appointing the non-departmental member as described in d) above**), certifies the membership, and forwards copies of the completed EVAL-5 to the evaluatee, the dean, the FRC chair, and all **DRC** members.

The final membership of each **DRC** must be certified by the Provost before any subsequent steps occur.

Step 10

The **DRC** holds its first (organizational) meeting and establishes timetables and procedures for the conduct of its business.

Step 11

The evaluatee submits his or her required EVAL-6 PROFESSIONAL ACTIVITIES REPORT and updated dossier to the **DRC** chair.

- a) Consistent with University and departmental standards and procedures, the **DRC** solicits and accepts for consideration written, signed, dated information from the academic dean and other sources, including **DRC** members' firsthand knowledge about the evaluatee. Such information may be added to the dossier as long as the faculty member has, at the same time, the opportunity to include a written response to the new information prior to the next step in the review process period. Examples of information to be considered are classroom visitation reports, discussions with students and colleagues, and information from chairs of committees on which the evaluatee has served. In the special case of information from a source requesting anonymity, the evaluatee may request verification of the source, without revealing the identity, by a third party mutually acceptable to the evaluatee and the **DRC**. If agreement cannot be reached, the third party is selected by the FRC. The **DRC** may recommend to the evaluatee the inclusion of additional information or clarification concerning any submissions.
- b) In its deliberations the **DRC** may call upon other members of the academic community to contribute written statements concerning the evaluatee and/or to participate in part or all of the deliberations. However, the decisions are those of the **DRC**.
- c) The **DRC** meets to combine the individual findings of each member. On a form furnished by the Provost, the **DRC** reports its recommendation, along with an accompanying statement justifying that decision.

Each member signs the report form indicating agreement or disagreement, and either signs the statement or prepares a separate statement indicating the area or areas of disagreement with the recommendation and/or accompanying statement.

Step 12

The **DRC** submits its signed EVAL-7 PEER GROUP RECOMMENDATION AND SUMMARY STATEMENT to the evaluatee for review and acknowledgment.

- a) The signed recommendations are presented to the evaluatee for signature. This signature confirms that the evaluatee has read them.
- b) If in disagreement with the recommendation or with any minority statement, the evaluatee may forward a signed statement concerning the areas of disagreement.

Step 13

The **DRC** submits its signed EVAL-7 bearing the evaluatee's acknowledgment, the EVAL-6, and the dossier to the dean.

Step 14

The dean reviews the dossier and associated documents to add a college-wide perspective to the evaluation. In the case of questions, the dean may consult with the department chair, the **DRC** and/or the FRC. The dean completes the appropriate section of the EVAL-8 SUMMARY OF ADMINISTRATIVE ACTIONS ON INSTRUCTIONAL FACULTY EVALUATION and forwards it, the EVAL-6, the EVAL-7, and the dossier to the **Provost**. A copy of the resulting EVAL-8 is sent to the evaluatee. The evaluatee may give to the **Provost** written comments on the dean's recommendations. A copy of the evaluatee's comments should be sent to the dean by the evaluatee.

Step 15

The provost refers the materials in step **14** to the Faculty Review Committee (FRC). The FRC reviews the materials to provide University-wide perspective to the evaluation process and assigns relevant University-wide priorities.

Step 16

The FRC completes the appropriate section of the EVAL-8 and forwards it, together with the other materials in step **14**, to the **Provost**.

Step 17

The **Provost** reviews the dossier and associated documents, forms a final recommendation, completes the appropriate section of the EVAL-8 and forwards it, together with the other materials in step **14**, to the president. Should there be any failure to act in Steps 1-**16** in any required peer review, the dean, upon the request of the faculty member(s) to be reviewed, proceeds to develop a file and a recommendation for timely presentation to the **Provost**.

Step 18

The president completes the appropriate section of the EVAL-8. The completed EVAL-6, EVAL-7 and EVAL-8 are placed in the evaluatee's official file. Copies of the EVAL-8 are sent to the evaluatee, the department chair, the dean, and the FRC. The EVAL-6s, EVAL-7s, EVAL-8s, and dossiers are returned to the custody of the department chair.

Step 19

For those positive presidential decisions requiring action by the Board of Visitors, a resolution is prepared for approval of the President and action by the Board.

Step 20

The Board of Visitors acts on the resolution in step **19**.

5) Step-by-Step Procedure for Annual Evaluation of Faculty Members

By the end of January, the **Provost** publishes the PEER REVIEW, ANNUAL EVALUATION and MERIT EVALUATION CALENDAR with deadlines for each step of the evaluation process.

- a) Each faculty member shall submit an annual activities report (EVAL-6) to the department chair in accordance with the calendar. Copies of the IDEA Student Ratings of Instruction for the past year shall be included with the EVAL-6 as well as any other standard dossier materials for the review period specified by the chair, dean, or provost. The department chair's evaluation is recorded on the EVAL-AR and is forwarded to the dean.

- b) The Dean reviews the chair's recommendation and supporting materials, rendering his or her evaluation on EVAL-AR, and forwards the materials to the provost.
- c) The Provost reviews the file of each evaluatee and forms a final recommendation which is submitted to the President.
- d) The President reviews all evaluations and associated recommendations.
- e) If the faculty member fails to submit the evidence referenced in a) above, the department chair and dean will complete the EVAL-AR on the basis of such information as is available to them.
- f) Possible results of the evaluation process include:
 - (1) judgments of satisfactory performance,
 - (2) judgments of unsatisfactory performance.
- g) Judgments of unsatisfactory performance for any two of three consecutive years may place tenured faculty into an unscheduled peer evaluation track. Unsatisfactory performance ratings in the area of teaching alone could be an initiator, as could unsatisfactory ratings in both professional development and service or unsatisfactory ratings in all three areas. This process is a performance review process conducted according to the applicable parts of section 4); it is not a dismissal process. The unscheduled review process has the potential to lead to sanctions but it is designed to be a helpful process aimed at improvement and will focus on individual faculty and not institutional needs. The process will not impinge upon academic freedom. The outcome of the first phase of this process will be a judgment of satisfactory or unsatisfactory offered by a peer group and will include a summary statement explaining its judgment. Subsequent judgments will be rendered by the Dean, the Faculty Review Committee, the Provost, and the President. If the final judgment is unsatisfactory, administrative sanctions may follow, possibly including initiating the dismissal process.
 - (1) What follows outlines the procedures and general schedule leading to and including an unscheduled review. A specific schedule with dates will be provided yearly by the Provost's office.
 - (a) Tenured faculty receiving an unsatisfactory rating in the annual evaluation process in any two of three consecutive years will precipitate a recommendation on the applicable EVAL-AR from the Dean to the Provost to begin an unscheduled review. The Dean will include specific reasons for this recommendation. The Provost may choose against an unscheduled review. If the Provost decides that an unscheduled review is appropriate, the Dean and Faculty Review Committee are notified and an unscheduled review takes place the following spring semester according to the steps of section 4) and the timetable for the spring peer evaluation cycle specified on form EVAL-1. In addition to the other materials specified in step 13, the dossier must include a performance improvement plan.
 - (b) The peer group for the unscheduled spring review will judge the faculty member's performance as either satisfactory or unsatisfactory and will provide a summary statement on form EVAL-7 explaining its judgment. Judgments by the Dean, the Faculty Review Committee, the Provost and the President are subsequently rendered on form EVAL-8.
 - (c) If the final judgment on the performance review is "satisfactory," the non-scheduled peer review process ends.
 - (d) If the final judgment on the performance review is "unsatisfactory," the unscheduled review process continues into the next academic year and the unscheduled review peer group remains intact. The intention is that this peer group will retain the same membership throughout this process although individual members may find it necessary to leave the peer group. If that occurs, replacements will be named by the same procedures that established the original peer group. The faculty member will next

undergo an annual evaluation as usual the following fall semester. The faculty member will submit an EVAL-6 with the standard documentation and an update of the performance improvement plan. The EVAL-AR that the faculty member receives as a result of this review serves as interim feedback. The unscheduled review process continues into the fall semester review cycle of the next academic year. At that time, the faculty member is required to undergo a peer evaluation in the fall cycle according to the steps in section 4) with their peer group and with an updated performance improvement plan included in the dossier.

- (e) The peer group will judge the faculty member's performance as either satisfactory or unsatisfactory, and will provide a summary statement explaining its judgment. Subsequent judgments will be rendered by the Dean, the Faculty Review Committee, the Provost and the President.
- (f) A final judgment of unsatisfactory or satisfactory will end the unscheduled peer review process. However, a final judgment of unsatisfactory may lead to administrative sanctions, possibly including initiating the dismissal process.

- (2) All tenured faculty will undergo a scheduled performance review in the peer group format every sixth year during the spring semester evaluation cycle. Tenured faculty may elect to undergo such an evaluation in any year according to the schedule published by the Provost's office. Any Class A review that occurs for the purpose of promotion will count as a scheduled review.

- (a) The Provost will notify the Dean and department chair using form EVAL-2 identifying tenured faculty who will be reviewed. An EVAL-5 will be generated by the department chair and Dean and forwarded to the Provost.

- (b) The final judgment will be satisfactory or unsatisfactory. A satisfactory rating results in the scheduling of a new scheduled peer review in six years. A final judgment of unsatisfactory results in recommendations for improvement which the faculty member will address in the EVAL-6 to be submitted at the beginning of the next fall semester review cycle. Part f), above, specifies how continuing unsatisfactory evaluations can place faculty into an unscheduled review.

- (c) In the event that a scheduled review coincides with an unscheduled review, the procedures relating to the unscheduled review will be followed.

6) Evidence to be Considered

a) Annual Activities Report

Each probationary and tenured faculty member prepares an annual activities report for the preceding academic year highlighting activities for the three major areas of evaluation--teaching, professional development and service. The report should provide guidance for the peer group and the chair to areas the member considers of primary importance. It provides the starting point for the evaluation at the departmental level for those members being evaluated that year and provides information from each member for the departmental Annual Report. Guidelines for preparation of the Annual Activities Report is provided by the FRC, subject to the approval of the Provost.

b) Dossier

Those charged with rendering judgments on faculty candidacies undertaken in the course of the formal University evaluation process (peer group, Dean, FRC, Provost, and President) must rely heavily on the dossier offered in support of such a candidacy for information used in rendering those judgments. It is therefore essential that dossiers have a uniform organization.

Each dossier submitted in support of such a candidacy must have a label on its spine identifying the candidate and must be arranged in the order given below with appropriately-labeled tabs as dividers between sections. The evaluatee and the peer group chair must verify that the following *required* items are in the dossier in the order indicated.

Those who review the dossier are responsible for preserving this organization before sending it on to the next level of consideration.

(1) Current form EVAL-7 (including peer group summary statement) and EVAL-6 (in that order). These items are to be either clipped to the inside front cover of the dossier or placed in the pocket of the inside front cover. When form EVAL-8 is completed by the Dean, it is to be placed on top of the form EVAL-7 in the same location.

(2) The dossier checklist (form EVAL-10, provided to each evaluatee by the Provost) of dossier contents, as the very first page of the dossier. This document must be executed by both the evaluatee and the peer group chair, certifying that all required components of the dossier are present and in the proper order.

(3) A current *curriculum vita* for the candidate.

No materials more than six years old at the beginning of the semester in which the evaluation takes place are required to be included in the dossier.

(4) All previous annual activities reports (form EVAL-6) from the candidate's entire evaluation history at CNU (not to exceed six years), arranged in descending order by year (most recent year first).

(5) Copies of *all* summary statements, recommendations and decisions generated by previous evaluations (forms EVAL-7 and EVAL-8). These materials are to be grouped together by *academic year*, with EVAL-8 preceding EVAL-7 for each year, and then arranged in descending order by academic year (most recent year first).

(6) For tenured faculty, all IDEA reports for individual class sections for the period of the six most recent complete academic years and preceding summer sessions prior to the evaluation. (For example, an evaluation taking place in 2008-2009 would require these reports for all classes in which IDEA was administered in the 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008 academic years.)

For non-tenured faculty, all IES reports and/or IDEA reports for individual class sections generated since the date of initial appointment. These reports are to be arranged in reverse chronological order (most recent first).

(7) Documentation related to *teaching*, such as course syllabi and examinations, for the same period and in the same order as in item (7).

(8) Documentation related to *professional development*. Tenured faculty are to include such material for the period since their last formal evaluation or for a period of three years, whichever is greater. All other faculty are to include such material for the period since their initial appointment. Preprints or reprints of published papers, papers presented at academic meetings, copies of manuscripts in progress, or other evidence of scholarly activity (e.g., jury reports on exhibitions or performances) *must be included* if the activity is claimed on a form EVAL-6 or any other relevant document present in the dossier.

(9) Appropriate documentation pertaining to the nature and quality of *service* for the same period as in (7). "Service," as the term is used here, pertains to service to the University, to the profession, to the candidate's discipline, or to the region, the Commonwealth, or the nation. Service that is external to the University should be of such a nature as to clearly be related to

one's status as a professional in the faculty member's discipline and/or one's status as a member of the faculty of the University.

(10) Other materials may be included, but they should be grouped separately *and not integrated into the materials referenced above*. If other materials are included, their role in supporting the candidacy should be clearly identified and their bulk should be kept to a minimum.

c) Departmental Enrollment Patterns and Projections

For decisions involving retention of a faculty member or the award of tenure to a faculty member, the recommendation or decision which is made at each level (peer group, dean, FRC, Provost, President) of consideration must take cognizance of the continuing need that the University will have for the evaluatee's services. Recommendations for retention or tenure must be compatible with the long-term instructional needs of the University.

7) Evaluation Areas

The evaluatee supports the statements in the Annual Activities Report through inclusion of relevant materials in the dossier. These relate to the three major areas of evaluation, which the peer group considers in reaching its decision.

a) Teaching Effectiveness

Teaching effectiveness is the most important element in the evaluation process. Materials included should provide evidence of course planning, selection of course materials, and other indicators of effectiveness as a teacher. Documentation may include examples of course syllabi, tests, handouts, self- description of teaching methods, statement of colleagues following class visitation, or other statements by colleagues. IDEA Reports for class sections rated using the *Student Rating of Instruction* are included in this section of the dossier.

b) Professional Development

Professional development includes participation in professional societies, including presentations; formal and informal interaction with university peers in professional matters; participation in short courses and additional course work in professionally related areas; completion of additional degrees; research in progress and publications; attainment of honors and awards.

Faculty members serving on probationary appointments are expected to either already hold a terminal degree acceptable to the University for the position held or else to be making satisfactory progress toward the completion of such a degree according to a timetable that can realistically (in the judgment of the University) result in the actual conferring of such a degree upon the faculty member in advance of tenure considerations, if any.

The professional development of every faculty member is expected to include contributions to the fund of knowledge in the appropriate discipline. Such contributions will ordinarily take the form of scholarly publications in the refereed literature of the faculty member's discipline but may, in certain disciplines (for example, the visual or performing arts), take the form of exhibitions, performances, etc. that are subject to critical and scholarly review. This area of evaluation will be given special emphasis in evaluations of members of the graduate faculty.

Documentation includes copies of transcripts, certificates, or diplomas; copies of research proposals and awards of research grants; preprints or reprints of scholarly publications; reports of referees or reviewers; and summaries of citations of the faculty member's scholarly work. A current vita is included in this section of the dossier.

c) Service

Service includes service in the department, including advising, meeting classes regularly, keeping

posted office hours, carrying out departmental assignments, meeting deadlines, and interpersonal effectiveness with colleagues; to the University, including attendance at faculty meetings, performance on committees, cooperation with university policies and meeting deadlines; and to the community in providing professional expertise in any way that makes the community aware of the presence and concern of the University. Documentation of the above may be in the form of statements by department chair, administrative personnel, community people or a self-report.

d) Other Considerations

In addition to evaluating a faculty member's performance, the peer group considers those departmental trends which are likely to change the expectation of a continuing need for the member's service. These trends are enrollment patterns, especially within the faculty member's areas of specialization, and projections of need for services.

c. Promotions

1) Academic Rank

The faculty is arranged in a hierarchical system of academic ranks, representing successively higher experience, accomplishments, expectations and recognition. For faculty members holding other than adjunct appointment, these ranks are: Instructor, Assistant Professor, Associate Professor, Professor and Distinguished Professor. Within each rank are listed first the minimum qualifications that anyone in that rank must possess and second (where appropriate) the evaluation standards that must be satisfied before promotion to that rank will be considered.

2) Terminal Degree

The expression "terminal degree" is defined to mean an earned doctorate other than a first professional degree that is acceptable to the University as being suitable for the position held by the holder of the degree. Examples of terminal degrees are Ph.D., Ed.D., D.B.A., D.A., Sc.D., D.S.W.; examples of doctorates that are not terminal are J.D., M.D., D.D.S., D.M.D., V.M.D. Non-terminal doctorates may be considered terminal if held in conjunction with certain master's degrees. Such exceptions must be individually authorized by the Provost.

3) Promotion Standards

Academic rank is bestowed by the Board of Visitors, consistent with the following requirements:

a) Instructor

An instructor normally holds at least the master's degree with a minimum of 18 hours of graduate level work in the academic discipline in which service is rendered, preferably having completed work toward the accepted terminal degree in this discipline. Evidence or promise of competence in teaching, research and service is expected of faculty at the rank of instructor.

b) Assistant Professor

(1) Minimum Qualifications

An assistant professor normally holds the terminal degree in the appropriate field of expertise.

(2) Evaluative Standards

A candidacy for promotion to assistant professor will be judged according to:

- (a) evidence of exemplary performance in teaching;
- (b) evidence of professional development;
- (c) evidence of academic service;
- (d) evidence of a history of predominantly positive evaluations;
- (e) educational level;
- (f) length of relevant professional experience, both academic and non-academic; and
- (g) length of service to CNU.

c) Associate Professor(1) Minimum Qualifications

An associate professor must have:

- (a) the terminal degree in the appropriate field of expertise, or functional equivalent authorized by the Provost;
- (b) at least four years of college or university teaching and/or relevant research experience at the rank of assistant professor;
- (c) at least two years of service at CNU; and
- (d) a total of five years college or university teaching and/or relevant experience.

(2) Evaluation Standards

A candidacy for promotion to associate professor will be judged according to:

- (a) evidence of successful compliance with the expectations of the rank of assistant professor;
- (b) evidence of exemplary performance in teaching;
- (c) evidence of continuing professional development;
- (d) evidence of outstanding academic service;
- (e) history and promise of being a strongly contributing member of the department, college/school, university and academic discipline;
- (f) evidence of a history of predominantly positive evaluations; and
- (g) extent to which minimum qualifications are exceeded.

d) Professor(1) Minimum Qualifications

A professor must have:

- (a) the terminal degree in the appropriate field of expertise;
- (b) at least seven years of teaching and/or relevant research experience at the rank of associate professor;
- (c) a total of twelve years of teaching and/or relevant research experience; and
- (d) at least four years of service to Christopher Newport University;
- (e) **faculty members holding administrative-professional positions are eligible candidates.**

(2) Evaluation Standards

A candidacy for promotion to professor will be judged according to:

- (a) sustained evidence of successful compliance with the expectations of the rank of associate professor;
- (b) sustained evidence of truly outstanding teaching effectiveness;
- (c) sustained evidence of widely-respected professional development;
- (d) sustained evidence of leadership and high achievement in academic service;
- (e) sustained evidence of great stature as a member of the department, college/school, university, and academic discipline;
- (f) evidence of a history of strongly positive evaluations; and
- (g) the extent to which minimum qualifications are exceeded.

e) Distinguished Professor(1) Criteria and Eligibility

The academic rank of distinguished professor is an extraordinary honor that may be accorded only those few teacher-scholars who have attained the rank of professor and who have excelled to an exceptional degree in the areas of teaching, scholarship and service. It is the intent of the University that promotion to the rank of distinguished professor will be a rare event and that it will be a capstone of recognition for a highly distinguished academic career. Specific criteria for this rank include a record characterized by:

- (a) superior teaching skills of recognized breadth and depth in the discipline;
 - (b) creative and extensive scholarly publication, establishing the nominee as a scholar of exemplary national or international reputation; and
 - (c) distinguished public service, typically, but not exclusively, exemplified by the application of scholarship and/or creative and artistic endeavors in addressing the needs of the University, local, regional, or national communities.
- (2) Only full-time, salaried members of the faculty holding rank in one of the University's academic departments may hold the rank of distinguished professor. No more than three percent of such faculty may hold the rank of distinguished professor at any given time. No more than one member of any department may hold the rank of distinguished professor at any given time. Because the professional record of a distinguished professor must be one of extraordinary achievement sustained over time, any person recommended to hold this rank shall have first held the rank of professor for at least twelve years.
- (3) Review Procedures and Protocols
 - (a) Initiation and Departmental Action
 - i. The person initiating a nomination for promotion to the rank of distinguished professor will inform the nominee and submit to the department chair of the nominee's department a letter of nomination accompanied by the nominee's current *vita*. The department chair will share the nomination, in confidence, with all full-time, salaried members of the department. Self-nominations will not be considered.
 - ii. The department will review the letter of nomination and the *vita*, and will request supporting materials from the nominee. The nominee shall compile these materials into an orderly, organized dossier.
 - iii. If the department supports the nomination, the department chair will write a letter of support and forward this along with the nominee's dossier to the Faculty Senate. The Faculty Senate may establish and promulgate deadlines each academic year for receipt of all nominations to be considered in that academic year.
 - iv. If the nominee is the department chair, then the dean of the nominee's college or school replaces the department chair in the processes described in this section.
 - (b) Peer Committee Action
 - i. The Faculty Senate will form a peer committee and designate its chair. This committee will be composed of five sitting distinguished professors. If insufficient numbers of distinguished professors are available, individuals holding the rank of professor will complete the committee.
 - ii. The peer committee will meet and consider the merits of the nomination. In the course of this consideration, the peer committee will seek written commentary from the nominee's dean and from the Faculty Senate. The peer committee shall make such commentary a part of the dossier.
 - iii. If the peer committee affirms that the rank of distinguished professor should be awarded, it will forward that recommendation, with the dossier, to the provost. Each academic year, any such recommendation must be received in the office of the provost no later than March 1, so as to make possible action by the Board of Visitors at its April meeting. Recommendations received after this deadline will be considered in the following academic year.
 - (c) Administrative and Board of Visitors Action

The Provost will consult as he or she might deem appropriate and make a recommendation to the President. The President, in turn, will make his or her recommendation to the Board of Visitors. If approved, the promotion becomes effective at the date specified by the Board of Visitors.

If at any point [department, peer group, Provost, or President] the action of the reviewing body or office is not supportive of promotion, then the review process will cease, and the nominee and those who have previously reviewed the candidacy will be so notified. In such an event, the nominee may not be considered again for promotion to the rank of distinguished professor until at least two complete (August to May) academic years have passed.

d. Tenure

1) Introduction

- a) Christopher Newport University accepts the principle of tenure as stated in the Policies of the Board of Visitors. No reference to other documents is intended or implied. An appointment with tenure may be terminated by the University as provided by Board policy and university regulations.
- b) An appointment with tenure is granted to a faculty member only after the grantee has demonstrated excellence of professional performance during a probationary period and only upon clear and compelling demonstration of a continuing need by the University for the faculty member's services. **For assistant professors, the tenure and promotion review will occur at the same time and as part of a single process.**

2) Standards for Awarding Tenure

a) Minimum Qualifications

(1) Type of Service

Tenure is granted only to full-time faculty who hold rank in an academic department. Part-time positions and T&R administrative positions do not, in themselves, qualify the holder for tenure. However, a faculty member who earns tenure in an academic department does not relinquish tenure because of the acceptance of an administrative position on a part- or full-time basis. **Faculty on restricted, term, visiting, or research contracts are not eligible for tenure consideration.**

(2) Years of Service

- (a) The normal probationary period at CNU is six years, and can be extended for an additional year for exceptional circumstances only by the Board of Visitors. Faculty members with prior service may, on joining the faculty at CNU, be given credit for all or part of that prior service, even if the total number of years of employment without tenure is thereby extended beyond seven years (including one year under a terminal contract if tenure is not awarded).

Service at one or more other academic institutions will ordinarily be counted as satisfying no more than two years of the CNU probationary period. **If such credit is granted to assistant professors, the tenure and promotion reviews will occur simultaneously, as provided in Section XII 8.d.1b), above. Faculty hired on a probationary basis at the rank of associate or full professor are normally reviewed for tenure in their third year of a four-year contract. Exceptions to this schedule can be approved only by the Provost. Tenure of an associate professor does not assume promotion in rank.**

- (b) Leaves of absence are not counted as part of the probationary period except in those instances where leave is granted for full- time teaching or research (not in pursuit of a degree) at another institution of higher learning, in which case, with the approval of the Provost, no more than one year may be counted.

- (3) Candidates for tenure are normally required to hold the terminal degree in their field. Exceptions must be justified on the basis of the standards in [XII-8-d-2)-b].

b) Evaluation Standards

A decision on tenure is based on two judgments: the long-range needs of the department and the University, and the overall performance of the candidate. These judgments are independent and tenure is awarded only if both judgments are positive. Since a tenure decision carries long-range implications for all concerned, this decision is made with great care. The peer group, dean, FRC, and Provost consider all previous recommendations and supporting evidence, as well as information for the current year. Particular attention is given to the long-term needs of the department, college/school, and University, and to the need for the candidate in fulfilling the mission of the University.

e. Salary of Instructional Faculty

The amount of contractual salary to be offered each Instructional faculty appointee for each academic year is determined annually by the Provost on the recommendation of the appropriate academic dean.

Such amount is to be consistent with relevant considerations of rank, seniority, educational achievements, market forces and quality of service. (Regarding quality of service, the dean's recommendation is guided by the results of applicable recent evaluations.) All final determinations of contractual salary are subject to negotiation between the individual employee and the Provost (representing the University).

f. Student Rating of Instruction

1) Student Rating of Instruction serves two distinct functions: providing data to help evaluate teaching effectiveness and providing guidance for improving instruction. The former function is served by the IDEA Student Ratings of Instruction survey, which is administered University-wide in each class section as directed by the Provost. Note that, the IDEA is not the sole instrument for evaluating faculty teaching effectiveness.

2) IDEA Student Rating of Instruction are carried out by each department at a time specified by the Provost, after mid-terms and before the last two weeks of each semester. Other evaluations of teaching will be carried out by the departments at a time specified by the Provost. IDEA Student Comments are copied and returned to the instructor with the IDEA reports.

3) IDEA Survey Review Procedures

Step 1: A faculty member who wishes to challenge the accuracy of any part of a IDEA report shall file a written request for review with the Chair of the Faculty Review Committee. Any such request should state with reasonable specificity the nature of the alleged discrepancy. All such requests must be received by the committee chair within thirty days of the first day of classes of the next regular semester. No action need be taken on requests filed after that date.

Step 2: The Chair of the Faculty Review Committee shall within seven days of the deadline prescribed in item Step 1 above:

a) notify the appropriate department chair, the appropriate academic dean, and the Provost that the challenged IDEA survey results should not be used as a basis for any action or decision concerning that faculty member's welfare until notification has been received regarding the disposition of the challenge; and

b) appoint three (3) members of the committee to serve as a review team for the particular request. The members of the review team appointed by the Chair shall be selected from departments other than the department of the requester; and

c) acknowledge in writing to the faculty member concerned of the receipt of the request; and advise the faculty member of the membership of the review committee. Notice sent by campus mail to the requester shall be sufficient for this purpose.

In no event shall the requester have access to any original data nor serve on the committee appointed to review the request.

Step 3: The review team shall schedule a meeting date with the requester to review any alleged discrepancies within fourteen (14) days of its appointment. At least ten (10) days advance notice shall be given the requester of the meeting date. Notice sent to the requester by campus mail shall be sufficient for this purpose. At the meeting so scheduled, the review team shall be available to answer any questions regarding the formulation of the report.

Step 4: It will then be the responsibility of the review team to investigate the accuracy of the IDEA report. Should any discrepancy be discovered it shall be the responsibility of the review team to determine the effect, if any, that said discrepancy has or might have upon the requester's report.

Step 5: It shall be the responsibility of the review team to prepare and submit to the Chair of the Faculty Review Committee, within fourteen (14) days of the review meeting, a statement of the finding and any recommended action to be taken. A copy of this report shall be sent simultaneously to the requester. If the opinion of the review team states that a discrepancy does exist, the team's findings shall include therein a statement regarding the effect that said discrepancy has or might have upon the particular evaluation together with the recommended action to be taken.

Step 6: The Faculty Review Committee shall, by majority vote, either accept or reject the team's findings no sooner than seven (7) days and no later than fourteen (14) days after its submission to the Chair. A copy of the committee's decision shall be sent to the requester, the appropriate department chair and dean, and the Provost. Should the committee conclude that a discrepancy does exist, it shall specify in its decision the means by which to correct said discrepancy.

Step 7: Should the requester be dissatisfied with the decision of the Faculty Review Committee, the faculty member may file a written appeal, to the Provost. Should an appeal reach this stage, it will be with the understanding that in no event shall the requester have access to any original data. The Provost will act on any such appeal within thirty (30) days of its receipt.

Step 8: Should the FRC, its Chair, and/or Review Team fail to meet the responsibilities detailed above, the Provost shall, by such means as the Provost deems most appropriate to the circumstances, decide and rule upon all aspects of the challenge in question - such decision to be rendered within ninety (90) days of the date on which the Provost determines in writing that the responsibility has not been met.

- 4) Several kinds of data having potential relevance to an appeals process shall be kept for varying periods of time in the custody of certain offices at the University. These data, their respective custodians, and the length of time they will be retained are described below:

ITEM	CUSTODIAN	DURATION OF RETENTION
Response sheets completed by students	Provost Office	Until the last day of final examinations of the following semester
IDEA Student Ratings of Instruction report and original handwritten comments of participating students	Provost Office	Five years

Step 1. Written Challenge Initiated by Faculty Member.*

Step 2. The Chair of FRC appoints review team with seven days. Requester notified by the Chair of FRC of membership of Review Team.*

Step 3. Review Team schedules meeting with requester within fourteen days, with ten days notice of meeting.*

Step 4. Review Team investigates accuracy of report.

Step 5. Review Team reports to the Chair of FRC within fourteen days.*

Step 6. FRC votes by majority on acceptance or rejection of Review Team's Report no sooner than seven days and no later than fourteen days of its submission to the Chair.*

Step 7. Written Appeal to the Provost is initiated by requester.

*Dated copy sent at same time to (1) Chair of the Faculty Review Committee and (2) Provost.

9. Termination of Appointments

a. Tenured Faculty Appointments

The employment of a faculty member with a tenured appointment may be terminated at any time as a consequence of:

- 1) retirement;
- 2) resignation;
- 3) failure of the faculty member to execute and return a new employment contract within the time period specified by the University, such failure to be deemed a voluntary resignation;
- 4) physical or mental incapacity;
- 5) financial exigency as declared by the Board of Visitors;
- 6) noncontinuance of positions compensated by wages;
- 7) elimination or reduction of a program, department, or college/school;
- 8) declaration of an emergency, as made by specified Board resolution;
- 9) dismissal for one or more of the following causes:
 - a) incompetence in one or more areas of assigned responsibilities;
 - b) continuing neglect of duty in one or more areas of assigned job responsibilities;
 - c) academic misconduct in one or more areas of teaching, research, public service, or administration;
 - d) physical or mental incapacity in one or more areas of assigned job responsibilities;
 - e) fraud or falsification of official documents, credentials, or experience;
 - f) violation of Board policies;
 - g) violation of the terms of the employment contract;
 - h) violation of the rights and freedom of students, Board members, or employees of the University; and
 - i) conviction of a felony after initial employment.

b. Non-Tenured Faculty Appointments

1) General

There are seven (7) types of Instructional faculty appointments other than tenured appointments:

- a) part-time Appointments;
- b) temporary Appointments;
- c) restricted Appointments;
- d) probationary Appointments;
- e) terminal Appointments;
- f) adjunct Appointments; and
- g) sponsored research Appointments.

Each of these Instructional faculty appointments is for the term specified in the employment contract and terminates automatically at its expiration date, subject to the right of tenured faculty members only to be offered new employment contracts for the succeeding academic year and the right of faculty members holding probationary appointment to receive reasonable notice in the event they are not to be offered new employment contracts. The University is not obligated to show cause when a nontenured faculty member is not offered a new employment contract.

2) Probationary Appointments - Reasonable Notice

Although a new appointment may be made for probationary faculty members in writing at the University's discretion, the University is not obliged to show cause or state reasons when no new

appointment is made. Probationary faculty members who are not to be offered a new employment contract are notified according to the following schedule:

- a) Not later than the ninth (9th) Friday of spring term classes of the first academic year of service as a probationary faculty member at the University, when appointment will not be offered for the following academic year.
- b) Not later than the first (1st) Friday of spring term classes of the second consecutive academic year of service as a probationary faculty member at the University, when appointment will not be offered for the following academic year.
- c) After two or more consecutive years of service as a probationary faculty member at the University, not later than the July 1 immediately preceding the academic year which is to be the final year of service.

3) Termination within a term of employment

Employment of a faculty member with a nontenured faculty appointment may be terminated at any time as a consequence of the circumstances under which a tenured faculty member may be terminated at any time (see index: termination of non-tenured appointments).

c. Procedures for Termination Due to Financial Exigency and Elimination or Reduction of a Program, Department, or College/School

For faculty members with tenured faculty appointments and for faculty members with other than faculty tenured appointments within the term of their contract, terminations may be made as a result of financial exigency or elimination or reduction of a program, department, or college/school. For such terminations the following procedures are to be followed whenever reasonably possible and with reasonable timetables established for steps (1) through (7) as determined by the Provost. In the event a step is not completed on schedule, that step is omitted and the next step is begun.

- 1) The Faculty Hearing Committee (FHC) is notified by the President or the President's designee that one or more terminations are being considered in accordance with the provisions of this subsection.
- 2) Within two calendar weeks of the date of the Presidential notification, the Provost presents to and discusses with the FHC all information pertinent to the possible termination(s).
- 3) The FHC considers the information, formulates written recommendations concerning the proposed termination(s), and forwards its recommendations to the Provost within four calendar weeks of the Presidential notification. In formulating its recommendations, the FHC may request additional relevant information and call upon other members of the University for advice.
- 4) If, after reviewing the FHC's recommendation, the Provost decides to continue the termination process, then the Provost notifies, in writing, within seven calendar weeks of the Presidential notification, those individuals immediately affected, specifying the reason(s) for the termination. A copy of the FHC's written recommendations accompanies this notification. Should the Provost decide not to continue the termination process, those individuals who would have been affected are notified and the process terminates at this point.
- 5) Following receipt of the Provost's recommendation, the President decides whether the termination(s) being considered will be carried out. If the President's decision is not to recommend termination to the Board of Visitors, the termination procedure ends. If the decision is to proceed with the termination(s), the President prepares a resolution of termination for presentation to the Board of Visitors. Termination results from passage of the resolution by the Board and becomes operative on the date specified in the resolution. Notification by certified mail is made by the President or the President's designee to the last known address of the terminated faculty member.

6) The Board of Visitors, at its discretion, may hold a hearing upon the written request of the affected faculty member(s). A request for a hearing must be filed within ten (10) calendar days of the certified mailing date of the President's notification of intent to present a resolution of termination to the Board. Absent such written request, all hearing rights are waived.

7) The University's grievance procedures do not apply to decisions concerning or resulting in termination under this section.

8) Order of Consideration of Positions

a) The order in which positions are normally considered for termination is:

- (1) part-time appointments;
- (2) temporary appointments;
- (3) restricted appointments;
- (4) terminal appointments;
- (5) probationary appointments; and
- (6) tenured appointments.

However, in all cases, the order of termination must be consistent with the academic needs of the department(s) in which reduction is made as determined by the Provost, with the approval of the President.

b) If a decision involves more faculty members holding like appointment that are to be considered for termination, discrimination among such members is based upon the results of the evaluations of these members for the past six years and other relevant documented evidence.

d. Procedures for Termination Due to Physical or Mental Incapacity

Termination for physical incapacity under section XII.9.a.4) or section XII.9.a.9)d) is based upon evidence that the faculty member will be unable to meet the faculty member's responsibilities for a period exceeding that covered by existing university regulations on leaves of absence for illness or other disability. Appropriate evidence of physical or mental incapacity is required. In considering termination of a faculty member under this subsection, the University will comply with applicable law(s) protecting the employment interests of handicapped individuals. If medical evidence establishes that the incapacity is likely to be temporary in nature, the University, as an alternative to termination, may, at its discretion, extend the leave period, with or without pay, for a reasonable period of time beyond its normal expiration. If the University initiates termination proceedings for physical or mental incapacity, the faculty member has access to the procedures for dismissal due to termination for cause set forth herein.

e. Procedures for Termination Due to Dismissal for Cause

1) Preliminary Proceedings

When reason arises to question the fitness of a tenured faculty member or one whose nontenured appointment has not expired, the Provost of the university, in consultation with the faculty member's Dean, decides whether formal dismissal proceedings shall be initiated or whether some lesser sanction shall be imposed. If the Provost concludes that formal dismissal proceedings are appropriate, the Provost shall prepare and communicate to the faculty member a statement of charges, with reasonable particulars. This communication shall also advise the faculty member that, if the faculty member so requests, a hearing shall be conducted by a faculty committee. If within seven (7) calendar days of receipt of the statement of charges, the faculty member does not so request in writing to the Provost or the Provost's designee, the hearing is waived.

If the faculty member does wish a hearing, the faculty member's written response to the Provost's notification should include an answer to the charges upon which the hearing will proceed. The hearing shall be conducted in accordance with the procedure outlined in Sec. XII. 9.e.2.b-f. If the faculty member waives a hearing, the Provost shall forward a recommendation to the President that the faculty

member be dismissed. The faculty member may submit objections to this recommendation within five (5) calendar days. The President shall decide whether dismissal is appropriate in accordance with the Sec. XII. 9.e.2.f.

(Note: In this and all other steps in the formal dismissal procedure, if the day on which an act is to be done falls on a Saturday, Sunday, or University holiday, the next regular business day becomes the operative date.)

2) Formal Dismissal Procedures and Information

a) Faculty Dismissal Hearing Panel (DHP)

The Faculty Dismissal Hearing Panel (DHP) hears dismissal cases and advises the President on dismissals. The DHP consists of five (5) members of the Faculty Hearing Committee not previously concerned with the case who are selected by lot by the FHC Chair. The Provost and the faculty member are each allowed one peremptory challenge to the resulting membership on the DHP, and each is allowed one additional challenge for cause. Rulings on challenges for cause are made by the unchallenged members of the DHP, a majority being required to sustain a challenge for cause. Replacement of any member of the DHP excluded from service is by lot from among the remaining members of the FHC. If this process does not yield five (5) members eligible to serve on the DHP, the remaining places on the panel shall be filled by tenured faculty members not previously concerned with the case selected randomly from the roster of full-time Instructional faculty. Once empaneled, the DHP elects one of its members as chair.

b) Notice of Hearing

If the faculty member has made a timely request for a hearing, the DHP, within three (3) working days of being empaneled, establishes a time, date, and place for the hearing and so notifies the faculty member, the President, and the Provost at least ten (10) calendar days before the hearing date.

c) Pre-Hearing Conferences

The DHP chair may initiate pre-hearing conferences with the DHP, the Provost, and the faculty member for the purpose(s) of:

- (1) establishing relevant facts which are not in dispute;
- (2) exchanging and providing to the DHP copies of documentary or other evidence;
- (3) clarifying the grounds upon which dismissal is being sought and the responsive answer of the faculty member;
- (4) achieving such other objectives as will make the hearing fair, effective, and expeditious.

d) Hearing

(1) The formal hearing shall commence within twenty (20) calendar days from the date the DHP is empaneled. However, this period may be extended for a reasonable additional time at the discretion of the President if, in the President's judgment, commencing the hearing within this period would create undue hardship for a party to the proceeding or a member of the DHP or unreasonably interfere with the ordinary operation of the University.

(2) The faculty member has the right to be present at the hearing to present arguments and evidence against the charges and/or may submit written documentation in the faculty member's defense. During the hearing procedures, the faculty member and the Provost will be permitted to have an academic adviser and/or counsel present.

(3) At the request of either party, one representative of each of one or more educational/professional associations may attend the proceedings as observers.

- (4) A record of the hearing will be made and a copy made available to the faculty member at no charge.
 - (5) The recommendation of the DHP will be limited to addressing the charges which have been brought against the faculty member and will be based upon evidence presented.
 - (6) The faculty member and the Provost (including their counsels and advisers) have the right to confront and cross-examine all witnesses present. If a witness cannot or will not appear, the DHP may consider a written, notarized statement for whatever probative value it might have in the absence of an opportunity for cross-examination. The DHP Chair will assure in general that witnesses are treated with an order of respect appropriate to an academic hearing and will assure, in particular, that witnesses are not subjected to intimidation through hostile questioning or other means.
 - (7) The University administration will cooperate to the extent reasonable under the circumstances with the available documentary and other evidence. Although all witnesses and evidence should be available at the time set for the hearing, in extraordinary circumstances, the Chair of the DHP may grant brief and reasonable adjournments, not to exceed two (2) working days, to prevent substantial prejudice to either party.
 - (8) In a hearing on charges of incompetence, the testimony may include that of qualified faculty members from this or other institutions of higher learning.
 - (9) The DHP is not bound by strict legal rules of evidence, discovery, or procedure and may consider any evidence, which is of probative value in formulating its recommendation concerning the dismissal. Deviation from these procedures is not grounds for reconsideration or reversal of the DHP's recommendation so long as the faculty member has received a fundamentally fair hearing and neither the faculty member nor the University has been unduly prejudiced as a result of technical error in the proceedings.
 - (10) The Chair of the DHP rules on all questions of procedure and is responsible for conducting the hearing as expeditiously as possible without undue prejudice to the parties.
 - (11) When the DHP has heard the testimony and received the evidence on the dismissal charges, the hearing terminates. Deliberations of the DHP after the close of the hearing are in private conference.
- e) Recommendation of the DHP
- (1) The DHP submits its judgment on each specific charge and its recommendation of dismissal or no dismissal to the President within thirty (30) days of being empaneled, unless the President, at the President's discretion, extends the time period for good cause. For the recommendation of the DHP to be considered by the President, it must be submitted within the authorized time. The DHP is dissolved at the end of the time or at the end of submission of its recommendation, whichever comes first. The hearing record and all evidence are forwarded to the President.
 - (2) The recommendation of the DHP must be supported by a majority of its members. Any member of the DHP who disagrees with the majority recommendation may prepare a minority report, which will be attached to the DHP recommendation submitted to the President.
 - (3) The President sends a copy of the DHP's recommendation and minority report, if any, to the faculty member and to the Provost. Any claim that the DHP recommendation or any previous aspect of the dismissal proceedings has been affected by prejudicial impropriety or unlawful

discrimination must be presented in writing with specificity for the President's consideration within five (5) calendar days of receipt from the President of a copy of the DHP recommendation.

f) Decision by the President

If the President decides that dismissal is appropriate, the President prepares a letter of dismissal and notifies the faculty member or the faculty member's representative of the President's decision by sending this letter by certified mail to the last known address. This letter will advise the dismissed faculty member of the faculty member's right to appeal, the dismissal by requesting of the President, in writing within thirty (30) days of the date of posting of the President's letter of dismissal, a hearing by the Board of Visitors. If no timely request for a Board hearing is made, the hearing right is waived.

g) Appeal to the Board of Visitors

In the event that a timely request for a Board hearing is made, the President shall so notify the Rector of the Board; and the Rector will establish the time, date, and place for the hearing and will notify the appropriate parties accordingly. The Board may proceed in whatever manner it deems appropriate to provide the dismissed faculty member a reasonable review of the dismissal action.

h) Status of the Faculty Member During Dismissal Proceedings

During dismissal proceedings a faculty member may be suspended or assigned other duties in lieu of suspension at the discretion of the President. Such suspension or reassignment may occur at any time after reason has arisen to question the fitness of the faculty member. If, in the opinion of the President, the presence of a suspended faculty member on campus would present a threat to property or persons or disrupt any of the University's operations, the President may bar the faculty member from all or part of the University buildings and grounds. Any person so barred may request permission to return to campus to retrieve personal property while accompanied by a University official designated by the President. Salary continues during the period of suspension; however, no salary will be paid for periods of time during which a suspended faculty member is employed elsewhere or is self-employed in a substantially full-time capacity.

i) Confidentiality

Dismissal proceedings are considered confidential, and publicity or public statements are avoided unless authorized by the Dismissal Hearing Panel in order to gather information before or during its hearing.

J) Discontinuance of Compensation

The compensation of any faculty member, tenured or non-tenured, who is dismissed under this section will be discontinued as of the date of posting of the President's letter of dismissal. If the faculty member timely requests a Board hearing, and as a result of such hearing the dismissal decision is reversed, the faculty member will be compensated for the time period between posting of the President's letter of dismissal and any subsequent reversal of the dismissal decision.

k) Suspension of Notice of Termination/Employment Schedules

The schedules for notice of termination or intent to offer new employment contracts are not applicable to the affected faculty member during dismissal proceedings.

If, during the course of dismissal proceedings, an operative notification date passes without the University's offering an employment contract or giving notice that no employment contract will be offered for the following academic year, the affected faculty member does not thereby automatically become entitled to be offered further employment or compensation.

If the proceedings result in a decision not to dismiss, the faculty member will be entitled to whatever employment considerations the faculty member would have received in the absence of the dismissal proceedings.

l) Caveat to Nontenured Faculty Members

The procedural due process described in this section applies only to tenured faculty members and to non-tenured faculty members whose dismissal is sought for stated cause during the term of a non-tenured appointment. The existence of these procedures should not be construed by nontenured faculty members as limitation on the University's right to decline, without stating reasons, to offer new employment beyond the expiration of the nontenured appointment.

- m) The grievance procedures provided below are neither applicable to the dismissal process nor available to faculty who have been dismissed.

10. Faculty Grievance Procedures

A grievance is an allegation by a faculty member that the faculty member has suffered direct material or professional injury as a result of a decision or action by an administrative officer of the University or a colleague that either misinterprets or misapplies existing policy, regulation, or law. The redress sought must be of a nature the University has the authority to provide. The grievance process is not intended to provide a means for challenging the merits of a lawfully promulgated policy or regulation or for reviewing the merits of a decision or action without substantial evidence that applicable policy, regulation, or law has been violated to the detriment of the grievant. For a grievance to be properly considered, therefore, the grievant must clearly identify 1) the decision or action in question; 2) the policy, regulation, or law allegedly misinterpreted or misapplied; 3) the facts supporting the allegation; and 4) the redress sought.

Termination of appointments and questions concerning salary, wages or other compensation are not grievable matters under this section (Faculty Grievances Procedures).

a. Informal Grievance Procedures

The grievant presents to the person who made the decision or took the action in question a written request for reconsideration in light of the criteria for a proper grievance as set forth above. This request must be made within fifteen (15) calendar days of notification of the decision or action.

b. Formal Grievance Procedures

- 1) If the grievance has not been resolved through the informal procedures to the satisfaction of the grievant, the grievant may petition the Faculty Grievance Committee for consideration of the grievance. If a petition is not filed with the Faculty Grievance Committee (FGC) within fifteen (15) calendar days after notification of failure of the grievance to be resolved informally, the grievance is terminated without recourse. The petition is directed to the Chair of the FGC and must clearly identify, in writing: 1) the decision or action in question and the person against whom the grievance is being filed; 2) the policy, regulation, or law allegedly misinterpreted or misapplied; 3) the facts supporting the allegation; and 4) the redress sought.

- 2) The Chair of the FGC acknowledges in writing to the grievant and the person against whom the grievance has been filed receipt of the petition within three (3) working days of receipt.

- 3) The Chair of the FGC may then call upon other members of the FGC or the University community to assure that the petition has been timely filed and contains grievable matters and that the Informal Grievance Procedures have been completed.

Only if these requirements are met is a grievance properly before the FGC. The Chair of the FGC notifies the petitioner of the acceptance or rejection of the petition; this determination should normally

- 1 be determined within one week. If the grievance petition is rejected, the reason for rejection is stated
2 in the notification, which is also reported to the Committee members at that time.
3
- 4 4) If the grievance is properly before the FGC and remains unresolved, the Chair selects, by lot from
5 among the membership of the FGC, a Faculty Grievance Panel (FGP) consisting of three members. If
6 any member of the FGP is a member of the department of the faculty member filing the grievance or if
7 the FGP member feels that he or she has a conflict of interest, that member must state that and be
8 removed from the panel and another committee member will be chosen by lot. The party defending
9 against the grievance and the grievant are, in turn, allowed one (1) peremptory challenge to the
10 membership of the panel, and each party is allowed one (1) additional challenge for cause. Challenges
11 for cause are decided by the unchallenged members of the FGC, and replacement of any member
12 excluded from the panel is by lot from among the remaining members of the FGC. The FGP elects one
13 of its empaneled members to chair the panel.
14
- 15 5) The Chair of the FGP arranges with the concerned parties the time(s), date(s), and place(s) of
16 meetings(s) to consider the matters alleged in the grievance. The panel seeks initially, through
17 informal discussions, to assist the parties in reaching a resolution. If, however, resolution cannot be
18 reached through informal discussions, the panel may examine written statements and documents
19 submitted by both parties and interview individuals that may possess information relevant to the
20 grievance. If at any time during its consideration of the grievance a majority of the panel concludes
21 that the petition does not meet the requirement for proper consideration by the FGC, the panel may
22 recommend to the full FGC and its Chair that acceptance be revoked. Alternatively, the FGP may state
23 such conclusion in its final report.
24
- 25 6) The FGP shall complete its operations within thirty (30) calendar days of the date the grievance
26 petition was filed with the FGC unless the time period is extended under the provisions of subsection
27 7) below. Within this time period, the FGP submits its signed report and recommendations to the
28 grievant and the party against whom the grievance is directed. The FGP report is also transmitted to
29 the administrative officer immediately above that against whom the grievance was directed or, in the
30 case of a grievance against the President, to the Board of Visitors. The officer receiving the
31 recommendation (or the Board, as appropriate) takes final action and notifies all concerned of that
32 action. Failure by the FGP to transmit its report within the 30-day limit (or extended time period if
33 applicable) dissolves the FGP and refers the case to the President for disposition.
34
- 35 7) The time periods set forth in the informal and formal grievance procedures may be extended at the
36 discretion of the President in extraordinary circumstances where adequate consideration of the
37 grievance would be impaired if limited to the time periods established in this section.
38
- 39 8) Independent of these grievance procedures, the Board of Visitors may hear appeals, of full-time
40 faculty on decisions of the President on matters of initial employment, promotions, tenure, or
41 terminations other than dismissal at its discretion. In order to request a discretionary Board hearing, a
42 written petition containing the particulars of the grievance and the grounds for seeking reversal of the
43 President's decision must be delivered to the President not later than five (5) working days from the
44 date of notification of the President's decision. The President will promptly transmit the petition to the
45 Board.
46
- 47 9) The grievance procedures described in this section are available to a faculty member with regard to a
48 particular decision, action, or recommendation only once. Once the opportunity for recourse through
49 these procedures has passed, or once the processes of this section have been initiated, they cannot be
50 initiated again relative to the same decision, action, or recommendation. Further decisions, actions, or
51 recommendations taken under the provisions of this section are not themselves grievable in any
52 fashion.
53

11. Emeritus Status

Upon retirement, a faculty member who has served with distinction and with at least ten (10) years of service at Christopher Newport University (or seven years at Christopher Newport University if the faculty member has at least 20 years of teaching/research service to academe or professional service and has attained the academic rank of professor) may be awarded the rank of Professor Emeritus upon nomination and supporting statement of the faculty member's department and dean, the recommendation of the Faculty Senate, the recommendation of the Provost and the President, and the approval of the Board of Visitors. Emeritus faculty enjoy many of the rights and privileges of full-time, salaried Instructional faculty. Emeritus faculty will be issued a special *emeritus* sticker for their CNU identification card that will enable them to access certain services available to full-time salaried faculty. These include faculty library privileges, access to the Freeman Center and Triesmann Fitness Center, a cost-free CNU email account, a one-course-per-semester tuition waiver, and standard faculty discounts at the bookstore, Ferguson Center for the Arts, and athletic events, and a cost-free parking decal for on-campus parking.

12. Personnel File

Every faculty member has the right to access and review his or her permanent personnel file during normal business hours. If any document is placed in this file that has the potential to do harm to the faculty member's personal or professional reputation, including but not limited to letters of complaint, reprimand or admonition, the faculty member will be notified in writing. The faculty member has the right to respond in writing and have the response placed in the personnel file. Unsubstantiated complaints or accusations will be removed.

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SECTION XIII

Library Information

Information on the CNU Library may be obtained through the University Librarian or the CNU website.

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SECTION XIV

Personnel Information

1. Introduction

- a. Changes in general personnel policies and practices are authorized by the President after adequate consultation with the Provost or the appropriate vice president(s) and constituencies of the University, and are communicated to all affected parties at the earliest reasonable time.
- b. The basic policies for administration of university personnel matters are established by state law and regulation.

2. Equal Employment Opportunity Policy

- a. The University, an equal opportunity employer, is committed to access and opportunity for all persons without regard to race, gender, color, age, religion, veteran status, national origin, disability, sexual orientation or political affiliation. As such, the University complies with all applicable constitutional provisions, laws, and executive orders.
- b. Further, it is the policy of the University that the basic criteria for employment and advancement conform to the qualification standards and to the actual job requirements. When qualifications are substantially equal, preference for promotion will be given to those best qualified applicants already employed by the University, who have demonstrated the requisite potential and have rendered outstanding performance in their present positions.
- c. Employees are invited to apply for vacant positions within the University. Notices of job openings are published by the Human Resources Office.

3. Substance Abuse Policy for Employees

Christopher Newport University is committed to protecting the health, safety, and welfare of the citizens it serves by assuring that a drug-free workplace is maintained and that employees perform their duties unimpaired by the effects of drugs or alcohol. In compliance with this commitment and federal law, Christopher Newport University established a Substance Abuse Policy for Employees.

The unlawful manufacture, possession, use or distribution of illicit drugs and controlled substances and the unlawful possession, use, or distribution of alcohol on Christopher Newport University property is prohibited. Violations of the policy will be handled according to existing personnel policies and procedures governing the conduct of administrators, faculty and staff. Please contact the Office of Human Resources for additional information.

4. Freedom of Information/Privacy Act

The University complies with the Virginia Freedom of Information Act and the federal Family Educational Rights and Privacy Act. Because these laws and their implementing regulations are ambiguous and constantly changing, it is difficult to definitely state what is and is not covered. Nevertheless, members of the University community are advised that as a general matter, it is illegal to disclose information concerning a student's academic performance to anyone other than the student including the student's parents. Similarly, it is illegal to disclose the specific details of an employee's personnel file. Of course, this specific information is available to the student concerned and to the individual employee. However, the University community should also know that certain general information must be disclosed. Any questions or concerns about these laws should be directed to the General Counsel. Faculty members should not release any information about students to persons other than the student without first consulting with the General Counsel.

5. Conflict of Interest (Nepotism)

Christopher Newport University adheres to the State and Local Government Conflict of Interest Act. Questions concerning this policy should be directed to the **Vice President for Human Resources**.

6. University Name, Official Seal, and Tax Payer Identification Number

The name, address, phone number, and official seal of the University may be used only when conducting authorized University business. Under no circumstances may individuals represent to others that they are acting on behalf of the University when conducting personal business. In addition, official University accounts are authorized by the President or the President's Designee and are the only accounts that may use the aforementioned information and the University's taxpayer identification number. Questions concerning this policy should be directed to the **Executive Vice President**.

7. Telephone Usage

University telephones are intended for the business needs of the University. Personal use of University telephones is to be kept to a minimum. Personal long distance calls and use of the SCATS lines are prohibited. When answering and/or conversing on a University phone, employees are expected to use a telephone manner that reflects the dignity of the University.

8. University Equipment and Facilities

Unauthorized personal use conflicts with state policy of any University equipment or facilities is prohibited. University communication and computing resources are intended to support the educational, research, and public service missions of the University. The acceptable use of these resources must be in accord with the policies and regulations established by the Information Technology Services and the University Library, and relevant local, state, federal, and international laws and regulations.

9. Gifts, Gratuities or Rewards

State employees are in a position of public trust and cannot accept gifts, gratuities, favors or rewards for any service performed in connection with State employment. In addition, it is unlawful to solicit, offer or accept money or anything of value in exchange for appointment, promotion, or special privilege with the State agency in which employed or with any other State agency. Questions concerning this policy should be directed to the **Vice President for Human Resources**.

10. Fringe Benefits

The Commonwealth of Virginia provides a number of statewide fringe benefits for full-time employees. Although listed here, state benefits are subject to change by the Commonwealth without University consultation or approval. Additionally, the University provides several local benefits for full-time employees. HR provides detailed benefits information at the time of hire. A yearly Benefits Fair, printed information and individual consultations are available anytime thereafter. This section is not meant to provide details for understanding or using programs, but is only designed to enhance awareness of program availability. Additional details may be obtained from the Office of Human Resources (HR) by visiting or calling 594-7145.

a. State Sponsored or Arranged Benefits

1) Retirement

As a condition of employment, faculty members are provided a choice of the Virginia Retirement System (VRS) or Optional Retirement Plans (ORP's).

2) Group Life Insurance

As a condition of employment, group life insurance is provided at no cost to the employee.

3) Health Insurance

A variety of health care plans are provided. The type of coverage determines costs.

- 1 4) Flexible Benefits Program
2 This program allows employees the opportunity to save tax dollars by contributing to medical and/or
3 dependent care reimbursement accounts.
4
- 5 5) Tax Sheltered Annuities
6 Several tax-sheltered annuities are available, as CNU is a qualified employer under Section 403 (b) of
7 the Internal Revenue Service code.
8
- 9 6) Deferred Compensation Plan
10 This option provides an opportunity for a supplemental retirement plan under Section 457 of the
11 Internal Revenue Service Code.
12
- 13 7) Workers' Compensation and Injury on the Job
14 An employee injured on the job is eligible to apply for benefits under the Virginia Worker's
15 Compensation Act. The injured employee must first notify their supervisor and then the Office of
16 Human Resources within 48 hours. *Failure to notify the appropriate authorities may jeopardize the*
17 *claim.* For additional requirements, please call the Office of Human Resources at 757-594-7145.
18
- 19 8) Unemployment Compensation
20 University employees, except students, who leave the employ of the University, are eligible to apply
21 for unemployment compensation from the Virginia Employment Commission (VEC). The VEC
22 makes eligibility determinations.
23
- 24 9) Cash Match Program
25 Consistent with Commonwealth guidelines, eligible University employees may enroll in this program
26 that provides money to match approved employee retirement savings plans.
27
- 28 10) U.S. Savings Bonds
29 EE and I bonds are available.
30
- 31 11) Liability Insurance
32 The Office of Risk Management of the Commonwealth of Virginia maintains liability insurance for
33 full-time salaried employees of CNU. Individuals may wish to obtain supplemental insurance
34 coverage through private carriers.
35
- 36 b. Local CNU Provided or Arranged Benefits
37 1) Long Term Disability
38 This voluntary, employee paid program is designed to provide income protection when one cannot
39 work due to disability.
40
- 41 2) Bookstore Discounts
42 The University Bookstore offers a 10% discount at time of purchase to full-time and hourly employees
43 of the University.
44
- 45 3) Credit Union Membership
46 Employees may elect to join the Virginia Educator's Credit Union and/or the Virginia Credit Union.
47 Credit union membership policies apply.
48
- 49 4) Tuition Waiver Policy
50 All full-time classified, instructional and administrative and professional faculty may receive a tuition
51 waiver for (1) course, four (4) credit hours or less, during each regular semester.
52

5) Prepaid Legal Services

This voluntary, employee paid program is designed to offer assistance in provided legal services. Call the Office of Human Resources for additional information concerning eligibility, services and cost.

6) Counseling and Referral

The **Office Counseling Services** and Office of Human Resources provide support guidelines and counseling to employees and referral to resources off campus as needed.

11. Outside Employment

a. The primary obligation of full-time employees is to fulfill the duties of their positions with the University. Limited extra employment, including consulting, may be undertaken so long as it does not conflict with the individual's responsibility to the University, affect the employees performance of University duties, reflect adversely on the University, or create a conflict of interest. Individuals must inform their supervisor in writing if so employed. Because of the community relations benefits, consulting services by Faculty and staff members are encouraged so long as the foregoing limitations are observed.

b. Because of their special expertise, salaried Faculty members (both instructional and administrative) are likely to be sought after for outside employment. To avoid demands on Faculty members which might interfere with the performance of the University duties, prior approval for outside employment must be obtained from the Provost. Such approval, once given, expires automatically at the end of each contract period.

12. Political Activity

State employees, within limitations, may take part in the political activities conducted on their own time. Employees who wish to use annual leave to participate in political activities must obtain prior approval from their supervisors for time off. Contingent upon workloads and schedules, time off should be permitted except in cases of a work emergency where schedules cannot be adjusted.

a. The Federal Hatch Act places restrictions on employees whose salary is federally funded in part or in whole. CNU employees are encouraged to read this Act carefully and seek competent counsel for the interpretations and applicability of this or any other federal requirements.

b. Concerning state law and regulations, employees are advised to seek competent counsel for interpretations and applicability of various Virginia codes and regulations.

13. Attire

Personal attire should be appropriate for the activity of the department, office or activity in which the individual is engaged.

14. Training

It is the policy of Christopher Newport University to provide training for its personnel which will benefit both the employee and the agency. The training program will be created, facilitated and managed through the Office of Human Resources. Employees will provide input as to training and development needs.

15. Resignation

If it becomes necessary for an employee to leave employment of the University, at least two weeks notice is expected. This notice should include the reason for leaving. The employee must contact the Office of Human Resources to resolve matters relating to benefits and other related issues.

16. Exit Interview

Terminating employees will be furnished information relative to their employment concerning payment for accrued leave, withdrawal of contributions for retirement, conversions of their group life insurance, and other benefits to which they may be entitled.

17. Educational Qualifications

Christopher Newport University reserves exclusively to itself the right to establish criteria for minimum educational qualifications for any individual position of employment at the University or for categories of such positions. In so doing, the University reserves to itself the sole discretionary authority to determine (by awarding institution, by name of degree, by the nature of the academic program that led to the degree, or by any other criterion or criteria it deems appropriate) those earned degrees or other indicators of educational achievement that are acceptable in meeting these qualifications. When the University establishes new criteria for minimum educational qualifications for any position or category of positions, it reserves to itself the sole discretionary authority to determine the future employment status, if any, of the incumbent or incumbents in such position or category of positions.

18. Workplace Violence Policy

Christopher Newport University does not tolerate acts of workplace violence/hostility committed by or against employees. The University strictly prohibits employees from making threats or engaging in violent or hostile acts. This is a zero-tolerance policy, meaning that the University disciplines or terminates every employee found to have violated this policy. Additional details or questions about this policy may be obtained from the Office of Human Resources or University Police.

19. Code of Business Conduct and Ethics

The Code of Business Conduct and Ethics establishes guidelines for professional conduct by those acting on behalf of the University including executive officers, faculty, staff, and other individuals employed by the University, using University resources or facilities, and volunteers and representatives acting as agents of the University. Integrity, credibility, ethical leadership and management of the highest order are the principles Christopher Newport University has achieved and strives to maintain among all its employees and representatives. The University assumes personal responsibility and accountability in complying with all relevant laws and regulations that govern its business activities, standards of fairness, honesty and respect for the rights of others. The policy may be found on the Business Office website and questions about this policy should be directed to the Business Office.

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SECTION XV

Schedule of Classes

The Schedule of Classes may be obtained through the Office of the Registrar or the CNU website.

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SECTION XVI

Student Handbook

The *Student Handbook* may be obtained through the Division of Student Services or the CNU website.

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SECTION XVII

University Administration

The University's Administrative Organizational Chart

See last page of this section.

Description of Administrative Positions

1. Executive Office of the President

a. President

The President of the University is the chief executive and academic officer of the University, appointed by the Board of Visitors, and serving at its pleasure. The President is responsible for the total operation of the University, with all official actions of the University under the President's authority, which authority may be specifically delegated to constituencies of the University at the President's discretion. The President is the official channel of communication between the Board and all University constituencies, and is the final institutional authority on all matters of policies and procedures, subject to Board review.

1) Executive Assistant to the President

The Executive Assistant to the President is responsible for assisting the President in carrying out the President's duties by performing such tasks as the President directs. The Executive Assistant is selected by, reports to, and serves at the pleasure of the President.

2) Special Assistant to the President

The Special Assistant to the President is responsible for special assignments and projects as directed by the President. The Special Assistant to the President is selected by, reports to, and serves at the pleasure of the President.

3) Special Assistant to the President for Policy and Strategy

The Special Assistant to the President for Policy and Strategy is responsible for reviewing, evaluating and recommending policies and strategies that directly support the priorities and initiatives of the University. The Special Assistant to the President for Policy and Strategy is selected by, reports to, and serves at the pleasure of the President.

4) Special Assistant to the President for Student Success

The Special Assistant to the President for Student Success is responsible for assessing everything that we do that touches student success, identify best practices throughout the country, and recommend near term and long term actions that will create a university culture that powerfully contributes to the retention and graduation of our students. The Special Assistant to the President for Student Success is selected by, reports to, and serves at the pleasure of the President.

5) Director of Internal Audit

The Director of Internal Audit is responsible to the Board of Visitors for ensuring that adequate internal controls are practiced in the financial and operational management of the institution and provides assistance and advice to the University President on a continuing and routine basis. The Director is selected by and reports to the Board of Visitors.

b. Chief of Staff

The Chief of Staff represents the President to external and internal constituencies, and handles routine operations of the President's Office. The Chief of Staff is responsible for and has delegated authority over

all administrative affairs of the University. The Chief of Staff acts for the President in the President's absence on non-academic issues. The Chief of Staff has signature authority for the Provost in the Provost's absence on matters where the Provost is empowered to act for the President. The Chief of Staff is selected by, reports to, and serves at the pleasure of the President.

The following individuals report to the Chief of Staff:

1) Director of Intercollegiate Athletics

The Director of Athletics is responsible for all policies and practices of the Department of Athletics, including intercollegiate sports, their support, facilities, and resources. The Director is selected by and serves at the pleasure of the President. The Director reports to the Chief of Staff.

2) Director of Planning and Budget

The Director of Planning and Budget is responsible for preparation of the preliminary and final annual operating budget of the University, the monitoring and reconciliation of the annual operating budget, and the recommendation for reallocation of resources as required. In addition, the Director of Planning and Budget is responsible for monitoring the appropriation and allotment status of all funds for the University, the development of annual revenue projections based on enrollment projections, tuition and fee rates, and the development of tuition and fee recommendations for review by executive management and approval by the Board of Visitors. The Director of Planning and Budget is selected by, reports to, and serves at the pleasure of the Chief of Staff.

3) Director of Communications and Public Relations

The Director of Communication and Public Relations directs the planning, budgeting, writing, design, production, and distribution of university publications. The Director develops and executes an annual publications plan that will create a unified image for the university and provides products and services to a variety of constituents in timely and effective manner. The Director is selected by, reports to and serves at the pleasure of the Chief of Staff.

2. Division of Academic Affairs

Provost

The Provost is responsible for and has delegated authority over all academic affairs of the University, including the academic management and organization of the institution, the development and approval of the University's curriculum, and the participation of the Faculty in matters of university governance. The Provost is Dean of the Faculty, and, as such, is the ranking member of the Faculty. The Provost is an ex officio member of all committees, which report to the Instructional Faculty. The Provost acts for the President, on academic matters, in the President's absence. The Provost has signature authority for the Chief of Staff's absence on matters where the Chief of Staff is empowered to act for the President. The Provost is selected by, reports to, and serves at the pleasure of the President.

The following individuals report to the Provost:

a. Vice Provost

The Vice Provost assists the Provost with respect to curriculum development, faculty communications, Faculty Recruitment, **faculty evaluation**, and the development of a long term Academic Plan. **The Vice Provost supervises the Office of Sponsored Programs.** In addition, the Vice Provost performs other tasks as designated by the Provost. In the absence of the Provost, the Vice Provost acts for the Provost. The Vice Provost is selected by, reports to, and serves at the pleasure of the Provost.

b. Associate Provost for Academic Services

The Associate Provost for **Academic Services** **assists the Provost in matters of student academic services, student success, and student communications and concerns.** The Associate Provost serves as Director of Graduate Studies, directs the academic and administrative affairs of the University's graduate program, and is responsible for the development of the graduate program. The Associate Provost

supervises the Office of **Academic Advising, the Office of Career Development, the Office of International Programs, the Office of Teacher Preparation**, and the Office of Graduate Studies. In addition, the Associate Provost performs other tasks as designated by the Provost. **The Associate Provost is selected by, reports to, and serves at the pleasure of the Provost.**

c. Assistant to the Provost

The Assistant to the Provost is responsible for assisting the Provost in carrying out the Provost's duties **with particular focus on budgetary and fiscal matters** by performing such tasks as the Provost directs. The Assistant is selected by, reports to, and serves at the pleasure of the Provost.

d. Dean of the College of Liberal Arts and Sciences

The Dean of the College of Liberal Arts and Sciences is responsible for the overall organization, administration, and fiscal management of the College. The Dean is responsible for the coordination of the academic programs and instructional activities of the College. In the absence of the Provost and the Vice Provost, the Dean of the College of Liberal Arts and Sciences acts for the Provost. The Dean is selected by, reports to, and serves at the pleasure of the Provost.

e. Dean of the Luter College of Business and Leadership

The Dean of **Luter College of Business and Leadership** is responsible for the overall organization, administration, and fiscal management of the **College**. The Dean is responsible for the coordination of the academic programs and instructional activities of the **College**. In the absence of the Provost, the Vice Provost, and the Dean of the College of Liberal Arts and Sciences, the Dean of the **Luter College of Business and Leadership** acts for the Provost. The Dean is selected by, reports to, and serves at the pleasure of the Provost.

f. University Librarian

The University Librarian is responsible for the development of the library collection; for all library services (including instructional media services); and for the administration, organization, and fiscal management of the library. The University Librarian is selected by, reports to, and serves at the pleasure of the Provost.

g. Director of Institutional Research

The Director of Institutional Research is responsible for providing access to reliable, useful, and quality data, conducting needed research and analysis of the characteristics and performance of the university. The Director coordinates data collections supporting internal, external, state, and federally mandated reporting as well as supporting compliance with other governing and accrediting agencies. The Director also facilitates institutional improvement and university progress by providing information to support decision-making and planning for the CNU administration. The Director is selected by, reports to, and serves at the pleasure of the Provost.

h. Director of Equal Opportunity and Faculty Recruitment

The Director of Equal Employment Opportunity and Faculty Recruiting has two responsibilities. First, the Director ensures equal opportunity for all members of the University Community employees without regard to race, color, religion, sex, age, ethnic group, national origin, disability, or political affiliation. This includes investigation of all complaints of discrimination including claims of racial or sexual harassment. Second, the Director is responsible for the administration of the Faculty Recruitment Process. The Director is selected by and serves at the pleasure of the President. On equal opportunity matters, the Director reports to the Chief of Staff. On Faculty Recruitment matters, the Director reports to the Provost.

i. Director of Assessment and Evaluation

The Director of Assessment and Evaluation is responsible for supporting data-driven decision making for quality improvement, and to enable the University the ability to ascertain the degree to which our mission and strategic plan are being accomplished. The primary assessment focus is student learning outcomes, the learning that occurs as a result of the CNU experience. The Office of

Assessment and Evaluation serves in a consulting role to faculty and administration to enhance all stages of the assessment process from writing objectives to using results. The Director is selected by, reports to and serves at the pleasure of the Provost.

3. Division of Administration and Finance

Executive Vice President

The Executive Vice President (EVP) is responsible for and has authority over the overall administrative and financial management of the institution. Reporting to the Executive Vice President are the Senior Associate Vice President for Administration and Finance, Senior Associate Vice President for Auxiliary Services, the Chief Information Officer, the University **Architect**, and the Executive Director of the Ferguson Center for the Arts. The Executive Vice President acts for the President on non-academic issues in the absence of the President and the Chief of Staff. The Executive Vice President is selected by and serves at the pleasure of the President. The Executive Vice President reports to the Chief of Staff.

The responsibilities of those individuals reporting to the Executive Vice President are as follows:

a. Senior Associate Vice President for Administration and Finance

The Senior Associate Vice President for Administration and Finance is responsible for the administration and finance areas of the University to include the Business **Office, Plant** Operations, Grounds Maintenance, and the Procurement Office. The Senior Associate Vice President for Administration and Finance is selected by, reports to, and serves at the pleasure of the **Executive Vice President**.

b. Senior Associate Vice President for Auxiliary Services

The Senior Associate Vice President for Auxiliary Services is responsible for providing coordinated fiscal and operational leadership/management to a variety of business services for the University to include Dining and Culinary Services, Housing, Parking Administration, Transportation, Campus Safety, University Bookstore, David Student Union and Freeman Center, Operations, Summer Conferencing and Scheduling. The Senior Associate Vice President for Auxiliary Services provides service, conveniences and amenities to the members of the community, University constituencies, and students in their daily life on campus. The Senior Associate Vice President for Auxiliary Services is selected by, reports to, and serves at the pleasure of the Executive Vice President.

c. Chief Information Officer

The Chief Information Officer is responsible for providing academic and administrative information technology services (including computing support) to the University's community and is responsible, in particular, for computer systems analysis and systems management. The Chief Information Officer is selected by, reports to, and serves at the pleasure of the Executive Vice President.

d. University Architect

The University Architect administers all campus construction-related projects to include both capital outlay and in-house projects, provides technical consultation working with consulting architects and engineers and assists the Executive Vice President and the Chief of Staff in the development of recommendations to the governing board and the President on long range capital development issues. The University Architect is selected by, reports to and serves at the pleasure of the Executive Vice President.

e. Executive Director of the Ferguson Center for the Arts

The Executive Director of the Ferguson Center for the Arts is responsible for the coordinated and operational leadership/management for the Center including booking performances and events. The Executive Director of the Ferguson Center for the Arts is selected by, reports to and serves at the pleasure of the Executive Vice President.

4. Division of Student Services

Vice President for Student Services

The Vice President for Student **Services** is responsible for the overall organization, administration and fiscal management of the Division of Student Services. The Vice President for Student Services is responsible for student services that affect the welfare of students outside the classroom. **The Vice President for Student Services is responsible for the Offices of the Dean of Students, Admissions, Financial Aid, Registrar, President's Leadership Program, and University Police.** The Vice President for Student Services acts for the President on non-academic issues in the absence of the President, the Chief of Staff, and the Executive Vice President. The Vice President for Student Services is selected by and serves at the pleasure of the President and reports to the Chief of Staff.

The following individuals report to the Vice President for Student Services:

a. Dean of Students

The Dean of Students is responsible for the supervision of the Office of Counseling Services, the Center for Honor Enrichment and Community Standards (CHECS), Residence Life, Student Activities, Multicultural Affairs, Orientation, and University Health and Wellness. The Dean provides leadership in improving the quality of student life at the University, working closely with departments from across campus to enhance the academic experience. The Dean of Students acts in the absence of the Vice President for Student Services. The Dean of Students is selected by, reports to, and serves at the pleasure of the Vice President for Student Services.

b. Dean of Admissions

The Dean of Admissions is responsible for the operation of the Office of Admissions. The Dean admits first year students to the University in conformity with the University's admission policies. The Dean of Admissions is selected by, reports to, and serves at the pleasure of the Vice President for Student Services.

c. Director of Financial Aid

The Director of Financial Aid administers the student aid program in compliance with federal and state **statutes, university** regulations, guidelines, and participation agreements; analyzes student applications for financial aid; determines eligibility; prepares award **letters; authorizes** the Business Office to disburse financial aid **funds; and** reports to local, federal and state agencies funding sources as required. The Director of Financial Aid is selected by, reports to, and serves at the pleasure of the Vice President for Student Services.

d. University Police Chief

The Chief of Police is responsible for campus safety, security and property protection, including traffic control and law enforcement activities. The Chief is selected by, reports to, and serves at the pleasure of the Vice President for Student Services.

e. University Registrar

The University Registrar is responsible for implementing the academic regulations and policies of the University, for maintaining student records, and for student registration and schedule changes. The Registrar schedules all academic/ educational classroom space, maintains statistical enrollment data; certifies completion of degree requirements; procures and distributes diplomas. The Registrar serves as secretary to the Academic Status Committee and **the Undergraduate Degrees Committee** is responsible for the recruitment and admission of transfer and readmitted students, for management of Veterans' Affairs and compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). **The Registrar is the Designated School Official (DSO) ensuring compliance with the U.S. Immigration and Customs Enforcement Department for admitting and enrolling international students.** The Registrar is selected by, reports to, and serves at the pleasure of the Vice President for Student Services.

1 **f. Director of the President's Leadership Program**

2 **The Director of the President's Leadership Program is responsible for developing a program to**
3 **prepare students for lives of leadership, service, and civic responsibility through a distinctive**
4 **program of leadership education that uniquely integrates academic study, experiential learning, and**
5 **personal development. The Director of the President's Leadership Program is selected by, reports**
6 **to, and serves at the pleasure of the Vice President for Student Services.**

8 **5. Division of University Advancement**

10 **Vice President for University Advancement**

11 **The Vice President for University Advancement is responsible for planning, organizing and administering the**
12 **University's fund-raising activities and alumni relations. The Vice President is directly responsible for the**
13 **cultivation of major donors, for the development of planned giving and for the University's capital fund drives.**
14 **The Vice President also serves as Executive Director to the University's educational foundation. The Vice**
15 **President for University Advancement acts for the President on non-academic issues in the absence of the**
16 **President, the Chief of Staff, the Executive Vice President, and the Vice President for Student Services. The**
17 **Vice President is selected by, and serves at the pleasure of the President. The Vice President reports to the**
18 **Chief of Staff.**

19 The following individuals report to the Vice President for University Advancement:

21 **a. Director of Alumni Relations**

22 **The Director of Alumni Relations is responsible for developing and implementing a program that**
23 **will increase alumni participation in the life of the university. Activities include Alumni Chapter**
24 **development and management, university liaison for the Alumni Society Board, planning special**
25 **events, enlisting alumni support for Admissions sponsored student recruitment activities, and**
26 **increasing attendance at University and Athletic events. The Director is selected by, reports to and**
27 **serves at the pleasure of the Vice President for University Advancement.**

29 **b. Director of the Annual Fund**

30 **The Director of the Annual Fund is responsible for planning, organizing and administering the**
31 **University's Fund for Academic Excellence Annual Fund Drive, through direct mail and telefund**
32 **activities. The Director is selected by, reports to and serves at the pleasure of the Vice President for**
33 **University Advancement.**

35 **c. Director of Planned Giving and Scholarships**

36 **The Director of Planned Giving and Scholarships is responsible for planning, organizing and**
37 **administering deferred gifts with the University donors to include life income gifts, bequests by will**
38 **or trust, retained life estates and charitable lead trusts, as well as administering the scholarship**
39 **program. The Director is selected by, reports to and serves at the pleasure of the Vice President for**
40 **University Advancement.**

42 **d. Director of Development for Athletics**

43 **The Director of Development for Athletics is responsible for soliciting gifts for the University's**
44 **athletic programs in coordination with the Athletics Department. The Director is selected by,**
45 **reports to and serves at the pleasure of the Vice President for University Advancement.**

47 **e. Director of Development for the Ferguson Center for the Arts**

48 **The Director of Development for the Ferguson Center for the Arts is responsible for soliciting gifts,**
49 **grants and contracts in support of the Ferguson Center for the Arts, in coordination with the**
50 **Ferguson Center Administration. The Director of Development for the Ferguson Center for the Arts**
51 **is selected by, reports to and serves at the pleasure of the Vice President for University**
52 **Advancement.**

f. Controller, CNU Foundations

The Controller of the CNU Foundations is responsible for the receipting, disbursing, financial accounting and financial reporting for the CNU Educational and Real Estate Foundations. The Controller is selected by, reports to and serves at the pleasure of the Vice President for University Advancement.

g. Director of LifeLong Learning

The Director of LifeLong Learning Society (LLS) coordinates the activities of the LifeLong Learning Society including: the selection and scheduling of classes, recruitment of faculty, financial and data base management and organizing special events. The Director staffs the LifeLong Learning Steering Committee and supervises office staff and member volunteers. **The Director is selected by, reports to and serves at the pleasure of the Vice President for University Advancement.**

h. Director of University Events

The Director of University Events designs, manages, and implements major ceremonial, presidential, and fund-raising events. The Director develops and executes an annual plan in conjunction with the Office of the President and the Office of University Advancement. The Director is selected by, reports to, and serves at the pleasure of the Vice President for University Advancement.

6. Human Resources

Vice President of Human Resources

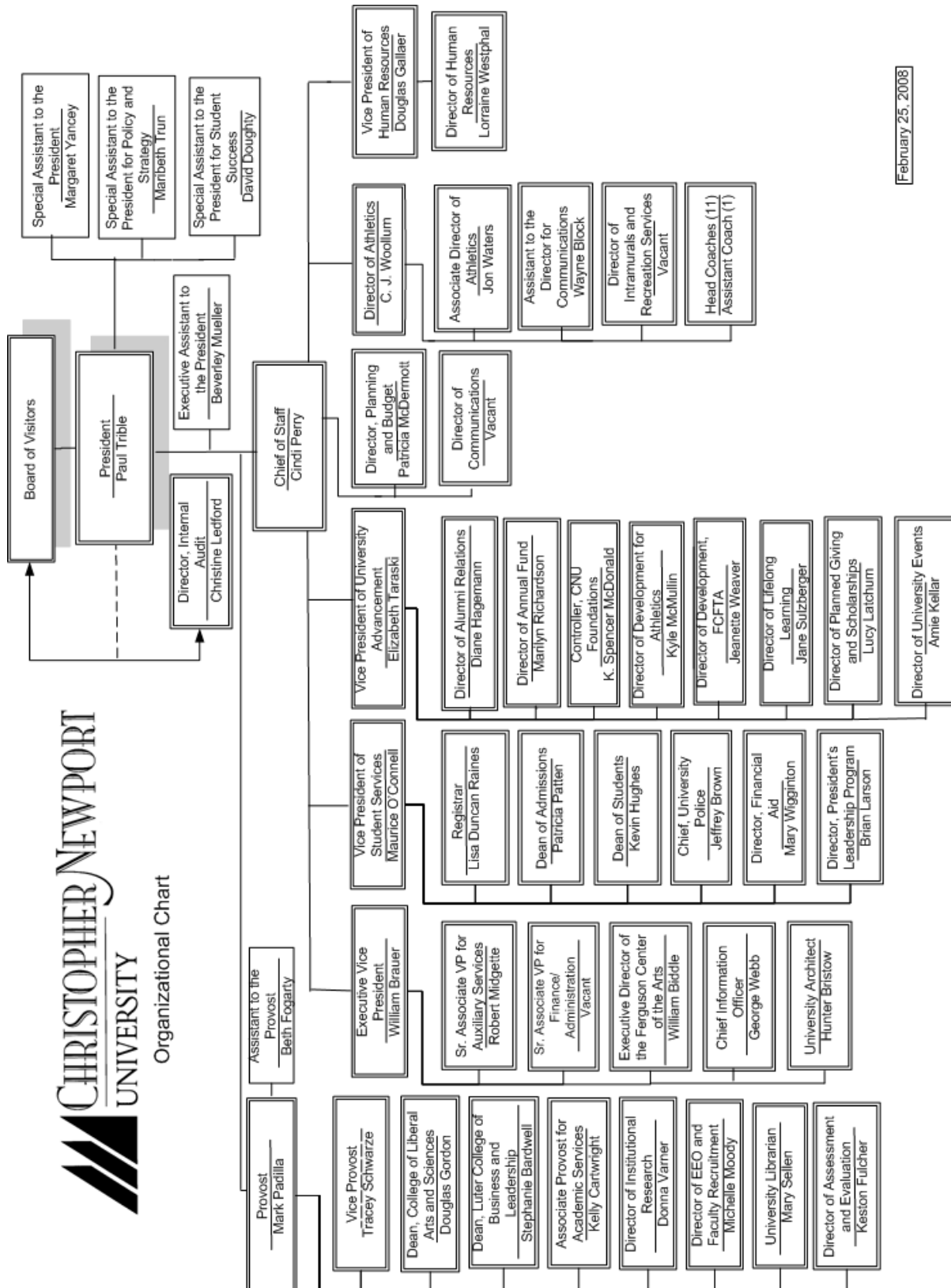
The Vice President of Human Resources is responsible for recruiting, hiring, supporting, developing and serving the University employees. The Vice President of Human Resources acts for the President on non-academic issues in the absence of the President, the Chief of Staff, the Exeuctive Vice President, the Vice president for Student Services, and the Vice President for University Advancement. The Vice President of Human Resources reports to the Chief of Staff and is selected by and serves at the pleasure of the President.

The following individual reports to the Vice President for Human Resources:

- a. The Director of Human Resources** is responsible for recruitment, hiring, compensation, employee benefits, employee relations, and training of the University employees. The Director is selected by, reports to, and serves at the pleasure of the Vice President of Human Resources.

7. Additional Positions

Additional administrative positions may be created as needed. Existing positions may be left vacant or eliminated, consistent with the needs of the University.



SECTION XVIII

University Governance

The provisions of this section have been formulated through the process of shared governance. They do not, however, abrogate or supplement the overall authority of the Board of Visitors concerning the University's mission, oversight of educational programs, appointment of members of the administration, faculty, and staff, preservation and maintenance of the physical plant, and direction and control of financial assets. Subject to the reserve power of the Board of Visitors and the President, the following constituencies may participate in the University's governance through recommendations to the appropriate University officials.

1. The Faculty of the University

a. Definitions

- 1) The Faculty of the University is composed of both Instructional faculty and Administrative and Professional faculty who hold appointments with academic rank.
- 2) The Instructional faculty of the University is the body of all persons holding teaching appointments as distinguished professor, professor, associate professor, assistant professor, or instructor in an academic department. The President, the Provost, and the academic Deans are *ex officio* members of this body.
- 3) The Administrative and Professional faculty of the University is the body of all persons holding administrative and professional appointments with faculty rank.

b. Responsibilities

- 1) The Instructional faculty shall have the reasonable opportunity to participate in the formulation, development, review, and alteration of regulations and procedures affecting academics and the Instructional faculty of the University. These regulatory and procedural areas shall include:
 - a) curriculum and transfer credit;
 - b) grading system, examinations, and appeals,;
 - c) faculty development;
 - d) standards for retention, promotion, tenure, and the recognition of merit;
 - e) faculty personnel matters such as fringe benefits, outside employment, leaves of absence, and other working conditions;
 - f) long and short range institutional academic and fiscal planning.
- 2) Regarding all matters within its jurisdiction, the Instructional faculty makes the results of its deliberations known in the form of written recommendations to the Provost. These written recommendations are transmitted to the Provost by the Chair of the Instructional faculty.
- 3) The Provost shall inform the Instructional faculty, not later than thirty (30) days following receipt of the Secretary's transmission, of the disposition of any recommendations thus made. Failing such notification, the Instructional faculty may then forward the recommendation in question directly to the President.
- 4) The Instructional faculty may delegate certain of its responsibilities to other bodies in a fashion approved by the President. These bodies include the graduate faculty (for all matters pertaining to the conduct of the graduate program), certain committees of the University (e.g., the Academic Status Committee), and the Faculty Senate.

c. Officers of the Instructional Faculty

- 1) The officers of the Instructional faculty shall be a Chair, a Vice Chair, and a Secretary. The President of the Faculty Senate shall hold the office of Chair and the Vice President of the Faculty Senate shall hold the office of Vice Chair. The Secretary of the Faculty Senate shall hold the office of Secretary of the Instructional faculty.
- 2) The Chair or, in the Chair's absence or at the Chair's direction, the Vice Chair, shall preside at meetings of the Instructional faculty. In the absence of both, the Instructional faculty may elect a temporary presiding officer.
- 3) The Secretary shall record the minutes of each meeting and distribute electronic copies of these to the members of the Instructional faculty within one month. In addition, the Secretary shall maintain a publicly accessible electronic archive of these minutes.

d. Meetings of the Instructional Faculty

- 1) Two regular meetings of the Instructional faculty shall be held during each academic year, one in November and one in April. The Chair will schedule these meetings and the Secretary of the Instructional Faculty will publish an agenda for each at least one week in advance of the meeting date. In the absence of the Chair, the Vice Chair of the Instructional faculty shall preside at these meetings.
- 2) Certification of graduates occurs at the November and April meeting. At each of these meetings any other business appropriate to the body may be conducted.
- 3) Special meetings of the Instructional faculty may be called by the President of the University, the Provost, or the President of the Faculty Senate. Notice of such meetings shall be given at least three days in advance of the meeting date.
- 4) Special meetings of the Instructional faculty may also be called upon the written request of a standing committee of the University which reports to the Instructional faculty, or of twenty percent of the membership of the Instructional faculty. The petition shall be presented to the President of the Faculty Senate. This procedure failing, a copy of the petition shall be presented to the Vice President of the Faculty Senate; this failing, to the Provost; this failing, to any academic dean. The meeting shall then be called within seventy-two (72) hours.
- 5) Referral of Faculty Senate Actions to the Instructional Faculty
Upon petition of at least twenty - five percent of the members of the Instructional faculty to the President of the Senate, any action of the Faculty Senate shall be submitted within thirty days for deliberation by the Instructional faculty. Any action of the Faculty Senate may be overturned by a 2/3 vote of the members of the Instructional faculty present and voting at a meeting of the Instructional faculty.
- 6) A simple majority of the voting members of the Instructional faculty shall constitute a quorum at any meeting.
- 7) No motion or resolution concerning the educational policies of the University shall be voted upon in a meeting unless it shall have been submitted in writing to the Chair of the Instructional faculty and copies thereof sent by the Chair to all members of the Instructional faculty in sufficient time to be included on the agenda. In emergency situations, this provision may be waived only by the unanimous consent of the members present.

- 8) Except as otherwise provided for in this section, meetings shall be conducted in accordance with *Robert's Rules of Order*. At the request of any member of the Instructional faculty, a secret paper ballot shall be taken on any motion before the body. The Chair of the Instructional faculty shall appoint a parliamentarian to advise him/her on matters dealing with the conduct of the business of the Instructional faculty. Questions of interpretation will be decided by the Chair of the Instructional faculty in consultation with the Parliamentarian.

e. The Graduate Faculty

1) Purpose

The Graduate Faculty of the University exercises all faculty jurisdiction over graduate courses and programs; requirements for admission to, continuation in, and graduation from all graduate programs; policies and plans for future development of graduate programs; selection and continuance of Graduate Faculty members; and the awarding of graduate degrees.

2) Membership

a) General

The Graduate Faculty comprises four kinds of members, namely regular members, probationary members, associate members, and *ex officio* members. *Ex officio* members are the President of the University, the Provost, the academic deans, the University Registrar and the University Librarian. Regular members are appointed to six-year terms of service by the Provost upon the recommendation of the Graduate Programs Council (vide infra). The Associate Provost for Academic Services is a regular (non-voting) member. Probationary members are appointed to one three-year term of service by the Provost upon the recommendation of the Graduate Programs Council. Associate members are appointed to six-year terms of service by the Provost upon the recommendation of the Graduate Programs Council.

b) Eligibility and Responsibilities

(1) General

All members of the Graduate Faculty must have a high level of competence in their academic fields of expertise, the ability to instruct at the appropriate level, and the ability to direct scholarship at the graduate level. Membership on the Graduate Faculty is open to any person holding a faculty appointment at the University. The Graduate Programs Council will evaluate the performance of prospective or current graduate faculty at the time of appointment or reappointment and send the result to the faculty member and to the faculty member's department chair for inclusion in the faculty member's dossier.

(2) Regular Membership

Regular members of the Graduate Faculty must hold the terminal degree in their fields or functional equivalent; hold academic rank in one of the academic departments of the University; show evidence of recent and continuing scholarly and/or creative activity through, for example, publication in peer-reviewed journals, publication of scholarly books, articles, and/or reviews, public performance or exhibition of works, conference presentations, success in securing research grants; and effective teaching. Initial appointment to the graduate faculty may be based on potential for effective teaching rather than evidence. Regular members of the Graduate Faculty are responsible for teaching graduate courses as appropriate, advising graduate students and evaluating their performance, directing theses, providing for and participating in the governance of the graduate program, and conducting and encouraging scholarship and research. The appointment by the Provost upon the recommendation of the Graduate Programs Council is for six-year terms.

(3) Probationary Membership

Faculty members who do not meet the stated criteria for admission to the regular graduate faculty may, under special circumstances, be given probationary graduate faculty status for

one three-year term. These circumstances must include the need for an instructor in a graduate program for which no graduate faculty member or faculty member qualified for the graduate faculty is available. A persuasive case must be made and endorsed by the Department Chair, Associate Provost for Academic Services, Program Coordinator and reviewed by the Graduate Faculty Credentials Committee and recommended to the Graduate Programs Council for appointing an individual to this status. The nomination should state the specific category of probationary status and should include a statement of reasons for the appointment, an example being research, teaching need or both. The appointment by the Provost upon the recommendation of the Graduate Programs Council is one three-year term.

(4) Associate Membership

Associate graduate faculty serve in a non-teaching role; faculty are utilized for intern supervision, laboratory experiences, etcetera. The appointment by the Provost upon the recommendation of the Graduate Programs Council is for six-year terms.

c) Nomination and Admission to Graduate Faculty Membership

(1) Application for Graduate Faculty Membership

Application submitted to department chair, and endorsed by department chair, Associate Provost for Academic Services, and Program Coordinator, if appropriate. Reviewed by Graduate Faculty Credentials Committee and recommended to Graduate Programs Council. A majority vote by Graduate Programs Council is required for membership, and the recommendation is forwarded to the Provost.

(2) Renewal of Graduate Faculty Membership

The Credentials Committee shall examine the credentials of each Regular and Associate Graduate Faculty member every six years and recommend to the Graduate Programs Council which members shall retain graduate faculty status. These credentials shall be submitted by October 15 and March 1 of the appropriate calendar year. All votes by the Credentials Committee and the Graduate Programs Council shall be by majority and shall be binding.

d) Removal from Graduate Faculty Membership

Within the three year or six year term, a department chair or the Associate Provost for Academic Services can request a review of the faculty member's performance based on IDEA evaluations, annual reports (EVAL 6), or other documents. The Graduate Faculty Credentials Committee reviews all materials and requests and, from the faculty member, statements of explanation or other documents. The Graduate Credentials Committee will then recommend to the Associate Provost for Academic Services one of the following three options: 1) no action be taken, faculty member remains on graduate faculty; 2) written plan of action to be developed jointly by faculty member and Associate Provost for Academic Services; or 3) removal from graduate faculty.

3) Workload

a) Membership in the Graduate Faculty requires a division of academic workload that places an increased emphasis on research, publication, and creative activity -- the *sine qua non* of Graduate Faculty membership. This increased emphasis is recognized in decisions regarding retention of membership on the Graduate Faculty.

b) Compensation for teaching graduate courses during summer sessions will be the same as for undergraduate instruction. Members of the Graduate Faculty are prohibited from teaching for overload compensation during the academic year unless an exception is granted by the Provost. The provisions of this paragraph apply only to full-time, salaried members of the Instructional faculty who hold membership on the Graduate Faculty. They do not, in particular, apply to *ex officio* members of the Graduate Faculty, to salaried members of the Graduate Faculty whose

primary duties are administrative in nature, or to any member of the Graduate Faculty whose primary employment by Christopher Newport University is wage-based rather than salary-based.

4) **Graduate Programs Council and Graduate Committees**

The Graduate Faculty of the University participates in the governance of the graduate program through a Graduate Programs Council. The Graduate Programs Council consists of the Associate Provost for Academic Services, the academic deans (all non-voting), and six regular members of the Graduate Faculty—elected to staggered two-year terms by the regular members of the graduate faculty, faculties of their respective college/school and the graduate program coordinators. The Graduate Programs Council makes the results of its deliberations known in the form of written recommendations to the Provost. These recommendations are transmitted to the Provost by the Associate Provost for Academic Services along with a written recommendation as to the disposition of each. Descriptions of the Graduate Committees follow.

- a) Graduate Assessment and Program Review Committee shall consist of three faculty members (one being a member of the Graduate Programs Council) elected by the Graduate Faculty. The committee:
 - (1) plans and oversees five year evaluations of all graduate programs;
 - (2) conducts studies and systematic reviews of all graduate program offerings;
 - (3) makes recommendations to the Graduate Programs Council and the Provost regarding continuation or discontinuation of graduate programs, related resource allocations, and curricular modifications.
- b) Graduate Faculty Credentials Committee shall consist of three faculty members (one being a member of the Graduate Programs Council) elected by the Graduate Faculty. The committee:
 - (1) reviews the credentials of all faculty members nominated for graduate faculty status;
 - (2) recommends to the Graduate Programs Council the acceptance or rejection of the nominee to graduate faculty status;
 - (3) reviews regular, probationary, and associate graduate faculty credentials for appointment as graduate faculty.
- c) Graduate Curriculum and Planning Committee shall consist of three faculty members (one being a member of the Graduate Programs Council) elected by the Graduate Faculty. The committee:
 - (1) reviews all graduate courses and recommends to the Graduate Programs Council their acceptance or rejection;
 - (2) reviews all proposed graduate programs and recommends to the Graduate Programs Council their acceptance or rejection;
 - (3) conducts long-range planning regarding new graduate courses and programs and reports periodically to the Graduate Programs Council.
- d) Graduate Programs Governance and Administration Committee shall consist of three faculty members (one being a member of the Graduate Programs Council) elected by the Graduate Faculty. The committee:
 - (1) revises the Graduate Faculty Membership and Governance document as directed by the Graduate Programs Council;
 - (2) appoints, if it wills, a subcommittee to review and write descriptions for positions of graduate study administration, any recommendations forthcoming being brought before the Graduate Programs Council in March of each academic year;
 - (3) reviews yearly the committee structure of the Graduate Programs Council to insure that all responsibilities are delegated and that the structure continues to meet the needs of the graduate program;
 - (4) drafts the procedure for graduate faculty consultation regarding the selection of the Associate Provost for Academic Services.

- 1
2 f) Graduate Programs Council Nominations Committee shall consist of Graduate Programs Council
3 members whose terms are completed at the end of the academic year. The committee:
4 (1) provides a slate of nominations for vacant seats or for seats of members whose terms are
5 expiring on the Graduate Programs Council and Graduate Programs Council Committees;
6 (2) presents the slate at the March meeting of the Graduate Programs Council to be voted on by
7 the Graduate Faculty at a Graduate Faculty meeting in April.
8

9 2. The Faculty Senate
10 Revised March 1998

11 THE FACULTY SENATE: CONSTITUTION AND BY-LAWS

12 CONSTITUTION

13 a. Name

14 The name of this body shall be the Faculty Senate of Christopher Newport University.
15

16 b. Purpose

17 The faculty of the University, by virtue of their particular competence and the principle of collegiality, are
18 essential participants in the development and implementation of academic policy. The Faculty Senate is a
19 representative body of the faculty, deriving its authority from the Instructional faculty. As such, it shall
20 exercise the authority of the Instructional faculty with respect to policy on academic matters and the
21 professional affairs of faculty, and perform such other functions as are delegated to it by the Instructional
22 faculty in recommending policies to the President and to other appropriate individuals and bodies on
23 academic requirements; credit; faculty development; personnel policies, standards for retention, promotion,
24 tenure, and merit; institutional planning; and all other concerns which affect the welfare of the University.
25

26 c. Membership

27 1) All members of the Instructional faculty having full-time contractual teaching appointments on
28 probationary or tenured contracts are eligible to serve in the Faculty Senate.
29

30 2) **The Faculty Senate shall consist of members from four academic areas of the university: The**
31 **Luter College of Business and Leadership (Accounting, Economics and Finance, Management,**
32 **Marketing and Leadership and American Studies); Arts and Humanities (Communications**
33 **Studies, English, Fine Art and Art History, Music, Modern and Classical Languages, Philosophy**
34 **and Religious Studies, and Theater); Science and Technology (Biology, Chemistry, and**
35 **Environmental Science, Mathematics, Physics, Computer Science & Engineering); Social Science**
36 **(Government, History, Psychology, Sociology, and Social Work).** Membership shall consist of
37 three at-large members from the area of business and four at-large members from the areas of Arts and
38 Humanities, science and technology, and social sciences and professional studies. Members shall be
39 nominated and elected by the faculty of their respective academic areas. All full-time instructional
40 faculty members are eligible to vote for Senate members. No department shall have more than two
41 members elected to the Senate. At least two of the three senators for business and three of the four
42 senators for each of the other areas must be tenured members of the faculty.
43

44 a) Any department that wishes to change its 'area' can petition the Faculty Senate, in writing
45 (electronic submission), providing a rationale for such change. The petition must be submitted no
46 later than the end of the 4th week of the fall semester preceding the effective date of the proposed
47 change. After receipt of the request for change, the Faculty Senate will hold a two-week comment
48 period, during which the responses from other departments in both affected 'areas' will be
49 solicited. The Senate will then vote at its next meeting on the request. If approved, the change will
50 be submitted to the fall meeting of the General Faculty for a vote.
51

3) The term of the office of Faculty Senators shall be two years beginning immediately after spring commencement. A faculty member is eligible for election to the Faculty Senate for no more than two consecutive terms.

4) Elections shall be held each spring by March 31. Seven members shall be elected in odd-numbered years and eight in even-numbered years, the respective terms for the initial election to be determined by lot. The President of the Faculty Senate notifies the voting body of the election and appoints a Senator to conduct the election. A quorum (51%) of the eligible voters in the voting body must be present to hold an election. Each vacant Senate position must be filled through a vote by a separate, secret ballot. Senators are elected by a majority vote of the eligible voters present at the election. Eligible voters are full-time instructional faculty.

Voting Process:

a) A slate of candidates can be determined before the meeting by the Nominating Committee, but at the meeting candidates can be added to the slate.

b) For one position, the slate of candidates is given. Voters vote for one person.

c) If one person receives a majority of the votes, that person is elected a Senator.

d) If one person does not receive a majority vote, the top two candidates are placed on a new slate and voters vote for one person. In the event of a tie for first or second, all tied candidates are included on the slate. This process continues until one person receives a majority.

e) If all candidates receive the same number (percentage) of votes or there are no top two candidates, the entire slate is voted on again.

f) After the first Senator is chosen by majority vote, the voting body votes on the second Senate position using the rules above to fill the second position. This slate of candidates can be the same as the first slate, with the previously elected Senator's name removed.

5) Vacancies shall be filled within ten class days through election by the constituency from which the vacancy occurred. Should a vacancy occur when the University is not in regular session, the election shall be held within ten class days of the beginning of the following semester.

d. Officers and Duties

1) The officers of the Faculty Senate shall be the President, the Vice President, the Secretary, and such other officers as the Faculty Senate deems necessary, to be elected annually by the Faculty Senate from among its membership at a meeting held prior to spring commencement. All officers shall be regular voting members of the body.

2) The President of the Faculty Senate shall hold the office of Vice Chairman of the Faculty, shall preside at all meetings of the Faculty Senate, shall represent the Faculty Senate and the Instructional faculty to all constituencies of the University community, and shall coordinate the collection and publication in the appropriate University publications all reports to the Instructional faculty.

3) The Vice President of the Faculty Senate shall perform the duties of the President in the President's absence.

4) The Secretary shall prepare and distribute to the Faculty Senate and to the Instructional faculty the agenda and minutes of all meetings of the Faculty Senate in electronic format. Additionally, the Secretary shall maintain a publicly accessible electronic archive of these agendas and minutes. **The Faculty Senate Secretary will circulate the Senate minutes as follows:**

- a) **The Secretary will send out a draft of the minutes to all Senators within one week of the Senate meeting and create a ballot to register votes as they are received.**
 - b) **Senators are to “reply all” for any changes they wish to request.**
 - c) **Senators have one week from the receipt of the draft minutes to request changes and vote. The Secretary will log and make requested changes.**
 - d) **Upon receipt of a simple majority (8 votes), the Secretary will email all Senators that a simple majority has been received and urge them to review and vote as soon as possible. An updated copy of the minutes as revised thus far will also be sent to the Senators at this time.**
 - e) **Upon receipt of a larger majority (10 votes), the minutes will stand approved. If 10 votes are not received, the minutes will be approved at the next regular Senate meeting.**
- 5) The Executive Committee of the Faculty Senate shall consist of the President, the Vice President, the Secretary, and two members elected by the Senate from among its membership. In addition, the immediate past President of the Faculty Senate, whether re-elected or not, will be invited to serve as an ex officio, non-voting member of the Executive Committee. The Executive Committee shall prepare the agenda for all Faculty Senate meeting, maintain liaison with the Administration, and perform such other duties as assigned to it by the Faculty Senate. In addition, the members of the Executive Committee, or in cases of their absence, alternates as designated by the Senate, shall represent the Faculty Senate and the Instructional faculty on all appropriate matters at all times when the University is not in regular session and when a quorum of the Faculty Senate cannot be obtained, all decisions to be by a majority of the Members of the Executive Committee. All alternates shall be members of the Faculty Senate. All deliberations and decisions of the Executive Committee shall be reported to the Faculty Senate at its regular meeting.
- e. Meetings
- 1) Meetings of the Faculty Senate shall be held at least four times during each semester and, in addition, at the call of twenty percent of the members of the Faculty Senate to the President of the body.
 - 2) Meeting of the Faculty Senate shall be conducted by Robert’s Rules of Order. Since Robert’s Rules of Order strongly recommends against proxy or absentee voting, these types of votes will be prohibited in Faculty Senate meetings.
 - 3) All members of the University community have the right to observe Faculty Senate meetings. The Faculty Senate may invite members off the University community to participate in its meetings as non-voting guests.
- f. Liaison Representatives to the Board of Visitors
- The Faculty Senate shall appoint faculty members to annually act as faculty liaison representatives to the standing committees of the Board of Visitors.
- g. Relationship to General Faculty Committees
- Instructional faculty committees as provided for in the University Handbook report to the Faculty Senate for action on their deliberations and recommendations. The Faculty Senate elects faculty members to at-large positions on the standing committees of the University. The Faculty Senate shall have the right to establish its own committees.

h. Faculty Senate Review

At the end of the fourth complete academic semester of regular functioning by the Faculty Senate and every five years thereafter, there shall be constituted a Faculty Senate Review Committee. It shall be composed of three Faculty Senators elected by that body and three members elected by the Instructional faculty. This committee shall review the working and effectiveness of the Faculty Senate and shall make any recommendations it deems necessary regarding it to the Senate and to the Instructional faculty for their deliberation and action.

i. Amendments

This constitution may be amended by a majority vote of the members of the Instructional faculty, providing the proposed amendment is made available to the members of the Instructional faculty in writing at least two weeks prior to the voting. Amendments may be proposed by 2/3 vote of the Faculty Senate or by petition of ten percent of the Instructional faculty to become the subject of a vote conducted by the Faculty Senate.

BY-LAWS

j. Election of Officers

Each spring, after the election of new members of the Faculty Senate and prior to spring commencement, the incumbent Senate President shall convene the membership of the following year's Faculty Senate for the purpose of electing officers. The incumbent officers shall officiate at this meeting and shall distribute notices of the meeting and minutes as for regular meetings. Only the members of the following year's Faculty Senate are eligible to vote in this meeting.

k. Instructional Faculty Committees and the Faculty Senate

1) Recommendations of the standing committees of the Instructional faculty and of ad hoc committees of the Faculty Senate are to be presented to the Faculty Senate for its approval except when such committees have been specifically empowered by the Faculty Senate to act without such approval.

2) Recommendations of committees to the Faculty Senate shall be electronically submitted motions to the Senate for its consideration, which include rationales for the specific recommendations made.

3) Each standing committee shall have at least one Faculty Senate member among its membership.

4) General Responsibilities

a) Committee chairmen shall have the responsibility for keeping the Secretary of the Faculty Senate informed of the current work of the committee.

b) All committees are required to file electronic copies of agendas and accurate minutes of all committee meeting and hearings with the Secretary of the Faculty Senate. The Faculty Grievance Committee is exempt from this requirement.

c) When a committee is ready to bring a resolution to the Faculty Senate, the committee chairman will inform the Secretary of the Faculty Senate and submit an electronic of the resolution, with rationale, for consideration by the Faculty Senate. Resolutions and rationales shall accompany the agenda for the meeting at which the resolution is scheduled for action by the Faculty Senate.

l. Resolutions

All members of the academic community may submit matters for consideration to the Faculty Senate. All resolutions, petitions, suggestions, or other matters shall be submitted electronically to the Senate through the President of the Faculty Senate.

m. Attendance

Any Faculty Senator who for any reason is absent from three regular meetings of the Faculty Senate during one academic year shall be deemed to have vacated her or his seat, and the Faculty Senate shall conduct a new election for that seat. This rule will be aggressively enforced by the Executive Committee.

n. **Student Liaison**

One student liaison, appointed by the Student Government Association in a manner established by that body, and in accordance with the election schedule of the Faculty Senate, shall represent the Student Government Association at Faculty Senate Meetings.

o. **Amendment**

These by - laws may be amended at any meeting of the Faculty Senate by a 2/3 vote of the members present, provided the amendment has been submitted in writing and read at the previous regularly scheduled meeting.

p. **Senate Standing Subcommittees**

a) **Priority Advisory Committee (PAC):** The Priority Advisory Committee shall consist of five (5) Senate members appointed by the President of the Faculty Senate, one at-large member and one from each of the four academic areas of the university – Luter College of Business and Leadership, Arts and Humanities, Science and Technology, and Social Science. This subcommittee will consider competing priorities for budgetary consideration and recommend the budget priorities to the Senate.

b) **Handbook Committee:** The Handbook Committee shall consist of two (2) Senate members appointed by the President of the Faculty Senate. This subcommittee will review all proposed changes to the Faculty Handbook and make recommendations to the Senate. The Senate shall forward approved language to the University Handbook Committee.

c) **Sabbatical Committee:** The Sabbatical Committee shall consist of four (4) Senate members appointed by the President of the Faculty Senate. These four members will be appointed from each of the four academic areas of the university: Luter College of Business and Leadership, Arts and Humanities, Science and Technology, and Social Science. This subcommittee will prioritize requests for sabbaticals and make these recommendations to the Senate for further recommendation to the Provost. Applications and criteria may be found at <http://provost.cnu.edu/devgrant.htm>.

d) **Faculty Development Grant Committee:** the Faculty Development Grant Committee shall consist of four (4) Senate members appointed by the President of the Faculty Senate. These four members will be appointed from each of the four academic areas of the university: Luter College of Business and Leadership, Arts and Humanities, Science and Technology, and Social Science. This subcommittee will prioritize requests for faculty development grants and make these recommendations to the Senate for further recommendation to the Provost. Applications and criteria may be found at <http://provost.cnu.edu/devgrant.htm>.

3. **Standing Committees of the University**

a. **Introduction:** This introduction pertains to the academic affairs committees (following below).

1) All members of the Instructional faculty are eligible for membership on these committees, with the following exceptions:

a) no member may serve on more than one of the following standing committees at the same time: Curriculum, Degrees, Faculty Review, Liberal Learning Council; and

- b) no more than one member of each academic department may serve on any committee with elected membership at the same time. In each case where there is no Faculty Senate member elected or appointed to an academic affairs committee, a member of the Faculty Senate shall be appointed by the President of the Faculty Senate to serve a one-year term as an *ex officio*, non-voting member of that committee to assure liaison between the two bodies.
 - 2) The term of office for all elected and appointed committee members shall be two years, with a limit of two consecutive terms. **The deadline for elections to all standing committees shall be March 31st, with each term of office beginning immediately after commencement.** Each spring, after the election of new committee members and prior to spring commencement, the incumbent officer(s) of each committee with elected membership shall convene the membership of the following year's committee for the purpose of electing (an) officer(s). The incumbent officer(s) shall officiate this meeting and shall distribute notices of the meeting and minutes as for regular meetings. Only the members of the following year's committee are eligible to vote in this meeting. The appointing authority will appoint the chair of appointed committees prior to the end of the academic year and the appointed committees will elect the vice chair annually at the first meeting of the new elected year. If such an election has not been held prior to September 1 of the year in question, the appointing authority will appoint the committee vice chair as soon as feasible thereafter.
 - 3) The chairs of appointed committees will provide to the official(s) who has (have) appointed the committee copies of each agenda in advance of all meetings and a report of the results of the meeting. All Academic and Faculty Affairs Committees with elected membership will provide the Provost with a copy of the agenda in advance of the meeting and a report of the results of the meeting. All copies and reports must be in electronic format.
- b. Academic Affairs Committees
- 1) The Academic Advising Committee (AAC) shall consist of four faculty members elected by the Instructional Faculty (one from **Luter College of Business and Leadership, Arts and Humanities, Science and Technology, and Social Science**); one faculty member appointed by the Provost; one student recommended by the Student Government Association and appointed by the Dean of Students; the Director of Academic Advising or designee (ex-officio); **the Associate Provost for Academic Services (ex-officio)**; and the Registrar or designee (ex-officio.)
The committee:
 - a) Reports to the Provost;
 - b) **Coordinates in an advisory capacity with the Academic Advising Center; and makes recommendations concerning the academic advising of students to the Faculty Senate and/or Provost as appropriate. In particular the committee:**
 - (1) makes recommendations and develops initiatives to clarify, assess and continually improve the advising process;
 - (2) **makes recommendations regarding faculty advisor training; and**
 - (3) ensures that the academic advising system effectively serves students at different academic levels and in various situations.
 - 2) The Academic Technology Advisory Committee (ATAC) shall consist of seven faculty members (two from, **Arts and Humanities, two from Science and Technology, two from Social Science, and one from the Luter College of Business and Leadership**) elected by the faculty of each area; the University Librarian; one representative appointed by the Dean of Students; and the **Chief Information Officer** as a non-voting member.
The committee:
 - a) works with the Director of Information Technology Services and his or her associates in a consultative and advisory capacity regarding:
 - (1) all academic technology services, usage and support policies, and needs;
 - (2) the technological impacts of changes in academic requirements;

- (3) the academic impact of changes in technologies and support;
 - (4) the development of long-range and strategic academic technology and support plans;
 - (5) prioritization and allocation of resources, including budgets, for providing academic technologies and support.
 - b) Serves as that body within the university with responsibility for reviewing and recommending academic policies regarding technology usage and support to the Provost;
 - c) Monitors and reviews implementation of academic technology policies, initiatives, and support;
 - d) Serves as a liaison between faculty, Information Technology Services, and students; and,
 - e) Reports to the Faculty Senate and the Provost concerning all of the above as appropriate.
- 3) The Administrative and Professional Faculty Peer Review Committee (APFPRC) shall consist of five members of the administrative and professional faculty of the University appointed by the Provost. The committee:
- a) reports to the Provost;
 - b) recommends to the Provost standards, criteria, and procedures for matters pertaining to academic rank for the administrative and professional faculty of the University; and
 - c) reviews recommendations from the various administrative jurisdictions of the University concerning candidacies for promotion in academic rank on the part of administrative and professional faculty, and makes recommendations to the Provost as to the disposition of such candidacies.
- 4) **The Council of University Chairs (CUC) shall consist of the University's department Chairs. The department chair with the longest tenure at CNU shall be the Chair of the CUC, and will convene a meeting of the CUC at least once per academic year. If two or more chairs have the same tenure duration, the Faculty Senate shall conduct an election for CUC Chair among the members of the CUC. The Committee:**
- a) reports to the Faculty Senate;**
 - b) reviews matters of academic policy and academic life at the University;**
 - c) makes recommendations to the Faculty senate regarding academic policy and academic life at the University.**
- 5) The Dean William Parks Colloquium Committee (WPCC) shall consist of five faculty members (at least one from **Arts and Humanities**, at least one from **Science and Technology**, at least one from **Social Science**, and at least one from the **Luter College of Business and Leadership**) appointed by the Provost. The committee:
- a) reports to the Provost; and
 - b) organizes the Dean's Colloquium series and recommends faculty members of this and of other institutions and other professionals to be invited to present their research or study to the faculty, students, and members of the community.
- 6) The Faculty Grievance Committee (FGC) shall consist of eight tenured faculty members (two from **Arts and Humanities**, two from **Science and Technology**, two from **Social Science** and one from the **Luter College of Business and Leadership**) and one faculty member selected by the Senate. The FGC serves as the source of members for any Faculty Grievance Panel (FGP). All members must be tenured. **A faculty member serving on the Faculty Grievance Committee (FGC) may not serve on either the Faculty Hearing Committee (FHC) or the Faculty Review Committee (FRC).**
- 7) The Faculty Hearing Committee (FHC) shall consist of eight tenured faculty members (two from **Arts and Humanities**, two from **Science and Technology**, two from **Social Science**, and two from the **Luter College of Business and Leadership**) elected by the faculty of each area; and three tenured members selected by the Senate. **A faculty member serving on the Faculty Hearing Committee (FHC), may not serve on either the Faculty Grievance Committee (FGC) or the Faculty Review Committee (FRC).**

The FHC:

- 1) reports to the Faculty Senate and the Provost;
- 2) advises the Provost and the President on termination matters;
- 3) serves as the source of members for any Dismissal Hearing Panel (DHP).

- 8) The Faculty Review Committee (FRC) shall consist of **eight elected** tenured faculty members (**two from each division**) and **one at-large member appointed by the Provost** elected by the faculty of each area; **A faculty member serving on the Faculty Review Committee (FRC) may not serve on either the Faculty Hearing Committee (FHC) or the Faculty Grievance Committee (FGC).** The committee:

- a) consults with the provost on faculty personnel issues; and
- b) reviews recommendations from the academic departments and the academic deans on standards for evaluation and on the matters of **retention, promotion and, tenure and makes its** recommendations to the provost.

NOTE: Members of the FRC shall not participate in any review of a member of their own academic departments or of any faculty members on whose **DRC** peer evaluation group they have served during that academic year. **The at-large member shall vote only in the case of such recusals. FRC members are obliged not to participate in any review in which they have a conflict of interest.**

- 9) The Institutional Animal Care and Use Committee (IACUC) shall consist of seven members: (1) a committee chair, (2) a doctor of veterinary medicine, (3) a member of the community not affiliated with the University, (4) a faculty member who is a practiced scientist with experience in research involving animal subjects, (5) a faculty member whose primary concerns are non-scientific, and (6) and (7) two members from areas not represented on the committee. All seven members are appointed by the **vice provost**. The Committee:

- a) reports to the **vice provost**;
- b) reviews and approves research involving animal subjects;
- c) safeguards the humane use and treatment of animal subjects in teaching and research activities conducted through the University in accordance with the mandates of the Animal Welfare Act (AWA 1966, and as subsequently amended 1970,1976,1985,1990), and other relevant federal, state, and local authorities. The committee:
 - (1) performs semiannual inspections of existing animal facilities and provides a report of findings to the **vice provost**;
 - (2) produces and submits to the **vice provost** an annual report on the maintenance of animal care and use protocols reviewed and approved by the committee as well as a summary of other committee activities during the year;
 - (3) files an inspection certification report as applicable, in accordance with AWA guidelines.

- 10) The International Studies Advisory Committee (ISAC) shall consist of the **director of international programs** (chair), **the associate provost (ex officio)**, the academic deans (*ex officio*; non-voting), and eight members of the faculty of the University (two from **Arts and Humanities**, two from **Science and Technology**, two from Social Science, and two from the **Luter College of Business and Leadership**) appointed by the provost. The Committee:

- a) reports to the provost;
- b) advises and assists the **Office of International Programs** in strengthening, extending, and developing international programs at the University;
- c) **makes recommendations regarding** the conduct of existing international activities;
- d) reviews proposals for new international activities of the University, and, as appropriate, develops such proposals itself; and
- e) establishes such subcommittees as it deems appropriate in order to address specific international activities such as study abroad, faculty exchange, international student orientation, etc.

- 11) The Honors Council (HC) shall consist of the Director of the Honors Program (Chair), Assistant Director of the Honors Program, seven faculty members (two from **Arts and Humanities**, two from **Science and Technology**, **two from Social Science**, and **one from the Luter College of Business and Leadership**) elected by the faculty of each area; two faculty members (not from the same area) appointed from the provost; four students, each appointed for a term of one academic year, by the provost; the director of admissions (non-voting); and the Provost (non-voting). The Council:
 - a) reports to the provost;
 - b) administers the classes and scholarships of the Honors Program;
 - c) recommends to the Faculty Senate changes in the Honors Program;
 - d) coordinates programming for Quest Housing;
 - e) Assists students campus-wide in preparing and applying for external scholarship opportunities.
- 12) The Liberal Learning Council (LLC) shall consist of a representative elected from and by each academic department; and one student recommended by the Student Government Association and appointed by the Dean of Students. The Assistant/**Associate** Dean for Liberal Learning and the provost are ex officio members of the council. The chair of the council shall be a tenured faculty member. The council:
 - a) reports to the UCC, the Faculty Senate, or to the Provost, as appropriate;
 - b) recommends changes in the Liberal Learning Core requirements;
 - c) considers courses for inclusion in the Liberal Learning Core;
 - d) determines the theme for the First Year Seminar and the Common Reading;
 - e) works with the Director of Assessment in assessing and evaluating the Liberal Learning Core.
- 13) The Library Advisory Committee (LAC) shall consist of seven faculty members (two from **Arts and Humanities**, **two from Science and Technology**, **two from Social Science**, and **one from the Luter College of Business and Leadership**) appointed by the Provost upon consultation with the deans; two students recommended by the Student Government Association and appointed by the Dean of Students; and the University Librarian (non-voting). The committee:
 - a) reports to the Faculty Senate and University Librarian as appropriate;
 - b) advises the University Librarian on the library budget allotted for academic departments' use;
 - c) provides a liaison between the Library and the faculty and the student body; and
 - d) is kept informed by the University Librarian on matters of equipment, facilities, collection, services, and library policies affecting academic programs and advises the University Librarian regarding such matters.
- 14) (PSC) **The Prestigious Scholarships Committee (PSC) shall consist of the CNU Fellowships Coordinator and the faculty members serving as advisors for the major post baccalaureate scholarships and fellowships. These include, but are not limited to, the Marshall, the Fulbright, the Rhodes, the Jack Kent Cooke, the Jacob Javits, the Barry M. Goldwater, the Harry S. Truman, the Morris K. Udall, the Hertz and the David Boren, the Gates Cambridge, the Mitchell, and the James Madison scholarship and fellowship programs. Advisors will be contacted at the beginning of each academic year by the Fellowships Coordinator.** The committee:
 - a) reports to the Provost,
 - b) selects and mentors students to compete for prestigious scholarships and fellowships,
 - c) makes recommendations concerning scholarships and fellowships to the Provost.
- 15) The Review Board for the Protection of Human Subjects (RBPHS) shall consist of the Director of Sponsored Programs (non-voting), **and four faculty members (one from Arts and Humanities, one from Science and Technology, one from Social Science and one from the Luter College of Business and Leadership)** appointed by the Provost. The Board:
 - a) reports to the Provost;

- b) reviews and approves research activities which involve human subjects; and
 - c) safeguards the rights and welfare of subjects at risk in activities supported under grants and contracts.
- 16) The Teacher Preparation Council (TPC) shall consist of the Director of the Teacher Preparation Program (Chair), the Associate Director of the Program, two staff members from the Newport News Public Schools, one faculty member from each academic department teaching in the graduate MAT program, and the presidents of each of the three student education associations: SVEA, S-VATE, and MENC. The Dean of the College of Liberal Arts and Sciences and the Associate Provost for **Academic Services** serve as ex-officio members. Faculty members are appointed by the dean in consultation with the department chair. The committee:
 - a) reports to the Associate Provost for **Academic Services**;
 - b) recruits students to the Teacher Preparation Program, internally and externally;
 - c) recommends scheduling of classes and awarding of scholarships for the Program;
 - d) recommends standards of admission to the Program and recommends candidates for admission;
 - e) recommends, implements and monitors Program changes;
 - f) assesses the Program on an annual basis;
 - g) ensures compliance with Virginia Board of Education licensure requirements.
- 17) The Undergraduate Academic Program Review Committee (PRC) shall consist of eight faculty members (two from **Arts and Humanities**, **two from Science and Technology**, **two from Social Science** and **two from the Luter College of Business and Leadership**) appointed by the Provost and the Director of Assessment and Evaluation (*ex officio*, non-voting). The committee:
 - a) reports to the Provost;
 - b) recommends criteria to be used in the program review process;
 - c) conducts a continuing study and systematic review of all program offerings of the University;
 - d) makes recommendations to the Provost on program continuation/discontinuation, program related resource (re)allocation, and curricular modification.
- 18) The Undergraduate Academic Status Committee (UASC) shall consist of seven faculty members (two from **Arts and Humanities**, **two from Science and Technology**, **two from Social Science** and **one from the Luter College of Business and Leadership**) elected by the faculty of each area; one faculty member selected by the Senate; and the Registrar and the Director of Academic Advising (non-voting). The Provost is an *ex officio* member of the committee. The committee:
 - a) recommends to the Faculty Senate standards for undergraduate student retention, dismissal, placement on probation, reinstatement, and for all other matters relating to undergraduate academic performance;
 - b) considers all appeals, pertaining to the academic status of undergraduate students and makes appropriate recommendations to the Provost; and
 - c) considers the requests of undergraduate students who wish to carry overload courses and makes appropriate recommendations to the Provost.
- 19) The Undergraduate Admissions Committee (UAC) shall consist of seven faculty members (two from **Arts and Humanities**, **two from Science and Technology**, **two from Social Science** and **one from the Luter College of Business and Leadership**) elected by the faculty of each area; one faculty member selected by the Senate; and one student recommended by the Student Government Association and appointed by the Dean of Students. The Provost and Dean of Admissions are *ex officio* members of the committee. The committee:
 - a) reviews all current and proposed changes to admissions standards and makes recommendation to the Faculty Senate, on standards for undergraduate admission; and
 - b) reviews a detailed annual report on the applications of admitted and denied students and makes appropriate recommendations to the Provost; and

- c) reviews current recruitment strategies and policies and recommends to the Faculty Senate new policies guiding student recruitment.
- 20) The Undergraduate Curriculum Committee (UCC) shall consist of twelve faculty members (three from **Arts and Humanities**, **three from Science and Technology**, **three from Social Science**, and **three from the Luter College of Business and Leadership**) elected by the faculty of each area; one student recommended by the Student Government Association and appointed by the Dean of Students; the University Librarian or the University Librarian's designee (non-voting); and the Registrar or the Registrar's designee (non-voting); and the Director of Academic Advising or the Director's designee (non-voting). The provost is an *ex officio* member of the committee. The Chair of the committee shall be a tenured faculty member. The committee:
 - a) reports to the Faculty Senate or to the Provost, as appropriate;
 - b) recommends changes in the undergraduate curriculum;
 - c) recommends priorities for the development of the undergraduate curriculum; and
 - d) makes recommendations concerning the adoption and termination of undergraduate degree programs.
 - 21) The Undergraduate Degrees Committee (UDC) shall consist of seven members (two from **Arts and Humanities**, **two from Science and Technology**, **two from Social Science** and **one from the Luter College of Business and Leadership**) elected by the faculty of each area; one faculty member selected by Senate; and the Director of Student Records (non-voting). The Provost is an *ex officio* member of the committee. The committee:
 - a) reports to the Instructional faculty and the Faculty Senate as appropriate;
 - b) reports to the Instructional faculty its determination as to which students have completed the requirements for earned undergraduate degrees and recommends their names for certification by the Instructional faculty;
 - c) reviews student's petitions concerning undergraduate degree requirements and makes recommendations thereon to the Provost; and
 - d) makes recommendations concerning undergraduate degree requirements.
 - 22) The Undergraduate and Graduate Research Council (UGRC) shall consist of seven faculty members (two from **Arts and Humanities**, **two from Science and Technology**, **two from Social Science**, and **one from the Luter College of Business and Leadership**) elected by the faculty of each area; two faculty members (not from the same area) appointed by the Provost; and the Associate Provost for **Academic Services** as a non-voting ex-officio member. The Council shall elect co-chairs from different areas of the University. The Council:
 - a) reports to the Faculty Senate or the Provost, as appropriate;
 - b) promotes independent and faculty mentored undergraduate and graduate research and scholarship throughout the University; and
 - c) organizes and promotes conferences and/or colloquia featuring undergraduate and graduate research and scholarship.
 - 23) The University Assessment and Evaluation Committee (UAEC) shall consist of the Director of Assessment and Evaluation, one representative of the student affairs staff appointed by the Vice President for Student Services, four administrative representatives appointed by the Provost, the academic deans, and four faculty members (one from **Arts and Humanities**, **one from Science and Technology**, **one from Social Science**, and **one from the Luter College of Business and Leadership**) appointed by the Provost. The UAEC:
 - a) reports to the Provost
 - b) monitors the overall operation of the assessment and evaluation program of the University; and
 - c) makes recommendations concerning changes in the assessment and evaluation program of the University; and
 - d) evaluates academic and administrative departments' Assessment Records.

c. Administrative Committees

- 1) The Budget Advisory Committee (BAC) shall consist of the Provost, the Dean of the College of Liberal Arts and Sciences, the Dean of the **Luter College of Business and Leadership**, the Chief of Staff, the Executive Vice President, the Director of Planning and Budget, and six members of the instructional faculty nominated by the Faculty Senate, appointed by the President. **Faculty members serve six-year terms.** One member of the instructional faculty shall be appointed by the President to chair the committee. The committee advises the President on matters pertaining to the operating budget of the University.
- 2) The Committee on Intellectual Property (CIP) shall consist of three faculty members with primary responsibility for copyrights, three additional faculty members with primary responsibility for patents, the Chair of the Department of Physics and Computer Science, the academic Deans, the Chief of Staff, and the Provost (Chair). The six appointed faculty members shall be appointed by the President, upon nomination by the Faculty Senate, for three-year terms. The committee shall report to the President and shall function and be organized into subcommittees consistent with applicable Board policy (ownership).
- 3) **The Comprehensive Safety and Security Committee (CSSC) shall consist of the Chief of Staff, Executive Vice President, Provost, Vice President of Student Services, Vice President of Human Resources, Vice President of Advancement, Chief of University Police, Associate Vice President of Auxiliary Services, Chief Information Officer, Associate Vice President of Finance, Safety Officer, Executive Director of the Ferguson Center, Press Secretary, Faculty Representative, Student Representative and the University Webmaster. The Chief of Staff will serve as chair of the committee. The Committee:**
 - a) reports to the president
 - b) develops, reviews, and modifies the Comprehensive Safety and Security Plan on an annual basis or as needed
 - c) meets in response to unforeseen immediate or developing safety or security issues
 - d) appoints subcommittees and task groups as necessary
 - e) oversees the Electronic Security System (ESS) subcommittee consisting of representatives from University Police, Safety Officer, Auxiliary Services, Information Technology, Ferguson Center, Academic Affairs, Housing, Purchasing and Plant Operations.
 - f) meets a minimum of twice a year or as necessary
 - g) reviews and make recommendations on electronic access control systems, surveillance systems, and security alarm systems.
- 4) The Executive Planning Council (EPC) shall consist of the President (Chair), the Provost, the Dean of the College of Liberal Arts and Sciences, the Dean of the **Luter College of Business and Leadership**, the President of the Faculty Senate, the Executive Vice President, the **Vice President of University Advancement**, the Chief of Staff, the Vice President of Student Services and the President of the Student Government Association. The Council is responsible for developing the strategic vision for the University, focusing the vision, and then providing the process for implementation of the vision, including the review and approval of mechanisms for monitoring institutional effectiveness. The Council defines and conducts the strategic planning process for the University.
- 5) The First-Year Coordinating Committee (FYCC) shall consist of the Vice-President for Student Services (Co-Chair), the Vice-Provost (Co-Chair), the Dean of Students, the Assistant/**Associate** Dean for Liberal Learning, the Director of Academic Advising, the Coordinator of First-Year Initiatives, the Director of Learning Communities, the **Director of Counseling Services**, the Director of Residence Life, the President of the Faculty Senate or designee, the Chair of the Academic Advising Committee, and one student recommended by the Student Government Association and appointed by the Dean of Students. The Committee:

- a) reports to the President;
 - b) coordinates a broad range of policies, practices, and programs that affect first-year students;
 - c) recommends changes to first-year policies, practices, and programs as needed; and
 - d) guides the assessment of first-year initiatives.
- 6) The Intercollegiate Athletic Advisory Committee (IAAC) shall consist of three faculty members, one administrative faculty, two students, one alumnus or alumna, the Internal Auditor (non-voting), and the Director of Athletics (non-voting). Based on recommendations by the Director of Athletics, the President will appoint the NCAA Faculty Athletics Representative who will also serve as committee chair. The Committee:
- a) is appointed by the President in consultation with the NCAA Faculty Athletics Representative and the Director of Athletics, and reports to the President;
 - b) makes recommendations on all matters relevant to the Intercollegiate athletic programs;
 - c) reviews athletic philosophy;
 - d) considers matters related to athletic conferences and national athletic governing bodies;
 - e) reviews the need for additional equipment for gymnasium and outdoor facilities, addition or termination of sports programs, scheduling and transportation;
 - f) monitors the athletic budget.
- 7) **The Parking Advisory/Appeals Committee (PAAC) shall consist of the Director of Parking and Transportation (Chair), two Faculty members nominated by the Faculty Senate and appointed by the President for two year terms, two Staff members, and two Student representatives nominated by the SGA and appointed by the President. The purpose of this committee is to discuss, propose and implement changes to parking policy, rules and regulations. The committee will also provide a structured means to appeal a citation after the initial appeal has been denied.**
- 8) The University Handbook Committee (UHC) shall consist of three members appointed by the President, to include the **Vice President of Human Resources**, an Instructional faculty member with experience on the committee, and an Instructional faculty member. The **Director of Reports** serves as an ex-officio member.
- a) consults with the Provost, the Vice Presidents, and all other constituencies of the University on matters related to the *University Handbook*;
 - b) reviews all proposed changes in the *University Handbook* and makes recommendations to the President, specifying all proposed additions, alterations, deletions, and changes and identifying for the President where there is agreement and where there are differences among University constituencies;
 - c) is charged with the following responsibilities: determining if the subject of a change is appropriate to be included in the *University Handbook*; determining if the suggested addition or change has gone through appropriate University channels; assuring the proper placement of the change or addition in the *University Handbook*; removing obsolete and erroneous items from the *University Handbook*; and, ensuring that all University constituents have the opportunity to preview the committee's recommended changes to the *University Handbook*.
- 9) The Training and Development Committee (TDC) shall consist of members appointed by the **Vice President of Human Resources (VPHR)**. The Committee advises **VPHR** on the development and implementation of the training program.

4. Academic Department Chairs

a. General Description

The department chair is responsible to the dean of the college/school and the academic department for the organization, administration, inventory control, and management of the department. The chair is elected for a three-year term by a simple majority vote. All salaried faculty holding probationary or tenured rank in the department at the time of the election are automatic electors. Other members of the department, both full-time and part-time (not adjunct), may be granted voting privileges in advance of the election by majority vote of the automatic electors. The Chair is eligible for reelection. In newly formed departments or under circumstances approved by the Provost, the appropriate dean may appoint the chair. In large or multi-disciplinary departments, additional administrative officers such as vice-chair, assistant chair, coordinators, and/or directors may be appointed by the dean of the college/school in which the department is situated.

1) Eligibility

To be elected chair, a person must have a full-time, tenured or probationary Instructional faculty appointment at the rank of assistant professor or higher in the department. At the request of the department, or at the initiative of the dean, a department chair may be recruited from outside the University if a faculty position is authorized for the department. The recruited chair has a three-year term and is eligible for reelection.

2) Procedures

The election of a chair takes place at the beginning of the spring semester, with the term officially commencing the day following spring commencement. The election procedures are as follows:

- a) The dean notifies the department of the election, indicates eligible members, and issues paper ballots;
- b) The election is by secret ballot and is supervised by the dean;
- c) The ballots are hand delivered in unmarked, sealed envelopes to the dean within three academic days of their issuance;
- d) The voting is verified by the Provost and by a representative of the department;
- e) The dean approves of the department's choice or informs the department of the decision not to approve;
- f) If the dean does not approve the choice, a new election takes place;
- g) If, after three ballots, the department members are unable to agree on a chair who is acceptable to the dean, the dean may appoint a chair for a full three-year term or in an acting capacity for one year.

b. Functions

The department chair leads, directs and manages the activities of the academic department and ensures the academic quality of the university curriculum. The activities of the chair include general administrative activities, curriculum management and development, personnel management, and fiscal management and inventory control. The following listing is illustrative rather than exhaustive.

1) General Administrative Activities

- a) calls, chairs and sets agenda for department meetings;
- b) organizes department committees;
- c) attends chairs meetings and contributes to academic curriculum decisions;
- d) administers the directives of the dean within the time schedule designated by the dean;
- e) develops department mission, vision, strategic plan with short- and long-range goals, evaluation plan, and university reports in collaboration with the department faculty;
- f) prepares department catalog materials;

- g) has responsibility for department records and correspondence;
- h) maintains records required by SACS;
- i) completes an annual report of department activities and submits to the dean;
- j) oversees assessment;
- k) evaluates and signs degree certifications;
- l) serves as the spokesperson and liaison for the department;
- m) advises students;
- n) responsible for departmental publications (brochures, handbooks, etc.);
- o) assigns faculty to represent the department at university and community functions (Admissions Open Houses, Honors Receptions, etc);
- p) works with departmental faculty annually to update and submit the departmental evaluation criteria for faculty (form EVAL 4);
- q) acts on the following matters as prescribed in the University Handbook:
 - (1) grade appeals,;
 - (2) situations where a specific course is not taught as described in the Catalog;
 - (3) submission of course descriptions, syllabi, and examinations to the dean;
 - (4) recruitment and initial appointment of full-time instructional faculty;
 - (5) faculty applications for sabbatical or educational leave;
 - (6) university faculty development, summer stipend, and dissertation grants;
 - (7) requests for disbursements from Fund 0303;
 - (8) recommendations on peer review.
- r) oversees maintenance of files of all final examinations given in the department for seven years;
- s) requests resolution from dean for student final examination conflicts;
- t) acts as custodian for faculty dossiers;
- u) makes case to Graduate Programs Council for the need for provisional faculty;
- v) maintains office hours during the academic year and summer as necessary for accomplishing the responsibilities of the chair
- w) appoints another faculty member to act as chair when needed.

2) Curriculum Management and Development

- a) recommends course offerings, schedules courses, and makes course teaching assignments;
- b) directs the development of new programs or courses and prepares proposals for curricular changes for submission to the dean;
- c) responsible for submission of course schedule to the dean;
- d) initiates course status changes;
- e) decides whether to award transfer credit for courses taken elsewhere when the decision to award is disputed or in doubt;
- f) determines course waivers for majors when necessary.

3) Personnel Management

- a) fosters the development of excellent teaching (course design and management, classroom skills, pedagogy);
- b) encourages department faculty to pursue research, grant writing, and professional development;
- c) encourages participation of department faculty in university service;
- d) evaluates fulltime department faculty members' performance and merit and forwards recommendations to the dean;
- e) organizes and serves on all departmental peer groups for faculty evaluation, promotion, and tenure decisions in accordance with procedures in the University Handbook;
- f) forms and serves on department search committees;
- g) employs, supervises and evaluates non-faculty personnel. Signs time sheets and conducts the annual personnel review;
- h) recruits, hires, and evaluates adjunct faculty;

- 1 i) meets periodically with adjunct faculty and makes annual recommendations regarding their
- 2 continued employment;
- 3 j) provides orientation and direction to the department members, especially new members;
- 4 k) mediates student-faculty and faculty-faculty conflicts;
- 5 l) assigns advisers.
- 6
- 7 4) Fiscal Management
- 8 a) manages the department budget;
- 9 b) oversees purchase requests and travel forms;
- 10 c) distributes resources within the department;
- 11 d) responsible for inventory of departmental equipment.
- 12
- 13 c. Evaluation
- 14 The chair's service, as chair, is evaluated between April 1 and May 31 of each year by the dean with the
- 15 participation of department members. A chair receiving an unsatisfactory evaluation may be removed from
- 16 office by the dean.
- 17
- 18 d. Compensation
- 19 The compensation for the chair's service takes the form of (1) a reduced teaching load during the academic
- 20 year and (2) an administrative stipend for summer services as determined by the dean; said stipend is
- 21 separate from academic year salary, and is paid as wages, when earned, rather than as salary.
- 22
- 23 5. Instructional Faculty as Individuals and in Departments
- 24 a. Classifications
- 25 The several kinds of faculty appointments are described herein, the University Handbook. (see index:
- 26 appointments).
- 27
- 28 b. Responsibility
- 29 Each faculty member is responsible for providing students with specific objectives of assigned courses; for
- 30 methods and procedures of instructing and evaluating student performance; and for awarding of earned
- 31 grades (see index: code for academic work). Each Instructional faculty member is responsible for
- 32 formulating and implementing a professional development plan and for department, University, and
- 33 community service.
- 34
- 35 c. Faculty at the Department Level
- 36 1) Departments exist to implement the goals of Christopher Newport University and to assist in the
- 37 organization and administration of the instructional programs of the University. Departments also
- 38 provide assistance and procedural equity to all faculty members, a base for faculty cooperation in
- 39 achieving University goals, and a context for professional development and evaluation.
- 40
- 41 2) Faculty at the department level bear primary responsibility for the instruction of students and for
- 42 curriculum development. They also approve textbooks for courses taught by more than one member of
- 43 the department, advise students, and decide policies for equivalency testing or other ways of earning
- 44 credit for the major. The departmental faculty sets the professional standards and establishes
- 45 administrative policies within the department, subject to the approval of the academic dean.
- 46
- 47 3) Faculty members participate in the evaluation of the professional performance of colleagues in accord
- 48 with University policies governing peer evaluation; recommend new instructional programs within the
- 49 department; recommend policies related to interdepartmental, interscholastic and inter-institutional
- 50 cooperation; and recommend student advising policies to the chair and to the appropriate dean.
- 51 Departmental faculty members make recommendations to the Dean and Chair concerning scheduling
- 52 of courses (time and place); assignment of instructors; assignment of office space; cancellation of
- 53 courses due to insufficient enrollment; allocation of computer time; selection of new faculty (regular

and adjunct); secretarial services; and student assistants. Faculty also assists the chair in the formulation of the departmental budget and consultation with the chair concerning its administration.

d. The Individual Faculty Member

- 1) Consistent with the goals and policies of the University and those of their respective departments, individual faculty members determine the specific objectives of the courses that are their individual responsibility. Within each of the courses they teach, faculty members decide the course content; methods and procedures of evaluating student performance; the level of instruction appropriate to the class and the students; the administrative policies of the course; the research they do as a complement to teaching; and appropriate kinds and methods of self-evaluation. Individual faculty members also initiate requests and recommendations for changes in the University curriculum or the major or minor within their department. With respect to teaching and research activities related to the department, individual faculty members are directly responsible for keeping their department chair informed of those activities. The details of these several responsibilities are described in the appropriate sections of the *University Handbook*.
- 2) Individual faculty members keep abreast of current knowledge and developments in their disciplines and use instructional methods and materials that are most appropriate to the needs of students and to the requirements of the discipline. Faculty members define standards of student performance in their courses; establish appropriate objectives for students in each course; evaluate student performance; provide students with prompt information concerning their performance; prepare a calendar of assignments for each course, as appropriate; prepare syllabi for courses to include objectives for student performance standards, assignments, texts, and related readings, as appropriate.
- 3) Individual faculty members evaluate their own teaching effectiveness by such means as self-evaluation, peer evaluation, and student evaluation; maintain a current dossier for purposes of formal faculty evaluation; maintain membership in appropriate professional societies and organizations; attend and participate in professional conferences and meetings whenever possible (consistent with available funds); participate in research activities; publish the results of their research whenever possible and appropriate (consistent with support afforded by the department, college/school, or University); and act in a professional manner adhering to the policies of the University and the ethics of their discipline and the teaching profession.
- 4) Individual faculty members also cooperate with the faculty, students, staff, and administration as all seek to attain the overall objectives of the University. They meet their classes as scheduled; post and maintain office hours for students; meet administrative deadlines; perform nonclassroom tasks necessary to the functioning of the overall goals of the University; serve on elected, appointed, and/or ad hoc committees; advise students; assist their department in registration procedures; and attend Faculty meetings and University commencement ceremonies.
- 5) Individual faculty members are also responsible for all duties assigned them in this *University Handbook*.

e. Scholarly Activities

The Mission Statement of Christopher Newport University states that the University "focuses on excellence in teaching and scholarship. The liberal arts provide the foundation for quality undergraduate programs in the humanities, in the natural and social sciences, and in business and professional disciplines. Graduate programs provide students and faculty opportunities for advanced scholarship and learning. Graduate and undergraduate research brings students and faculty together to increase knowledge. Teaching, research and community service benefit the constituencies of the University, the Virginia Peninsula, the Commonwealth, the nation, and the world."

The Christopher Newport University Faculty, then, is a collegium of teacher-scholars dedicated to humane, scientific, cultural, and artistic knowledge and to its extension, preservation, interpretation, and application in order to assure the promulgation of the values of a civilized, knowledgeable, and humane world. As such, members of the Faculty have a professional responsibility to extend, preserve, and disseminate knowledge and the mental and practice skills necessary for making critical and ethical judgments. This responsibility shall be carried out by maintaining the highest standards of scholarship in teaching, research, and service.

1) Teaching

Because faculty by their scholarship sustain and deepen the intellectual environment of the University, scholarship in teaching is an essential component of excellence in teaching. This involves staying abreast of the literature in one's field, communicating knowledge and understanding to students, endeavoring to make the students part of the active learning process, and using the best pedagogical methods available and proper to the subject matter in the classroom. It also involves making oneself open to questioning and challenge and being available outside the classroom to aid the students intellectually and culturally. Evidence of active participation in scholarly activities of teaching at the University may include participating in curricular or pedagogical workshops and seminars; accepting exchange arrangements and guest lectureships in other colleges and universities; team teaching and other methods of integrating disciplines; utilizing computer-assisted teaching methods; and participating in international studies curricula and programs.

Criteria for judging excellence in teaching of an individual faculty member in regard to decisions of retention, promotion, tenure, and salary may include the following: peer visitation; student evaluations; internal and external review of instructional materials, teaching aids, and methods of instruction; and other evidence of teaching effectiveness.

2) Research

These standards of scholarship require faculty members to share their knowledge and learned skills by means of external review and validation through the publication of original research, the reviewing of new materials and applications, the interpreting or re-interpreting of existing scholarship, and developing new and significant applications of existing knowledge, and, in the case of the arts, the performance, presentation, or exhibition of creative work. Evidence of active scholarship may include writing textbooks, manuals, and articles on teaching methodology, thereby making them available to the academic community at large; editing readers, anthologies, and other scholarly materials for use in the classroom; developing and sharing with others new approaches to instruction; and, writing monographs.

3) Service

Teacher-scholars on a university faculty have a professional obligation to make their discipline-based knowledge and academic skills available to their profession and the community.

Similarly, as members of the University collegium they incur obligations to their colleagues to serve on the various regular and ad hoc committees necessary for policy making and the governing of the University, to aid in the development of curricula, to protect academic freedom, and to support University activities of both an academic and non-academic nature.

4) Department and Academic Standards

Appropriate standards for judging performance in teaching, research, and service in regard to decisions of retention, promotion, tenure, and salary shall be promulgated by each department and college/school according to recognized professional and disciplinary standards as modified by the resources, including time made available by, and the specific mission of, the University. The value attributed to such scholarship shall be related to the rigor and extent of external validation (implicit or explicit). Departmental standards shall be developed by the department with consultation of external

professional and disciplinary specialists. These standards shall be approved by the department, the appropriate academic dean and the provost before being utilized. College/school-wide standards shall be approved by the dean and the provost and distributed to each member of the college/school faculty before being utilized.

5) Administrative Standards

The mission of Christopher Newport University integrates teaching, research, and service but emphasizes teaching. Therefore, it shall be the responsibility of the provost and the academic deans to regard as valid and meritorious all varieties of scholarly endeavor described above and to reward them according to standards that are equitable among departments and college/school. In short, commitment to scholarly endeavor in its various forms must be ongoing, but without compromising the quality of teaching.

6. Ancillary Positions

To assist the University in managing some of its activities, some members of the faculty may be selected or appointed to administration positions ancillary to their primary responsibility.

a. The Director of the Bureau of Business and Economic Research manages the Bureau of Business and Economic Research and supervises the production of reports sponsored by the Bureau. The Director is selected by, reports to, and serves at the pleasure of the Dean of the College of Business, Science and Technology.

b. The Director of the Honors Program convenes the Honors Council, coordinates its activities, and performs administrative duties related to the Honors Program, including the notification of scholarship winners, the securing of instructors for honors courses, and the advising of honors students. The Director also serves as faculty sponsor of the Virginia Zeta Chapter of Alpha Chi. The Director is appointed by, reports to, and serves at the pleasure of the Provost.

c. Fiscal Account Managers are selected by, and report to the appropriate organizational administrator as reflected in the University's organization chart. A Fiscal Account Manager is charged with fiscal accountability for resources and responsibility for managing funds within one or more subsidiary ledger revenue or expense accounts of the University.

7. The Student Body

A description of student body governance is published in the CNU *Student Handbook*. This Handbook is available through the Division of Student Services and on the website of the University.

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