



VILLANOVA UNIVERSITY

FULL-TIME FACULTY HANDBOOK

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Villanova University is an affirmative action Institution, and it is the continuing policy of Villanova not to discriminate against any employee, student, or applicant for employment or admission on the basis of race, color, sex, religion, national origin, age, veteran status, non-job-related-disability, or any other basis prohibited by law.

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INTRODUCTION

Villanova's faculty constitutes the foundation of the University's academic enterprise. Villanova takes pride in the excellence and dedication of its faculty, and it relies on the faculty, together with administrators and staff, to carry out its educational mission. In its essential functions¹, the faculty provides expertise, judgment, creativity, and leadership in academic matters. The University administration bears the legal authority and responsibility for the University and its operations, as delegated by the Trustees, and it provides strategic and administrative leadership, support, oversight, and management for academic matters. Through shared governance and collegiality, faculty, administrators, and staff are partners in advancing the University's mission. Together, we work toward *Veritas, Unitas, and Caritas*.

After providing an overview of the University's mission and structure, this Handbook describes the position of the faculty in the University. The product of years of cooperation between the Office of the Provost and the Faculty Rights and Responsibilities Committee, the Faculty Congress, and the Academic Policy Committee, the *Handbook* seeks to provide clarity as to the structures, responsibilities, and benefits of academic life at Villanova. In this sense, the *Handbook* is part of the University's contract with faculty members. Because of legal and regulatory requirements in certain areas, owing to the contractual nature of the employment agreement between the University and its faculty and in view of obligations the University has to students and others, parts of the *Handbook* necessarily are couched in legal terms and/or include specific requirements or prohibitions. The University recognizes and depends on the faculty's professionalism and understands that members of the faculty act accordingly. Thus much of this *Handbook* simply articulates good professional practice. In situations where common procedures must be followed, where legal or contractual requirements must be honored, or where guidance is needed, the *Handbook* provides clear statements regarding procedures and prudent actions.

This *Handbook* is for faculty members in the Colleges of Liberal Arts and Sciences, Engineering and Nursing, and the School of Business. Although a paper version will be kept accurate and up to date, the official version is found at <http://www1.villanova.edu/villanova/provost/resources.html>. Please report errors or mistakes to the Office of the Provost. Faculty members who have questions about the policies and their application should consult their department chairs or program directors in the College of Nursing,

In order to retain necessary flexibility in the administration of policy and procedure, Villanova University reserves the right to revise or delete any of the provisions of this *Handbook* and to revise, reduce, or eliminate any policy or benefit described in this *Handbook*, with or without notice, as the University deems appropriate. Such actions, unless mandated by legal or contractual requirements, merely technical in nature, or driven by emergencies, will not be undertaken without prior consultation with the Faculty Rights and Responsibilities Committee.

¹ See Section 5 of this *Handbook*.

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PART ONE: INSTITUTIONAL DESCRIPTION AND MISSION

1. HISTORY AND MISSION

For over a century and a half, Villanova University has been sponsored by the Order of St. Augustine, known as the Augustinians, one of the oldest religious teaching orders of the Catholic Church. The first American foundation of the order within the present limits of the United States was established in 1796 at old St. Augustine 's Church in Philadelphia. Villanova University traces its lineage from this foundation and from St. Augustine 's Academy, which was opened in Philadelphia in 1811.

In January 1842, the Philadelphia Augustinians took possession of *Belle Air*, the country estate of the Revolutionary War officer and merchant John Rudolph. In accordance with the Old Catholic custom, the new foundation was placed under the patronage of a saintly hero of the past. As patron of the new Institution, the Augustinians chose St. Thomas of Villanova, a 16th century Spanish Bishop who was a distinguished Augustinian writer and educator. The school soon became known as Villanova and gave its name to the surrounding countryside.

Classes were opened in the old mansion house at Belle Air during the fall of 1843. On March 10, 1848, the Governor of Pennsylvania, Francis R. Shunk, signed the Act of the Legislature incorporating "The Augustinian College of Villanova in the State of Pennsylvania" and conferring on it the right to grant degrees in the Arts and Sciences.

The Liberal Arts College took its first step toward university status in 1905 with the establishment of what is now called the College of Engineering. The Science unit, inaugurated in 1915, is now an integral part of the present College of Liberal Arts and Sciences. In 1918, what is presently known as the College of Professional Studies came into being. The School of Business was founded in 1922 (as the College of Commerce and Finance), the College of Nursing in 1953, and the School of Law in 1953.

Villanova 's development over the years into a complex institution of higher education received official sanction when, on November 10, 1953, pursuant to an act of the Legislature of the Commonwealth of Pennsylvania, its charter was amended to permit it to be designated Villanova University.

The University's mission statement provides a summary statement of Villanova's institutional values and aspirations that set the overall tone of the University's collective objectives.

MISSION STATEMENT

Villanova University is a Catholic Augustinian community of higher education, committed to excellence and distinction in the discovery, dissemination and application of knowledge. Inspired by the life and teaching of Jesus Christ, the University is grounded in the wisdom of the Catholic intellectual tradition and advances a deeper understanding of the relationship between faith and reason. Villanova emphasizes and celebrates the liberal arts and sciences as foundational to all academic programs. The University community welcomes and respects members of all faiths who seek to nurture a concern for the common good and who share an enthusiasm for the challenge of responsible and productive citizenship in order to build a just and peaceful world.

Enduring Commitments

In pursuit of this mission, we commit ourselves to academic excellence, to our values and traditions, and to our students, alumni and the global community.

To foster academic excellence, we as a University:

- Create a diverse community of scholars, united and dedicated to the highest academic standards;
- Emphasize the liberal arts and sciences as our foundation and foster in our students active engagement, critical thinking, life-long learning and moral reflection;
- Concern ourselves with developing and nurturing the whole person, allowing students, faculty and staff to grow intellectually, emotionally, spiritually, culturally, socially and physically in an environment that supports individual differences and insists that mutual love and respect should animate every aspect of university life;
- Encourage interdisciplinary research, teaching and scholarship;
- Affirm the intrinsic good of learning, contemplation and the search for truth in undergraduate and graduate education;
- Support a curriculum that encourages both a global perspective and an informed respect for the differences among peoples and cultures.

To honor our values and tradition, we as a Catholic University:

- Believe that the dialogue between faith and reason drives the pursuit of knowledge and wisdom, and fosters St. Augustine's vision of learning as a community ethos governed by love;
- Seek to understand, enrich and teach the Catholic intellectual tradition through our curricula, scholarship and activities in ways that engage diverse religious, intellectual and cultural traditions in a vigorous and respectful pursuit of truth and wisdom in every area of humanity;
- Provide opportunities for students, faculty and staff to seek guidance from Catholic intellectual and moral traditions, while always welcoming people from all faiths, cultures and traditions to contribute their gifts and talents to our mission;
- Respect and encourage the freedom proposed by St Augustine, which makes civil discussion and inquiry possible and productive;
- Look to the Order of St. Augustine to preserve our Augustinian character, by showing appropriate preference to Augustinians in faculty and staff appointments, and by welcoming their presence and influence in our university community.

To serve our students, alumni and global community, we as an Augustinian University:

- Encourage students, faculty and staff to engage in service experiences and research, both locally and globally, so they learn from others, provide public service to the community and help create a more sustainable world;
- Commit to the common good, and apply the knowledge and skills of our students and faculty to better the human condition;
- Encourage our students and faculty to pursue virtue by integrating love and knowledge, and by committing themselves to research and education for justice, with a special concern for the poor and compassion for the suffering;

- Respect a worldview that recognizes that all creation is sacred and that fosters responsible stewardship of the environment;
- Include our alumni as an integral part of the Villanova community;
- Value highly our relationship with neighboring communities.

2. UNIVERSITY STRUCTURE

PRESIDENT AND BOARD OF TRUSTEES

Full legal jurisdiction in all that pertains to the University is vested in the Board of Trustees, which is comprised of no fewer than twenty and no more than thirty-five members. Of these, no fewer than nine are to be members in good standing of the Order of Saint Augustine. The President of the University is *ex officio* a member of the Board.

The President is responsible to the Board as the executive head of the University and is responsible for the general direction of its affairs. The President performs all such duties as are provided for in the By-Laws of the Board of Trustees, those assigned by the Board of Trustees, and those which are necessary and proper for the performance of the office. As appropriate, the President delegates certain authority to the Provost and Vice Presidents.

The President, Provost and Vice Presidents serve at the discretion of the Board. All other administrative officers serve at the discretion of the President.

OFFICE OF THE PRESIDENT

The Provost and the Executive Vice President report to the President.

The *Provost* is the University's second highest ranking official and its academic leader who represents the President or the University in President's absence. The responsibilities of this position include all of Villanova's academic programs and all efforts to achieve educational alignment throughout the institution. The Provost will form a strong working relationship with the Vice President for Student Life and the Vice President for Mission and Ministry to ensure greater collaboration and achievement in these important areas. For a detailed description of the Office of the Provost's reporting structure – see below.

The *Executive Vice President* will oversee the University's financial and administrative operations at a highly-strategic level. These operations include: Financial Affairs, Auxiliary Services, Human Resources, Facilities Management, Public Safety, Compliance, and include the administrative operations of the Department of Athletics and University Information Technologies (UNIT). On broader conference and strategic issues, The Director of Athletics and the Vice President for Technology and Chief Information Officer (who leads UNIT) will continue to report to the President. The Vice President for Finance and the Vice President for Facilities Management will report to the Executive Vice President. The Executive Vice President provides critical oversight for administrative functions, ensures alignment with academic priorities, and develop strategies to leverage institutional resources.

The *Executive Council* consist of the President, the Provost and the Executive Vice President. The council's purpose is to ensure continued strategic, focused and streamlined oversight of the University. This council provides critical leadership for the institution while enabling the President

to focus more heavily on strengthening Villanova's external reputation, development initiatives and overall global presence. The Executive Council will work directly with the President's Cabinet, which will continue to serve as my leadership advisory group.

OFFICE OF THE PROVOST

The educational work of the University is under the direction of the *Provost*. The college deans and the Dean of Enrollment Management are members of the *Council of Deans* reporting to the Provost.

Colleges and Deans. The various colleges of the University – Liberal Arts and Sciences, Engineering, School of Business, Professional Studies, School of Law and Nursing -- are supervised by the deans who report directly to the Provost. The deans direct their individual colleges, supervise department chairs and program directors in their colleges, and also advise the Provost on policy questions that transcend the work of the individual colleges. Within the colleges and under the supervision of the deans are *Departments* consisting of all those faculty members who are engaged in instructional, administrative, or research work in a given subject under *Department Chairs*. The College of Nursing is organized by programs. A department may serve students registered in more than one college of the University. Other academic and academic support units, including those involved in interdisciplinary studies, are supervised by directors appointed by the deans in consultation with the Provost.

Under the direction of the college deans, department chairs function as leaders of their departments and also as spokespersons for both the administration and for their faculty. They take an active role in planning the future of their departments, and are also responsible for evaluation of the work of their colleagues. In addition to their own teaching and research, they advise students and manage the support staff. Descriptions of the specific duties and functions of the chair are promulgated by the deans of the several colleges (see “Department Chairs – Authority and Responsibility”). Departmental chairs ordinarily are appointed by the President on the recommendation of the Provost and the relevant dean of the school or college following the “Protocol for Periodic Selection of Chairs.” Program directors in the College of Nursing are appointed by the Dean, with approval of the Provost.

The *Dean of Enrollment Management* supervises all matters pertaining to student recruitment, admission, financial aid, registration, and student academic records, and is assisted by the Associate Dean for University Admissions and Financial Assistance and the Associate Dean for Student Information and Registrar.

The Provost’s Council includes the members of the Council of Deans, the Vice Provost for Academics, the University Librarian, the Associate Vice Provost for Diversity and Inclusion, the Associate Vice Provost for Teaching and Learning, the Associate Vice Provost for Research, the Associate Vice President and Executive Director of Office of Planning & Institutional Research, and the Assistant Vice Provost for Finance and Administration.

Reporting directly to the Provost are the Vice Provost for Academics, the Associate Vice Provost for Diversity and Inclusion, the Associate Vice President and Executive Director of Office of Planning & Institutional Research, and the Assistant Vice Provost for Finance and Administration.

Reporting to the Vice Provost for Academics are the Associate Vice Provost for Teaching and Learning, the Associate Vice Provost for Research, the Director of the Honors Program, the

Executive Director of the Career Center, and the Executive Director of Online Programs.

The *University Librarian & Director of the Library* reports directly to the Provost and is responsible for the overall administration of Falvey Memorial Library. The Director focuses on the strategic relevance of the library to learning and research in the digital age and works with librarians, library staff, faculty members, the Library Committee, and student advisory groups to develop library collections, services and facilities that extend and enhance the university's commitment to academic excellence and to a rich community intellectual life.

Programs, Institutes, Centers and Offices reporting to the Office of the Provost include:

The *University Honors Program* focuses on the whole person--mind, body, and spirit. The program supports Villanova students' pursuit of excellence in a warm and collegial community. Villanova's Honors students value hard work, patience, honesty, rationality, curiosity, and learning. They are thinkers who do, treating their college years as a proving ground for leadership and success. The Director reports to the Vice Provost for Academics.

The *Office of Diversity and Inclusion* (ODI) supports our community's continuing efforts to create a welcoming and diverse Villanova community at all levels: faculty, administrators, staff and students. ODI partners with colleges, divisions, departments and programs to support the recruitment retention and promotion of faculty and staff from underrepresented groups. ODI collaborates with colleagues and offices throughout the University to support the academic success of all students, acknowledging the importance of retaining and graduating students from underrepresented groups, Pell Eligible students and first generation college students. ODI plans strategically with academic, administrative and other units of the University ways to create a Villanova community where individual differences are acknowledged and appreciated, where what we learn, teach, and research creates grounds for understanding, and where we constantly find better ways to communicate across and through that which previously divided us. Reports to the Associate Vice Provost for Diversity and Inclusion.

The *ICE Institute* is an innovative driver of scholastic, educational, and professional development opportunities in the related areas of creativity, innovation, and entrepreneurship within the Villanova community. The ICE Institute has a multi-disciplinary and cross-college focus and seeks to advance the University's strategy by fostering cross-college learning and embedding entrepreneurial thinking more deeply in the Villanova culture. The Director reports to the Provost.

The *Office of Planning and Institutional Research* conducts studies and offers technical assistance in support of educational excellence, strategic planning, assessment and evaluation. OPIR also manages the CATS data collection/analysis/reporting system including preparing special reports. In addition, OPIR collects certain externally mandated data and data for professional organizations. The Associate Vice President and Executive Director of Office of Planning & Institutional Research oversees this office.

The *Villanova University Career Center* provides vocational counseling and assistance to students, alumni, and other members of the University community. It maintains an extensive library of career fields, graduate and summer employment leads. The Center administers the on-campus interviewing program and provides credentialing service. The Director reports to the Vice Provost for Academics.

The *Villanova Institute for Teaching and Learning* provides and coordinates resources for faculty members who are interested in helping their students become more effective learners. Among the

services offered are confidential consultations and classroom observations, workshops, and mini-grants. A library/resource center contains materials related to teaching and learning. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Office of Education Abroad* provides information and assistance to students who wish to study overseas for summer semester, or year programs in Europe, Asia, Latin America, Africa, Australia, and the Middle East. This office also administers Villanova's summer overseas study programs. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Office of Learning Support Services* works with students diagnosed with learning disabilities, providing appropriate accommodations and support services. The Director also advises faculty members and administrators on appropriate accommodations for students with learning disabilities. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Office of Academic Support for Athletics* provides supplemental athletic support to all Villanova varsity student-athletes. (Primary academic advising is provided by the regular advising system of each individual student-athlete's college). The Academic Support staff acts as a liaison between the academic and athletic communities. The staff also monitors the academic progress of all student-athletes to assure that University and NCAA regulations are being met and that progress is being made toward graduation. The office also supervises tutoring and mentor services for student-athletes. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Villanova Writing Center* offers tutoring assistance to undergraduates, graduate students, faculty, and staff who are engaged in every kind of writing. Students are welcome to come to the Writing Center at any stage of their composing process. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Math Learning Resource Center* (MLRC) provides an environment where students can obtain help with first and second year math classes, work on group projects, study independently, and use computer lab facilities. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Center for Center for Access, Success, and Achievement* (CASA) provides holistic support (including mentoring, counseling, and tutoring) to students with a special focus on traditionally underrepresented students. The Director reports to the Associate Vice Provost for Teaching and Learning.

The *Office of Research Administration* acts as a liaison between the University and potential funding agencies and coordinates the processing and transmittal of proposals to sponsors. The Director is responsible for facilitating and enhancing the proposal submission process by providing information on funding sources and overseeing the University's compliance with federal, foundation, and corporate regulations. The Director administers the Faculty Summer Research Program, the Human Subjects Committee, the Institutional Animal Care and Use Committee, and the patent and copyright endeavors of the University as well as the day-to-day maintenance of grant and contract accounts. The Director reports to the Associate Vice Provost for Research.

The *Center for Undergraduate Research and Fellowships* (CURF) exists to cultivate the development of intellectual, civic, and cultural leadership among Villanova undergraduates from diverse backgrounds by providing the opportunity to engage in undergraduate research as well as comprehensive advisement for students who pursue prestigious national scholarship and fellowship opportunities. These include the Truman, Goldwater, Udall, Fulbright, Marshall, Rhodes

scholarships, the National Science Foundation Graduate Research Fellowship, the DAAD-RISE international research internships, and National Science Foundation Research Experiences for Undergraduates, among others. The Director reports to the Associate Vice Provost for Research.

The Provost and the Provost's leadership team work with faculty leaders, especially Faculty Congress.

Faculty Congress discusses all matters of interest to the faculty and, where appropriate, passes resolutions expressing its opinion on such matters. While resolutions may be sent to any Administrative Officer, the Faculty Congress has a direct consultative line to the Provost (or designee). The Faculty Congress is responsible for coordinating the activities of the faculty representatives, the Academic Policy Committee and the Faculty Rights and Responsibilities Committee. Those representatives, in turn, will advise the Faculty Congress on relevant matters which come before the governance bodies on which they serve. The Faculty Congress nominates faculty representatives to several committees of the Board of Trustees and conducts elections for faculty positions on various University bodies. The Congress has forty members: seven full-time faculty members elected at-large by the full-time faculty; two adjunct faculty members elected at-large by the adjunct faculty; and one retired faculty member elected by the retired faculty. The remaining thirty members are the members of the Academic Policy Committee and the Faculty Rights and Responsibilities Committee, who are themselves elected by their various constituencies.

The *Academic Policy Committee* has authority to recommend policy in academic matters affecting more than one college of the University, and also has a direct line to the Provost (or designee) for the discussion and resolution of academic issues. The Academic Policy Committee consists of sixteen elected faculty members; six undergraduate students; two graduate students; Provost (or designee); the Deans of the Colleges of Liberal Arts and Sciences, Engineering, Nursing, Business and Professional Studies, as well as the Dean of Graduate Studies in the College of Arts and Sciences.

The *Faculty Rights and Responsibilities Committee* is a committee of the Faculty Congress. It has authority to recommend policy in all major areas of faculty welfare significantly affecting the University as a whole. The *Committee* also has a direct line to the Provost (or designee) for the discussion and resolution of faculty issues. The Committee consists of fourteen elected faculty members and one of whom shall be the Vice Chair of the Faculty Congress. The Provost (or designee) is an *ex officio* member.

UNIVERSITY COMMUNICATION

The Office of University Communication, under the direction of the Vice President for University Communication, promotes the positive image and reputation of Villanova University by communicating the University's messages and achievements to various constituencies. The Office publicizes student, faculty, and alumni achievements to both internal and external communities. University Communication may ask faculty members to speak about areas of expertise with the media and/or with members of our staff.

GENERAL COUNSEL

The *Vice President and General Counsel* supervises the Office of the General Counsel which handles all legal issues affecting the University.

MISSION & MINISTRY

The *Office of Mission and Ministry*, under the direction of the Vice President for Mission and Ministry, works to facilitate Villanova's commitment to living out its mission in every facet of University life. The Office promotes an inclusive vision of the Catholic intellectual tradition; coordinates a variety of initiatives relating to the University's Augustinian heritage and Catholic Social Teaching; encourages programs and research on contemporary problems; ensures that the spiritual and sacramental needs of Catholic students are met; and extends the Augustinian mission and the work of Villanova University in ways which will assure its contribution to the continued social and spiritual transformation of our world.

Campus Ministry serves the University in the expression of Augustinian spirituality and Roman Catholic identity, the development of communal life in an atmosphere of religious faith, the fostering of Christian values within the community and the institution, and the promulgation of an ethic of service. The campus ministry team serves many of the religious and spiritual needs of the faculty through campus liturgies, and service and educational programs.

The *Augustinian Institute* serves "as an agent and resource to support its efforts to give Augustine's thought a vibrant and integral place within Villanova's academic and community life, and allows that voice of Augustine to continue to speak effectively to today's world."

The *Villanova/Catholic Relief Services (CRS) Partnership* is a collaboration that is integrated into the structures of each institution in conformity with each institution's culture. The partnership leads to knowledgeable and empowered constituencies who are formed by Catholic social thought and tradition and who live their faith in solidarity with the poor of the world.

The *Center for Faith and Learning* provides opportunities for students and faculty to explore the vocation of the mind and the depths of the Spirit in the way of Augustine, who searched for knowledge in the context of community. The Center promotes critical inquiry among friends who enter into dialogue dedicated to the integration of faith and learning, the hallmark of Augustinian pedagogy. The Center is rooted in the Catholic/Christian intellectual tradition and is a place where transformative, intellectual life is in dialogue with all faith traditions.

The *Center for Peace and Justice Education* offers an interdisciplinary academic program, informed by the Catholic social tradition, which focuses on issues of social justice and peace. Our curriculum is challenging and innovative, and attracts some of Villanova's finest faculty and students.

STUDENT LIFE

The *Vice President for Student Life* administers and supervises functions and activities relative to student co-curricular life.

The *Office of Intercultural Affairs (OIA)* creates, maintains, and supports programming and mentoring initiatives that seek to foster and sustain a community of respect and inclusion for Villanova students with a special focus on underrepresented students.

The *Dean of Students* is responsible for promulgating and upholding community standards for the student community, as well as serving as a liaison with various University constituencies including parents, Public Safety, Residence Life staff, and local township officials and civic associations and

coordinating the University's alcohol education and intervention programs. This office also coordinates services for international students and students with physical disabilities.

The *Office for Residence Life* collaborates with a variety of offices to provide residential students with a clean, safe, attractive, and educationally purposeful living environment.

The *Office of Student Involvement* supervises and coordinates co-curricular student activities, emphasizing leadership skills to make co-curricular activity a cooperative factor with study and education, and encouraging self-directed activity giving maximum opportunity for self-realization and growth.

The *Office of Music Activities* promotes, maintains, and supervises the efforts of student performing groups on the Villanova campus and also sponsors concerts on campus.

The *Student Health Center* provides the services of physicians, nurse-practitioners and registered nurses for consultation and treatment each weekday. Nurses are on duty 24/7 when classes are in session during the academic year, except for undergraduate vacation periods.

The *University Counseling Center* with its professional staff of counseling psychologists provides services to help students function optimally with regard to emotional, academic, social and psychological issues. All contacts and conversations are kept confidential except in situations where law or ethics require notification of a family member or other person.

The *Office of Health Promotion* provides campus-wide wellness initiatives. Health Promotion provides education on various topics so that students can make appropriate choices for healthy living. In collaboration with many departments, the Center offers educational programs on issues such as Alcohol and Drugs, Sexual Assault, Sexual Health, Stress Management, Fitness and Nutrition.

UNIVERSITY ADVANCEMENT

The *Senior Vice President for University Advancement* is responsible for directing the University's interaction with many aspects of the external community.

Under the Senior Vice President's direction, the *Office of Alumni Relations* plans and manages a comprehensive program of volunteer engagement, special events, communications, and services to develop lifelong connections with more than 100,000 living alumni. Working with the volunteer leadership of the Villanova University Alumni Association, the Office coordinates the activity of more than 70 regional, academic, professional, fraternal, and class-year based volunteer organizations. The Office maintains individual profiles on the University's alumni, plans and distributes electronic communications to alumni and parents, and manages the University's annual Homecoming and Reunion Weekend celebrations.

The *Office of University Development* supervises and coordinates all major components of a comprehensive development program. The fund-raising areas include major gifts, planned giving, corporate and foundation giving, and annual giving. The administrative support activities include prospect management, gift and pledge processing, donor research, donor relations, and gift stewardship.

ATHLETICS

The Director of Athletics directs the *Department of Athletics* which provides opportunities for the University community to participate in varsity, intramural, club, and recreational sports programs. In terms of its student athletics programs, the department seeks athletic success without compromising academic standards. The Athletics Department views the academic and personal development of every student-athlete as a primary goal, and it sees athletics programs as complementing classroom experiences by promoting discipline, teamwork, leadership, and a sense of fairness. Faculty members who have questions either about the Athletics program or about student-athletes should contact the Athletic Office.

INFORMATION TECHNOLOGIES

The *Vice President for Technology and Chief Information Officer* directs the *Office of University Information Technologies* (UNIT). UNIT recommends, provides and manages technology tools to support the educational processes of the University. UNIT's areas of responsibility include: providing access to technology tools to advance learning, teaching, research, and operations; facilitating information retrieval and sharing; enhancing operational efficiency and effective management through the use of state-of-the-art technology tools; and enabling and promoting electronic communication within the University and with regional, national, and international communities.

PART TWO: POLICIES AND PROCEDURES ON RECRUITMENT, APPOINTMENT, RANK, TENURE, AND EVALUATION

3. EMPLOYMENT AGREEMENTS

As part of the initial appointment process, the faculty candidate receives a letter offering employment and welcoming the new faculty member to the University, and a *Faculty Employment Agreement* describing general and specific terms of employment. If Villanova renews the faculty member's appointment, he or she, normally by June 1, receives a letter, electronic communication, or other appropriate notification indicating renewal of the appointment, current rank, the next year's salary, and other specific terms of employment. Unless the *Employment Agreement* that a faculty member most recently signed was materially changed subsequent to that signing, in which case the faculty member is sent a new *Faculty Employment Agreement*, the renewal/salary letter incorporates by reference the terms of that most recently signed *Agreement* and provides salary and other terms and conditions. Faculty members wishing to decline the terms of the Employment Agreement are to do so, in writing, within thirty days of the date of the letter, unless permission to extend that period is obtained from the Provost. Notice of the faculty member's acceptance of the salary and specific terms of the renewal/salary letter is not required, but faculty members wishing to decline the offer of continued employment in the renewal/salary letter are requested to notify the Office of the Provost as soon as possible.

The University reserves the right to cancel an agreement for cause upon written notification as specified in the "Faculty Employment Agreement." With respect to a faculty member with tenure, such cancellation shall be subject to the terms set forth in the Dismissal and Suspension procedure for Faculty.

TENURE/TENURED TRACK FACULTY EMPLOYMENT AGREEMENT:

VILLANOVA UNIVERSITY
Villanova, Radnor Township, Delaware County, Pennsylvania
FACULTY EMPLOYMENT AGREEMENT
(Tenured/Tenure track)

Villanova University, a corporation hereinafter referred to as the University, being desirous of securing the services of qualified individuals to further the educational purposes and ends for which it stands, and

[print/type full name of faculty member]

hereinafter referred to as "Faculty Member", being desirous of rendering such services in return for the rewards and privileges associated with an academic appointment, hereby agree as follows:

1. *(a) The University will employ Faculty Member on a full-time basis, beginning the 22nd day of August, 20XX, for the period of time (nine or twelve months) at the rank and with the title indicated in the accompanying salary notification (or appointment) letter, and will compensate Faculty Member therefor in the amount specified in that letter, which describes base salary and any additional compensation to which Faculty Member may be entitled. The University will deduct from such monthly payments all required tax withholdings and those amounts that Faculty Member contributes toward retirement and other benefit plans sponsored by the University or are otherwise authorized by Faculty Member.*

(b) Each year, normally before June 1, if Faculty Member is to be employed by the University for the next academic year, the University will issue a letter or other appropriate notification to Faculty Member detailing one's rank, the salary for the following academic year, supplementary compensation (if any) for administrative duties, and other pertinent details of employment renewal ("renewal details"). The letter/notification explicitly incorporates and encompasses the terms of the most recently signed Faculty Employment Agreement. Should this employment agreement be changed in a substantive manner beyond the changes in the "renewal details," the University commits to inform Faculty Member in writing and to issue a new Employment Agreement for Faculty Member's signature. In such cases, Faculty Member agrees to notify the University of his/her acceptance or rejection of the proffered terms of the new agreement within thirty days of the mailing date of the agreement.

2. *Faculty Member agrees to devote his/her full time to the duties and functions prescribed by the University through its administrative officers. Such duties and functions include:*
 - *prescribed teaching responsibilities as described in the Faculty Handbook and University Rank and Tenure Policy, and as assigned by one's dean, including academic mentoring/advising and occasional supervision of student independent study programs;*
 - *scholarly research, publication, and related scholarly activities as described in the Rank and Tenure Policy; and*
 - *administrative and service functions, as assigned by one's dean and as described in the Rank and Tenure Policy.*

1. *Faculty Member agrees:*

- *to abide by the policies and regulations as set forth from time to time in the Faculty Handbook;*
 - *to adhere to and enforce all University policies and regulations in place from time to time;*
 - *to practice the professionalism that allows and encourages faculty, students, and staff to cooperate to achieve and advance the University's goals;*
 - *to avoid such serious misconduct or misuse of his/her faculty status as will bring disgrace or discredit on himself /herself or on the University;*
 - *not to engage in any enterprise that may in the judgment of the University interfere with the proper performance of his/her full-time duties to the University;*
 - *not to publicize or make use of his/her faculty status in connection with any commercial venture or enterprise, or any endeavor that may bring discredit to the University or the educational purposes and ends for which it stands.*
4. *Faculty Member participates in the University retirement and other benefit programs in accordance with the rules and regulations in effect from time to time governing the same. The University agrees to contribute to said programs on behalf of Faculty Member such an amount as is prescribed by said rules and regulations as they may be amended by the University from time to time.*
5. (a) *After Faculty Member, having successfully undergone the prescribed tenure process, has been awarded tenure by the University, he/she holds a continuing appointment in his/her department or program unless it is terminated in accordance with one or more of the following:*
- *the election of said Faculty Member to resign or retire;*
 - *the provisions of paragraph seven because of discharge for cause;*
 - *a program of the University to bring about a significant reduction in faculty because of financial exigency at the University or college level;*
 - *a strategic decision to discontinue or significantly reduce the size and scope of a college, a department, or free-standing academic program (center, institute, major, minor, or course of studies) in which Faculty Member was hired and tenured.*
- (b) *Any such University-determined reduction in faculty, program discontinuation, or reduction must be genuinely bona fide and must follow the procedures set forth in the Faculty Handbook. In all such cases the University will work with Faculty Member whose position is eliminated in an effort to retrain or relocate him/her within the University, if feasible. There is no assurance that a successful internal relocation can be effected, however.*
6. (a) *The University agrees that in the event Faculty Member is unable to perform his/her duties owing to a qualifying short term disability, subject to University policy governing disability the University shall provide Faculty Member with 70% of his/her regular salary after ten (10) days of absence up to a maximum of one hundred eighty (180) days. Faculty Member may use sick time, if available, for the first ten (10) days of absence and to offset the other 30% of salary. Faculty Member will accrue sick time at the rate of one month for each year of service, up to three months. After one hundred eighty (180) days of absence, the provisions of the University's long term disability program shall apply. The existence of a disability is a matter to be determined in each individual case. The University reserves the right to verify the existence of a disability including the right to require its own medical examination. Regardless of the period of time Faculty Member is incapacitated due to a disability, he/she agrees to resume his/her duties for the unexpired term of employment as set forth in paragraph one upon regaining the ability to do so, and in that event the University agrees to continue*

or to resume, as the case may be, the specified monthly payments for the remainder of the contract term. The University will comply in all respects with the provisions of applicable laws in the administration of the disability income benefits.

(b) Family and medical leave without pay is governed by separate policies and regulations.

(c) If Faculty Member with tenure notifies the University prior to the 1st day of March preceding the beginning, normally on August 22, of the third academic year following the suspension of his/her duties (because of short or long term disability) that he/she has regained as of the date of such notice his/her physical and mental capacity to resume his/her duties, the University agrees to continue the appointment of said Faculty Member and to employ him/her pursuant to and subject to the provisions of paragraph five. The University's obligation to employ said Faculty Member shall commence as of the beginning of the academic year immediately following said notice provided that such notice had been given by March 1. The University reserves the right to verify the recovery from a disability sufficient to resume Faculty Member's duties, including the right to require its own medical examination.

(d) If Faculty Member who held tenure regains his/her physical and mental capacity to resume his/her duties after the period of time for giving notice set out in section (c) has elapsed, the University is not obligated to continue his/her appointment.

(e) Should any dispute arise concerning the tenured Faculty Member's physical or mental capacity to continue or to resume his/her duties, this question will be decided in accordance with the procedures set out in paragraph seven concerning discharge.

7. *(a) This agreement may be terminated at any time, or appropriate sanctions including suspension without pay or reduction of salary may be imposed, on account of: professional incompetence; serious misconduct; moral depravity; serious misrepresentation or falsification of information important to the conduct of the University's activities; serious breach of academic integrity; grave and repeated neglect of duty; felony conviction (including discovery of a conviction that occurred before employment commences); intentional failure or refusal to perform a substantial part of assigned duties or to fulfill the responsibilities set out in this agreement or in the Faculty Handbook; or failure to correct serious, substantive, and persistent deficiencies in teaching, scholarship, or service. The University may act on such misconduct that it finds even if criminal proceedings arising out of the same conduct may not have been finally adjudicated.*

(b) To bring about such a discharge or suspension in the case of Faculty Member with tenure, the University, acting through the President, shall follow the Dismissal and Suspension Procedure for Faculty in the Faculty Handbook. Appeals of disciplinary actions for tenured faculty members short of discharge or suspension without pay shall be handled by means of the University's faculty grievance policy in the Faculty Handbook.

(c) If Faculty Member does not have tenure (i.e., is on the tenure track) and thus is serving in probationary status, he/she may be discharged or suspended without pay by the University for the reasons set forth in paragraphs 5 (a) and 7 (a) or for other good and serious reason as determined by the President. The President or the Provost will notify Faculty Member of a decision to discharge or to suspend him/her without pay, and the University will pay him/her the amount owed him/her at the contract rate for services rendered prior to the effective date of discharge or suspension.

The University, acting through the Provost, may choose at the conclusion of an academic year not to renew the appointment of a faculty member who does not have tenure and thus is serving in

probationary status on the grounds of unsatisfactory performance of his/ her duties and functions, as determined by the dean of his/her college.

8. *Unless Faculty Member is tenured, in which case the appointment is continuing, the University undertakes to inform Faculty Member, by means of written notice to his/her home and office, of any decision not to renew his/her association with it on the following schedule:*
 - *For faculty members in their first year of service, such written notice shall be sent on or prior to March 1 of that year. Employment terminates at the conclusion of that academic year, unless earlier terminated for reasons provided in this agreement.*
 - *For faculty members in their second year of service, such written notice shall be sent on or prior to December 15 of the second academic year. Employment terminates at the conclusion of that academic year, unless earlier terminated for reasons provided in this agreement.*
 - *For other faculty members: if notice is given during one's third, fourth, or fifth year of service, employment will extend throughout that year and the following academic year, at the end of which employment terminates, unless earlier terminated for reasons provided in this agreement.*
9. *In the extraordinary event of a University emergency or disaster requiring the suspension of University instructional activities, the University may extend the period of employment under contract, along with all obligations and expectations pertinent to such employment, to summer, fall or spring breaks, the weeks between normal semesters, weekends, or extraordinary evening hours to enable students to complete their academic year studies. In such cases, the period of extension would not exceed the period of suspension. Faculty members who are seriously inconvenienced by such extension may, upon application explaining the reasons therefore, be exempted in whole or in part by the Provost from instructional and related academic duties and functions during such extension.*

In witness of the assent of the two parties to this agreement herein above set forth and made on the ____ day of _____, 20XX at Villanova, Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, the duly authorized representative of the said University and the said Faculty Member have set their signatures herein below.

By the Faculty Member

For Villanova University:

Print name clearly

By _____
The Provost

Faculty Member Signature

NON-TENURE TRACK FACULTY EMPLOYMENT AGREEMENT:

VILLANOVA UNIVERSITY
Villanova, Radnor Township, Delaware County, Pennsylvania
FACULTY EMPLOYMENT AGREEMENT
(Non-tenure track)

Villanova University, a corporation hereinafter referred to as the University, being desirous of securing the services of qualified individuals to further the educational purposes and ends for which it stands, and

[print/type full name of faculty member]

hereinafter referred to as “Faculty Member”, being desirous of rendering such services in return for the rewards and privileges associated with an academic appointment, hereby agree as follows:

1. *(a) The University will employ Faculty Member on a full-time basis, beginning the 22nd day of August, 20XX, for the period of time (nine or twelve months) at the rank and with the title indicated in the accompanying salary notification (or appointment) letter, and will compensate Faculty Member therefor in the amount specified in that letter, which describes base salary and any additional compensation to which Faculty Member may be entitled. The University will deduct from such monthly payments all required tax withholdings and those amounts that Faculty Member contributes toward retirement and other benefit plans sponsored by the University or are otherwise authorized by Faculty Member.*

(b) Each year, normally before June 1, if Faculty Member is to be employed by the University for the next academic year and if any terms, conditions, or details of employment will change, the University will issue a letter or other appropriate notification to Faculty Member detailing the salary for the following academic year, supplementary compensation (if any) for administrative duties, and other pertinent details of employment renewal (“renewal details”). For multiple year appointments, if this appointment is to be extended at the University’s sole discretion, the University, normally before June 1 of the last year of the appointment will issue a letter or other appropriate notification to Faculty Member detailing the terms of the extension, including the number of years extended (“letter of extension”). If this appointment is for multiple years, and if it is not to be extended, the University undertakes to provide notification to Faculty Member before December 15 of the last year of the appointment. The annual letter or notification and letter of extension explicitly incorporate and encompass the terms of this original appointment. Should this employment agreement be changed in a substantive manner beyond the changes in the “renewal details” or “letter of extension”, the University commits to inform Faculty Member in writing and to issue a new employment agreement for Faculty Member’s signature. In such cases, Faculty Member agrees to notify the University of his/her acceptance or rejection of the proffered terms of the new agreement within thirty days of the mailing date of the agreement.

2. *Faculty Member agrees to devote his/her full time to the duties and functions prescribed by the University through its administrative officers. Such duties and functions include:*
 - *prescribed teaching responsibilities as described in the Faculty Handbook and University Rank and Tenure Policy, and as assigned by one’s dean, including academic mentoring/advising and occasional supervision of student independent study programs;*

- *such scholarly research, publication, and related scholarly activities as assigned by one's dean and described in the Rank and Tenure Policy; and*
- *administrative and service functions, as assigned by one's dean and as described in the Rank and Tenure Policy.*

3. *The Faculty Member agrees:*

- *to abide by the policies and regulations as set forth from time to time in the Faculty Handbook;*
- *to adhere to and enforce all University policies and regulations in place from time to time;*
- *to practice the professionalism that allows and encourages faculty, students, and staff to cooperate to achieve and advance the University's goals;*
- *to avoid such misconduct or misuse of his/her faculty status as will bring disgrace or discredit on himself /herself or to the University;*
- *not to engage in any enterprise that may in the judgment of the University interfere with the proper performance of his/her full-time duties to the University;*
- *not to publicize or make use of his/her faculty status in connection with any commercial venture or enterprise, or any endeavor that may bring discredit to the University or the educational purposes and ends for which it stands.*

4. *Faculty Member participates in the University retirement and other benefit programs in accordance with the rules and regulations in effect from time to time governing the same. The University agrees to contribute to said programs on behalf of Faculty Member such an amount as is prescribed by said rules and regulations, as they may be amended by the University from time to time.*

5. (a) *The University agrees that in the event Faculty Member is unable to perform his/her duties owing to a qualifying short term disability, subject to University policy governing disability the University shall provide Faculty Member with 70% of his/her regular salary after ten (10) days of absence up to a maximum of one hundred eighty (180) days. Faculty Member may use sick time, if available, for the first ten (10) days of absence and to offset the other 30% of salary. Faculty Member will accrue sick time at the rate of one month for each year of service, up to three months. After one hundred eighty (180) days of absence, the provisions of the University's long term disability program shall apply. The existence of a disability is a matter to be determined in each individual case. The University reserves the right to verify the existence of a disability including the right to require its own medical examination. Regardless of the period of time Faculty Member is incapacitated due to a disability, he/she agrees to resume his/her duties for the unexpired term of employment as set forth in paragraph one upon regaining the ability to do so, and in that event the University agrees to continue or to resume, as the case may be, the specified monthly payments for the remainder of the contract term. The University will comply in all respects with the provisions of applicable laws in the administration of the disability income benefits.*

(b) *Family and medical leave without pay is governed by separate policies and regulations.*

(c) *Should any dispute arise concerning Faculty Member's physical or mental capacity to continue or to resume his/her duties, this question will be decided in accordance with the procedures set out in paragraph six concerning discharge.*

6. *This agreement may be terminated at any time, or appropriate sanctions including suspension without pay or reduction of salary may be imposed, on account of: professional incompetence; serious misconduct; moral depravity; serious misrepresentation or falsification of information important to the conduct of the University's activities; serious breach of academic integrity; grave*

and repeated neglect of duty; felony conviction (including discovery of a conviction that occurred before employment commences); intentional failure or refusal to perform a substantial part of assigned duties or to fulfill the responsibilities set out in this agreement or in the Faculty Handbook; failure to correct serious, substantive, and persistent deficiencies in teaching, scholarship, or service; or for other good and serious reasons as determined by the President. The University may act on such misconduct that it finds even if criminal proceedings arising out of the same conduct may have not been finally adjudicated.

This agreement may also be terminated in the event of a program of the University to bring about a significant reduction in faculty because of financial exigency at the University or college level; a strategic decision to discontinue or significantly reduce the size and scope of a college, a department, or free-standing academic program (center, institute, major, minor, or course of studies) in which Faculty Member was hired and serves.

The President or the Provost will notify Faculty Member of a decision to terminate, suspend, or to impose other sanctions. In the event of termination or suspension, the University will pay him/her the amount owed him/her at the contract rate for services rendered prior to the effective date of discharge or suspension.

- 7. The University undertakes to inform Faculty Member of its decision, at its sole discretion, to renew the latter's association with it and of the terms of such renewal in a timely fashion, as indicated in section 1 (b) above. In recognition of this advance notice, Faculty Member agrees to notify the University of his/her acceptance or rejection of the proffered terms within thirty days of the date of the renewal notification. Upon written request of Faculty Member, the University agrees to grant a limited extension of the time for giving such notice.*
- 8. In the extraordinary event of a University emergency or disaster requiring the suspension of University instructional activities, the University may extend the period of employment under contract, along with all obligations and expectations pertinent to such employment, to summer, fall or spring break, the weeks between normal semesters, weekends, or extraordinary evening hours to enable students to complete their academic year studies. In such cases, the period of extension would not exceed the period of suspension. Faculty members who are seriously inconvenienced by such extension may, upon application explaining the reasons therefore, be exempted in whole or in part by the Provost from instructional and related academic duties and functions during such extension.*

In witness of the assent of the two parties to this agreement herein above set forth and made on the _____ day of _____, 20XX at Villanova, Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, the duly authorized representative of the said University and the said Faculty Member have set their signatures herein below.

By the Faculty Member

For Villanova University:

Print name clearly

By _____
The Provost

Faculty Member Signature

4. ACADEMIC CITIZENSHIP AND COMMUNITY

The faculty is essential to the University's academic community, which is rooted in Villanova's Catholic and Augustinian heritage and character, as expressed in the University's mission statement. As such, faculty members serve as models for and mentors of students who look to them for examples of what it means to be a member of a mission-based academic community devoted to excellence in the discovery, transmission, and application of knowledge, and comporting themselves in a fashion that exemplifies the values of this academic community and the academic citizenship that underpins it. Understanding that "community" does not imply conformity but assumes and welcomes intellectual diversity, faculty members (a) adhere to University, college, and departmental regulations; (b) practice and exhibit professionalism, mutual respect, and concern for members of the University community and for its ethos; and (c) conduct themselves in a fashion that is supportive of and consistent with the University's character and mission. Faculty members recognize their responsibility to be present in their academic departments to faculty colleagues and students; attend and participate in departmental meetings, committees, and functions on a regular basis; actively participate in the recruitment, selection, and evaluation of candidates' suitability for faculty positions in teaching, scholarship, service, and potential contribution to Villanova's mission; and participate actively in University and college programs and activities consistent with their other obligations and duties.

5. ESSENTIAL FACULTY FUNCTIONS

Essential faculty duties and responsibilities are discussed throughout this *Faculty Handbook*. In summary form, depending on the nature of one's appointment, they include, but are not limited to, the following: teaching and related instructional duties; advising and mentoring of students; scholarly research and publication; submission of grant proposals; routine departmental, college, and university service (including serving on committees, participating in the faculty recruitment process, reviewing and/or preparing written policy, process, or program documents, reviewing admissions applications, reviewing student records and achievements for purposes of establishing honors and awards, cooperation in planning and executing appropriate academic events, and similar activities), responsiveness to legitimate administrative requests and inquiries, and functioning as a participative and collegial member of this and the extended academic community.

6. EVALUATION OF FACULTY (PERIODIC)

In order that faculty members be regularly apprised of the quality of their performance and have reasonable grounds on which to base development strategies, and in order that they may be evaluated regularly and fairly for purpose of salary, promotion, and tenure, Villanova conducts periodic evaluations of its faculty members. The process of evaluation begins with the faculty member providing current, complete and accurate information on his/her recent and current academic activities and near-term plans to his/her department chair (in the College of Nursing, the program director), using the formats prescribed by the Office of the Provost and/or deans.

Department chairs, will evaluate each faculty member's recent performance, noting any significant changes and making appropriate recommendations for improvement, and will submit these evaluations to the appropriate deans, who in turn may undertake their own evaluations.

In conducting these periodic evaluations, chairs must:

- Seek in appropriate ways the advice of appropriate members of their departments as determined by college or departmental policy.
- Convey to the faculty the general tenor of their evaluations, and their reasons for reaching their conclusions, and provide the faculty members with copies of the numerical evaluative ratings and written comments on the forms provided.

Faculty members are encouraged to discuss the evaluation with the chair and must sign the evaluation to indicate that it has been read. The faculty member may also respond in writing. The written evaluations are then sent to the dean, who may add additional comments if he or she chooses. If the dean does add additional comments, they must be shared with the faculty member, and the faculty member must sign them to indicate that they have been seen. An unsatisfactory or superior rating requires qualifying or supporting comments. The numerical scores are then sent to the Provost.

As provided in the Rank and Tenure policy, untenured faculty members undergo a special and more rigorous third year review by their department chairs, their departments' appropriate evaluation committees, and their deans or deans' designees (possibly including the college rank and tenure committee), normally in the spring of their third year at Villanova. (For those taking one year of tenure credit, that one year counts as part of the three years; thus the review occurs in the spring of their second full year at Villanova.) The review is intended to inform the faculty members about their standing and prospects for tenure, to assist in developing their teaching, scholarship, and service, and to provide guidance for future efforts. The results of the review are in no way binding on subsequent tenure recommendations or decisions. Unless, in the judgment of the Office of the Provost, the University's financial situation prohibits it, tenure-track faculty members, except those taking two or three years of tenure credit, who receive favorable third-year evaluations will be granted one semester sabbaticals in their fourth years. Such sabbatical counts as part of the probationary period without tenure and as part of the member's standard seven-year sabbatical eligibility. Those whose third year reviews are judged by their deans to be unsatisfactory may not have their probationary appointments renewed.

Faculty members serving in non-tenure-track positions who are on multiyear appointments undergo a third year review by their department chairs, their departments' appropriate evaluation committees, and their deans or deans' designees, normally in the spring of the second year of their three year appointments (or the fourth year of their five year appointments). The review is intended to inform the faculty members about their standing and prospects for subsequent multiyear appointments, to assist in developing their teaching, scholarship (where appropriate), and service, and to provide guidance for future efforts. The results of the review will be given the most serious consideration in decisions to reappoint for subsequent multiyear terms. Those whose reviews are judged by their deans to be unsatisfactory will not have their appointments renewed.

7. RANK AND TENURE POLICY

A. INTRODUCTION

Faculty appointments and reappointments are made, and assignments are approved, by the Provost under authority delegated by the President. All decisions concerning faculty promotion and tenure are made by the President, upon recommendation of appropriate faculty and administrators, on the basis of need, merit,

and special fitness of the individual for the service demanded by the position. Administrative procedures adopted for the implementation of Villanova University's policy, including the wording and structuring of all pertinent forms and guidelines, are subject to addition, deletion, or modification at the discretion of the Provost.

B. FACULTY RANKS AND TITLES

- I. **TENURE-TRACK FACULTY**. Members of the tenure-track faculty serve throughout the academic year, normally in one academic department. Joint appointments to more than one department are possible and are made pursuant to University and college policies. A faculty member may hold the rank of instructor, assistant professor, associate professor, or professor.
- II. **NON-TENURE TRACK FULL-TIME FACULTY**. The University from time to time appoints faculty to non-tenure-track positions, on either an ongoing or temporary and limited term basis. Such faculty members serve throughout the academic year, normally in one academic department, and they normally are appointed at the instructor (without terminal degree) or assistant professor (terminal degree) rank. Those appointed for more than a temporary period serve at the University's discretion on an ongoing basis and are referred to as "continuing non-tenure track" faculty; they may, if they meet the promotion standards herein, be considered for appointment at, or promotion via normal procedures to, the ranks of associate professor or professor without tenure. In the College of Nursing, the prefix "clinical" may be used to designate non-tenure-track faculty whose duties include clinical teaching.
- III. **EMERITUS FACULTY**. At the discretion of the President, and upon appropriate recommendations, the honor of emeritus status may be conferred upon faculty who ended their Villanova careers at the rank of professor or associate professor, who served at least fifteen years at Villanova prior to retirement or departure, and whose academic career or service to the University was genuinely distinguished.
- IV. **ADJUNCT FACULTY**. Adjunct or part-time faculty members serve at the University's discretion, teaching less than a full-time load. Normally they are appointed at the instructor (without terminal degree) or assistant professor (terminal degree) rank. In the College of Nursing, the prefix "clinical" may be used to designate adjunct faculty whose duties include clinical instruction.
- V. **POSTDOCTORAL FELLOWS**. Postdoctoral fellows are appointed to undertake either teaching or research responsibilities. Normally, both types of fellows are appointed for one year and appointments are renewable for various terms as described in the letters of appointment.
- VI. **RESEARCH FACULTY**. The University occasionally appoints appropriately credentialed faculty members, whose function is to assist the full-time faculty in conducting programs of research or, under certain circumstances, to conduct their own programs of research as part of an overall college research mission. These appointments are made for varying periods of time and may involve minimal teaching responsibilities. Appointments are renewable at the University's discretion.

- VII. **OTHER INSTRUCTIONAL PERSONNEL.** Villanova from time to time appoints various other faculty members: drill instructors to assist language faculty, lab instructors or lab assistants, preceptors, clinical associates (in Nursing), etc. These typically are for one or two year periods, sometimes are unpaid, involve part-time instruction only, and are given appropriate titles commensurate with their duties.

C. APPOINTMENT AND REAPPOINTMENT *

I. STATEMENT OF INTENT

Villanova University seeks to appoint excellent faculty, nurture and reward their achievements, ensure fair treatment for them, and encourage them to become active participants in this scholarly community. It is the University's intention that only those new faculty members be appointed who show unambiguous and significant promise of improving and strengthening, over time, the quality of the Villanova faculty and advancing its mission as a Catholic/Augustinian University dedicated to excellent undergraduate and graduate education. Appointments, reappointments,* and decisions to tenure always are subject to the current and future needs of a faculty member's department, college, and the University.

*[“Reappointment” refers to the second and subsequent appointment of an untenured faculty member. Upon receiving tenure, one's appointment is continuing.]

II. INITIAL APPOINTMENTS

All appointments to the faculty are at the sole discretion of the University and are probationary except at the discretion of the President.

Initial appointments normally are made at the assistant professor rank but may be made at other ranks, depending on the appointee's credentials and experience and on the University's needs. [When initial appointments to the tenure-track faculty are made at the instructor rank, advancement to the rank of assistant professor follows upon certification to the University that the faculty member has been awarded the Ph.D. or other appropriate terminal degree.]

Essential for every tenure-track appointment is the candidate's sincere interest in, and promise and capability of delivering, the quality of teaching, scholarship, and service that will further the University's mission and strengthen the faculty.

III. TERMS OF APPOINTMENTS AND PROMOTIONS

Appointments, reappointments, and promotions take effect on the August 22 before the first day of class of the academic year unless otherwise indicated by the Office of the Provost. Except in cases of twelve month appointments, appointments terminate nine months later (on May 21 of that academic year) unless (a) the faculty member is tenured or (b) a reappointment for the next academic year has already been made, in which event the prior appointment continues, in recess, until the reappointment becomes effective. These provisions apply regardless of the schedule upon which compensation is payable.

Faculty members returning in any academic year receive for that year employment letters, usually in May, specifying salary and other circumstances of employment. Such letters, and all letters of initial employment, specifically incorporate the terms of the most recently signed Villanova University Faculty Employment Agreement, the current version of which is published in the *Faculty Handbook*.

For purposes of computing length of service for promotion or tenure eligibility:

- When any full-time faculty appointment or promotion becomes effective in the course of the first semester of an academic year, it is deemed to operate retroactively to the commencement of that semester.
- When any such appointment or promotion becomes effective after the end of the first semester, the faculty member's service is deemed to commence with the beginning of the next academic year.

D. POLICY ON PROMOTION AND TENURE

I. STATEMENT OF PRINCIPLE

Villanova is a community of scholars whose mission is guided by the classical tradition of liberal arts education, the intellectual and spiritual heritage of the Catholic Church, and the truth-seeking vision of St. Augustine. Because the search for truth may take many forms, Villanova values academic freedom and responsibility and seeks to facilitate the professional, academic, and personal growth of its faculty. In evaluating faculty members for tenure and advancement in rank, the University expects its faculty to understand, respect, and -- in ways compatible with their diverse religious, cultural, and philosophical traditions and their academic disciplines -- to support and contribute to the values expressed in the University's mission statement. Villanova expects its faculty to adhere to University, college, and departmental regulations and to practice the professionalism, mutual respect, collegiality, and concern for members of the University community that allow and encourage faculty, students, and staff of diverse backgrounds and traditions to cooperate to achieve the community's goals.

Academically, Villanova's mission and heritage emphasize student-centered teaching and learning, while promoting faculty scholarship and service. Student learning is best facilitated when students are actively engaged in and become responsible for their education as part of a process in which faculty, in addition to organizing and presenting material and assessing student mastery of it, lead, stimulate, mentor, and partner with their students, and model the intellectual life for them. To fulfill these roles and to create the atmosphere for learning, faculty themselves must be active learners. Villanova thus judges that a productive scholarly and professional life, including basic and applied research and, where appropriate, professional practice, is an essential element of the educational and learning process. Similarly, Villanova believes that participation in and contributions to one's department, college, University, profession, and community are the natural and desirable outgrowths of the scholarly life.

Tenure is bestowed and promotion granted in recognition of distinctive past achievement that is the basis for a firm expectation of ever-developing excellence in one's role as a teacher-scholar, one's contributions to the University's mission, and one's potential to enhance the quality of the faculty. As a consequence of both Villanova University's commitment to excellence and changes in academic and professional standards, the expectations of achievement for tenure and promotion have evolved and will continue to evolve over time. The norms and criteria that follow below represent the standards for consideration for appointment, tenure, and promotion. For those who must advise and decide on promotion and tenure cases, these criteria and norms are guides to be prudently applied in what is inherently a process of judgment that looks both prospectively and retrospectively and which evolves over time. Directions for implementation of this policy are available in the "Guidelines for Preparation of Rank and Tenure Files" that are issued annually by the Provost.

II. CRITERIA FOR PROMOTION AND TENURE

In the context of the University's mission and academic values as expressed in the Faculty Handbook, University mission statement, and elsewhere above (section A), teaching, scholarship, and service constitute the criteria for tenure and promotion. It is recognized that, for many good personal and institutional reasons, faculty members will vary, sometimes substantially, in the amount of time and effort they give to, and in the degree of excellence they achieve in, teaching, scholarship, and service. Accordingly, for favorable consideration for promotion and/or tenure, a lesser degree of achievement in one category must be balanced by a proportionally greater degree in the others. In no case, however, will a faculty member be awarded tenure or promoted whose performance fails to reach and to continue clearly to promise high quality achievement in both teaching and scholarship. Given its importance in building and maintaining Villanova's sense of community, academic citizenship (participative collegiality) – examples of which are found below in the section on service -- is an essential aspect of a faculty member's role and responsibility. It underpins the teaching, scholarship, and service dimensions of the faculty's role, but it cannot substitute for any of them.

1. TEACHING

The task of the faculty is to create a climate for, and to help students develop their capacity for and love of, discovery and learning. Accordingly, the prime indicator of excellence in teaching is the outcome of the educational process: the growth in a student's ability to comprehend, reason, analyze, create, communicate, lead, and work with others.

This growth in the student's abilities is facilitated by a number of faculty activities. Some examples are: keeping current in one's discipline; organizing course syllabi and assessments of student learning in a fashion designed to challenge and stimulate students' intellectual growth and curiosity; presenting subject matter with the clarity and depth that arises from a deepening grasp of the material; exhibiting enthusiastic commitment to seeking, possessing, and sharing knowledge; providing rigorous and demanding instruction and evaluation; demonstrating to students how subject matter and current research may bear on the human situation; consciously creating the atmosphere that will draw students to develop and use their powers of invention and discovery; encouraging both independent thinking and teamwork in learning and problem solving; fostering the desire in students for further education; assisting students to understand the moral and ethical issues and consequences in the subjects they are studying; developing and implementing innovative approaches to facilitating student learning and to teaching; encouraging students to take a more active role in and greater responsibility for their education; modeling the search for knowledge; effective mentoring, and partnering with, students; developing and applying instructional materials; successfully supervising theses; and demonstrating commitment to and success in academic advising.

Because measuring student growth and development in learning is imprecise and demonstrating the success of many instructional activities cannot be done with certainty, it remains necessary for candidates for promotion and/or tenure to provide sufficiently persuasive evidence of their achievements in these areas. To this end, all candidates must provide, and the colleague and administrative evaluation processes must assess: (1) data on classes taught and enrollments; (2) representative course syllabi and examinations; (3) annual evaluation reports of their department chairs; and (4) results of the University-approved instrument for student commentary on courses and teaching. Finally, for all tenure decisions, the colleague evaluation process includes the results of regular and systematic in-class evaluations of teaching conducted over at least a six semester period by department chairs and

other appropriately selected faculty colleagues. Such evaluations should commence in a faculty member's second semester and continue throughout the probationary period, with at least one per semester. In the candidate's final three years preceding the tenure decision year, there should be a total of at least six such visits and evaluations, spread out appropriately over this time period. The peer evaluators' written comments from at least these six visits must be included in the tenure dossiers. The candidate may include others in the dossier appendix. Reports from the candidate's earlier in-class reviews are to be used by the candidate and his/her chair for developmental purposes.

Candidates are encouraged to present such other evidence documenting successful educational outcomes, student learning, and/or the candidates' teaching skills as may be helpful to those involved in the rank and tenure evaluation process and is reasonable to obtain. Such evidence might include letters solicited by the department from former students; solicitation and receipt of grants pertaining to teaching and student learning; and development of instructional-related materials (e.g. textbooks, manuals, instructional software, and instructional supplements).

Because Villanova values interdisciplinary teaching and learning, candidates engaged in such activities should present evidence indicating the nature, extent, and results of their efforts.

For purposes of tenure and promotion, "teaching" includes reasonable availability, including during regular office hours, to students for purposes of (a) answering questions, clarifying issues, and offering guidance toward greater comprehension and achievement in the instructor's classes in which the students are enrolled, and (b) academic advising, which entails assisting students to make responsible academic and professional decisions.

2. SCHOLARSHIP

Scholarship includes the discovery, dissemination, and application of new knowledge, including knowledge of how learning is encouraged and fostered. Scholarship involves research and/or analysis and explication of intellectual concepts. Faculty members are expected, and for promotion and tenure required, to engage in on-going scholarly research. Because the research enterprise has multiple goals and values, Villanova recognizes several types of scholarly research that would fulfill the scholarship criterion for promotion and/or tenure:

- a. Basic research, synthesis, analysis, and explication, whose purpose is the discovery of new knowledge for its own sake and for the enlightenment of others. Such research typically results in new data, new understandings, and new interpretations.
- b. Applied research, in which knowledge is brought to bear in new or particularly effective ways on, e.g., physical, intellectual, emotional, social, cultural, or moral problems or conditions to produce new understandings, solutions, technologies, models, materials, or inventions.
- c. Rigorous instructional-related research oriented toward discovery of new modes or techniques for facilitating and assessing student learning in a discipline. Such scholarly research is not to be equated with the sort of research that is involved with course and curriculum design, but it may be a precondition to curriculum-related efforts.

- d. Depending on their nature, accompanying scholarly annotations, and/or introductory or concluding analyses, works of translation may be considered in one of these three categories. Un-annotated translations, however, generally are considered to fall into the service category, as described below.

Beyond advanced degrees earned and a thorough mastery of the scholarly literature and practices in one's field, there must be other evidence of excellence in scholarship that may include but clearly extends beyond one's dissertation work. The other evidence may include works that are from the dissertation, works that are revised parts of the dissertation and which represent a fresh perspective and a deepening understanding of the subject, and works that offer a new line of research. Although research results published in scholarly refereed journals and books constitute the normal and primary means of demonstrating scholarly accomplishment, other evidence, depending on the discipline, may include: creative (artistic, theatrical) works of demonstrable quality; direction of and/or significant participation in ongoing research that holds demonstrably evident promise of making a major contribution to knowledge; solicitation and especially attainment of extramural grants pertaining to scholarly activities; papers delivered before scholarly societies and conferences; and other marks of scholarship such as respect of competent colleagues and professional honors and recognition.

- a. Because Villanova seeks excellence, the quality of one's scholarly achievements is more important than the quantity. Accordingly, the various rank and tenure committees will focus on the quality and impact of such works and of other scholarly activities as evidenced by the quality, nature, and reputation of the publisher, scholarly journal, or, in certain disciplines, conferences; pre- and post-publication reviews, required written assessments by external scholars or, in the case of certain applied or creative work, other experts outside Villanova; citations of such work in the scholarly literature; and other measures of evaluation. As for quantity, there must be enough scholarly achievement to demonstrate that the candidate has a scholarly orientation and possesses the discipline and ability to contribute regularly over time in a systematic fashion to the literature in his/her academic discipline.
- b. For rank and tenure consideration, formal and final written acceptance for publication of a completed scholarly work normally is to be deemed the equivalent of publication, provided the acceptance is by a recognized scholarly or professional journal or publisher and provided the work in question has undergone rigorous peer review under the auspices of the editor (or the equivalent review for creative and applied research work). Acceptance of other manuscripts or productions, and contracts for books and monographs not yet completed, generally are not counted as publications; but such acceptance is to be evaluated in the light of the candidate's previous scholarly work relating to the content of the item in question.
- c. Published scholarly reviews of a candidate's books or articles are very valuable for the proper evaluation of their quality. When there is a supporting record of scholarly accomplishment, pre-publication scholarly reviews may constitute evidence of the quality of a forthcoming publication.
- d. Although scholarship encompasses publication, some publications (e.g., textbooks) more appropriately fit into the teaching or service categories than the research category, depending on the discipline, the research, and the nature of the publications.

- e. Attendance at professional conferences, although a valuable means of keeping abreast of one's field, in and of itself it is not considered as evidence of scholarship.
- f. Villanova recognizes that sound scholarship may include either individual or collaborative research, or both. It is important that each faculty member undertake and execute a program of research, whether alone or in collaboration, that clearly demonstrates the individual's independent scholarly abilities and achievements. Such a program should feature the individual as the principal investigator, or be such that the individual's distinct contribution to joint efforts is apparent, identifiable, and measurable, as appropriate to the discipline.
- g. It is understood that the standard works of scholarship and standard methods of documenting quality may vary; some disciplines are by their nature more applied or more clinical. Thus evidence of scholarly investigation, creativity, and problem solving in some disciplines will differ from the common types of evidence in use in the traditional liberal arts and sciences areas, and the above norms must be applied analogously, as is appropriate to the discipline.

3. SERVICE

Faculty members are expected, as a fundamental and essential responsibility of their positions, to contribute effectively to the welfare and functioning of their departments, colleges, the University, and their profession. Such contributions regularly include presence in their academic departments and reasonable availability to faculty colleagues and students; attendance and participation in departmental meetings, committees, and functions on a regular basis; active participation in the recruitment, selection, and evaluation of candidates' suitability for faculty positions not only in teaching, scholarship, and service but also in their potential contribution to Villanova's mission; and active participation in various University and college programs and activities, consistent with their other obligations and duties. Once tenured, faculty members are expected to make increasingly significant contributions to the University and to their departments, colleges, professions, and communities that are commensurate with their rank and seniority.

In addition, service may also include:

- a. Effective participation in committees or on special projects.
- b. Involvement in the affairs of one's profession and the learned societies in one's discipline, such as holding office, organizing meetings, reviewing books, and editorial, accrediting, and refereeing functions.
- c. The application of the knowledge and skills of one's discipline to human, social, business, public, or technical problems.
- d. Translations that do not include significant annotations or introductory or analytical sections.
- e. Voluntary involvement in the activities of religious, community, government, or other public or private sector institutions that is related to one's academic position or expertise.

[Incidental compensation, such as an honorarium, does not diminish the service nature of one's activities. Moreover, it is recognized that consulting work and certain compensated activities often are undertaken as a consequence of or in connection with one's professional development or achievements, and that they can contribute to the academic reputation of the faculty member and the University. However, as a general rule, if one receives full-value financial compensation for such activities, they are not considered to be service for purposes of promotion and tenure.]

Functions normally associated with compensated administrative positions (e.g., department chair, program director) may count as “service” for purposes of promotion and tenure but of themselves do not fulfill the requirements of the service criterion.

III. APPLICATION OF THE CRITERIA FOR PROMOTION

Specific norms for applying the above criteria in cases of promotion follow. All are normal requirements, but exceptions may be made by the President. Time periods specified below refer to the time preceding the effective date of promotion or tenure.

PROMOTION TO ASSOCIATE PROFESSOR

- a. Possession of earned doctorate or other appropriate professional degree, qualification, or certification and six years of college teaching or other appropriate professional experience. [A person is considered to possess the terminal doctoral or other pertinent professional degree either when the degree has been formally conferred or when, prior to formal conferral, the Provost has been officially notified by the degree-granting institution that all the requirements for the degree have been fulfilled.]
- b. Clear evidence of: (a) teaching and advising effectiveness; (b) continuous development of quality scholarship; (c) effective service to University, college, department, profession, and, as appropriate, community; and (d) on-going professional development in these areas. Teaching effectiveness is considered a necessary but not sufficient criterion for promotion and tenure.

PROMOTION TO PROFESSOR

- a. Possession of earned doctorate or other appropriate professional degree or qualification and generally a minimum of four years of service at the associate professor rank.
- b. Distinguished fulfillment of the teaching and scholarship requirements of the previous rank; continued substantial contributions and leadership in service; established reputation among scholars nationally and/or internationally; and clear evidence of on-going professional development in these areas.

IV. APPLICATION OF CRITERIA TO TENURE

Tenure means that a full-time faculty member has been appointed without specified expiration date and is assured of continued employment as a faculty member except in cases of termination for adequate cause or other conditions, as described in the faculty employment agreement.

It is the intention of Villanova University that, except in cases of discretionary appointment by the President, conferral of tenure shall occur only after the normal tenure processes are undertaken, the requisite criteria are fulfilled, and a positive judgment has been rendered. Under no circumstances shall the acquisition of tenure be automatic. The timetables described below are provided as framework for positive action with respect to tenure.

The period of service at Villanova without tenure (the “probationary” period), normally is seven years, where the seventh year is waived upon the granting of tenure. It ends with a termination of employment during that period or with the conferral or denial of tenure, the process for which is described below and corresponds to the following schedule.

PROBATIONARY PERIOD

1. A person appointed to the full-time tenure-track faculty must be officially considered for tenure no later than during the sixth year of appointment.
2. Faculty members who commence service after the conclusion of the first semester of an academic year will not have that year count toward the number of years in their probationary period preceding a tenure decision

TENURE CREDIT TOWARD PROBATIONARY PERIOD

Up to three years of full-time academic service at other accredited institutions of higher learning, or at Villanova as a non tenure-track faculty member, may be applied to the seven year maximum probationary period, as specified at the time of issuance of the first tenure-track faculty employment agreement. A request for a change in the amount of such tenure credit may be granted by the Office of the Provost upon the recommendation of a faculty member’s Chair and Dean, but the request must be made no later than the end of the third semester of one’s tenure-track appointment. Academic work done before becoming a tenure-track faculty member will be considered during the promotion and tenure process. The minimum probationary period at Villanova is three years. A faculty member who has been permitted to apply the full three years of service toward the probationary period, regardless of the rank at which the person is appointed, normally is to be officially considered for tenure no later than during the third year of appointment.

UNPAID LEAVE OF ABSENCE DURING PROBATIONARY PERIOD

Normally, except as provided below and/or except when an unpaid leave of absence is taken in conjunction with the fourth year sabbatical, no academic year which includes an unpaid leave of absence for a period of a semester or more is included in computing years of service for purposes of tenure. Two consecutive semesters of leave, if in different academic years, count only as one year’s absence. No more than two years of one’s probationary period may be taken on sabbatical or other leave. Exceptions to this policy may be granted by the Office of the Provost.

FAMILY LEAVE DURING PROBATIONARY PERIOD

The probationary period will be extended automatically one year for the parent, male or female, upon the birth or adoption of a child occurring on or before May 21 of the academic year preceding the year in which the tenure decision is to be made. Such faculty member must notify

his/her chair, dean, and the Office of the Provost no later than two months after the birth or adoption. The faculty member may choose not to have the probationary period extended; in such a case, notification must be given to one's chair, dean, and the Office of the Provost no later than two months after the birth or adoption. A faculty member seriously affected by illness or by a family contingency (e.g., required care of an ill or elderly family member) may request from the Office of the Provost, through his/her dean, that the probationary period be extended.

DATE OF TENURE

The effective date of tenure, once approved by the President, is August 22 following the President's action, unless otherwise determined by the President.

SIMULTANEOUS TENURE AND PROMOTION

Effective for all tenure-track faculty members whose first appointment at the assistant professor or instructor rank began in August, 1998, or later, the awarding of tenure shall be conditioned upon meeting the standards of and being promoted to the rank of associate professor, which promotion shall occur simultaneously with the granting of tenure.

THIRD YEAR REVIEW

All tenure-track faculty members who joined the faculty in August, 1998, or later, except those taking two or three years of tenure credit shall undergo comprehensive reviews by their department chairs, their departments' rank and tenure committees, such other committees as the deans may designate, and their deans in the spring of their third year at Villanova. (For those taking one year of tenure credit, that one year counts as part of the three years; thus the review occurs in the spring of their second full year at Villanova.) The review is intended to inform the faculty members about their standing and prospects for tenure, to assist in developing their teaching, scholarship, and service, and to provide guidance for future efforts. The results of the review are in no way binding on subsequent tenure recommendations or decisions. Unless, in the judgment of the Office of the Provost, the University's financial situation prohibits it, tenure-track faculty, except those taking two or three years of tenure credit, who receive favorable third-year evaluations will be granted one semester sabbaticals in their fourth years. Such sabbatical counts as part of the probationary period without tenure and as part of the faculty member's standard seven-year sabbatical eligibility. Those whose third year reviews are judged by their deans to be unsatisfactory may not have their probationary appointments renewed.

NON RENEWAL OF FACULTY APPOINTMENT

If a faculty member is unsuccessful in a bid for tenure or if the University does not tender a reappointment to an untenured tenure-track faculty member, the University commits itself to send written notice to the faculty member's home or office address in a timely fashion according to the following schedule. If the faculty member's bid for tenure is denied, the notification will indicate that the upcoming year (usually the seventh) is a terminal year.

- a. For tenure-track faculty members in their first year of service, such written notice shall be sent on or prior to March 1 of that year. Employment terminates at the conclusion of that academic year, unless earlier terminated pursuant to the terms of the faculty employment agreement.

- b. For tenure-track faculty members in their second year of service, such written notice shall be sent on or prior to December 15 of that year. Employment terminates at the conclusion of that academic year, unless earlier terminated pursuant to the terms of the faculty employment agreement.
- c. If notice is given during one's third, fourth, or fifth year of service during the probationary period, employment will extend throughout that year and the following academic year, at the end of which employment terminates, unless earlier terminated pursuant to the terms of the faculty employment agreement.

When an initial appointment specified an expiration date, or is otherwise conditioned, the letter proffering the appointment serves as notice of termination or condition, and no additional notice of any sort need be given.

Nothing in these articles shall be construed so as to derogate from the University's disability, leave of absence, or retirement policies, which may be adopted from time to time.

E. PROCEDURES FOR PROMOTION AND TENURE

I. INITIATION OF PROCESS

Unless altered by the Provost, the schedule for the annual rank and tenure process is found in the "Guidelines for Preparation of Rank and Tenure Files." Tenure-track faculty will be notified of the dates for their tenure review. In an untenured faculty member's sixth year, or in an earlier time-bound year if tenure credit is being applied to the probationary period, the review is automatic unless the faculty member in writing withdraws his or her candidacy for tenure and thus resigns faculty status. For all cases of tenure and/or promotion, it is the faculty member's responsibility to make certain that the dossier and the appended supporting materials (except materials provided by the department chair) are complete and submitted in a timely fashion.

II. GENERAL CONSIDERATIONS

With the full cooperation and assistance of the department chair in obtaining required data, the candidate prepares a dossier and supplementary appended materials following the "Guidelines for Preparation of Promotion and Tenure Files," available from the Office of the Provost, and submits the dossier and appendices to the department chair. Following the procedures described below, an evaluation of the candidate's proposal for promotion and/or tenure is carried out, employing the general and specific norms and criteria listed above, by the appropriate department chairperson, the relevant departmental, college, and University rank and tenure committees, and/or other individuals competent in the field as may be required by the following procedures.

As specified in the "Guidelines," materials in support of the dossier are to be made available to the reviewing committees. Such materials are restricted to members of the department, college, and University rank and tenure committees, the Office of the Provost, and the President.

At any point in a promotion process not linked to tenure, up to the point of consideration of the case by the University Rank and Tenure Committee, a candidate may withdraw without prejudice to future consideration for promotion.

Except as explicitly provided elsewhere in this policy, all deliberations, votes, and materials are to be held in the strictest confidence by all who participate in the promotion and tenure process.

III. DEPARTMENT REVIEW

Each department² in the College of Liberal Arts and Sciences, School of Business, and College of Engineering, and the entire College of Nursing, shall establish a committee on rank and tenure, whose membership depends on the nature of the cases before it. Anyone holding faculty status who serves on the college or University rank and tenure committees is not eligible for membership on a departmental rank and tenure committee. For a case of promotion to a higher rank wherein the promotion is not linked to tenure, the committee includes all tenured and tenure-track faculty in the department at that rank or above. For all cases dealing with conferral of tenure alone (e.g., for faculty members who joined the Villanova faculty at an advanced rank), the committee includes all tenured faculty members. For tenure cases involving simultaneous promotion to the rank of associate professor, the committee includes all tenured faculty at or above that rank. In such tenure cases, because tenured assistant professors are not eligible to serve on the departmental rank and tenure committee, they may submit written communications to the committee, to be incorporated into the committee's deliberations as the committee deems appropriate. Neither these communications nor any tally of them become part of the candidate's dossier, but they will be kept on file.

Recognizing that many faculty members teach in departments and programs other than their "home" departments, it is important that the departmental rank and tenure committee be aware of this circumstance and solicit, and thus be in possession of, a letter or letters of evaluation from the faculty member's other department chair or program director.

1. A departmental committee on rank and tenure must consist of at least three qualifying members.
 - a. Although promotions to full professor should be evaluated only by committees of full professors, and promotions to the rank of associate professor should be reviewed only by committees of full and associate professors, it is not always possible to assemble a department committee of at least three faculty members at these ranks. To deal with such situations, the following provisions apply:
 - 1) In the College of Liberal Arts and Sciences, the College of Engineering, and the School of Business:
 - i. If the candidacy before the committee concerns promotion to the rank of professor, the committee is composed of all eligible faculty members at that rank in the department. If there are not at least three eligible professors in the department, then the Dean in consultation with the department chair will select as many full professors from a pool of eligible full professors in other relevant disciplines as are needed to complete the three person committee. The committee will elect its chair.

² The Department of Romance Languages & Literatures has two divisions, the Division of French/Francophone and Italian Studies and the Division of Spanish and Portuguese Studies. Each Division has its own committees, including a separate Rank and Tenure Committee. The Division Rank and Tenure Committee shall replace the Departmental Rank and Tenure Committee in this Policy.

- ii. If the candidacy before the committee concerns promotion to the rank of associate professor, the committee is composed of all eligible faculty members at or above that rank in the department. If there are not at least three such eligible faculty members in the department, then the Dean in consultation with the department chair will select as many faculty members from a pool of eligible faculty members at that rank or above in other relevant disciplines as are needed to complete the three person committee. The committee will elect its chair.
 - 2) In the College of Nursing, until there are five tenured professors eligible to review candidates for promotion to the ranks of associate professor with tenure and professor, the tenured associate professors in the College may serve in this capacity.
2. The departmental committee meets at the call of the department chair (Nursing Dean), who -- except in cases of his/her own promotion or in cases where a conflict of interest (as determined by the Dean³) occurs -- attends the meeting and participates as a resource person and observer but does not vote, advocate, or offer opinions. When asked for factual information, or when in their judgments important factual information is being overlooked or misinterpreted, chairs may provide documents or respond orally. In the latter case, for all matters of significance in the discussion, the oral response is to be followed with a written memorandum that is included in the file.
- a. Members of a college rank and tenure committee or the University Rank and Tenure Committee, unless they themselves are candidates for promotion, may attend their departments' committee meetings as observers and resource persons with respect to rank and tenure policies and procedures, but they may not advocate, vote, or offer opinions.
 - b. The committee's first task is to select a chair who conducts the meetings.
 - c. A member having, or appearing to a majority of the other members of the committee to have, a conflict of interest on a given case under consideration must state that conflict at the outset; may recuse himself/herself from any discussion, deliberation, or voting on that case; and must recuse himself/herself from that case if a majority of the other committee's members so determine by secret vote.
 - d. The committee may request from the candidate or the department chair such information or materials as it deems necessary, and should do so at the earliest possible date.
3. Based on the data in the dossier and other information in its possession, the committee deliberates fully and confidentially, and then, by secret vote of those present and voting: (a) votes separately on the candidate's fulfillment of each of the rank and tenure criteria, and (b) makes an overall recommendation for promotion and/or tenure. The committee issues a written report, to be sent to the department chair, explaining the vote and the extent to which each criterion is judged to have been achieved. The report is to be a complete, fair, and balanced assessment of whether the candidate merits promotion and/or tenure, and it must include any dissenting views or

³ In the case of the promotion or tenure of the Dean of the College of Nursing, the Office of the Provost will determine the existence of a conflict of interest.

qualifications. Where analogous norms or non-standard applications of the norms are recognized by the candidate's department, the account shall delineate the quality and nature of the activities that may be substituted. All members of the committee sign the report, with each signature signifying that the member has read the dossier, reviewed the supporting materials, participated in the committee's deliberations, and read the committee's report, and that the report faithfully reflects the committee's deliberations. If circumstances make it impossible for every member to sign the report in a timely fashion, the committee chair will note the reasons in the report. All dissents are to be considered in the committee's deliberations and incorporated in the report. If any committee member refuses to sign the report, s/he must, not later than 72 hours prior to the deadline for the committee's submission of the report to the department chair, send to the committee chair his/her own letter explaining why and how s/he believes that the committee's report is not a complete, fair, balanced, and/or a faithful reflection of the committee's deliberation. The letter and the committee's response, if any, is to accompany the committee's original report on its way through the process.

4. After the committee has taken its votes, completed the report, and submitted it to the department chair, a copy of the report without the voting results, without signatures, and with identifying references (e.g., names) to individual committee members removed, will be sent in pdf format only by the department chair to the faculty candidate to allow him/her to review it for factual or procedural errors only. If taking exception to any item of fact or procedure in the report, s/he has three business days to respond in writing to the department chair, who may consult the committee members on the matter, and who will insert the response into the dossier.
5. The department chair then adds his/her own evaluation and recommendation to the dossier, commenting fully on any matters raised by the faculty member's response to the committee report. On behalf of the department, the department chair in a timely fashion sends the complete dossier to the dean, who makes it, along with supporting materials, available to the members of the college rank and tenure committee.
6. In all cases of promotion wherein tenure is not at issue, upon the conclusion of the work of the departmental rank and tenure committee, the department chair will communicate as directly as possible with the candidate, informing him/her of the committee's recommendation. Under no circumstance shall the candidate be informed of the numerical vote or, unless s/he has withdrawn her/his candidacy, of the details of the rationale.
7. When the department committee has forwarded its report to the department chair, the dossier is deemed to be complete. No materials may be added by the candidate unless requested by the college rank and tenure committee, the college dean, University Rank and Tenure Committee, or Office of the Provost. However, candidates may supply documents or notifications indicating that an item originally listed in the dossier as tentatively completed has in fact come to completion (e.g., an article listed as submitted for publication has been accepted, an accepted article has been published, etc.). Such materials may be communicated to the dean and/or Office of the Provost at any time preceding the meeting of the University Rank and Tenure Committee.

IV. COLLEGE REVIEW

1. The purposes of the college-level review are (a) to ensure that comparable standards are being applied across the college, (b) to ensure that departmental procedures have been fairly applied, and (c) to evaluate the candidates from a broader perspective and in consideration of the needs of the college.

2. The college rank and tenure committees consist of tenured full professors who are not deans, department chairs, or members of the University Rank and Tenure Committee. Committee members shall be elected by the vote of the entire tenured and tenure-track faculty of their colleges for terms of three years, which terms shall be staggered, and shall elect their own chair at their first meeting each year. There may be no more than one representative from a given department within one of the constituencies.
 - a. In Engineering, the committee consists of one representative from each of the departments.
 - b. In Liberal Arts and Sciences, the committee consists of seven members. Within the three area constituencies, no two members may be from the same department.
 - 1) Two from the humanities departments: English, History, Romance Languages and Literature, Humanities and Classics, Philosophy, Theatre, and Theology.
 - 2) Two from the social and behavioral sciences departments: Communication, Education and Counseling, Global Interdisciplinary Studies, Political Science, Psychology, Public Administration and Sociology and Criminology.
 - 3) Two from the natural sciences departments: Astrophysics and Planetary Sciences, Biology, Chemistry, Computing Sciences, Geography and the Environment, Mathematical and Statistics, and Physics.
 - 4) One at large within the College.
 - c. In School of Business, the committee consists of one representative from each department.
 - d. In the College of Nursing, the “departmental” committee described above constitutes the college committee.
3. It may happen that there are not enough full professors in one or more departments to allow for the election of a college committee composed solely of faculty members at the rank of professor. To deal with such situations, the following provision applies:
4. In the College of Engineering and the School of Business, tenured associate professors from departments without eligible full professors become eligible to be elected to the college committee. In such circumstances, when considering candidates for promotion to the rank of professor, committee members below that rank participate in the discussion and may work on drafts of the committee report, but they may not vote. If this provision results in a committee of fewer than three members, the Dean shall appoint such additional professors from the college as are necessary to achieve the minimum membership of three.
5. If a member of the College Committee cannot participate in the process because of sabbatical or other leave, extended illness, or some other exigency, s/he is to be replaced by the faculty member who last held that position on the committee. If that is not feasible in the judgment of the dean, the dean may appoint another faculty member who previously had served on the committee or s/he may conduct an election to select the temporary replacement.
6. The committee’s first task is to select a chair who conducts the meetings.

7. A member having, or appearing to a majority of the other members of the committee to have, a conflict of interest on a given case under consideration must state that conflict at the outset; may recuse himself/herself from any discussion, deliberation, or voting on that case; and must recuse himself/herself from that case if a majority of the committee's members so determine by secret vote.
8. The college's dean attends the college committee meeting as an observer and resource person, but s/he may not vote, advocate or offer opinions. When asked for factual information or when, in his/her judgment important factual information is being overlooked or misinterpreted, the dean may provide documents or respond orally. In the latter case, for all matters of significance in the discussion, the oral response is to be followed with a written memorandum that is included in the file. Members of the University Rank and Tenure Committee from the college may not attend the college meeting.
9. A college committee may request from the candidate, the department committee, or the department chair such information or materials as it deems necessary and should do so at the earliest possible date.
10. The committee deliberates confidentially, and then, by secret vote of those present and voting: (a) votes separately on the candidate's fulfillment of each of the basic criteria of teaching, scholarship, service and (b) makes an overall recommendation for promotion and/or tenure.
11. The committee issues a written report explaining the vote and the extent of fulfillment of the criteria the candidate is judged to have achieved. The report is to be a complete, fair, and balanced assessment of whether the candidate merits promotion and/or tenure, and it must include any dissenting views or qualifications. Where analogous or substitutive norms or non-standard applications of the norms are recognized by the department and college, the committee's report shall discuss and evaluate the quality and nature of the activities that may be substituted. If the committee's overall assessment and vote differ from those of the department committee or department chair, the report must indicate the reasons for arriving at a different conclusion. All members of the committee sign the report, with each signature signifying that the member has read the dossier, has participated in the committee's deliberations, and has read the report, and that the report faithfully reflects the committee's deliberations. If circumstances make it impossible for every member to sign the report in a timely fashion, the committee chair will note the reasons. All dissents are to be considered in the committee's deliberations and incorporated in the report. If any committee member refuses to sign the report, s/he must, not later than 72 hours previous to the deadline for the committee's submission of the report to the dean, send to the committee chair his/her own letter explaining why and how s/he believes that the committee's report is not a complete, fair, balanced, and/or a faithful reflection of the committee's deliberation. The letter and the committee's response, if any, are to accompany the committee's original report on its way through the process.
12. The report, with its recommendation, is sent in timely fashion to the dean. The dean will add his/her evaluation and recommendation before sending each completed packet to the Office of the Provost for dissemination to the University Rank and Tenure Committee.
13. In all cases of promotion wherein tenure is not at issue, upon the conclusion of the work of the college rank and tenure committee, the dean will communicate as directly as possible with the candidate, informing him/her of the committee's recommendation. Under no circumstance shall

the candidate be informed of the numerical vote or, unless s/he has withdrawn her/his candidacy, of the details of the rationale.

V. UNIVERSITY RANK AND TENURE COMMITTEE REVIEW

The University Rank and Tenure Committee consists of 12 members: the Provost, the four college deans, and seven faculty members. The faculty members are elected for a three year term by approval vote of the tenured and tenure-track faculty at large with one representative each from the Colleges of Nursing, Engineering, and School of Business; three representatives from the College of Liberal Arts and Sciences (one each from the natural sciences, social sciences, and humanities departments); and one who may be from any of the four undergraduate colleges. No academic department may have more than one faculty member on the University Committee. If a faculty member simultaneously seeks election to both a designated constituency seat and the University-wide seat, the election for the constituency seat will be held first, followed by the election to the University seat. Although only tenured full professors may serve on the committee, it is not always the case that there are enough eligible professors available from a given college or constituency for an election. To deal with such situations while taking into account each college's particular circumstances, each college's Rank and Tenure Committee will develop, for approval by the college's appropriate planning/leadership committee and the Dean, a policy for dealing with these contingencies, ensuring proper college representation on the University Committee, consistent as possible with the principle of having only full professors on that Committee. Department chairs, faculty members serving in full-time administrative positions, and faculty who serve on the college rank and tenure committees may not serve on the University Committee. Terms shall be staggered so that each year at least two of the faculty seats will be elected.

The Provost presides *ex officio* as chair. S/he may not advocate for or against a candidate and may not vote except, at his/her discretion, to break a tie. Any such tie-breaking vote must be cast in the presence of the full committee.

If a faculty member serving on the University Committee cannot participate in the process because of sabbatical or other leave, extended illness, or some other exigency, s/he is to be replaced by the faculty member who last held that position on the committee. If a person is not available, then (a) if time allows, the Faculty Congress will conduct an election to fill the post until the original faculty member returns or the term of appointment expires – whichever comes first; (b) in the case of sudden need, the Provost, in consultation with COF, may appoint another person who has previously served the same constituency to serve for that annual session.

Committee members, through the chair, may request additional information or documentation from the candidate, the department committee, the department chair, or the college committee. Committee members wishing to challenge information in the record, or wishing to introduce allowable information that should have been included in the college and department deliberations but was not, must send such information to the other committee members at least seven calendar days before the meeting. The committee, voting by secret ballot that is carefully annotated to include the reasons for each vote, recommends in favor of or against tenure/promotion. This recommendation, including a summary of the reasons, is forwarded by the Provost to the President, who makes the final decision.

Results of the President's decision normally will be communicated to the candidate no later than June 1 following the annual rank and tenure process.

Candidates who are denied promotion and/or tenure shall be furnished by the Office of the Provost with a

written statement of the basis for the denial. [Faculty members have a legal right to inspect their personnel files at reasonable times. Villanova may limit such access to once each year, and in the promotion and tenure process such access to rank and tenure documents would occur after the entire process has been completed. Materials and/or references that could identify outside scholars who had written letters are removed from the dossier before it is made available. It is expected that the confidentiality of the materials in the dossier will be respected.]

VI. APPEAL FOR RECONSIDERATION

A candidate for tenure or promotion who is denied may request reconsideration. An appeal must be made in writing to the President within thirty calendar days of the receipt of notification of the decision. An appeal may be lodged only on grounds of procedural error wherein the alleged violation reasonably could have influenced the final decision. Examples would include a material failure to follow required procedures and guidelines, the inclusion in the rank and tenure dossier of important and factually erroneous materials or commentary, or other relevant errors of process.

1. Upon receipt of a letter requesting reconsideration of a denial of tenure, the President will refer the appeal to a three person Advisory Committee on Reconsideration, which shall undertake such investigations and give such consideration as it deems necessary to ascertain whether or not there has been a procedural error, as alleged by the appellant. The committee shall not consider substantive judgments arrived at during the rank and tenure process but shall confine its consideration to whether there had been any procedural error. The committee shall report back to the President with its findings for his consideration.
2. The President may then accept the appeal, deny the appeal, or remand the case back to the University Rank and Tenure Committee with instructions to reconsider its original recommendation. If the case is remanded, the committee then meets to reconsider the merits of the case, taking into consideration the findings of the Committee on Reconsideration, and reports its conclusions to the President, who makes a final decision. The candidate then is informed of the final determination.
3. The Advisory Committee on Reconsideration is composed of three members chosen by the President from a panel consisting of all those faculty members who previously had served on the University Rank and Tenure Committee or a college rank and tenure committee but whose service on them did not include consideration of the case being reconsidered. For each appeal a separate Committee on Reconsideration is selected. No more than two committee members may be from the same Villanova college.
4. In cases of appeals of denial of promotion not linked to tenure, the President will consult with the University Rank and Tenure Committee before rendering a decision to proceed with the appeal according to such process as is determined in the discretion of the President.
5. Faculty members who fail to achieve tenure are welcome, in their final year, to participate in University, college, and departmental meetings and deliberations, but they may not vote on matters that will bind the department after they have left, including such matters as hiring, selection of the chair, internal governance rules, curricula, or explication or establishment of promotion and tenure definitions, requirements, etc.

F. EMERITUS AND OTHER PROMOTION

The honor of emeritus status may be conferred upon members of the faculty who ended their Villanova careers at the rank of professor or associate professor, who served at least fifteen years at Villanova prior to retirement or departure, and whose academic career or service to the University was genuinely distinguished. Except for direct presidential action, initial recommendations for the conferral of emeritus status may be made by any tenured Villanova faculty member by submitting a curriculum vitae and nominating letter to the current chair of the nominee's department. Such recommendations normally must be made within three years of the faculty member's departure; they may be made during the academic year preceding the retirement date. Recommendations are reviewed by the departmental Rank and Tenure Committee, whose membership for such cases includes all faculty at or above the rank to which the emeritus designation is to be assigned. Consideration at the department committee level is based upon the candidate's curriculum vitae, the nominating letter, and the committee's general knowledge of the candidate's career. Senior department faculty who serve on the College or University Rank and Tenure Committees participate in the department committee's deliberations but may not vote. The department rank and tenure committee forwards to the department chair the candidate's *curriculum vitae*, the nominating letter, and a brief but informative report on and explanation of the committee's recommendation.

The chair forwards the report, along with his/her own evaluation letter, to the dean, who makes the materials available to the college rank and tenure committee. The committee votes by secret ballot on the recommendation and sends its written report to the dean. After adding his/her recommendation, the dean forwards the dossier and recommendations to the Office of the Provost, who presents the case to the University Rank and Tenure Committee, which, following standard procedure, recommends to the President.

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8. RECRUITMENT OF FACULTY

Recruitment normally begins with the department and college dean, who request authorization to recruit from the Office of the Provost. Once the recruitment is approved, the initiating department takes responsibility for conducting the search and recommending candidates to the dean. The department chair and dean recommend to the Provost, after approval by the Affirmative Action Officer, the appointment of a candidate. If the appointment is approved, the Provost then extends the offer of employment which includes a letter and an employment agreement which is signed and returned within two weeks. Specific procedures are available in the *Faculty Recruitment Guidelines and Recruitment Procedures* manual. (See Office of the Provost website: <https://vsites.villanova.edu/provost/SitePages/Faculty%20Recruitment,%20Employment,%20Evaluation,%20Promotion,%20and%20Tenure.aspx>)

PART THREE: OTHER FACULTY POLICIES, PROCEDURES, AND BENEFITS

9. ACADEMIC ADVISING, OFFICE HOURS, AND STUDENT ACCESS

The faculty's instructional responsibilities include reasonable availability to students for purposes of answering questions, clarifying issues, offering guidance toward greater comprehension and achievement in the instructor's classes in which the student is enrolled, and academic advising, which entails assisting students to make responsible academic and professional decisions. Although faculty members are not expected to counsel students on personal problems, their ability to make responsible and effective referrals to appropriate University offices is an important skill.

Faculty members therefore are expected to announce to their class and have on file in the department office a list of office hours set aside for student advisement and consultation. Departments and colleges are expected to set policies governing the scheduling of office hours so that office hours are adequate in number and reasonably distributed through the week. Emergency questions regarding student grades often come up in the weeks immediately following final examinations. Faculty members are obliged to be in contact with their department offices, and available to students, by appointment, through the academic year up until the end of the contract year (typically late May). During the summer months, faculty members are to leave contact information with their chairs and department administrative assistants in case students or University officials need to be in contact with them. Faculty members who will be completely unavailable during the summer are to inform their chairs.

10. ACADEMIC FREEDOM

As a necessary condition for fulfilling their duties and functions as teacher-scholars, all faculty members (tenured, tenure-track, non-tenure-track full-time, or part-time adjunct) are entitled to full academic freedom in teaching, in research, and in disseminating the products of their scholarship. One's academic freedom is intrinsically linked to one's responsibilities as a scholar and member of the Villanova community, as detailed in this *Faculty Handbook*.

Because academic freedom is predicated on a degree of scholarly support for one's positions on issues, it does not extend to espousal of propositions that lack any scholarly support. Scholarly discourse on religious matters is protected.

In extramural academic settings such as professional lectures and conferences, when speaking as a member of a learned profession, faculty members enjoy this same freedom of research and dissemination of results as described above.⁴

In the classroom, academic freedom is task-specific, deriving from and governing one's role as an instructor in a given discipline or disciplines. Faculty members are free to present and discuss their subject matter and related issues in accord with relevant academic standards and students' legitimate academic rights and responsibilities. Except when the University explicitly asks them to discuss specific issues of University concern, faculty "should be careful not to introduce into their teaching controversial matter which has no relation to their subject."⁵ Faculty members are responsible for upholding the integrity of reasoned inquiry, open discussion, and free expression. Especially when dealing with controversial topics, faculty members are expected to lead students in

4 Provisions of the University's patent policy apply.

5 AAUP 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments

a scholarly evaluation of the subject matter.

Student performance should be evaluated solely on an academic basis, not on opinions or conduct unrelated to academic standards. Students should be free to take reasoned exception to the information or views offered in any course of study and to reserve judgment about matters of opinion, but students are responsible for learning the content of the course of study in which they are enrolled, including matters with which they disagree. The validity of their ideas, theories, arguments and views should be measured against the relevant academic standards.

Academic freedom *per se* does not extend to public statements that are unrelated to one's faculty status and academic expertise. Faculty members are free to exercise their constitutionally-protected freedom of expression, but in exercising that freedom, they will take care not to claim or suggest that the views so expressed are sanctioned by, or necessarily related to their faculty status at Villanova. This is especially important in view of the fact that the public may judge their profession and Villanova University by their utterances.

11. ACADEMIC INTEGRITY

STATEMENT OF PURPOSE

Academic integrity is vital to any University community for many reasons. Students receive credit for doing assignments because they are supposed to learn from those assignments, and the vast majority does so honestly. Anyone who hands in work that is not his or her own, or who cheats on a test, or plagiarizes a paper, is not learning, is receiving credit dishonestly and is, in effect, stealing from other students. As a consequence, it is crucial that students do their own work. Students who use someone else's work or ideas without saying so, or who otherwise perform dishonestly in a course, are plagiarizing or cheating. In effect they are lying. Such dishonesty, moreover, threatens the integrity not only of the individual student, but also of the University community as a whole.

Academic integrity lies at the heart of the values expressed in the University's mission statement and inspired by the spirit of Saint Augustine. When one comes to Villanova, one joins an academic community founded on the search for knowledge in an atmosphere of cooperation and trust. The intellectual health of the community depends on this trust and draws nourishment from the integrity and mutual respect of each of its members.

DEFINITIONS AND EXAMPLES

Academic integrity is not simply a matter of conforming to certain rules; it must be understood in terms of broader academic purposes of a Villanova education. Examples of academic dishonesty include: cheating, fabrication of information, assisting in or contributing to academic dishonesty, plagiarism, submission of the same work for more than one class, unsanctioned collaboration, misrepresentation, forgery, taking credit for work done by others, stealing or damaging library books, or unlawfully copying computer software.

PENALTIES

A. Individual Course Penalty.

The academic penalty will be determined by the student's instructor. Typically, a student who violates the academic integrity code in a course will receive an F for the course, or, at the

discretion of the instructor, a less severe penalty. Students who feel that the penalty is too harsh may appeal their grade through the normal University procedure for resolving grade disputes. Students who receive an academic integrity penalty may, if they believe that they have not committed an academic integrity violation, take their case to the Board of Academic Integrity.

B. University Penalty.

Students who violate the code of Academic Integrity are also referred to their dean for a University penalty. Two kinds of penalty are available. A full academic integrity violation is a Class I violation. Typically a student with two Class I violations will be dismissed from the University. In some cases, the dean may choose to treat a violation of the Academic Integrity Code as a Class II violation. Class II violations are usually appropriate for less serious cases, or in cases where there are mitigating circumstances. Typically a student may receive only one Class II violation during his or her four year career as an undergraduate. All subsequent violations are treated as Class I violations. Students who have committed an academic integrity violation will be expected to complete an educational program, supervised by the student's college dean, to help the student come to a fuller understanding of academic integrity. Students who fail to complete the educational program to the satisfaction of the dean, and within the timelines specified by the dean, will have a hold placed on their transcript until the program has been completed.

POLICY

A. Jurisdiction.

This policy covers all cases where graduate or undergraduate students are alleged to have committed academic dishonesty at Villanova University in the Colleges of Liberal Arts and Sciences, Engineering and Nursing, Professional Studies or School of Business. This policy does not apply to students solely in the School of Law, which has its own policy.

B. Procedures.

If a faculty member believes that a student has committed an academic integrity violation, the faculty member shall, under normal circumstances, notify the student, allowing the student an opportunity to respond. Faculty members who have questions about whether an incident constitutes an academic integrity violation are urged to consult with their chair, dean, or with the chair of the Academic Integrity Board. If the faculty member continues to believe that a violation has occurred, the faculty member assigns an appropriate grade, typically an F for the course, an F for the assignment, or some other grade that the faculty member judges appropriate (in the School of Business, all faculty members assign a grade of zero to any work in violation of the Code). At the sole discretion of the faculty member, the faculty member may also offer the student an opportunity to redo the work or complete an alternate or additional piece of work. The faculty member must report in writing to his or her chair or program director that an academic integrity violation has occurred. A form is available for reporting violations or faculty members may write a letter. The letter should give a brief account of the matter and, where appropriate, should include copies of the assignment and other documentary evidence. The faculty member may also make a recommendation as to whether the violation should be treated as a Class I violation or as a Class II violation. Typically, violations of the Academic Integrity Code are treated as Class I violations, but in cases which are less serious or where there are mitigating circumstances, the violation may be treated as a Class II violation.

In cases that are particularly complex, the faculty member may also recommend that the

matter be referred to the Board of Academic Integrity. If the department chair has questions, the chair may refer the matter back to the faculty member or ask for further clarification from the faculty member. Unless the faculty member wishes to withdraw the case, the chair sends a copy of the faculty member's report to the faculty member's dean.

When the faculty member's dean receives the report, the dean reviews the case. If the dean has questions about the case, the dean may request further consultation with the student, the faculty member, or the chair. Unless the faculty member wishes to withdraw the case at this point, the faculty member's dean makes a determination of the level of the violation (whether Class I or Class II), giving serious weight to the recommendation of the faculty member and chair. If a student has previously received a violation, (either Class I or Class II), then all subsequent violations will normally be held to be Class I violations.

The faculty member's dean sends a hard copy or e-mail letter (using the official University e-mail system) to the student informing the student that the student is being charged with having committed an academic integrity violation, and indicating the level of the violation. The letter to the student should include a copy of the academic integrity policy. Copies should also be sent to all parties (defined as follows): the faculty member; the student; the student's dean (if different); the faculty member's chair; the faculty member's program director (if different); and the chair of the board of academic integrity. The student shall respond in writing to the faculty member's dean within five business days of receipt of the notice of complaint (excluding public and University holidays), either admitting the violation or asserting innocence. Failure to respond will be construed as admission that a violation has occurred. The faculty member's dean will send copies of the student's letter to all of the parties indicated above. If the student admits that a violation has occurred but asserts that there are extenuating circumstances, the student should explain this in the letter to the dean. The dean may, at any point in the proceedings, change the level of the violation from Class I to Class II. If the student denies that an academic integrity offense has occurred, the dean will refer the matter to the Chair of the Board of Academic Integrity, with notification of this to the other parties.

Upon receiving notice from the dean, the chair of the Board of Academic Integrity will assemble a panel consisting of faculty and student members of the Board of Academic Integrity. The panel will make a determination (based on a preponderance of the evidence) of whether academic dishonesty has occurred and will convey its finding to the dean, who will advise the student and faculty member of their rights of appeal. If several students are involved in one case, the dean may request that the panel consider the situation of all involved students, even if one or more do not deny having committed an academic integrity offense. If the panel finds that no violation has occurred, the faculty member's dean will advise the faculty member to re-grade (on the premise that no violation has occurred), and notification will be sent to all parties. The Chair of the Board of Academic Integrity may make informal recommendations to the dean on issues relating to the level of the violation, but the purpose of the panel is to consider whether an academic integrity violation has occurred. The panel does not make recommendations on issues such as mitigating circumstances or the severity of the punishment.

If the panel determines that a violation has occurred, the original grade assigned by the faculty member will stand. If a student believes that the grade assigned is inappropriate, the student may appeal the grade through the normal procedure for handling complaints concerning grades. As usual in such cases, the instructor's stated policy regarding grading and academic integrity will be taken into account and given great weight. The complaint process will only

consider the grade, and will not review the panel's decision that an academic integrity violation has occurred.

Once it has been determined that a violation has occurred (either by admission of the student, or by a decision of the panel) the faculty member's dean sends a notification to all parties. At this point, the case is turned over to the student's dean. The student's dean will supervise a program of education and reflection on the meaning and importance of academic integrity. This may include any or all of the following: written exercises; participation in an academic integrity educational program supervised by the college; or community service. If this program is not carried out within the timelines specified by the dean and to the dean's satisfaction, the dean will impose a judicial hold on the student's records (and inform the student that such a hold has been placed). This will prevent the student from registering for courses or graduating until the conditions imposed by the dean have been satisfied. The student's dean may also impose or recommend additional disciplinary penalties.

A student who has two Class I violations of the academic integrity code will be reviewed by his or her dean. The dean will review the student's file and also consult with other academic deans if one or more of the cases occurred in another college. Absent extenuating or mitigating circumstances, the student will be dismissed from the University and a record of the reason for the dismissal will be retained in the student's permanent file and will appear on the student's official transcript. At the sole discretion of the dean, the student may be suspended or put on probation instead of dismissed, with or without a permanent indication on the transcript.

Materials on academic integrity violations will be retained in the files until the student graduates or otherwise severs all relationship with the University. If there is no indication of an academic integrity violation on the student's transcript, the files will be removed and destroyed. If there is an indication on the student's transcript, the files will be retained.

Students who believe that an integrity violation has occurred should report the suspected violation to the faculty member. If the faculty member does not act on the report, the student may also report the matter, in writing, directly to the faculty member's chair or dean, who will then make a judgment as to whether an academic integrity violation has occurred, and, if so, will follow the process described above.

Summary of Procedure

1. The Office of the Provost appoints the Chair of the Board of Academic Integrity and a panel of faculty members and students representing all four undergraduate colleges.
2. The Chair assembles hearing panels for individual cases. The panel will include six individuals: the chair (non-voting), three faculty members (with at least one from the faculty member's college), and two students. The student presents evidence to the panel. The faculty member may attend but is not required to do so.
3. The panel makes its decisions by majority vote.
4. The Chair of the Board may also make recommendations on the level of the violation (Class I or Class II).

5. Appeals are to the faculty member's dean, and are only permitted in the case of defects in the process or new evidence.

Complete information on and explanations of academic integrity and further information on the policy are available on the Office of the Provost website:

<http://www1.villanova.edu/villanova/provost/studentservices/policies/integrity.html>

12. AUDIT PRIVILEGES AT OTHER INSTITUTIONS

Villanova makes it possible for faculty members to audit arts and science courses at other institutions on a non-tuition basis, assuming that there is room in the class or seminar. The individual faculty member will be responsible for any fees for either registration or transcripts if such should be necessary. All courses are to be taken on an audit basis.

The following institutions are participating in the program: Cabrini College; Haverford College; Holy Family University; Immaculata University; LaSalle University; Rosemont College; Saint Joseph's University; Temple University; University of Pennsylvania; Villanova University.

Faculty members who are interested in the audit program should communicate with the Office of the Provost.

13. AWARDS FOR FACULTY MEMBERS

Each year six awards may be given to full-time faculty members who have distinguished themselves by their contributions to the University. The awards are:

- The Christian R. and Mary F. Lindback Award for Outstanding Teaching is presented to a faculty member who excels in undergraduate teaching. The University President solicits nominations for this award annually. A Subcommittee of the Faculty Rights and Responsibilities Committee, consisting of previous recipients of this award, evaluates these nominations. This award is presented to the selected faculty member during commencement exercises in May.
- The Lawrence C. Gallen, OSA. Faculty Service Award recognizes a member of the Villanova University faculty who, over many years, has contributed outstanding service that consistently exceeded the normal requirements and ordinary expectations of their position to the Villanova University community. All active, tenured faculty members with ten years of service or longer are eligible, including those who currently hold administrative positions for less than three years, provided that they have taught full-time at Villanova for at least ten years. Above all, the faculty member's service should have consistently exceeded the normal requirements and ordinary expectations of their position. The President solicits nominations for this award annually. The Awards Subcommittee of the Faculty Rights and Responsibilities Committee evaluates these nominations. This award is presented to the selected faculty member during commencement exercises in May.

- The Outstanding Faculty Research Award is administered by the Office of the Provost. The recipient is selected by a committee of previous award recipients plus a representative of the Faculty Rights and Responsibilities Committee, and is chaired by the Provost's designee.
- The Faculty Award for Innovative Teaching is presented to a full-time faculty member whose courses employ creative techniques to enhance student learning and growth. The University President solicits nominations for this award annually. The Awards Subcommittee of the Faculty Rights and Responsibilities Committee evaluates these nominations. This award is presented to the selected faculty member during commencement exercises in May.
- The Outstanding Faculty Mentor Teaching Award is presented to a full-time faculty member who has excelled at mentoring students, especially in scholarly research, at the undergraduate and/or graduate level. The University President solicits nominations for this award annually. The Awards Subcommittee of the Faculty Rights and Responsibilities Committee evaluates these nominations. This award is presented to the selected faculty member during commencement exercises in May.
- The Junior Faculty Award for Excellence in Teaching is presented to a faculty member who has been in a full time position for less than seven years and has developed extraordinarily effective teaching approaches. The University President solicits nominations for this award annually. The Awards Subcommittee of the Faculty Rights and Responsibilities Committee evaluates these nominations. This award is presented to the selected faculty member during commencement exercises in May.

14. CLASS ATTENDANCE

Class and laboratory attendance for first-year students is mandatory. A first-year student will receive a grade of "Y" (failure) whenever the number of unexcused absences in a course exceeds twice the number of weekly class meetings for the course.

For students beyond the first year, attendance policies are determined by the instructors of the various courses. The instructor's class attendance policy must appear in the syllabus and at a minimum must allow for the University's excused absences listed below. Enforcement of such attendance policies lies with those instructors. If the instructor thinks a student has too many absences (total of excused and unexcused), then the instructor should discuss the student's attendance with the appropriate Assistant or Associate Dean of the instructor's college in order to determine if the student should withdraw or receive an incomplete.

Where possible, students should inform their instructors if they plan to be late or absent from class. In all cases, students should be prepared to provide documentation to petition for excused absences to the appropriate Assistant or Associate Dean of their college. Excused absences do not count toward a failure in the course for first year students. Absence from class does not release the student from work assigned. Students who miss an in-class obligation (exam, presentation, etc.) due to an excused absence will not be penalized - the instructor may offer a make-up test, arrange an alternative time for a presentation, exempt a student from the assignment, or provide another arrangement.

The University's list of excused absences for all students includes the following:

- participation in NCAA athletic competitions

- participation in special academic events (e.g., conferences, field trips, project competitions)
- participation in official university business (e.g., student representatives attending meetings related to university governance)
- attendance at significant events involving the immediate family (e.g., funerals, weddings)
- religious holidays - see the University's policy on Religious Holidays
- college-approved participation in placement activities (e.g., job interviews, graduate school interviews, attending job fairs)
- documented serious illness or disability (see below how to document)

If instructors want to verify that the absence qualifies as an excused absence under the university list, or verify that the student is permitted to participate in the activity, they should contact the designated Assistant or Associate Dean of the student's College.

The College of Professional Studies has separate attendance policies for FastForward courses and the online degree programs. The College of Nursing has a separate attendance policy for the online RN to BSN program. Graduate Studies in the College of Liberal Arts and Sciences has separate attendance policies for online degree programs.

Documenting a Serious Illness or Disability

The Student Health Center does not provide notes to excuse absences for students missing class due to their visit to the Student Health Center, or to excuse class absences due to most common illnesses. The Student Health Center will also not provide notes to excuse absences for medical conditions that were not treated at the Student Health Center. The purpose of this policy is to eliminate unnecessary visits from students whose sole purpose is obtaining class absence notes for their professors.

Some illnesses may legitimately prevent a student from attending classes, but are not serious enough to require evaluation and treatment from the Student Health Center. Students often provide self-care, which is very appropriate for many common illnesses such as cold, viral infection, or uncomplicated flu. Students should inform their instructors if they are missing class for a common illness. Instructors have the discretion to decide if the absence due to a common illness is excused. If a student wishes to appeal the instructor's decision, the student may do so by contacting the instructor's Department Chair or Program Director, who will consult with the appropriate Assistant or Associate Dean of the instructor's college, before deciding the outcome of the appeal.

If in the judgment of the Student Health Center staff, the student will be out of class due to a serious illness or medical condition, as opposed to a common illness, the Student Health Center staff will contact the appropriate Assistant or Associate Dean, who will then contact the instructor. The Student Health Center communication to the Assistant or Associate Dean will serve as the documentation needed by the Dean (see below). If the student is seeing an off-campus health care provider, the student will provide the documentation from that provider to the appropriate Assistant or Associate Dean, who will then contact the faculty member.

Examples of serious illnesses may include (but are not limited to):

- Mononucleosis, which may require bed rest and/or removal from campus
- Hospitalization and/or surgery
- Highly contagious diseases (e.g., chicken pox, measles)

Mental Health Concerns. The University Counseling Center will use clinical judgment as to

whether there is a legitimate need for the student to miss class for reasons related to mental health. If in the judgment of the University Counseling Center staff, the student should be out of class due to a mental health condition, the Counseling Center staff will request a written release of information from the student. With a signed release, the Counseling Center staff may then contact the faculty member or the appropriate Assistant or Associate Dean, who may contact faculty accordingly. The University Counseling Center will not typically validate the legitimacy of a student having missed classes for mental health reasons retroactively, before the student has been to the Counseling Center. The fact that a student is in treatment at the Counseling Center or with an off campus mental health provider will not, in itself, justify the student missing classes. The recommendation for missing classes will occur only when the mental condition necessitates it. If the student is seeing an off-campus mental health care provider, the student will provide the documentation from that provider to the appropriate Assistant or Associate Dean, who will then contact the faculty member.

If the duration of the absence due to serious medical illness or mental health concern undermines the student's ability to complete the academic work required, the appropriate Assistant or Associate Dean will encourage the student to pursue a Medical Leave of Absence – see policy on *Medical Leaves of Absence*.

Documenting Disabilities. Students who are registered with Learning Support Services (LSS) or the Office of Disability Services (ODS) must provide accommodation letters from those offices to their instructors (in advance of absences) in order for subsequent disability-related absences to be considered excused. Students who are newly struggling should be encouraged to register with the appropriate office for any future concerns. Accommodations are not typically retroactive. Students with learning disabilities, other neurologically-based disorders, and those disabled by chronic illnesses are encouraged to contact [Learning Support Services](#) (LSS). Students with physical disabilities, including but not limited to visual impairments, hearing loss, and mobility limitations, are encouraged to contact the [Office of Disability Services](#) (ODS). Depending on the type of disability, there are different processes for disclosing and documenting the disability with the University.

- For students with learning disabilities, neurologically-based disorders, and disability due to chronic illness, these guidelines, as well as certification forms for certain specific disabilities, can be found [here](#).
- For students with physical disabilities, these guidelines can be found [here](#).

15. COMMENCEMENT, CONVOCATIONS, AND SPECIAL EVENT

Unless excused by one's dean, faculty members are obliged to attend (in academic regalia) commencement exercises and formal academic convocations sponsored by the University. Faculty members are expected to share with other members of their departments the responsibility of representing their departments at important University and college functions and meetings (such as the Baccalaureate Mass).

16. COMMUNICATIONS

For all official communication with its faculty, Villanova uses either electronic or hard copy communication methods, or both, depending on the circumstances. Faculty members are responsible for receiving, reading, and, as required and appropriate, acting upon all such communications. Faculty members using other email systems will need to forward University messages to those systems.

17. COMPENSATION

Provisions in this *Faculty Handbook* and in other University documents and policies explain and govern compensation policies: eligibility for and conditions of extramural and internal grants, fellowships, contracts, and other honors; sabbatical and unpaid leaves of absence; duties and functions of faculty members serving as department chairs; outside teaching and professional work; overload and summer teaching; and related matters. Occasionally some of these provisions may complement or conflict with others. To clarify such possible interactions, the following summarizes University policies as described elsewhere.

A. Term of Appointment and Base Salary.

Faculty appointments normally are for the academic year which is the period from August 22 of one year through May 21 of the next; faculty members serving in administrative capacities may receive appointments up to twelve months. A faculty member's base salary (base) refers to their nine month base salary for the academic year.

B. Administrative Appointments.

Compensation for department chairs, program directors, and other faculty members performing administrative functions is fixed according to University policies in effect from time to time. Such policies base the possibility and nature of additional compensation and/or stipends on a number of factors, including size and complexity of department or program, extent of one's responsibilities, and so on. The additional compensation and/or stipend is generally meant to cover administrative duties required during the summer.

C. Determination and Payment of Salary.

Faculty salaries are determined on a performance basis, with a portion of annual increments allocated for "satisfactory performance" and another portion for special meritorious performance, as determined by the deans of the colleges, following college policies for assessing achievement. Salaries are paid monthly, on either a nine or twelve month basis, according to a faculty member's election. Special stipends and salary supplements, if any, usually are included in one's monthly salary check.

D. Cap on Additional Compensation.

During the academic year and following summer (August 22 of one year to August 21 of the next), no faculty member (including faculty serving as administrators) may receive additional compensation from University sources in an amount exceeding 53 and 1/3 % of their base salary for the academic year.

- Income from patents and payments from Villanova University and College awards⁶ are not defined as “compensation” from Villanova and are therefore excluded from the cap.
- The compensation for overload and for out-of-load teaching is compensation from Villanova and therefore counts toward the cap.
- With the permission of their dean, faculty may teach at another institution as permitted subject to time and other limitations outlined in the *Consulting, Outside Teaching and Professional Work* section of this *Faculty Handbook*. The compensation paid by another institution for teaching is not compensation from Villanova and therefore does not count toward the cap.

1. Faculty with External Sponsored Research Grants.

- Faculty members on academic year contracts may receive additional compensation during the summer for their work on sponsored research at a monthly rate not to exceed one-ninth (1/9) of the base salary. The total compensation from all sources may not exceed the base academic year salary plus 53and 1/3% of the base. This limitation applies in all instances in which compensation is derived from any externally sponsored research program in which Villanova University is the grantee.
- In compliance with federal guidelines, no faculty member may certify effort in all activities, including research and teaching, of more than 100 percent total, whether or not compensation is provided by an external sponsor.
- Faculty members engaged in sponsored activity during the academic year will have teaching loads that are consistent with College and University work load policies that will include guidelines for compensating the University to allow teaching reduction beyond the established limits. (Please refer to the related sections in the *Teaching Load, Overload, and Out-of-Load Teaching* policy and the *Consulting, Outside Teaching and Professional Work* in this *Faculty Handbook*, as well the policies on *Sponsored Research* and *Sponsored Research: Faculty Released Time*.)
- Any compensation paid to faculty related to effort on external funding provided to Villanova University is defined as compensation from Villanova. If the external funding is paid to the faculty member directly, then, in accordance with the *Consulting, Outside Teaching and Professional Work* policy, such payment is not defined as compensation from Villanova. See also the policy on *Sponsored Research* which requires the faculty member to report to their dean the external funding paid directly to them.

2. Employment Outside the University During Summer.

A faculty member who is on an academic year appointment, or who is on a calendar year appointment but whose assigned duties are for nine months only, and who is not on duty for one or both of the summer terms, is free to work outside the University on either a part-time or a full-time basis.

Approved by the Council of Deans, January 13, 2016

⁶ Awards honor past performance and do not include an additional work obligation as a result of receiving the award.

18. COMPLAINTS ABOUT FACULTY

Please refer to the section on **STUDENT GRADE APPEALS AND COMPLAINTS ABOUT FACULTY** in this *Faculty Handbook*.

19. CONFIDENTIALITY OF STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA) places a number of restrictions on faculty members regarding what information about a student must be made available to that student and what cannot be disclosed to others. In general, if a faculty member is unsure about the application of FERPA to a specific instance, s/he should contact the department chair or the college dean. In difficult cases, the chair or dean should contact the Office of the General Counsel. Faculty members should be familiar with Villanova's official FERPA notice regarding its Student Records Policy, published in the catalog:

<http://www1.villanova.edu/villanova/provost/studentservices/policies/disclosure.html>. There is also available a more extensive discussion of FERPA, prepared by the General Counsel's Office, *A Guide to the Family Education Rights and Privacy Act*:

<http://www.villanova.edu/generalcounsel/practice.htm>. The Guide discusses common compliance issues and provides a more detailed explanation of FERPA, some Frequently Asked Questions and additional FERPA resources. While this *Faculty Primer on Confidentiality of Student Records* is intended to provide a helpful introduction and handy reference regarding the privacy of student records, faculty members should still carefully review the Student Records Policy and the Guide.

A. Brief Explanation of FERPA

The general idea underlying FERPA is that student education records are confidential and may not be disclosed to third parties except under certain circumstances. An education record is, with limited exceptions, any information maintained by Villanova about an individual who is currently or who previously matriculated at Villanova. This information may be in written form, or it may exist only in electronic form. This includes student grades, graded tests or assignments, and information about student academic performance. Here are some exceptions and qualifications that describe limited circumstances under which the University may (but is not required to) release certain education records:

1. The University is permitted to release "directory information" about a student, including full name, address (including e-mail), major field of study, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), dates of attendance, awards, honors, and degrees, and participation in officially recognized University activities. However, there are some students (including students who feel they are being stalked) who have requested privacy even for directory information. As a general practice, if faculty members are asked to release directory information about a student, the faculty member should refer the caller to the Office of the Registrar, who shall consult with the Office of the General Counsel, as is necessary.
2. Faculty members may release confidential records to University officials who have a legitimate educational purpose for receiving the information. This could include faculty colleagues and department chairs who have a legitimate need for the information (e.g., those who teach, advise, or coach that student).

3. Faculty members may not seek access to student records or discuss student progress with other individual faculty members unless there is a legitimate need for them to do so. The law discriminates between educational interest, and personal or private interest; determinations are made on a case-by-case basis.
4. Faculty members may keep private notes on students. Notes shared with other faculty members are not private, but rather are education records. Students do not have a right to see private notes. Students do have access to other confidential records.

B. Communication with parents of students.

One area where FERPA issues frequently come up has to do with dealing with inquiries from students' parents. In general, Villanova tries to be responsive to parents, whenever it is possible to do so, but, at the same time, it is often not appropriate to talk to parents about their sons or daughters. In some cases the University is not permitted to divulge education records to a student's parents, in other cases the University is permitted to divulge information to one parent but not to the other. Often a faculty member does not know whether a parent does, in fact, have permission to know a student's educational records, and – especially in phone conversations -- a faculty member does not always know that the person who is requesting information is, in fact, the student's parent. This means that faculty members should always be polite and appropriate with parents, but should proceed with care. These are, after all, not only University policies but also federal law. Here are some guidelines for faculty members:

1. If you are in anyway uncomfortable or unsure about speaking to a parent, you may always say that you know that there are regulations concerning release of information and you are very sorry that you cannot release information about the student without authorization. You may then refer that person either to your department chair or to the Office of the Dean of the student's college.
2. Often when parents call, they are interested in telling you something. You may always listen politely to whatever they have to say. So you might say, "While I can't comment on any individual student's grades, I would be happy to hear your perspective." You may also give out general information about your course, if you think it is appropriate to do so. You might say, for example, "Although I cannot comment on any individual student, I can say that the mid-term counted for only 20% of the final grade, and it is possible that a student could fail the mid-term and still pass the course." You may also speak in a general way about the student, without disclosing educational records. So, for example, you could say, "I feel that your son or daughter has great motivation and wants to do well, and I hope that he or she will come to my office hours for additional help, and do well on the next test."
3. In some cases you may feel that it would be helpful to have a more specific conversation with a parent. In that case you might say, "My procedure is not to discuss student progress with parents without seeking consent of the student. If you like, I can ask permission of your son or daughter to speak to you about this matter." At that point, you could send the student an e-mail explaining that the parent has requested permission to speak to you about the student's grade and education records and that the student will need to send you an e-mail authorizing you to do so. A sample letter is included below.

C. Letters of recommendation.

When students request letters of recommendation for job applications or graduate school, the letters typically include a preprinted disclosure provision and a line for the student's signature. If there is a question about the specific language on the form, please contact the Office of the General Counsel. In some cases, there is no preprinted form and faculty members are just asked to send a letter to a certain address.

Generally speaking, faculty members who are writing letters of recommendation *may not* disclose student educational records (such as grades) unless the student has specifically given the faculty member permission to do so. *Merely asking a faculty member to write a letter of recommendation does not constitute such a request.* In writing a letter of recommendation, then, a faculty member has two choices:

1. The faculty member may write the letter without mentioning specific grades, and limiting the recommendation to observations of the student. There is no problem with saying things such as the following: "works hard, brilliant, analytical mind, one of the brightest students I have seen in years, etc." However, it would not be appropriate for the faculty member to reveal specific educational records, by saying things such as: "received an A, got the highest possible score on all examinations, had the highest grade in the class, etc."
2. If the faculty member feels that he or she must disclose specific grades to give a full picture of the student's work, the faculty member should seek permission from the student. See sample form letter below.

D. Things to avoid. To avoid violations of FERPA rules DO NOT:

- Make individual student grades available in a way that allows anyone other than the student to see them
- at any time use any portion of a student's Social Security Number or Villanova student number in a public (including class) posting
- leave graded tests or papers in a stack for students to pick up by sorting through the papers of all students
- discuss the progress of any student with anyone other than the student (including parents) without the consent of the student
- provide anyone with lists of students enrolled in your classes for any commercial purpose
- provide anyone with student schedules or assist anyone other than university employees in finding a student on campus

E. Language for release forms.

1. *Sample letter* giving permission to a faculty member to discuss a student's educational records with a parent or third party. These letters may be sent as an e-mail, using the Villanova University e-mail system.

I give permission to Professor _____ (list name) to discuss with and release my education records, including without limitation full disclosure of my courses, credit hours and grades, to the following inquiring party _____ [list all names for whom you are giving permission to speak; if the reference is for a company, list the name of the company.] You

may reach the inquiring party at the following telephone numbers
_____. This permission is valid until _____
(specify a date, or enter “until further notice.”)

Signed: _____
Dated: _____

2. *Sample letter* granting permission to release student records in a letter of recommendation or conversation with a prospective employer or graduate or professional school:

I give permission to Professor _____ [list name] (“Professor”) to release my education records, including without limitation full disclosure of my courses, credit hours and grades, in a letter of reference to or conversation with _____ [list all names and addresses of the individuals or organizations to whom the letters may be sent] (“Inquirer”). Professor has my permission to discuss my education records with Inquirer or in the letter. I may revoke this permission in writing, but I acknowledge that such revocation will not apply to any disclosure that occurs prior to Professor’s receipt of my notice of revocation.

I (check one)
☐ waive
☐ do not waive

my right to review a copy of the letter of reference at any time in the future.

Signed: _____
Dated: _____

20. CONFLICT OF INTEREST

Faculty members should avoid conflict of interest and potential conflict of interest situations, including but not limited to the following:

1. Faculty members who wish to take graduate or undergraduate courses for academic credit in their own departments must obtain permission from their college deans.
2. A spouse or dependent of a faculty member may not take courses taught by that faculty member for credit. Where possible, faculty members should not be the teacher for credit of relatives or close friends; when it is not possible to avoid these situations the faculty member must inform the department chair that a potential conflict may exist.
3. In situations wherein a faculty member’s spouse, civil union partner, parent, child, or other family member, including in-laws and step-family members, comes before a committee on which that faculty member serves, the faculty member will recuse himself or herself from the decision making process in that case.
4. In situations wherein a faculty member reports to or is supervised or evaluated by a spouse,

civil union partner, parent, child, or other family member, including in-laws and step-family members, normal supervisory and evaluative activities should pass either to an appropriate committee of senior faculty in the department or to the supervisor's supervisor, as determined by the faculty member's dean. For example, in cases of annual faculty evaluations, if a faculty member's spouse is his or her department chair, the departmental rank and tenure committee and/or the appropriate assistant or associate dean would be responsible for the evaluation.

5. Faculty members engaged in consulting or other professional relationships with outside corporations, agencies, or other commercial or non-profit entities may not engage in any activities with those entities that conflict with their obligations to Villanova University or would otherwise present a conflict of interest or appearance of conflict of interest.

Please refer to the section on **CONSULTING, OUTSIDE TEACHING, AND PROFESSIONAL WORK** in this *Faculty Handbook*.

21. CONSULTING, OUTSIDE TEACHING, AND PROFESSIONAL WORK

While under contract to and being compensated by the University, faculty members are expected to devote their full professional time and effort to Villanova-related activities and obligations. Faculty members may and for professional and reputational reasons often should engage in a reasonable amount of consulting, outside teaching, or other professional activities, provided that:

- (a) the activities are related to and can enhance the faculty members' teaching and research at the University;
- (b) the activities do not conflict with or detract from their obligations to the University;
- (c) the faculty members request (with reasonable details of the activities) and receive prior written approval from their chairs and deans for all such activities that are not normal expectations of their profession ("normal expectations" includes such things as service on editorial boards, conference attendance and presentations, and certain consulting activities) or extend beyond the merely incidental and occasional work for outside entities (e.g., phone consultations, reviewing of documents or reports for non-academic institutions, a one-day visit to a site); and
- (d) such external activities in total constitute no more than 20 per cent of one's time (e.g., one day per week during one's contract period, time spent on sabbatical, or other University-compensated leaves).

If such external activities in total exceed 20 per cent of one's time, they are subject to the policy on "released time" under which the outside institution or grantor must reimburse Villanova for the faculty member's time and effort. If there is a question about the extent of the involvement in section (c) above, the faculty member should consult his/her chair or dean.

Faculty may not pay themselves as consultants on grants or contracts they may hold as Principal Investigator or Co-Principal Investigator.

Faculty members may not, without the prior written permission of their dean and the Provost, hold ownership, managerial or fiduciary positions in any outside corporations, agencies, or other commercial or non-profit entities, or hold other positions, such as those involving research, advertising, public relations, or other responsibilities, that constitute or appear to constitute a

conflict with their University commitments. If such corporations, agencies, or other commercial or non-profit entities are engaged in activities that overlap or parallel University activities, or if they serve as suppliers to or agents of the University, the faculty member must report his or her involvement and the nature of the overlap or parallel activities to his or her dean.

Faculty members may use University facilities, equipment, services, or personnel (including graduate or undergraduate student assistants, whether paid or unpaid) for consultation or outside work projects only with the written consent of their deans. Financial reimbursement for such usage may be required.

Teaching incidental classes and/or giving occasional guest lectures at other institutions, consulting, and other external professional activities that are merely incidental and occasional remain subject to the “Conflict of Interest” policy, reporting requirements (below), and the condition that such work not interfere with or diminish the quality of one’s Villanova teaching, research, and service obligations as set forth in the Faculty Employment Agreement and elsewhere in this *Handbook*.

The University reserves the right to limit the consulting, outside teaching, or other professional activities of any faculty member when, in the judgment of the dean, such activities interfere with the faculty member’s performance of his or her obligations to the University or have the potential to do harm to the University and/or its reputation. In order that the University may make such judgment, a faculty member engaged in any such activities must provide his/her chair and dean an annual report on such activities, specifying the amount of time devoted to them and a description of the professional benefits received from them.

Please refer to the sections on **CONFLICT OF INTEREST, COMPENSATION, INTELLECTUAL PROPERTY POLICY**, and **SPONSORED RESEARCH** in this *Faculty Handbook*.

22. CONTRACTS

Under the University’s Signing Authority and Contract Review Procedure, individual faculty members may not sign legal contracts on behalf of Villanova University. All such contracts must be reviewed by the Office of the Provost (or in the case of a research contract, the Office of Research Administration, who shall consult with the Provost and General Counsel when appropriate.

23. CONVENTIONS AND PROFESSIONAL MEETINGS

The University encourages its full-time faculty to become active members of their respective learned and professional societies and shall, subject to the availability of funds, attempt to subsidize participation in meetings of prestigious learned societies and other academic and professional conferences. In distributing funds, for such purposes, department chairs shall normally give first priority to those requests from faculty members who are presenting papers, are officers of the professional society, or are program heads at the meeting for which funds are requested. Lower priority goes to those chairing a panel session or serving as commentators or discussants. Lowest priority goes to those merely attending a conference or program, and attendance will only be subsidized when it is clearly in the best interest of the department and college to do so. Active participation is understood to mean participation to an extent that does not interfere with normal duties at the University. A member’s attendance at the various conventions

requiring absence from class must be approved by the chair of the department and/or the dean of college, according to college policy. Please refer to the section on **COURSE AND CLASS REGULATIONS** in this *Faculty Handbook*. Faculty members should make all reasonable attempts to get the lowest possible price for travel arrangements.

Faculty members and department chairs attending meetings as official representatives of the University or on University business (such as recruiting) shall be supported as well, subject to the same financial considerations.

24. COPYRIGHTS and COURSEPACKS

Recognizing the balance between fostering creativity and protecting ownership, Villanova University expects and requires all Villanova community members to comply with applicable copyright laws and this policy.

Copyright Act. The Copyright Act is a federal law that provides protection in the United States for creative works (termed “original works of authorship”) in the form of copyright. Copyright infringement, which is a violation of the Copyright Act, generally occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the copyright owner’s permission.

Copyright General Subject Matter. Copyright protection arises in original works of authorship that are “fixed in any tangible medium of expression” (e.g., written or typed on paper, stored in a computer, recorded in an audio or video format, etc.). Works of authorship include the following categories: (1) literary works; (2) musical works, including any accompanying words; (3) dramatic works, including any accompanying music; (4) pantomimes and choreographic works; (5) pictorial, graphic, and sculptural works; (6) motion pictures and other audiovisual works; (7) sound recordings; and (8) architectural works.

Discipline and Penalties. Copyright infringement is a violation of law that carries substantial penalties for the infringer. The general minimum statutory penalty is \$750 per act of infringement. Infringement need not be willful, but penalties for willful infringement are more severe at up to \$150,000 per act of infringement. Criminal liability and even prison sentences of up to 5 years may be imposed on first time offenders who willfully infringe a copyright “for purposes of commercial advantage or private financial gain.” In addition to being illegal, copyright infringement is a violation of University policy and can result in the imposition of University discipline up to and including dismissal for faculty and staff and expulsion for students.

Educational Materials Regarding Copyright. The old adage, “ignorance of the law is no excuse” is particularly apt in the area of copyright. Villanova University students, staff and faculty are expected to have a basic understanding of copyright law in order to ensure compliance with the law and this policy. Copyright Educational Materials are available at <http://www.villanova.edu/generalcounsel/copyright/edumaterial/>. Important topics covered by these materials include: Copyright General Subject Matter; Infringement, Discipline and Penalties; Compilations And Derivative Works; Exclusive Rights Of the Copyright Holder; Copyright and Plagiarism; Public Domain; Fair Use Exception; Exceptions For Libraries; Exceptions For Nonprofit Educational Institutions; Persons With Disabilities; Distribution Of Copyrighted Materials; Coursepacks; Graphic Services; Distance Learning And The TEACH Act; Face-to-Face Teaching; Instructor Responsibilities; Obtaining Permission To Use Copyrighted Works; Frequently Asked Questions; and Other Resources.

Villanova University Resources. Students with questions about copyright should consult their instructors, department chairs, or UNIT. Faculty with questions about copyright should consult their department chairs, other administrators, or UNIT. Administrators with questions about copyright should consult UNIT or the Office of Vice President and General Counsel.

Fair Use and Coursepacks. Faculty members are expected to follow the copyright laws in their teaching practice. Unless the “fair use” provision applies, as described below, faculty members are not permitted to distribute copyrighted materials for which copyright clearances have not been obtained, and faculty members should not require or suggest that students buy such materials. Faculty members may make limited use of portions of a copyrighted work (without the copyright owner’s permission) under the “fair use” provision of the copyright law (see below). The University Shop assists faculty members in the preparation of “coursepacks” or customized textbooks. The University Shop will obtain the appropriate copyright clearances from the copyright owners, arrange to have the coursepacks printed through Graphic Services, and include the costs of this process in the eventual sale price of the coursepack.

Faculty members may, if they choose, make up their own coursepacks and secure the copyright permissions themselves. These coursepacks should also be printed by Graphic Services and sold through the University Shop. Faculty members will be required to show appropriate evidence that copyright clearances have been obtained.

Coursepacks and other locally produced course materials should, with limited exceptions, be sold in the University shop. Faculty members are not permitted to sell course materials directly to students, either in class or out of class. The department chair may, if he or she wishes, authorize the sale of course materials in the department office. Refer to the section on **SALE OF TEACHING MATERIALS WRITTEN BY FACULTY MEMBERS** in this *Faculty Handbook*.

Fair Use is defined as follows in: Section 107 of Title 17, United States Code regarding Copyright Law: “Notwithstanding the provisions of section 106 and 106a, the fair use of a copyrighted work, including such use by reproduction in copies or phonograph records or by any other means specified by that section for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

- the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used in relation to the copyrighted work as a whole;
- the effect of the use upon the potential market for or value of the copyrighted work. The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all of the above factors.

Faculty members should also consult *Circular 21: Reproduction of Copyrighted Works by Educators and Librarians*, which may be found at: <http://www.copyright.gov/circs/circ21.pdf>. *Circular 21* provides minimum safe harbor guidelines for copying that safely falls within "fair use." Copying that goes beyond these guidelines may still constitute a fair use under U.S. Copyright laws.

To insure compliance with this code, the University's Department of Graphic Services requires that all requests for multiple copies sent to *Graphic Services* have a certification signed by the requester, certifying that appropriate laws have been complied with. Rubber stamps are invalid. Failure to comply will result in the return of the job for compliance. It should be noted that circumventing this requirement by use of an office copier in no way avoids compliance with copyright laws. Certification forms are available from the Copy Center. Questions concerning the application of the copyright laws in specific situations should be addressed to the Office of the Vice President and General Counsel. Further information can be found on General Counsel's website at <http://www.villanova.edu/generalcounsel/copyright/edumaterial/>. Refer to the section on **INTELLECTUAL PROPERTY** in this *Faculty Handbook*.

25. COURSE AND CLASS REGULATIONS

- All courses are to be taught in accordance with guidelines established by the department and/or the dean of the college, as college policy may determine.
- All class periods are to begin and close at the appointed time to permit students to be prompt in attendance.
- If it is necessary for a faculty member to miss a class (for emergencies, religious holiday, illness, and University-related obligations such as professional conferences, external lectures, etc.), s/he must as soon as possible inform the department chair and, if possible, make other arrangements for the class. Faculty members should, if possible, notify the students of canceled classes by e-mail or voice mail, and they should make every effort to limit missed classes to a reasonable number.
- If a faculty member is more than ten minutes late for class without a notice, the students may rightfully assume that the faculty member will be absent; students who leave may not be marked absent for that class, should it be conducted.
- No student is to be admitted to any class who is not on the official class list. Faculty members need to be attentive to the class lists and report discrepancies to their chairs and/or the Registrar.
- The instructor is required, however, to take record and report attendance for all classes as directed by the Registrar. Refer to the section on **CLASS ATTENDANCE** in this *Faculty Handbook*.

26. COURSE AND TEACHER SURVEY (CATS)

The University administers a Course and Teacher Survey (CATS). The survey instruments are distributed to faculty members at the end of the fall and spring semesters, and they are to be

administered at the beginning of a class session, with due care to insure that the faculty member neither sees nor handles the completed surveys. The packets include instructions for how the survey is to be administered. CATS is only administered for summer courses if requested by the College Dean. The results are tabulated by the Office of Planning and Institutional Research (OPIR). The full individual reports are made available to faculty members at a later date. The results of the surveys are sent to department chairs and deans, and may be used as part of faculty evaluation. Summaries of the CATS reports are also sent to faculty members, via their chairs, for inclusion in applications for promotion and/or tenure. Faculty members who wish to do so may also make their reports public, so that the reports are available to anyone who has a legitimate Villanova ID and password. Further information on the CATS process and a copy of the instrument itself is available in *CATS: A guide for Faculty Members*. This publication is available on the web at: <https://vsites.villanova.edu/provost/SitePages/CATS%20Guide.aspx>.

27. DEANS: PROTOCOL FOR SELECTION OF ACADEMIC DEANS

Whenever a vacancy in the position of dean of one of the colleges occurs or is about to occur, a committee will be appointed by the Provost to conduct the search for a successor dean.⁷ The Provost will use appointments to ensure diversity of the search committee membership. The Department Chairs (program directors in Nursing) and tenure-track/tenured faculty should also take into account the importance of a diverse committee membership when electing representatives. The committee will be composed of:

1. **The Provost**, who serves as chair and shall conduct the member selection process described below.
2. **Two department chairs** (program directors in Nursing) from the college in which the vacancy will exist. They are to be elected as follows:
 - If the vacancy occurs in the position of the Dean of the College of Liberal Arts & Sciences, School of Business, or College of Engineering, the two chairs are to be elected from and by the chairs of the concerned college.
 - If the vacancy occurs in the position of Dean of the College of Nursing, two program directors will be chosen from and by the three program directors.
3. **Four tenured faculty members** elected by and representing all the tenured and tenure-track faculty members of the concerned college, provided that no more than one such representative shall be from any one department of such college and provided that, in the College of Arts and Sciences, at least one faculty representative shall be elected from each of the Humanities, Social Science, and Natural Science areas of the College.
4. **One academic dean**, including the Dean of Graduate Studies in the College of Arts and Sciences, chosen by the Provost, provided that if the vacancy is in the College of Liberal Arts and Sciences, the dean chosen shall not be the Graduate Dean of that College.
5. **One alumnus or alumna** of the college in which the vacancy exists, chosen by the Office of the Provost.

⁷ A vacancy in the position of Dean of Graduate Studies in the College of Liberal Arts & Sciences will be filled according to the search procedure established by the dean of that college

6. **Two students in good academic standing from the college in which the vacancy occurs.**
One student shall be the undergraduate student representative on the Student Government Association from the concerned college. If a given college has more than one undergraduate eligible, and more than one of them seeks the position, the choice among them will be by random draw. The second student is to be a graduate student in good academic standing appointed by the College's Dean or Director of Graduate Studies from among interested graduate students.
7. **Up to two additional members** to be appointed by the Office of the Provost.

The committee shall receive information and suggestions from, encourage deliberation among, and disseminate pertinent information to, the faculty, administrators, staff, and students of the relevant college. The University encourages finalists, at their discretion, to meet with the chairs, as many of the faculty as may be feasible, college administrators and staff, and student representatives.

The committee shall provide to the President sufficient materials and information as he may require, and shall recommend, unranked, no fewer than two, nor more than four, potential appointees. If the recommendations are unacceptable to the President, he shall return them to the committee with instructions to reconsider the list of applicants or to begin the search anew. In the latter case, the President may designate an interim dean until a new dean is appointed.

28. DEANS: PROTOCOL FOR THE EVALUATION OF ACADEMIC DEANS

Every five years, the University Provost (Office of the Provost) will undertake a formal and comprehensive review of the dean's performance. The timing of the assessment may be delayed or advanced by up to one year to allow better coordination with external College assessments or for other contingencies as determined by the Office of the Provost. The review consists of the following stages.

A. Analysis of the dean's position description.

The Office of the Provost and dean will assess the current position description, making changes as needed.

B. Statement of activities.

Using the position description as a basis, the dean will provide a detailed statement on his/her perception of the office. The dean should delineate the workload in the office, the amount of time allocated to various activities, the College and the University Committees which the dean either chairs or serves on, service on boards, fund-raising objectives and success (where appropriate), etc. In addition, the dean should outline the accomplishments of the past and the goals (as well as the means to achieve them) for the future. Any changes in functions and responsibilities since taking office or since the last evaluation should be reflected in the position description outlined above.

C. Faculty Perceptions

1. *September-October: Survey of College Faculty.* The Office of the Provost will consult with the dean and a faculty committee. Jointly, they will develop a survey for the college faculty, full-time faculty and, if appropriate, a sampling of adjunct faculty. The survey

will include both standard questions applicable to the deans of all Villanova colleges and questions specific to each particular college that are based on the dean's job description and description of activities. The questionnaire will cover the following points: ability to set, communicate, and implement goals and directions; organizational ability; utilization of human resources; productivity of meetings and committees chaired by the dean; effective attention to detail; perceptive and fair judgment of faculty members; communication with faculty members; relationship with faculty members and students; programs which the dean directs; innovation and creativity; professional stature locally and nationally; and contributions to the University's and College's mission and values. A limited number of appropriate demographic questions may be included to allow refined analysis of the responses. In addition to closed-ended questions, the survey will offer the opportunity to provide written comments. The anonymity of faculty responses will be assured.

2. *Faculty Survey Committee.* A committee of senior faculty members will assist in the development and interpretation of a survey of the College's faculty members. The *ad hoc* Faculty Survey Committee (FSC) will be composed of five tenured faculty members at the rank of professor, if possible, chosen by the College's delegation to the Faculty Congress. The dean may reject up to two of the committee members at his/her discretion. In such a case, two others will be chosen by the College's delegation to the Faculty Congress.
3. *Process.* October-December. On behalf of the Office of the Provost, the Office of Planning and Institutional Research (OPIR) will administer the survey and tabulate results, including appropriate cross-tabulations as requested by the FSC or Office of the Provost. OPIR's report and analysis of the quantitative results will be prepared and forwarded to the Office of the Provost, dean, and FSC.
4. November-January: The FSC will review the statement prepared by the FSC at the previous periodic evaluation of the dean; and it may prepare its own confidential statement of its understanding of the survey results, provide it to the dean and Office of the Provost, and then meet with the dean to discuss it. The committee will also meet with the Office of the Provost to discuss the results before the Office of the Provost presents his/her evaluation to the dean. The specific content of the survey and the discussions will be confidential.
5. November-December: In addition, a collation of the written comments that insures Respondents' anonymity and highlights what they perceive as the Dean's strengths and weaknesses will be prepared and forwarded by OPIR simultaneously to the Office of the Provost and the dean. The Office of the Provost will forward copies, edited if needed by the Office of the Provost to remove unduly personal remarks, to the Faculty Survey Committee for their confidential use in preparing their report to the Office of the Provost and dean.

D. Perceptions of Other Stakeholders and Constituencies

1. The Office of the Provost, in conjunction with the dean, will develop a broad-based *evaluation plan*, including, as appropriate, surveys, focus groups, and/or individual interviews with groups and individuals who have had regular contact with the dean and who could be expected to be able to comment insightfully on his/her stature and performance. Depending on which dean is being reviewed, such groups and individuals

could include selected students, College administrators (e.g., associate and assistant deans, department chairs, directors, and selected college support staff), the College's advisory council members, other Villanova deans and administrators, alumni, officers of professional organizations, or officers of boards on which the dean serves. The Office of the Provost may use the services of OPIR or others as deemed appropriate.

2. The Office of the Provost will summarize the results of these additional data-gathering activities, with help from OPIR if appropriate, and communicate them to the dean as soon as feasible. The confidentiality of all participants will be assured.
3. After the dean has received all these documents, s/he will submit to the Office of the Provost a written response/reaction.

E. Communicating Results.

1. The Office of the Provost will review the original statement of the dean, the data gathered from the various sources described above, and the dean's reaction statement. The dean and Office of the Provost will meet to discuss the evaluation data and, if needed, to prepare an action plan to address issues raised in the assessment process. All of this material, along with a commentary and recommendation by the Office of the Provost, will be forwarded to the President for his review.
2. The Office of the Provost will issue a communication to the college faculty and administration that the assessment process has been completed, and that the Office of the Provost and dean have met to discuss the findings and to develop strategies to address any concerns that may have arisen in the process, with the deans making appropriate responses to the faculty.

29. DEPARTMENT CHAIRS

The outline of duties and responsibilities of department chairs⁸ which follows illustrates the position's purpose and responsibility. Other duties and responsibilities may be assigned or delegated by the dean or the Provost or recommended by the department's faculty. The College of Nursing is not organized under a departmental system, but some of the responsibilities outlined below are delegated to program directors.

A. Authority and Responsibility

1. Department chairs are appointed by the President of the University and are delegated such authority necessary for the fulfillment of their duties and responsibilities. In all they do except sensitive and confidential matters, chairs are to consult the members of their department.
2. Department chairs are accountable to their deans and, through their deans, to the Provost for the proper functioning of the department and the establishment of goals and long-range plans.

⁸ And department-like entities resembling in all major features academic departments.

3. Department chairs hold twelve month appointments and are responsible for supervising departmental activities throughout the year, including summer.

B. Functions. Among other functions, the chair:

1. Works with departmental colleagues to develop vision and strategic planning for the department, and leads the department in the implementation of strategic planning.
2. Supervises all departmental instruction and, with due consideration of principles and priorities established in consultation with department members, distributes work assignments and schedules as s/he judges necessary and proper. The chair also supervises the secretarial and support personnel for the department.
3. Is responsible for (or delegates) academic guidance of the students majoring in the department and is responsible to the deans for seeing that the students fulfill degree requirements as specified in the catalog.
4. After consultation with the members of the department and others as appropriate, makes recommendations to the dean concerning modifications of the departmental curricula.
5. Is responsible for the periodic evaluation of the academic and professional competence of faculty and staff members, their fidelity to assigned duties and contractual obligations, and their likely future contributions.
6. Encourages faculty research, grant writing, and professional development.
7. Makes recommendations to the deans and the Provost as to sabbatical leaves, promotion, granting of tenure and advancement in rank, salary increases, and dismissal or non-renewal. Is responsible for overseeing the rank and tenure process in his/her department.
8. Upon consultation with the faculty, proposes to the dean appropriate faculty staffing levels and requests the addition of new faculty members. As specified in the *Faculty Recruitment Guidelines*, the chair has overall responsibility for recruiting new faculty members for recommendation to the dean and to the Provost. (See Office of the Provost website:
<https://vsites.villanova.edu/provost/SitePages/Faculty%20Recruitment,%20Employment,%20Evaluation,%20Promotion,%20and%20Tenure.aspx>)
9. Establishes standing departmental committees for assistance with appropriate duties, including committees on faculty performance evaluation and on grade appeals.
10. Holds regular meetings of the department and sends a copy of the minutes to the appropriate deans and to the Provost.
11. After consultation with the faculty as to financial needs and priorities, prepares and administers the department budget.
12. Encourages participation of the faculty and students in departmental, college, and University activities and protects the free exchange of points of view among faculty members. The chair also helps resolve disputes between the faculty and students or among members of the faculty according to University, college, and departmental policy.

13. Is responsible for maintaining appropriate files, records and data pertaining to departmental operations as required by the deans and the Provost with due concern for confidentiality. Official departmental files and records are the property of the University and must be handed over intact to the chair's successor in office. In reporting function, the chair is also required to observe all procedures, timetables, schedules, calendars, etc. established by the University.
14. Is responsible for assisting the department in maintaining relationships with alumni and other external constituencies of the departments.

C. Compensation and Conditions. In recognition of their twelve month appointment and of the additional responsibilities they hold, department chairs receive additional compensation and a reduction in teaching responsibilities, as determined from time to time by the Provost and deans of the colleges. Chairs are eligible for internal and extramural grants, fellowships, and contracts, and for consulting, outside teaching, summer teaching, and other professional work as specified and described elsewhere in this Handbook, subject to policies in the sections on Compensation; Consulting, Outside Teaching, and Professional Work; and Summer Teaching.

D. Protocol for Periodic Selection of Chair

1. **Term and Appointment.** Department chairs are appointed by the President, for three year terms which commence on the August 22 after their appointment.
2. **Eligibility of Nominees.** To be eligible to serve as chair an individual normally must: (a) be a tenured associate or full professor; (b) possess the terminal degree appropriate to the discipline; (c) show evidence of leadership, scholarship, and collegiality; and (d) demonstrate understanding of and commitment to the mission and character of the University, College, and department. A record of participation in departmental operations and familiarity with departmental issues normally are expected; and other criteria relevant to the role and duties of departmental chairs should apply. In the event that an insufficient number of candidates meet these criteria, other tenured or tenure-track faculty members may be nominated. In the event that the Provost authorizes a search for a non-Villanova faculty member for department chair, such candidates must be associate or full professors and must possess the terminal degree appropriate to the discipline; to the extent possible, there should be evidence that they also possess the other qualifications. A department chair may be nominated to succeed him/her.
3. **Eligibility to Participate in the Selection Process.** Any tenured faculty member, or any tenure-track faculty member who at the time of the chair's selection process has completed three full semesters of continuous service at Villanova, may nominate one or more candidates and may vote. All other faculty members may participate in the deliberations but may neither nominate nor vote. Department members who serve as deans, vice presidents, or President may not nominate or vote. An individual may nominate him/herself, and nominees may vote.
4. **Nominating Procedure.** Early (ideally by the fourth week) in the sixth semester of a chair's tenure in office, the college dean shall give formal notification to the

department faculty calling for nominations for the position of department chair. The notification shall state that nominations are to be made to the dean, in writing, by a specified date. Faculty should submit their nominations directly to the Dean. At least two people must be nominated. If the dean receives insufficient nominations, s/he may grant an exception or make further solicitations from the faculty until an acceptable number of nominations have been received. As soon as practicable after that date, the dean's office will ascertain from the nominees whether they wish to be candidates, and s/he will then communicate to the department faculty the names of the faculty who have responded positively. No later than one full week before the department meets to vote, each candidate will send a written statement concerning his/her suitability for the position and future plans for the department to the dean and all department members.

5. **Department Meeting Procedure.** In timely fashion (ideally by mid-semester), the dean will call for a department meeting to be held to vote on the nominees for the chair. On the appointed day, the dean or an associate or assistant dean to whom s/he has delegated this function will call the meeting to order and will conduct an election of a faculty member to preside over the meeting. The dean will turn the meeting over to the presider, who may not be one of the nominees, and then will depart. The meeting is to be conducted under rules of strict confidentiality.

At the meeting, the presider will provide the opportunity for the faculty to interview the nominees and/or ask them to elaborate on their written statements concerning their suitability for the position and plans for the department. All nominees may remain in the room for the interview process. After the interview process is complete, the nominees will absent themselves from the meeting room during any discussion and evaluation of their specific candidacies.

When the department is satisfied that there is enough information, the nominees return; the presiding officer conducts an election to determine two tellers; and the department proceeds to vote by secret ballot. Nominees may not serve as tellers.

In advance of the meeting, a department administrative assistant shall have made sufficient copies of the Ballot for Selection of Department Chairperson (section 14 below). When the department is ready to vote, the presiding officer distributes ballots to all voting members, who complete them, fold them to ensure confidentiality, and return them to the tellers. The meeting shall be adjourned when all ballots have been received. Eligible faculty members who are absent may cast a written absentee vote, sealed in an envelope, by giving or sending it to the department administrative assistant. Such ballots are turned over to the presiding officer at the time of the meeting.

In tallying the vote, tellers should not count abstentions but should count valid absentee votes. Any votes of Unacceptable should be tallied, and each candidate's rank numbers should be added up according to the Borda count method, by which the lowest sum ranks highest. In cases where there is only one candidate, majority support from the voting members is necessary for a nominee's name to be forwarded to the dean as acceptable. Ballots must be kept strictly confidential.

The tallies, ballots, and candidate rankings are sent by the presiding faculty member to the dean. The dean shall subsequently inform the department which candidate was

preferred during voting and which candidate s/he is recommending to the President, if different.

6. **Final Appointment.** The dean shall submit his/her recommendation from among the department's nominees to the Provost, who shall evaluate the recommendation and forward it, along with his/her own, to the President, who, if he approves, shall appoint the new chair.
7. **Direct Administrative Appointment.** If, after evaluating the list of approved nominees of the department, the dean finds that none is acceptable, or if a department is unable to nominate an eligible candidate, the dean will meet with the faculty of the department to discuss and, hopefully, resolve the situation. If there is no mutually agreeable resolution, then the dean may recommend to the Provost, and through him/her to the President, the appointment of an acting chair, who ideally but not necessarily is a member of the department, until a successful chair selection process occurs. Normally, an acting chair should not be appointed for more than one year.
8. **Ad-hoc review and recall of the chair.** A written statement by two-thirds of the eligible faculty members of a department to their dean of the department's desire to recall the incumbent or acting chair shall be considered sufficient cause for the dean to review the chair's performance and take appropriate action, subject to the approval of the Provost. This procedure may be initiated at any time during the incumbent chair's three-year term.
9. **Vacancies in the chair.** If a department chair becomes vacant, or if a chair is unable due to illness or other circumstances to fulfill the duties of the position, the dean will, as soon as feasible and after appropriate consultation with the faculty of the department, recommend to the Provost the appointment of an acting chair, normally a faculty member of the department or, if the dean believes that no department member would be appropriate, of the college/school, until such time as the chair is able to resume his/her duties or until the normal selection process for the chair can take place. If such a selection process occurs, the newly appointed chair may take office immediately if the President approves. If this occurs in the first semester of an academic year, that year shall count as the first year of a normal three year term. If the selection occurs in the second semester, the newly elected chair normally will serve the balance of that semester plus three full years.
10. **Outside Search for a Chair.** If after due consultation with the department, including an advisory vote by the department concerning the need to search outside, whose results and associated minutes are sent to the Provost, the dean's recommendation that the chair be filled by means of an external search is approved by the Provost, the standard faculty recruitment process is to be followed, with three special provisions: (1) The dean will appoint a search committee, which will include at least two departmental faculty members eligible to vote for the position of chair, chosen by the department's faculty; (2) the search process will combine a concern for the qualities specified above for a department chair with the standard concern for all-round excellence spelled out in the University's faculty recruitment policy; and (3) all candidates for chair will be interviewed by the Provost. If the dean judges that the department cannot or will not select a search committee that is likely to recruit and present to the department and dean candidates for the position of chair who

sufficiently possesses those characteristics described in paragraph B above, the dean, with the approval of the Provost, will appoint a search committee which will include at least one departmental faculty member eligible to vote for the position of chair. The departmental faculty member shall be elected by the department.

11. **Adjudication Procedure.** Should any significant dispute arise concerning this protocol or any other aspect of the selection of department chairs that is not covered herein, it should be promptly referred to the Provost who, in consultation with two members chosen by the Provost from the Committee on Faculty, and after appropriate consultation with the dean, chair, eligible departmental electors, and other concerned parties, will adjudicate the issue. Only those faculty members who have standing in the matter, that is, members of the department eligible to participate in the selection process or members of the administration may invoke the adjudication procedure. In all cases, decisions of the President on appointment are final.
12. **Extension of a Chairperson's Term.** The Provost may extend the term of incumbent chairs, normally for no more than one year, (a) to provide a transition period for a new dean; or, (b) in consultation with the dean of a college or school, when a restructuring of the college/school or one or more of its departments is imminent, when a college or its departments are involved in a major external accreditation process, or if departments formally request extensions and the dean agrees.
13. **Extraordinary Procedures.** On rare occasions, a detrimental leadership, governance, administrative, or structural problem may exist in a department that requires substantial time and extraordinary flexibility beyond the bounds of this protocol to allow the dean to develop and implement a long-term solution. In such circumstances, the Provost may suspend certain provisions of this protocol to enable the dean to implement such measures with respect to departmental leadership, governance, administration, and/or structure as s/he deems necessary to secure proper functioning of the department. Before suspending provisions of this protocol, the Provost will inform the department faculty and also the chair of the Faculty Rights and Responsibilities Committee which provisions will be suspended, providing a brief explanation of why it is necessary.

14. Ballot for Selection of Department Chairs (please see next page)

Ballot for Selection of Department Chairperson

1. ELIGIBILITY TO VOTE (please check the box to confirm eligibility)

☐ I am a full-time tenure-track or tenured faculty member who has served at least three semesters at Villanova.

2. ACCEPTABILITY OF CANDIDATES

Please list each candidate for department chair in one of the two columns.

Acceptable

Not Acceptable

_____	_____
_____	_____
_____	_____
_____	_____

3. RANK ORDER ALL CANDIDATES

Please rank **ALL** of the candidates for chair (both acceptable and not acceptable) in order of preference. For your ballot to be valid, you must rank all candidates, and no two candidates can be assigned the same ranking (i.e., no tied candidates). These ranking rules must be followed in order to produce an accurate Borda count.

1. _____
2. _____
3. _____
4. _____

30. DISABILITIES, FACULTY WITH

Villanova University strives to provide a supportive environment for the faculty and to that end complies with all pertinent provisions of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. The University makes every effort to assist faculty members and prospective faculty members who need and request reasonable accommodations to assist in performing the essential functions of their positions. The faculty member is an integral part of the accommodation process. Should an accommodation be necessary, the faculty member should provide a written request of need to his/her department chair or dean, who will, if the concern lies outside the academic area, refer it to other appropriate University officials.

31. DISABILITIES, STUDENTS WITH

Villanova University strives to provide an environment for personal and intellectual growth of all its students, and also complies with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. In order to meet these commitments, Villanova offers educational opportunities and reasonable academic accommodations for the needs of qualified students with disabilities. The standards for academic credit should not be modified for students with disabilities. Students with disabilities have fulfilled the same entrance requirements, have the same range of backgrounds and experiences as other students at Villanova, and should be fully capable of meeting Villanova's standards. The University's goal is to provide access and reasonable accommodations in helping the students achieve those expectations.

Physical Disabilities. Services for students with physical disabilities are coordinated through the Office of Disability Services. Additional information is available at <http://www.villanova.edu/studentlife/disabilityservices/>

Other disabilities (including learning disabilities). Services for students with learning disabilities, other neurologically based disorders, and those disabled by chronic illnesses that impact learning are provided by various offices and coordinated by Learning Support Services (LSS). Many students with these disabilities do not ask for accommodations at all. Other disabled students choose to self-identify and ask for appropriate accommodations. If students do want accommodations, they must complete a registration process with LSS. This process involves providing current documentation and meeting with the LSS Coordinator to discuss appropriate accommodations. Guidelines for acceptable documentation are available on the [LSS webpage](#). Each term the student must fill out a [Request for Accommodation](#) form and then LSS can provide a letter detailing the appropriate accommodations. The student is responsible to deliver these letters to their professors. LSS asks students to meet with their professors at the beginning of each semester to discuss all accommodations. Students who have not registered with LSS will sometimes approach professors to ask for accommodations. These students should be referred to LSS, so that appropriate accommodations can be worked out in conjunction with LSS. Instructors should not make special accommodations for students who have not registered with LSS.

All faculty members should announce on the first day of class the desire to speak confidentially with any student with special needs as soon as possible, and course syllabi should include a statement about students with disabilities. A sample statement might read:

It is the policy of Villanova to make reasonable academic accommodations for qualified individuals with disabilities. If you are a person with a disability please contact me after class or during office hours and make arrangements to register with the Learning Support Office by contacting 610-519-

5176 or at <http://www1.villanova.edu/villanova/learningsupport.html> as soon as possible. Registration is needed in order to receive accommodations.

The following are some basic guidelines for students with disabilities. Please refer to the faculty pages on the [LSS webpage](#) or by calling 610-519-5176.

- Support from the faculty is critical to ensuring that students with disabilities receive accommodations necessary to reach their potential. It is important to remember that accommodations are not advantages, but are a means of providing each student with full access to Villanova's programs.
- Standards for academic credit should not be modified for students with disabilities. They may need accommodations in testing, but the content should not be changed.
- It is not necessary to rewrite a course to accommodate students with disabilities; simply modifying the presentation of materials may make it fully accessible. Many modifications will benefit all students.
- If one student with a particular type of disability had difficulty with a specific task, do not assume that the next student with the same type of disability will experience similar problems.
- Some textbooks are available in other formats -- such as large print versions, e-books, or media with closed captioning -- that may be more accessible for students with disabilities. Faculty are encouraged to select texts that are available in alternate formats. E-text can be helpful to most students, and not just those with disabilities.
- Students with disabilities are frequently sensitive about their disabilities, so faculty members should make every effort to treat these issues sensitively and confidentially.

Please visit the webpage <http://www1.villanova.edu/villanova/learningsupport.html> or contact the LSS office with any questions or concerns at 610-519-5176.

32. DISCIPLINE OF STUDENTS

Students should become acquainted with and understand the responsibilities set forth in the *Student Handbook*, especially those in the sections on Policy and Regulations. Adherence to University regulations is expected and required for successful completion of the program of studies. Enforcement within the classroom of policies regarding classroom behavior is the responsibility of the faculty member. All other discipline problems are to be referred to the Dean of Students.

33. DISCRIMINATION AND HARASSMENT POLICIES

- A. Non-Discrimination Policy:** Villanova University is an equal opportunity employer and educational institution. There shall be no discrimination against any employee, student, or applicant for employment or admission on any basis prohibited by law, including race, color, national origin, religion, sex, sexual orientation, gender identity, age, veteran status, or disability. This non-discrimination policy applies to all educational policies and programs and to all terms and conditions of employment, which include (but are not limited to): recruitment, hiring, training, compensation, benefits, promotions, disciplinary actions, and termination.
- B. Non-Harassment Policy:** It is the University's policy that all employees and students should be able to enjoy and work in an educational environment free from harassment of any nature.

Therefore, harassment based on personal characteristics such as race, color, national origin, religion, gender, sexual orientation, gender identity, age, veteran status or disability violates this policy. Harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, and that

1. has the purpose or effect of creating an intimidating, hostile or offensive employment or educational environment; or
2. has the purpose or effect of unreasonably interfering with an individual's employment or academic performance.

Anyone making a report, filing a complaint or participating in the investigation or resolution of an allegation of discrimination or harassment is protected by law and this Policy from retaliation.

Procedures for filing and resolving complaints about harassment or discrimination are available with the [Department of Human Resources](#).

Please refer to the section on **SEXUAL HARASSMENT** in this *Faculty Handbook*.

34. DISMISSAL AND SUSPENSION PROCEDURE FOR FACULTY

The following procedure shall be followed before any faculty member who has tenure may be dismissed or suspended, and before any tenured faculty member who has been suspended for mental or physical incapacity and who applied for reinstatement may be continued suspended.

- A. **Demand for a Hearing.** Whenever the President shall have decided to dismiss, suspend, or continue the suspension of a faculty member, the President shall give written notification, by registered mail, to the faculty member in question. Said notification shall include: (1) a statement of the decision to dismiss, suspend, or continue the suspension; (2) a statement of the factual grounds for the decision; (3) a notification that the faculty member may obtain a hearing by making a written demand upon the President within fifteen (15) days after receiving notice of the President 's decision; (4) a statement that failure to demand such a hearing within fifteen (15) days will constitute waiver of any right to a hearing; and (5) a copy of this "Faculty Dismissal and Suspension Procedure."

After making a timely demand for a hearing, the faculty member in question, at any time before the end of the hearing, may serve a written notice on the President that s/he no longer desires a hearing. Thereupon, all proceedings shall terminate, and the President may take such action as he sees fit.

- B. **Committee.** When a timely demand for a hearing is made, the President shall notify the Faculty Rights and Responsibilities Committee within seven (7) days, and the Faculty Rights and Responsibilities Committee shall, within fourteen (14) days of receipt of such notice, designate three faculty members who are not members of the Faculty Rights and Responsibilities Committee to conduct a hearing, (These three faculty members shall hereinafter be referred to as "the Committee.") The Faculty Rights and Responsibilities Committee shall designate one of the three members of the Committee to act as temporary chair. All clerical and other reasonable and appropriate support services shall be provided for the Committee by the University, through the Office of the Provost.

- C. **Indemnification.** Prior to accepting appointment, all members of the Committee shall receive a document from the University indemnifying them for liability incurred in the course of the good faith performance of their duties as Committee members.
- D. **President 's Representative.** Upon commencement of the proceedings, the President shall appoint a representative who is not a member of the Committee, who may be assisted by counsel, to gather evidence with respect to the statement of charges and to present such evidence at the hearing.
- E. **Notice of Hearing.** The Committee shall forthwith meet for the purposes of (1) electing a permanent chair, and (2) determining the time and place for a hearing, said hearing to be held no more than sixty (60) days after the Committee is appointed by the Faculty Rights and Responsibilities Committee. The Committee shall cause notice of the hearing to be served upon the President 's representative and the faculty member. The notice shall inform both parties of the time and place of the hearing, and of their right to present evidence and arguments. Notice shall be served on the President 's representative and the faculty member at least three (3) weeks before the date of the hearing. The President 's representative or the faculty member may, from time to time, request that the Committee postpone the hearing in order to permit adequate preparation, and the Committee shall freely grant reasonable requests for postponement.
- F. **Challenge to Committee Members.** Within seven (7) days after receiving notice of the hearing, the faculty member and the President 's representative shall forward to the Faculty Rights and Responsibilities Committee, in writing, any challenge to a particular member or members of the Committee, specifying the member or members challenged and the cause for the challenge. The Faculty Rights and Responsibilities Committee shall rule on the sufficiency of the cause for challenge, and in the event that it sustains the challenge, The Faculty Rights and Responsibilities Committee shall appoint a replacement member of the Committee. The Committee shall proceed to meet and give notice of hearing as it did when the Committee was originally appointed. Any replacement member or members shall similarly be subject to challenge for cause by the President 's representative or the faculty member by means of the same procedure.
- G. **Assistance in Preparation for Hearing.** Upon request of the faculty member or the President 's representative the Committee shall furnish such assistance as it deems appropriate in such matters as making witnesses available for questioning, securing the attendance of witnesses at the hearing, and making relevant records available for inspection.
- H. **Hearing.** The hearing shall be private and conducted by at least a majority of the Committee and presided over by the Chair. The Committee shall determine the order of proof and the admissibility of evidence and may question witnesses and cause evidence to be introduced. The formal rules of court procedure need not be followed.

The President 's representative shall present witnesses and evidence and make arguments to support the statement of the charges. Evidence not relevant to those charges shall not be admitted. In order to present evidence to support new charges against the faculty member, the President 's representative must obtain the permission of the Committee to amend the statement of charges. If leave to amend is granted, the faculty member may request that the hearing be adjourned to allow him or her to prepare adequately to meet the new charges. Such request shall be freely granted.

All testimony presented by the President ' s representative or by the faculty member shall be given by witnesses who are present at the hearing, unless for urgent reasons the Committee permits otherwise. The identity of all witnesses for each party, whether they are to appear at the hearing in person or not, shall be disclosed to the other party by the party presenting the witness at least seven (7) days prior to the date of commencement of the hearing. In the event that either party discovers a witness subsequent to that time for notification, the identity of that witness shall be disclosed to the other party as soon as possible.

Both the President ' s representative and the faculty member shall have the right to be assisted by counsel, to be provided by the party itself, to question witnesses presented by either party, and to present evidence and arguments.

The chair shall see to it that all of the oral evidence presented at the hearing shall be transcribed by a trained professional provided by the University through the Office of the Provost. Within seven (7) days after the hearing, the chair shall see to it that a transcript is furnished to the faculty member and to the President ' s representative. A duplicate transcript shall also be filed in the office of the President and shall there be available to the Committee. All physical evidence presented at the hearing shall be made available to both parties.

- I. **Arguments.** Each side shall be given the opportunity to present oral arguments at the close of the presentation of evidence at the hearing. Written briefs may be submitted by each party to the Committee no later than twenty (20) days after the faculty member and President ' s representative shall have received a transcript of the hearing.
- J. **Mediation.** After the argument, the Committee shall confer to decide whether in its opinion mediation of the issue between the President and faculty member would be an appropriate course to follow. If the Committee determines that it would, it shall proceed immediately to attempt to adjust the issue between the parties.
- K. **Report.** In the event that the Committee decides that mediation is not an appropriate course to follow or, after reasonable attempts, discovers that mediation is not a feasible solution, the Committee shall confer to formulate a report to the President. The report shall be in writing and shall include specific findings of fact, specific conclusions as to each asserted ground for dismissal, suspension, or continuance of suspension in the statement of charges, a reasoned explanation of such findings and conclusions and a recommendation as to whether the faculty member in question should be dismissed, suspended, or continued suspended. The report shall be concurred in by at least two of the members of the Committee who were present at the hearing and argument. Members of the Committee who were present at the hearing and argument and who fail to agree with the majority report may make a minority report or reports to the President. All reports shall be transmitted only to the President, the faculty member, and the President ' s representative, no later than thirty (30) days after the final date for the filing of briefs, or not later than thirty (30) days after the cessation of attempts at mediation.
- L. **Objections.** The faculty member and the President ' s representative shall have seven (7) days from the time of the receipt of the report of the Committee within which to notify the President, in writing, of any objections or defects in the proceedings of the Committee or of any alleged denials of rights set forth in this Procedure.

- M. **Decision of the President.** After considering the report or reports of the Committee and any objections of the faculty member or the President 's representative, the President shall decide whether the faculty member should be dismissed, suspended, or continued suspended. Notice of the decision shall be given to the faculty member and the Committee within thirty (30) days after receipt by the President of the report or reports of the Committee and any objections thereto by the faculty member or the President 's representative.
- N. **Publicity.** All proceedings relating to dismissals or suspensions, including the fact that an inquiry has been commenced, shall be kept confidential by all persons concerned except that disclosure may be made when necessary to prepare for the hearing. The final decision of the President and the recommendations of the Committee shall be released by the President for publication to the faculty. No other publication shall be made without the written authorization of both the President 's representative and the faculty member.
- O. **Immediate Suspension.** For appropriate cause, as determined by the President, the President may suspend the faculty member from his or her duties during the pendency of the proceeding.

35. EMERGENCIES AND DISASTERS

In the extraordinary event of a University emergency or disaster requiring the suspension of University instructional activities, the University may extend the period of employment under contract, along with all obligations and expectations pertinent to such employment, to summer, fall or spring break, the weeks between normal semesters, weekends, or extraordinary evening hours to enable students to complete their academic year studies. In such cases, the period of extension would not exceed the period of suspension. Faculty who are seriously inconvenienced by such extension may, upon application explaining the reasons therefore, be exempted in whole or in part by the Office of the Provost from instructional and related academic duties and functions during such extension.

36. EVENTS AND SPEAKERS POLICY

A. Values

Villanova University is a Catholic, Augustinian institution of higher learning that is committed to academic excellence, academic freedom, and intellectual, spiritual, moral, and social growth. Above all, the University seeks to reflect the spirit of St. Augustine by the cultivation of knowledge and the encouragement of freedom of inquiry, by respect for individual differences, and by adherence to the principle that mutual love and respect should animate every aspect of University life.

Respecting the principles and responsibilities of academic freedom, and recognizing the importance of the perceptions of both internal and external communities, the University encourages the open exchange of ideas on a variety of subjects, including those that are controversial. Thus, faculty members or staff acting on behalf of faculty members⁹ of the

⁹ A separate policy available from the Office of Student Life governs co-curricular events and events sponsored by students

University may invite speakers to a class or to a University event, and may host events open to the campus community, that address the full range of intellectual, moral, and social issues. In keeping with the educational mission of the University, the academic character and educational value of all such events is the motive and rationale for their occurrence.

Invitations to speak, or the hosting of events, do not imply University approval or endorsement of the positions taken by invited speakers or of their previous or subsequent views. To the best of its ability, the University will ensure that all legitimately invited speakers will be able to express their views and that open discussion will take place.

This policy presumes that those inviting speakers or hosting events will exercise sound judgment in selecting speakers and in establishing the particulars of a given event. Thus faculty members enjoy wide latitude in this regard. Although this policy assumes that both speakers and audience will exhibit appropriate and respectful demeanor toward each other, it is recognized (a) that speakers or events may often challenge existing attitudes and beliefs and/or trigger disagreements, and (b) that no policy, no procedures, and no sponsor of a speech or event, can guarantee against the possibility that a speech may offend listeners, that a speaker may unexpectedly deviate from anticipated content and style, or that members of an audience might engage in inappropriate behavior.

The following standards and procedures govern speakers and events being proposed by faculty:

B. Conditions

Permission to invite a guest speaker to a class or to a university event, or to host an event open to the campus community, is automatically granted as long as all of the following conditions are met. If there is good reason to believe that one or more of them might not be met, the person inviting the speaker or organizing the event must take reasonable steps, as specified under “Procedures” below, to ensure as best as possible the consistency of the speech or event with the principles of academic discourse and with the academic values of the University.

1. The speech or event must constitute a legitimate educational experience or otherwise contribute to the university’s academic mission.
2. The speech or event must not pose a substantial risk to the physical safety of speakers or members of the audience, other participants, or bystanders.
3. The speech or event must not involve a substantial risk of disrupting classes, obstructing access to campus facilities, otherwise interfering with other ongoing University events or activities, or creating a seriously intimidating, threatening, scandalizing, and/or uncivil environment at the speech or event that would undermine its educational purposes.
4. The event must not violate the law or the nonprofit status of the University. (Note that federal and state laws may prohibit, condition, or limit speeches by political candidates; accordingly, consultation with the General Counsel’s office for guidance should occur in these situations.

5. It is understood that some speakers will hold, offer, and defend positions that differ from Catholic Church teaching. The expectation is that they will do so in an academically responsible fashion, be open to questions and challenges from members of the audience, and respectfully acknowledge, and not disparage, Church teaching. If, in the judgment of University officials, a speech or event presents a serious risk of violating these principles, the person or group seeking permission for such an event must accept provisions to ensure adherence to standards of freely reasoned academic discussion and debate. Such provisions might include, for example, allowing for an appropriate response at the speech or event or contextualizing the event or speech by means of complementary counter-programming.

C. Procedures

1. A faculty member wishing to invite a guest speaker to his/her class or other event, or to host a University-sponsored or University-related event on or off campus, naturally will seek the advice of faculty and/or administrator colleagues and the most appropriate department chair before extending an invitation or planning an event that a reasonable person within the Villanova community would consider to conflict with any of the above conditions. If a colleague or the chair indicates his/her belief that the speech or event would likely conflict with one of the conditions, the faculty member will consult with his/her dean before issuing the invitation. If the dean rejects the proposal, the faculty member may appeal to the Provost, who, after appropriate consultation with other University officials, shall make the final determination.
2. In reviewing any request for a guest speaker or event, the dean or the Provost (a) should consult with appropriate members of the faculty, including the leadership of the Congress, when feasible, and (b) may impose restrictions or conditions to ensure consistency with the principles and conditions outlined in the **Values** and **Conditions** sections of this policy. A decision and the reasoning of the dean and/or the Provost to deny or to condition permission for a guest speaker or event will, except in the most unusual circumstances, be provided to the faculty member initiating the request.
3. In exercising this authority, the dean and the Provost shall give due consideration to the principles and conditions outlined in the **Values** and **Conditions** sections of this policy. Faculty members or staff acting on behalf of faculty members seeking to invite a speaker or host an event must ensure, in advance, that there is provision for adequate financing, facilities, and other University resources. Failure to do so is grounds for refusal to allow the speech or event.
4. The University reserves the right to withdraw any speaker invitation, or to cancel any event, at any time for any reason, but it will not do so for reasons judged to be less than fundamental to the University's values and well-being. If the faculty member has not cleared the invitation with the dean, no formal reason needs to be given for the withdrawal or cancellation. If the faculty member has cleared the invitation with the dean, the dean will normally confer with the faculty member before withdrawing the invitation. However, the final decision rests with the dean and the Provost. In cases where invitations have been withdrawn or events canceled, the Provost will include discussion of such decisions in his/her regular meetings with the Faculty Congress.

5. If there is a contract or fees for any speaker, approval of such contract must be obtained from the Office of the Vice President and General Counsel. All such contracts must be signed by the Provost.

37. EXAMINATIONS – SEE FINAL EXAMINATIONS AND GRADES AND ASSESSMENTS

38. EXPORT CONTROLS POLICY

A. Statement of Policy

Villanova University is committed to maintaining an open academic environment, protecting the academic freedom of its faculty and students, and encouraging the dissemination of information resulting from research and other activities. At the same time, some activities may be subject to U.S. laws and policies that govern the export of certain commodities, software, and technology items.

It is the policy of Villanova University to comply with all applicable statutes, executive orders, regulations, and contractual requirements covering the exports to foreign entities and persons, including foreign persons employed by and/or taking classes or conducting research at Villanova.

U.S. export controls laws and regulations apply to the physical export of controlled equipment, data, and materials to foreign countries, the disclosure of controlled information to foreign persons, wherever located, and access to controlled equipment and technology by foreign persons visiting the university. Under applicable law, any person who is not a U.S. citizen and not a lawful permanent resident (*i.e.*, any person who is not a green card holder) is considered to be a foreign person, regardless of location. Thus, a non-U.S. graduate student or researcher, even if in the United States under a valid student or work visa, is considered a foreign person for purposes of U.S. export laws.

These are very complicated laws and regulations and they are not restricted to research or sponsored programs. They address all activity involving exports and the sharing of technology with foreign persons.

Fortunately, many of the University's export activities are permissible under exceptions to and exclusions from the regulations, but one must *not* assume that one's activities are exempt.

It is important that faculty and other researchers understand and comply with their obligations under the law. The consequences of violating the regulations can be severe, and include loss of research funding, fines, and/or prison time. The Office of Research and Sponsored Projects and the Office of the Vice President and General Counsel will assist investigators in complying with the export control laws, but the primary responsibility rests with the principal investigator of the research. Faculty members should contact these offices with any questions about compliance with U.S. trade controls laws.

B. Summary of Export Controls Laws

The U.S. government prohibits the unlicensed export of certain materials or information for reasons of national security or to protect U.S. economic interests. Most exports do not require government licenses. Only exports that the U. S. government considers “license controlled” under the EAR and/or ITAR require licenses.

Export controls usually arise for one or more of the following reasons:

- The nature of the export has actual or potential military applications or economic protection issues,
- The government has concerns about the destination country of the export , and/or
- The government has concerns about the declared or suspected end use or end user of the export.

Generally, an export includes any:

- (1) actual shipment of any covered goods or items,
- (2) the electronic or digital transmission of any covered goods, items or related goods or items,
- (3) any release or disclosure, including verbal disclosures or visual inspections, of any technology, software or technical data to any foreign entity or person, or
- (4) actual use or application of covered technology on behalf of or for the benefit of a foreign entity or person anywhere.

The term “export” can mean not only technology leaving the shores of the United States (including transfer to a U.S. citizen abroad whether or not it is pursuant to a research agreement with the U.S. government), but also transmitting technology to a foreign person, *i.e.*, any individual who is not a U.S. citizen or permanent resident, within the United States. This is sometimes known as a “deemed export.” Even a discussion with a foreign researcher or student in a campus laboratory may be considered a “deemed export.” Export controls preclude the participation of all foreign persons in research that involves covered technology unless a license exception applies, or a license or other specific authorization has been obtained from the appropriate government agency.

Exports governed by the U.S. Commerce Department

Exports of U.S.-origin goods, software, and technology not specifically designed for military use, *i.e.*, most everyday items, are considered by the U.S. Commerce Department under the Export Administration Regulations (the “EAR”). Under the EAR, licensing requirements and other export controls are based on the item to be exported, and the destination, end user, and end use of that item. Most everyday items can be exported to most destinations without a license under the EAR. Items controlled for export by the Commerce Department are listed in the Commerce Control List (the “CCL”), which forms a portion of the EAR.

Exports controlled by the U.S. State Department

In addition to the EAR, the U.S. government maintains controls on exports of defense articles, services, and technical data. Such defense exports are controlled under the International Traffic in Arms Regulations (the “ITAR”), which are administered by the U.S.

State Department. With limited exceptions, any item controlled under the ITAR requires a license or other specific authorization before that item can be exported to a foreign entity or person. Items controlled for export under the ITAR are listed on the U.S. Munitions List (the “USML”), which forms a portion of the ITAR.

Need for an export license or other authorization

When an item is controlled, a license or other authorization may be required before that item can be exported. This requirement relates not only to tangible items (prototypes or software) but also to research and research results themselves. If a license or other authorization is required in order to export an item outside the United States or to a foreign person in the United States, the relevant Villanova personnel must work with the Office of Research and Sponsored Projects and/or the Office of the Vice President and General Counsel to ensure the necessary authorization is applied for and, if obtained, followed closely.

Certain countries, individuals, and entities are prohibited parties under U.S. law, and Villanova will take appropriate steps to prevent unauthorized exports to such recipients, and to prevent the export of any item in contravention of U.S. law.

C. Fundamental Research

The fundamental research exclusion for universities

Even if an item appears on one of the lists of controlled technologies, generally there is an exclusion for fundamental research (as long as there are no restrictions on publication of the research or other restrictions on dissemination of the information) or, in some cases, as long as the research or information is made public or is intended to be made public.

Fundamental research, as used in the export control regulations, includes basic or applied research in science and/or engineering at an accredited institution of higher learning in the U.S. where the resulting information either is ordinarily published and shared broadly in the scientific community or where the resulting information has been or is about to be published. Fundamental research is distinguished from research that results in information that is restricted for proprietary reasons or pursuant to specific U.S. government access and dissemination controls. University research will not qualify as fundamental research if: (1) the institution accepts any restrictions on the publication of the information resulting from the research, other than limited prepublication reviews by research sponsors to prevent inadvertent divulging of proprietary information or to insure that publication will not compromise patent rights of the sponsor; or (2) the research is federally funded and specific access or dissemination controls regarding the resulting information have been accepted by the university or the researcher.

Published information as used in the definition of fundamental research

The EAR and the ITAR approach the issue of publication differently. For the EAR, the requirement is that the information has been, is about to be, or is ordinarily published. The ITAR requirement is that the information has been published.

Information becomes “published” or considered as “ordinarily published” when it is generally accessible to the interested public through a variety of ways, including through

publication in periodicals, books, print, electronic or any other media available for general distribution to any member of the public or to those that would be interested in the material in a scientific or engineering discipline. Published or ordinarily published material also includes the following: readily available at libraries open to the public; issued patents; and releases at an open conference, meeting, seminar, trade show, or other open gathering. A conference is considered “open” if all technically qualified members of the public are eligible to attend and attendees are permitted to take notes or otherwise make a personal record (but not necessarily a recording) of the proceedings and presentations. In all cases, access to the information must be free or for a fee that does not exceed the cost to produce and distribute the material or hold the conference (including a reasonable profit).

Public domain

Public domain is the term used for “information that is published and generally accessible or available to the public” through a variety of mechanisms. Publicly available software or technology is that which already is, or will be, published.

D. Other U.S. Trade Controls

U.S. economic sanctions. The United States Treasury Department, Office of Foreign Assets Control (“OFAC”) currently maintains over 20 different programs that restrict trade with particular countries, organizations, individuals, and/or vessels. These sanctions programs are frequently modified and vary widely depending on the target of the sanctions. Sanctions targets include countries (*e.g.*, Cuba, Iran, and Sudan), specific individuals (*e.g.*, global terrorists, narcotics traffickers), and national governments (*e.g.*, Zimbabwe). A list of these sanctions programs can be found at <http://www.treas.gov/offices/enforcement/ofac/programs/>.

OFAC also maintains a list of Specially Designated Nationals comprised of individuals, organizations, and vessels with which U.S. persons are prohibited from conducting virtually any transaction.

If any research project appears to or could involve a sanctioned party or country, including an individual from a sanctioned country, the Office of Research and Sponsored Projects or the Office of the Vice President and General Counsel should be contacted immediately. If for any reason a research project involving a sanctioned party or country has already been accepted or undertaken, work on the project must be frozen immediately and the Office of Research and Sponsored Projects and/or the Office of the Vice President and General Counsel notified. Any further communication with potentially sanctioned parties should be coordinated with the Office of Research and Sponsored Projects and/or the Office of the Vice President and General Counsel.

U.S. anti-boycott laws. The United States prohibits U.S. persons, as broadly defined, from complying with the Arab League’s boycott of Israel. Villanova University is committed to complying with U.S. anti-boycott laws. If you receive any contract or other official document in which you are asked to certify that you will not use Israeli-origin goods or suppliers on a particular contract, or where you otherwise think you are being asked to support the Arab League boycott of Israel, do not take any further action with respect to that transaction and contact the Office of Research and Sponsored Projects and/or the Office of the Vice President and General Counsel immediately.

E. Resources

- **Export Administration Regulations (EAR)**, Title 15, sections 730-774 of the Code of Federal Regulations (CFR) are promulgated and implemented by the Department of Commerce. The EAR regulate the export of goods and services identified on the Commodity Control List (CCL), Title 15 CFR section 774, Supp. 1. The EAR and CCL are available online at <http://www.access.gpo.gov/bis/>.
- **International Traffic in Arms Regulations (ITAR)**, 22 CFR sections 120-130, are promulgated and implemented by the Department of State and regulate defense articles and services and related technical data that are identified on the U.S. Munitions List (the “USML”), 22 CFR § 121.1. The ITAR and USML are available online at http://www.pmddtc.state.gov/regulations_laws/itar_consolidated.html.
- **“Deemed Exports” Questions and Answers**, available online at <http://www.bis.doc.gov/deemedexports/deemedexportsfaqs.html>

F. Contact Information

For further information and assistance, please contact the Office of Research and Sponsored Projects and/or the Office of the General Counsel.

39. FACULTY DATA

For various purposes, the University must collect certain data on the teaching, scholarship, and service activities and accomplishments of its faculty. Normally, this will be done electronically, using an approved system. Upon the inauguration of this or any subsequent electronic program, and for all new faculty members joining the University, there will be a one-time requirement of data entry. Subsequently, faculty members are strongly encouraged to update their data profile at least annually and are required to do so in accord with the performance review norms and schedules of their colleges.

40. FACULTY ROLE IN GOVERNANCE

The Villanova faculty participates in University governance in a number of ways. Faculty members constitute the majority of the membership of the University Rank and Tenure Committee, and they serve on and chair the University Senate, the Academic Policy Committee, and the Faculty Rights and Responsibilities Committee. Four Board of Trustee committees have faculty members; and faculty members serve on numerous ad hoc University and college committees and task forces. At the departmental level, the faculty determines the curriculum and course content and structure, nominates department chairs, and plays a major role in the recruiting of new faculty members and in the rank and tenure process. The Faculty Congress serves as a forum for faculty discussion of University issues and as the faculty’s voice on a wide range of University matters.

41. FINAL EXAMINATIONS AND THE FINAL WEEK OF CLASSES

Faculty members recognize their obligation to provide timely interim and final assessments of student performance in their classes. This may be done in a variety of ways, to be determined by

each instructor. The assessment methodology should be spelled out clearly in the syllabus, with an explanation of the relative weight each item will contribute to the final grade.

The Registrar schedules a time for a final examination for each course. These times are available on the Registrar's website early in the semester, so students should have adequate time to make travel plans. It is permissible to omit the final examination, provided that other equivalently comprehensive assessment techniques are employed. If final examinations are given, they must be given at the time and place scheduled by the Registrar unless exemption has been authorized by the chair and dean.

In order to balance student workload during the final week of classes the following describes prohibited times for administering examinations or other assessment instruments in undergraduate courses only.

Reading days: No exams or assessment instruments whatsoever may be administered, and no papers or other assignments may be due, on designated reading days.

Final day of class: With the exception of oral presentations or laboratory assessments, no exams or other student performance assessment instruments whatsoever may be administered, and no papers or other assignments may be due, on the final day of class. Faculty may administer the Course and Teacher Survey.

Other days of the final week of classes: No final examinations may be administered, and no take-home exams may be due, during the final week of classes. Other major examinations and tests may be administered only with the explicit written consent of the dean of the college (quizzes and minor assignments are permitted). No paper or other assignment may be due on other days of the final week of classes unless clearly scheduled for that week in the course syllabus that is distributed at the outset of the course.

The below section refers to both graduate and undergraduate courses.

*Tests or student learning assessment mechanisms are to be employed periodically. In the interest of fairness, faculty members should take steps to avoid situations where some students have access to previous examinations while others do not. This can be done in several ways: faculty members may collect examination papers from students so that these cannot be circulated in later semesters, or faculty members may make previous examinations available to students either electronically or by other means. Copies of semester examinations are to be filed with the chair of the department and/or the dean of the college.

*Occasionally students will encounter conflicts in the examination schedule such that two of a student's examinations are scheduled at the same time or three examinations are scheduled on the same day. In the event of such a conflict, the student must notify the instructor at least seven days in advance of the scheduled exam. The instructor will make alternative arrangements for the student to complete the examination. In resolving conflicts, multiple section exams should take precedence over exams for a single section, and courses in the major should take precedence over non-major courses. Extraordinary difficulties encountered in effecting such an arrangement will be resolved by the dean of the student's college.

*If a student is absent from a final examination for any reason other than a conflict, he or she must contact the instructor within 24 hours of the scheduled beginning of the examination to request permission from the instructor to take a make-up examination. The instructor may, if he or she

wishes, arrange a make-up examination at a mutually convenient time. If the faculty member has reservations about the legitimacy of the student's reasons for missing the examination, the faculty member may refer the student to the office of the college dean, who will evaluate the student's request for a make-up. If the office of the dean approves the request, the faculty member will arrange a make-up examination for the student or assign other work in place of the final examination. If the student does not contact the faculty member within 24 hours, the student must receive permission from both the office of the dean and the faculty member before being allowed to take a make-up examination.

*Faculty members should attend the administration of the final examination in order to answer any questions and ensure high standards of academic integrity. When they are unable to do so, department chairs are to see that sufficient proctors are provided for each examination room. Where there is a shortage in any department, assistance should be requested from other departments.

*Faculty members must retain in their possession all final exams and other unclaimed exams, papers, and student course projects and materials for a period of twelve months following the end of the semester in which they were used to establish grades.

Please refer to sections on **GRADES AND ASSESSMENTS** and **SYLLABI** in this *Faculty Handbook*.

42. GRADES AND ASSESSMENTS

Faculty members provide a series of graded assignments or assessments throughout the semester. In undergraduate classes, faculty members normally must assign enough graded work so that they can give a meaningful mid-term grade. If faculty members do not judge that a mid-term grade is appropriate for their courses, they should consult with their department chairs, providing a brief explanation of their decision. All courses that contain a significant number of freshmen must include a meaningful midterm grade. Faculty members are expected to give students timely feedback on all graded assignments, so that students can know how they performed and how they may improve in the future. All mid-term and final grades are to be posted on the University's Novasis system within the time limits specified by the Registrar. Please refer to sections on **FINAL EXAMINATIONS** and **SYLLABI** in this *Faculty Handbook*.

The grade report at the end of the semester is part of the student's permanent record. Any inaccuracy on this record must be reported to the Registrar according to the following deadlines; otherwise, the record will stand as it is:

Spring Semester grade errors: Last Friday in June
Summer Semester grade errors: Last Friday in August
Fall Semester grade errors: Last Friday in January

Faculty members are responsible for maintaining the integrity of the evaluation and grading system. Presented below is the *Undergraduate* Grading System; the *Graduate* Grading System may be found in each college's Graduate Catalog:

A	is the highest academic grade possible; an honor grade which is not automatically given to a student who ranks highest in the course, but is reserved for accomplishment that is truly distinctive and demonstrably outstanding. It represents a superior mastery of course material and is a grade that demands a very high degree of understanding as well as originality or creativity as appropriate to the nature of the course. The grade indicates that the student works independently with unusual effectiveness and often takes the initiative in seeking new knowledge outside the formal confines of the course.
A-	
B+	
B	is a grade that denotes achievement considerably above acceptable standards. Good mastery of course material is evident and student performance demonstrates a high degree of originality, creativity, or both. The grade indicates that the student works well independently and often demonstrates initiative. Analysis, synthesis, and critical expression, oral or written, are considerably above average.
B-	
C+	
C	indicates a satisfactory degree of attainment and is the acceptable standard for graduation from college. It is the grade that may be expected of a student of average ability who gives to the work a reasonable amount of time and effort. This grade implies familiarity with the content of the course and acceptable mastery of course material; it implies that the student displays some evidence of originality and/or creativity, works independently at an acceptable level and completes all requirements in the course.
C-	
D+	
D	denotes a limited understanding of the subject matter, meeting only the minimum requirements for passing the course. It signifies work which in quality and/or quantity falls below the average acceptable standard for the course. Performance is deficient in analysis, synthesis, and critical expression; there is little evidence of originality, creativity, or both.
D-	
F	indicates inadequate or unsatisfactory attainment, serious deficiency in understanding of course material, and/or failure to complete requirements of the course.
N	Incomplete: course work not completed.
S	Satisfactory: Assigned in Satisfactory/Unsatisfactory courses (work must be equivalent to C or better).
SP	Satisfactory Progress.
T	Transfer grade
WX	Approved withdrawal without penalty.
W	Approved withdrawal with penalty.
U	Unsatisfactory: Assigned in Satisfactory/Unsatisfactory courses.
AU	Audit.
Y	Unofficial withdrawal from course (or for freshmen, failure for excessive absences.
NG	(Or Blank): no grade reported.

All grades are permanent, except N and NG, which are temporary grades used to indicate that the student's work in a course has not been completed. An N or NG grade must be removed and a grade substituted by the instructor according to the following schedule:

For the Fall Semester: Students must submit all work to the instructor by the last Friday in January; grade changes must be submitted to the Registrar's Office by the second Friday in February

For the Spring Semester: Students must submit all work to the instructor by the last Friday in June; grade changes must be submitted to the Registrar ' s Office by the second Friday in July

Students should check the academic calendar for actual dates. NOTE: if a change is not reported, the **N** or **NG** grade automatically becomes an **NF**.

Without the approval of the instructor, the department chair, and the dean, no grade higher than **C** may replace the **N**.

The grade **WX** indicates an authorized withdrawal with the grade not considered in the calculation of the quality-point average. The grade **W** also indicates an authorized withdrawal, but the grade is calculated as an **F** in determining the quality-point average. Authorization for **WX** and **W** may be given only by the student ' s dean. The grade **Y** is given when a student unofficially withdraws from a course. It is reflected in the average as an **F**.

Required courses carrying a final grade of **F** must be repeated unless the student transfers to another college of the University where the course for which an **F** grade was received is not a requirement for the degree. The reasons for student deficiencies are reported by the faculty member at mid-semester and at the end of the semester to the dean of the student ' s college.

When a student who has failed in a course presents evidence of subsequently passing a like course in another institution, the University reserves the right to withhold credit for the course until the student shall have passed a qualifying examination given by the Faculty from which a degree is sought.

Students should recognize that failure in one course or more will usually make it impossible for them to graduate with the class in which they matriculated.

43. GRIEVANCE POLICY FOR FACULTY MEMBERS

The purpose of the faculty grievance policy is to provide additional guarantees of equitable and just treatment for all within the framework of existing University policy. University Policy itself, therefore, cannot be the object of a grievance but is subject to change only through the normal channels of University governance.

Four areas are specifically excluded from the province of this grievance policy. The first is the case of the dismissal or suspension without pay of a tenured faculty member, for which a well- defined and distinct set of procedures already exists. The second includes all decisions as to the granting of tenure or promotion where practice already provides for appeal from the determinations of the University Rank and Tenure Committee directly to the President. The third is the non-renewal of academic contracts where the denial of tenure is not involved. The fourth is a decision by any university committee required by law to be constituted to ensure compliance with government regulations ("Compliance Committee"), e.g., the Institutional Review Board for Human Subjects Research, the Institutional Animal Care and Use Committee, the Bio-Safety Committee, or the Radiation Safety Committee. If a faculty member has a complaint against a Compliance Committee, the faculty member may appeal to the University's Institutional Officer responsible for oversight of that Compliance Committee.

Barring these four specific areas, two kinds of grievances may constitute the substance of a grievance within the meaning of this policy. **Type 1 grievances** deal with any matter of discipline (short of

dismissal or suspension without pay) affecting a full-time faculty member's salary or working conditions, including, but not limited to, salary determinations, sabbaticals, leave of absence, research responsibilities or privileges, reduced academic loads, assignment or non-assignment of courses and hours, offices, parking facilities, and secretarial assistance; in other words, those grievances which, though normally handled through the academic hierarchy, remain unresolved in the eyes of the grievant after hierarchical procedures have been exhausted. **Type 2 grievances** include those between full-time faculty members, between a full-time faculty member and a regularly constituted University committee (excluding decisions by a University Compliance Committee described above), and others of this type, provided in each case the grievance is materially related to the University. These kinds of grievances are a special case in that, because they do not originate in departments or colleges, no hierarchical procedures exist for resolving them.

Procedures.

Type 1 grievances. The policy for this kind of grievance presumes the ordinary operation of the academic hierarchy of the University. That is, any grievance should be pursued, in the first instance, with the appropriate departmental chair, dean, and finally, the Provost. Both original grievances and subsequent appeals proceed through this hierarchy.

1. The grievant must raise the grievance in the relevant portion of the academic hierarchy. Depending on the matter at issue, this may be, for example, a departmental chair, program director, dean, or Provost.
2. The grievance must be submitted in written form to the appropriate person in the hierarchy, who shall inform all relevant parties to the grievance within 10 days.
3. The original party to whom the grievance has been submitted normally has 30 days to resolve the complaint.
4. If the grievance is not, in the view of the grievant, resolved by the original party to whom it is brought, the grievant may appeal the decision at the next highest level of the university hierarchy, up to the university Provost. All appeals must be submitted to the relevant position within the academic hierarchy within 10 days of the administrator's decision.
5. If the grievant remains unsatisfied at the conclusion of this route of appeals, within 10 days of the Provost's decision, the grievant may exercise one of two final appeal options beyond the Provost, as described in subparagraphs a and b.
 - a. The grievant may make a final appeal directly to the President. In such cases, the President's determination shall be final, and no subsequent appeal to any other body will be heard.
 - b. The grievant may make a final appeal to the University Grievance Committee, which shall be constituted and operate in accordance with the procedures described below. The recommendations of this Committee, when acting as an appellate venue for Type 1 grievances, shall be final, and no subsequent appeal to the President shall be possible. In order to invoke the University Grievance Committee in the appeal of a Type 1 grievance beyond the Provost, the faculty member must appeal in writing within 30 days of the time the Provost's decision was sent to the faculty member.

Type 2 grievances. In the case of the second kind of grievance mentioned above (those between faculty members or between a faculty member and a University Committee) the grievant shall have the right to appeal directly to the University Grievance Committee. The grievance and its particulars must be presented in writing to the Provost, who will form a Grievance Committee according to the process outlined below.

Operation of the University Grievance Committee. In either type of grievance, once the University Grievance Committee is invoked by a faculty member, it will consider the case in accordance with the following procedures. The deliberations of the Grievance Committee are to be kept strictly confidential.

Structure. Upon receiving the written grievance and informing all concerned parties, the Provost shall form a University Grievance Committee in accordance with the protocol herein described. In such cases where the grievance is filed against the Provost, the University Grievance Committee shall be formed by the President.

The Committee shall have three members, all of whom are full-time, tenured faculty who serve for the duration of the matter for which they have been constituted. One such member shall be appointed by the Provost unless the Provost is the subject of the grievance, in which case this member shall be appointed by the President. The other two shall be appointed by the chair of Faculty Congress. The Committee shall select its own chair.

1. Initial consideration: The Committee will conduct an initial consideration of the case. In connection with this, they may request in writing from the grievant such additional information as the Committee deems necessary and, from the appropriate academic officers, written materials pertinent to the grievance. All such information shall be held in confidence by the Committee until and unless the Committee shall finally present its own determination of the grievance to the President, which determination may include any or all information at its disposal. The Committee will normally complete the “initial consideration” within 60 days of receiving the case.
2. Upon initial consideration, the Committee may decide not to advance the grievance to a formal hearing if it determines that the grievance is improper, non-substantial, or that sufficient time has not yet been allowed for its normal redress. The burden for establishing a prima facie case of a grievance rests with the grievant, but a failure on the part of any academic official or faculty member to respond to the Committee’s request for a written statement, as referred to above, will itself establish such a prima facie case.
3. The Committee may attempt an informal resolution of the grievance by consultation with both or all parties thereto.
4. If a prima facie case is made and informal resolution is unavailing, the Committee shall initiate a formal grievance hearing. Upon such an initiation, the Committee shall secure the appointment of ad hoc members as described below.

Grievance Hearing

Upon the determination of the Grievance Committee to initiate a formal grievance hearing, two ad hoc committee members shall be selected. Both must be full-time, tenured faculty members of the University. One shall be chosen by the grievant. In the case of grievances normally resolved through hierarchical procedures, the other shall be chosen by the Provost unless the Provost is a party to the grievance, in which case the selection shall be made by the President. In the case of a grievance against another faculty member, the second ad hoc member shall be chosen by that faculty member. In the case of a grievance against a regularly constituted University Committee, the second ad hoc member shall be chosen by the chair of that Committee.

The hearing Committee shall adhere to the following guidelines:

1. The Committee shall complete its work and submit its recommendation to the President normally within 60 days of the decision to initiate a formal grievance hearing.

2. In connection with a formal grievance hearing, the Committee shall keep minutes of the proceedings.
3. The Committee (through its chair) shall have the right to request the participation of such witnesses and request such records as it deems material.
4. The Committee shall act in strict confidentiality. In particular, the deliberations of the Committee shall not be discussed with any party to the grievance. The only permissible communications between the Committee and the parties to the grievance are requests for further documentation or clarification. Such requests must come from the Committee chair.
5. In connection with a formal grievance hearing, all written statements of the respective parties to the grievance shall be made available to all Committee members, and they shall have the right to question witnesses and the parties to the grievance.
6. Upon the conclusion of the gathering of the evidence and the hearings, all members of the Committee shall, in executive session, determine the merits of the case and report their conclusion and recommendations in writing to the President. A simple majority vote of those members present and voting shall suffice for the adoption of their report.
7. The President shall implement the Committee's recommendations within a reasonable time unless he has serious concerns with any recommendation(s). In such case, the President should communicate his decision and his rationale to the Committee before informing the parties to the grievance.
8. No legal counsel for any parties to the grievance are permitted to be present at or to participate in any hearing or proceeding as part of this procedure.

44. HANDBOOK REVISION

Changes in the *Faculty Handbook* are made by the Provost, in cooperation with the Faculty Rights and Responsibilities Committee. Suggestions and recommendations for additions, deletions, or modifications are welcome and may be made by any faculty member or University official by contacting the Provost or the Faculty Rights and Responsibilities Committee.

45. INTELLECTUAL PROPERTY POLICY

INTRODUCTION

Villanova University's faculty, staff, and students are regularly involved in scholarly activities that stem from the core teaching, learning, research, and service missions of the University. While the primary focus of such efforts is the advancement of the University mission, the products of scholarship often have broader applications to and benefits for the individuals involved, to the University, and to society. By establishing policy on Intellectual Property, Villanova University seeks to support the activities of the faculty, staff, and students in identifying, protecting, and administering Intellectual Property matters and defining the rights and responsibilities of all involved.

Intellectual Property is created when something new is conceived and developed or when a non-obvious result, which can be applied to some useful purpose, has been discovered using existing knowledge.

The purpose of this document is to provide a policy framework under which Villanova University will manage the Intellectual Property of the University community. This policy statement does not and cannot provide all the necessary specific details that are required to administer issues of

Intellectual Property for the entire University and, therefore, it is anticipated that this policy may be modified periodically and/or tailored to fit the facts and circumstances of a particular case.

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

PATENTS

A patent is a grant by the government, acting through the Patent Office, of exclusive right to an invention or discovery of a process, machine, manufacture or composition of matter for a limited time. Generally three conditions should be met for the granting of a patent: the invention or discovery should be new, useful, and unobvious. For any Intellectual Property potentially subject to patent, refer to the section on **PATENT POLICY** in this *Faculty Handbook* for the applicable terms and conditions, including ownership and revenue distribution.

COPYRIGHTS

- A. **Copyright protection:** Copyright protection does not extend to any idea, procedure, process, system, concept, principle or discovery. A copyright protects the forms of expression and not the ideas that are expressed. For example, the University might own the copyright to media prepared specifically for the delivery of a University course. The faculty member(s) who created the content might also copyright another non-derivative work based on the same ideas. Thus the faculty and University are afforded the opportunity to work together to copyright different expressions of the same ideas for different purposes.
- B. **Ownership:** In general, all copyrightable Intellectual Property developed by employees of the University while functioning in the capacity of employee or using University property, equipment, or resources belongs to the University, subject to the provisions described below. In order of precedence, copyright ownership of Intellectual Property shall be specified as follows:
 - 1. **Sponsored Projects Agreements:** The University may negotiate and sign Sponsored Project Agreements including contracts and grants between external sponsors such as corporations, government agencies or foundations and the University, that specify completely or partially the ownership of Intellectual Property created as a result of specific sponsored projects. This category includes ownership requirements that result from a government funding source by operation of law (e.g., laws pertaining to Intellectual Property created using federal funds). All individuals working on a project under a Sponsored Project Agreement shall be notified in advance of the terms of ownership under the agreement for any Intellectual Property which may be created on behalf of the University while working on the project.
 - 2. **University Sponsored Works.** The University may initiate and fund specific projects that produce Intellectual Property and shall own the Intellectual Property created as a result of such projects. In particular, the University shall own Intellectual Property created by University employees and students who were assigned or employed specifically to produce a particular piece of Intellectual Property, or whose normal assignments and employment encompass activities that would lead to the production of intellectual property. The financial terms or other terms of support for University Sponsored Works can vary from project to project.

3. Rights in Academic Works:

- a. Traditional Academic Rights. Villanova University has historically waived any copyright interest it legally possesses to traditional academic works created by the faculty. Examples include class notes and syllabi, books and articles, works of fiction and nonfiction, poems and dramatic works, musical and choreographic works, and pictorial, graphic, and sculptural works. Villanova University has also waived any copyright interest it may legally have to works created by students. The University reserves the right to assert its legal interest in such works from time to time.
 - b. Electronic Courses. The emergence of new technologies in teaching, research, and creative activity requires a new paradigm for copyright ownership and interests. When a department or college decides to offer a course or program by electronic means (satellite, streaming video, web based text, CD Rom, etc.) for distribution to students on or off campus, it shall normally be undertaken as a University Sponsored Work with the University owning the copyright to the electronic media used to deliver it.
 - c. Teaching Materials. Creators of reusable teaching and classroom materials for Villanova courses, such as curriculum guides, problem sets, exercise solutions, laboratory manuals etc., shall own these materials unless they are subject to a prior agreement governing their ownership. In all cases the University shall have a non-exclusive, royalty-free, perpetual, irrevocable license to use, display, copy, distribute, modify and prepare derivative works of such materials for internal University use.
4. Consulting Agreements. Intellectual Property created by Villanova employees who consult with external entities (corporations, businesses, government agencies, foundations, etc.) without making substantial use of University funds, resources or facilities, and while abiding by University policies on consulting, is presumed retained by the external entity or the individuals as specified by the terms of the consulting agreement. Please refer to the section on **CONSULTING, OUTSIDE TEACHING, AND PROFESSIONAL WORK** in this *Faculty Handbook*.
5. Independent Projects. Any Intellectual Property created by a University employee that is not part of the creator's employment responsibilities and that is developed on his/her own time without making use of University funds, resources or facilities shall be owned by the creator. When a student creates Intellectual Property independently, using only resources available in common to all students such Intellectual Property is owned by the student. However, Intellectual Property created by a student(s) when working for pay or academic credit, or voluntarily working on faculty projects or University Sponsored Works is subject to the ownership principles stated above.
- C. Using Copyrighted Materials. All creators shall be responsible for securing permissions or licenses from owners before reproducing, distributing, making a derivative work, or displaying copyrighted works. It should be assumed that any material being used is copyrighted unless permission is expressly granted within the material or it is clearly in the public domain. Whether a particular use constitutes "fair use" is determined by U.S. Copyright Law. Please refer to the sections on **COPYRIGHTS AND COURSEPACKS** and **USE OF UNIVERSITY'S NAME AND TRADEMARK** in this *Faculty Handbook*.

INTELLECTUAL PROPERTY POLICY BOARD

The Intellectual Property Policy Board (IPPB) serves as an advisory committee to the Provost (Office of the Provost) on intellectual property issues. The IPPB advises the Office of the Provost regarding (i) the application, interpretation, implementation and administration of this policy, (ii) the modification or development of policy and procedure and (iii) the resolution of disputes (e.g., concerning ownership of specific intellectual property). The Office of the Provost will review proposed amendments to this policy after consulting with the IPPB. The membership of the IPPB consists of the Provost's designee who serves as chair; an Associate or Deputy General Counsel; the Chief Information Officer; one dean selected by the Provost; and one full-time faculty member from each of the colleges of the University. The Provost shall select the college faculty representatives after consulting with the Faculty Rights and Responsibilities Committee. If appropriate, the chair of the IPPB should inform the graduate and undergraduate student governments of an IPPB meeting, and they may choose to send a non-voting observer to the meeting.

46. INTERNATIONAL FACULTY

Foreign nationals to whom Villanova extends appointment offers must have established valid immigration status prior to beginning their appointments at Villanova, and they must maintain valid status throughout the duration of their stays. If they are not in possession of appropriate visas and work authorizations from the U.S. Citizenship and Immigration Service, they may not commence work at Villanova, and they cannot be paid.

Assistance to incoming faculty members in need of visas or other documentation is provided by the Office of International Students. Villanova's in-house immigration advisor in that Office will provide advice and, in many cases, will be able to provide, directly to the faculty member, the necessary legal services in preparing visa applications. The exceptions would include cases that are especially complex or situations when the case load becomes excessively heavy, requiring that Office to refer the faculty member to one of several immigration attorneys. In all cases, however, the incoming faculty member should first contact both the Office of International Students and the Office of the Provost before talking to an outside attorney; otherwise the faculty person will be expected to bear the entire cost of the visa process.

All faculty members holding H1-B or other visas should remain in regular contact with the University's advisor in the Office of International Students. This is particularly important when seeking visa renewals or status changes; unless such contact is made, there is no assurance of University assistance in the visa renewal or change process.

Faculty members who are not United States Citizens or do not hold a valid green card often may not be eligible to work on any research projects sponsored by the United States Government. Further specifications on hiring and status of international faculty members on visas are found in the *Faculty Recruitment Guidelines and Procedures* document.

47. LANGUAGE USE: WRITTEN AND ORAL COMMUNICATIONS ON CAMPUS

All written and oral communications of administrators, the faculty, staff, and students should be consistent with the University's belief that all persons are sacred. Language used on campus should respect the dignity and inherent worth of every individual regardless of age, ethnic or racial

identification, gender, mental or physical ability, religious persuasion, sexual orientation, and social class. To be encouraged is language which does not perpetuate stereotypes or unfairly characterize any individuals on the basis of group identification.

48. LEAVE OF ABSENCE, FAMILY (PARENTAL/ADOPTION) LEAVE

All full-time faculty members are eligible to take up to one semester of leave upon hire in order to care for the faculty member's newborn child; the faculty member's adoption of a child, or placement of a foster child with the faculty member and to care for the faculty member's newly placed child. All requests for leave must be made in writing and in accordance with University procedures."

Please refer to the **RANK AND TENURE POLICY** for extension of the probationary period before tenure.

49. LEAVE OF ABSENCE POLICY

The University recognizes the importance of unpaid leaves of absence for academic purposes such as research, a visiting professorship, completion of doctoral work, and the like, and also acknowledges the appropriateness of such leaves for personal reasons. Such leaves may be granted at the discretion of the Provost (or designee), upon the recommendation of the faculty member's department chair (except in the College of Nursing) and dean. Unpaid leaves may be granted under the following conditions:

1. Unpaid leaves of absence normally are limited to a maximum of one year. Upon the recommendation of the faculty member's dean and department chair, leaves may be extended upon application to and approval of the Provost (or designee); but, normally, no faculty member or academic administrator will be granted an unpaid leave of absence from the University for more than two years total during any ten year period.
2. During the term of the unpaid leave, the faculty member will be responsible for payment of all premiums for benefits, including the University portion, in all programs s/he wishes to continue. If, upon the recommendation of one's department chair and dean, the Provost (or designee) judges that the unpaid leave is sufficiently in the University's interest as to warrant the University's payment of its share of these premiums during the term of the leave, the University may elect to cover some or all of these payments. In certain limited cases, if the faculty member's unpaid leave is supported by an extramural grant or fellowship deemed by the Provost (or designee) to be sufficiently prestigious and in the University's interest, the University may, at its sole discretion, provide partial salary for some or all of the period of the leave. Please note that because Villanova is not compensating the faculty member, the retirement plan does not allow Villanova or the faculty member to make payments to the faculty member's retirement account during the period of leave.
3. The "term" of an unpaid leave of absence refers to the academic year or semester (as the case may be) during which the faculty member is on unpaid leave from the University plus the summer following an academic year during which the faculty member is on unpaid leave. If the unpaid leave is for one semester only and the faculty member either is on the University's payroll for the other semester of that academic year or has an approved paid or unpaid leave

under the Sabbatical Leave Policy or the Family and Medical Leave of Absence Policy, the University's portion of benefits will be paid by the University for the summer preceding the faculty member's return to full-time teaching/administration.

4. An official unpaid leave of absence ordinarily is not counted as service for purposes of tenure and advancement in rank. Faculty members may voluntarily choose to participate in University, college, and/or departmental service and other activities during their unpaid leave, but normally no compensation will be rendered for such activity.
5. This Unpaid Leave of Absence Policy does not cover leaves of absence due to sabbaticals, illness, disability, accident, pregnancy, or the serious medical condition of a close family member. These cases are covered by the University's Sabbatical Leave of Absence Policy, short and long term disability plans, and the Family and Medical Leave of Absence Policy.

50. NEW COURSES AND NEW ACADEMIC PROGRAMS, DEGREES, MAJORS, MINORS, CONCENTRATIONS

Proposals for new courses typically originate in the department, either from individual faculty members, departmental curriculum committees, or department chairs. New courses may often be taught initially as "topics" courses. In order to add a new course to the catalog, the department chair sends a recommendation, using the appropriate form, that includes a proposed course title, course description (following the standard format), and rationale to the dean for approval. The dean sends the approved form to the Office of the Provost to make the changes to the Web Catalog as soon as possible.

Proposals for new academic programs, degrees, majors, minors, and concentrations must be approved, using the appropriate form, by the appropriate chairs, directors, deans, and Office of the Provost, including the deans of other colleges involved or affected by the new degree or program. Proposals for new degrees require approval by the Board of Trustees.

Descriptions of courses must be concise and follow the standard "catalog format" as described on the various Office of the Provost forms: nouns and adjectives, phrases not sentences, etc.

Both forms can be obtained by contacting the Office of the Provost or the web at <http://www1.villanova.edu/villanova/provost/resources/faculty/forms.html>.

51. NON-SOLICITATION POLICY

To avoid disruption of business operations or disturbance of faculty, staff, visitors, and students, the University has implemented this Non-solicitation Policy (the "Non-solicitation policy"). For purposes of the Non-solicitation Policy, "Solicitation" (or "Soliciting") shall include, canvassing, soliciting or seeking to obtain membership in or support for any organization, requesting contributions, and posting or distributing handbills, pamphlets, petitions, and the like of any kind ("Materials") on University property or using University resources (including without limitation bulletin boards, computers, mail, e-mail and telecommunication systems, photocopiers and telephone lists and databases). "Commercial Solicitation" means peddling or otherwise selling, purchasing or offering goods and services for sale or purchase, distributing advertising materials, circulars or product samples, or engaging in any other conduct relating to any outside business interests or for profit or personal economic benefit on University property or using University

resources. Solicitation and Commercial Solicitation performed through verbal, written, or electronic means, are covered by the Non-solicitation Policy. Items to be distributed or offered for sale, which contain University trademarks, names (including building names) or design elements (T-shirts, posters, etc.), must be approved by the Office of University Communication.

A. Students

Any Solicitation or Commercial Solicitation undertaken by a student, registered student club, or student organization must be approved by the Office of Student Development, conducted in compliance with the *Student Handbook* and procedures established by the Office of Student Life, and comply with all applicable laws and University policies.

Any Solicitation or Commercial Solicitation undertaken by a student or student organization at a University athletic event or facility must be approved by the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.

The provisions of this Section I shall apply to each student and student organization of the Villanova University School of Law (the “Law School”) except that for those Law School students and organizations, the terms “Office of Student Life” and “Office of Student Development” shall be replaced with “Law School Office of Student Affairs.” Solicitation or Commercial Solicitation by Law School students and organizations must be approved by the Law School Office of Student Affairs, and must be conducted in compliance with procedures established by that office.

Student violators of the Non-solicitation Policy and/or procedures are subject to disciplinary action under the Code of Student Conduct (or Student Handbook for Law students, as applicable).

Inquiries regarding the Non-solicitation Policy should be directed to the Office of Student Development (or Law School Office of Student Affairs as applicable).

B. Faculty

Any Commercial Solicitation undertaken by a University faculty member must be pre-approved by the Provost or his/her designee.

Solicitation or Commercial Solicitation that disrupts a Faculty member’s or other employee’s work assignments is prohibited.

Faculty members engaging in prohibited activities are subject to disciplinary action commensurate with the violation in accordance with applicable University policies concerning faculty.

Inquiries regarding the Non-solicitation Policy should be directed to the Provost.

The provisions of this Section II shall apply to faculty of the Law School except that for Law School faculty, the term “the Provost” shall be replaced with “Dean of the Law School.”

C. Non-Faculty Employees

Any Commercial Solicitation undertaken by a non-faculty University employee (“Employee”) must be approved by the Human Resources Department

Non-Faculty Employees are prohibited from engaging in the following actions:

1. Solicitation or Commercial Solicitation during the soliciting employee’s work time or the work time of the employee(s) being solicited.
2. Distributing or posting any non-work related Materials in any work area of the University at any time, including during non-work time.
3. Engaging in any Commercial Solicitation at any time without the prior approval of the Human Resources Department.

As used in this policy “work time” shall mean the period of time during working hours when the employee is engaged in or is expected to be engaged in service on behalf of the University. Work time does not include the Employee’s lunch period or work breaks, or any other periods in which the employee is not on duty. As used in this policy, “work area” means those areas of the University in which regular University activity takes place including without limitation offices, class rooms, lecture halls, libraries, student and faculty dining areas, etc.

Non-Faculty Employees shall not use University computer and communication systems and materials, including inter-department mail, e-mail, telephone, fax, supplies, or other related workplace University resources, for any Solicitation or Commercial Solicitation that is not directly related to workplace business and/or activities without the express approval of the Employee’s supervisor. This prohibition shall not apply to postings on the Faculty/Staff Classified on-line bulletin board that comply with the terms of that bulletin board and other applicable University policies.

Employees engaging in prohibited activity, including Solicitations, Commercial Solicitations, or the distribution of Materials, in violation of this policy are subject to disciplinary action, up to and including termination.

Inquiries regarding the Non-solicitation Policy should be directed to the Associate Vice President, Human Resources.

D. Non-Profit Organizations

The University recognizes the value of charitable organizations and encourages employees and students to be active participants in organizations that support or contribute to the mission of the University. With the exception of University authorized charitable giving campaigns such as the United Way, any charitable organization that wishes to solicit funds for a charitable donation must be sponsored by a recognized student organization, faculty member or employee and obtain the approval of the Office of Auxiliary Services, which will coordinate with the appropriate University department. The organization will be provided with a stamp or certification of approval. Sales will normally be conducted from assigned tables in the Connelly Center. Arrangements should be made through, and inquiries regarding the Non-solicitation Policy should be directed to, the Office of Auxiliary Services. In addition, any Solicitation or Commercial Solicitation by a charitable organization at a University athletic event or facility requires the prior approval of the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.

E. Non-Villanova Individuals or Organizations

Non-employees or non-students may not engage in Solicitation or Commercial Solicitation (including distributing any kind of written or printed Materials) on University property at any time. Exceptions to the Non-solicitation Policy must be approved by the Office of Auxiliary Services.

The Office of Auxiliary Services will not approve Commercial Solicitations by vendors that relate to the promotion or consumption of alcoholic beverages or tobacco, or products or services that are contrary to the policies or mission of the University.

Door-to-door Solicitation or Commercial Solicitation is not authorized.

The Non-solicitation Policy does not prohibit normal business contacts by authorized vendor representatives engaging in business with the University in compliance with other University policies, provided such contacts are made with the consent of University officials.

Vendors approved for vending privileges to the University community may, in the discretion of the Office of Auxiliary Services, be permitted to sell their products at restricted locations on campus for a limited number of days per year, provided that they register with the Office of Auxiliary Services and pay the assigned fee.

The provisions of this Section V shall apply to the Law School buildings except that with respect to solicitation in or around those buildings, the Dean of the Law School shall replace the Office of Auxiliary Services.

Non-employees or non-students who have not been authorized to enter University property shall be considered trespassers. Trespassers violating this policy who have no affiliation with Villanova University will be removed from University property, given trespass warnings not to return, and may be subject to arrest and prosecution.

Inquiries regarding this Section V of the Non-solicitation Policy should be directed to the Office of Auxiliary Services.

F. Applicability

The Non-solicitation Policy applies to University students, faculty, and non-faculty employees and volunteers as well as vendors and other non-University individuals and entities and their representatives.

52. PATENT POLICY

Villanova University recognizes that significant inventions or discoveries have been made and are likely to continue to be made in the normal course of activities at the University. It is deemed to be in the best interest of the public, the individual inventors, and the University itself that such University-related inventions and discoveries be recognized, disclosed and made available for use under the protections afforded by the United States Patent System. It is therefore very important that University policy with respect to such inventions and discoveries be set forth. The Villanova University Patent Policy is as follows:

1. Any invention or discovery which is conceived or reduced to practice by a person affiliated with the University (whether such person is so affiliated on a full-time, part-time, permanent or temporary basis), and which is conceived or reduced to practice at least in significant part in the course of employment or engagement by the University, or in the course of any University related academic or research activity of a student, or through the uncompensated use of University facilities or property, or otherwise at University expense or with the aid of funds administered by the University, shall, as between the University and each such inventor, belong exclusively to the University, and shall be governed exclusively by this policy. The University shall be entitled to a prompt and full disclosure of every such invention or discovery, and to an assignment of all right, title and interest therein, including the right to secure patent protection thereon throughout the world.
2. Any invention or discovery which is conceived or reduced to practice by a person affiliated with the University, but which is not conceived or reduced to practice at least in significant part under any of the circumstances described in Part A of this policy, shall, as between the University and each such inventor, belong exclusively to the inventor, and shall be outside the scope of this policy; provided, however, that the University shall be entitled to receive prompt notification of every such invention or discovery, including a general description of its nature and function, and a full statement as to the circumstances under which it was conceived or reduced to practice; and provided further, that the University may, in the exercise of its sole discretion, accept a voluntary assignment of any such invention or discovery in which event such invention or discovery shall belong exclusively to the University and thereafter be governed exclusively by this policy.
3. With respect to each invention or discovery which it acquires and retains under this policy, the University shall cause to be made an evaluation as to whether the invention or discovery is likely to qualify for commercially significant patent protection in the United States. On the basis of such evaluation, the University may cause to be filed and prosecuted such applications for patent in the United States, and in countries foreign to the United States, as the University, in the exercise of its sole discretion, may elect.
4. The University undertakes to exercise its ownership over any patent on an invention or discovery which it acquires under this policy, for the good of the public, the University and the inventor or inventors. To this end, the University shall make, or shall cause to be made, efforts which in its sole opinion are reasonable in order to promote the commercial development and utilization in the United States of every invention or discovery which enjoys commercially significant patent protection in the United States, and the University may make such arrangements for the licensing or sale of any invention or discovery patented in the United States or elsewhere as, in the sole opinion of the University, will reasonably serve the interests of the public, the University, and the inventor or inventors. The University, in the exercise of its sole discretion, may take such action as it deems appropriate in order to enforce or defend any patent on an invention or discovery which it acquired under this policy, and any such action, including the conduct and any settlement thereof, shall be subject to the University's exclusive control. The inventor or inventors shall participate in the net patent revenues (i.e., net revenues including royalties from licensing, proceeds from sale, and/or recoveries from enforcement) actually realized by the University from the sale, licensing and/or enforcement of his, her or their patented invention or discovery, such participation to be at a total level, in the aggregate for all inventors and all patents associated with a particular patented invention or discovery and any improvements therein, as follows:
 - 50% of the first \$200,000 of net patent revenues distributed to the inventor(s);

- 25% of the next \$800,000 of net patent revenues will be distributed to the inventor(s);
- 15% of the next \$4,000,000 of net patent revenues will be distributed to the inventor(s); and
- 10% of net patent revenues in excess of a total of \$5,000,000 will be distributed to the inventor(s);

or, in the case of inventions which are voluntarily assigned to the University by the inventor or inventors, fifty per cent (50%) of the net patent revenues from such an invention.

5. The University in the exercise of its sole discretion and at any time may elect to waive or relinquish and transfer, to the inventor or inventors, any, some or all of the University's rights with respect to any invention or discovery governed by this policy, including without limitation the right to apply for patent on such invention or discovery in one or more countries, and any right under any patent granted on such invention or discovery in one or more countries, in which event any such right or rights so waived or relinquished and transferred shall revert back to and vest in the inventor or inventors and the University shall have no further interest therein; provided, however, and notwithstanding any such waiver or relinquishment and transfer, that in every such case the University shall retain and hold no less than an irrevocable, non-exclusive and royalty-free right and license worldwide, to use or practice the invention or discovery that is the subject of the right or rights so waived or relinquished and transferred, and any patent thereon, solely for the University's own purpose; and provided further, that the University may condition any such waiver or relinquishment and transfer, on its being reimbursed in full by the inventor or inventors for all of the University's prior and related costs and expenses. In cases where the Dean of the applicable College has confirmed that the College has no interest in retaining rights to a particular invention or discovery, the decision to waive the University's rights may be made by the Provost, acting in consultation with the Vice President and General Counsel.
6. Consent to and compliance with this policy by a person affiliated with the University may be deemed by the University to constitute a condition to such affiliation or continued affiliation, as the case may be, and the University may require that such consent by any person affiliated with the University be expressed in writing.
7. Anything contained in this policy to the contrary notwithstanding, the University, in the exercise of its sole discretion and under circumstances it deems appropriate, may enter into an agreement with any person or entity, or pursuant to its prior consent in writing, may permit any person affiliated with the University to enter into an agreement with any entity or other person, containing one or more terms which are at variance with this policy. In any such event, but only to the extent of any such inconsistency, the provisions of this policy shall be subject to the terms of that agreement with respect to any invention or discovery which is conceived or reduced to practice at least in significant part in the performance of that agreement, and which otherwise would be governed by this policy.
8. The President of the University may establish an organization and guidelines and procedures to implement and administer this policy, and shall undertake to have any such guidelines and procedures promulgated to all persons from time to time affiliated with the University.

53. PUBLICATIONS

Acknowledgement. Unless given an exception by one's dean, a faculty member is to specify in his/her academic publications the name of the University and his/her affiliation with the University, and is to deposit at least one copy in the library for its use.

Subvention. The University may in its sole discretion provide a subvention to help underwrite the publication of faculty manuscripts. University funds for this purpose will normally be reserved for works of the highest academic quality, which have been accepted at prestigious journals, university presses, or other outstanding presses that are highly selective in what they publish. Faculty members seeking such subvention should apply to the University's Subvention of Publication Program, which will consider the applications and make appropriate recommendations to the Provost (or designee).

54. PUBLIC RELATIONS

Villanova University takes pride in its image and reputation. The Office of University Communication's mission is to promote and further that image by communicating the University's messages and achievements to broad-ranging constituencies. Among other functions, the office of University Communication highlights these accomplishments by promoting and celebrating the faculty to both internal and external communities, using such vehicles as publications, media, the web, and advertising.

At certain times, University Communication may ask faculty members to assist in its endeavors by speaking about areas of expertise with the media and/or with members of our staff. When approached directly by the media, faculty members are requested to contact the Director of Media Relations (9-6508) in the Office of University Communication before speaking to the media or responding to an interview request.

University Communication may also periodically seek to use pictures of faculty members for publication in various media, including internet websites. Faculty members shall be deemed to have granted their consent to the use of their picture and likeness; if any faculty members do not wish to give such consent, they shall notify the Provost and the Vice President of University Communication in writing.

55. RELIGIOUS HOLIDAYS

As a Catholic and Christian University, Villanova seeks to respect and support the diverse religious traditions of the members of the University community. Thus the University makes every reasonable effort to allow members of the community to observe their religious holidays, consistent with the University's obligations, responsibilities, and policies. Students who expect to miss a class or assignment due to the observance of religious holidays should discuss the matter with their professors as soon as possible, normally at least two weeks in advance of such a day. Absence from classes or examinations for religious reasons does not relieve students from responsibility for any part of the course work required during the absence. Faculty members, if possible, should try to accommodate students with make-up tests or exams if the absence falls on a day when these tests are being administered and/or provide students with reasonable alternative opportunities to complete their academic assignments.

For implementation, please refer to section on **COURSE AND CLASS REGULATIONS** in this *Faculty Handbook*. Should a disagreement arise over the implementation of this policy, the matter should be taken to the chair of the department or the program director having jurisdiction over the class in question. If no resolution is reached at that level, the issue will be resolved by the dean of the college having jurisdiction over the class, and his/her decision shall be final.

56. RESEARCH, MISCONDUCT

Villanova University relies on its faculty to establish and maintain the highest standards of ethical practices in academic work including research. All individuals engaged in research at Villanova University are responsible for adhering to the highest standards of intellectual honesty. Faculty members and supervisors of research personnel (including graduate students) have a special obligation to set an example and create an environment that encourages absolute intellectual integrity.

Any form of fraud, falsification, cheating, plagiarism, intellectual dishonesty, or misuses of funds in the conduct of research undermines basic academic goals and serves to diminish the credibility established by the University in its constituents. Villanova University condemns misconduct in research and is obligated to establish procedures to investigate allegations of misconduct as set out in this Policy.

- A. **Policy.** Misconduct in Research, as defined in this Policy, is strictly prohibited at Villanova University. The University shall take immediate and appropriate action as soon as misconduct is suspected or alleged in accordance with the procedures described below.
- B. **Scope.** This policy and its implementing procedures apply to all members of the Villanova University faculty and staff, and to postdoctoral and graduate students who are engaged in the conduct of University research.
- C. **Definitions.** As used in this Policy and Procedure the following terms have the following meanings:
 - *Director* means the Associate Vice Provost for Research (or a designee).
 - *Inquiry* means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
 - *Investigation* means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.
 - *Misconduct* or *Misconduct in Research* means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest errors or honest differences in interpretation or judgment of data.
 - *ORI* means the Office of Research Integrity, a component of the Office of the Director of the National Institutes of Health (NIH)
 - *PHS* means the Public Health Service, an operating division of the United States Department of Health and Human Services ("HHS")

D. **Procedures**

1. **Confidentiality.** The University shall protect to the maximum extent possible under the circumstances, the privacy of those who in good faith report apparent misconduct and those who are the subject of an allegation of misconduct.
2. **Complaints.** Complaints or allegations of misconduct in research shall be initiated by a written complaint from any individual, whether or not associated with the University, filed with the Director. The complaint should be detailed and specific and accompanied by appropriate documentation. The Director shall communicate all information to the Provost. An individual filing a complaint with the Director is referred to in these procedures as the Complainant. An individual accused of misconduct is referred to in these procedures as the Respondent. A Complainant may choose at the initial stage to keep their identity confidential. If the Complainant has directly observed misconduct, however, the Director shall inform the Complainant that it may be necessary at some point to identify themselves and testify to that fact in order for the inquiry or investigation to proceed. If the Complainant is unprepared to identify himself or herself and testify to the misconduct and such testimony would constitute the only evidence of the misconduct, the Director shall inform the Complainant that an Investigation likely cannot proceed under those circumstances.

E. **Inquiry**

1. The Director shall inquire immediately into an allegation or other evidence of possible misconduct. The inquiry shall consist of informal information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation. The Director may review documentation and interview individuals to determine whether the complaint warrants a formal investigation. The Director may consult with others (which may include experts from on or off campus) in order to secure any necessary or appropriate expertise to carry out a thorough and authoritative evaluation. The Provost shall inform the Respondent of the nature of the complaint but, at the request of the Complainant, shall endeavor, if reasonably possible under the circumstances, to avoid identifying the Complainant.
2. The inquiry shall be completed within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. If the Inquiry takes longer than 60 calendar days to complete, the inquiry record shall include documentation of the reasons for exceeding the 60 day period.
3. The Director shall prepare a written report that states what evidence was reviewed, summarizes relevant interviews and includes the conclusions of the inquiry. The Director shall provide the Provost and the Respondent with a copy of the inquiry report. If the Respondent comments on the report, the comments may be made a part of the record.
4. The Director shall maintain sufficiently detailed documentation of inquiries to permit a later assessment of the reasons for determining that an investigation was not warranted. The Director shall maintain such documentation in a secure manner for a period of at least 3 years after the termination of the inquiry.

5. If the Director determines, in consultation with the Provost, that there is insufficient basis to conduct an investigation, the Director shall so inform the Complainant and the Respondent, close the Director's file on the matter, and maintain the documentation of the inquiry as required by these procedures.
6. If the Director determines, in consultation with the Provost, that the findings of the inquiry provide sufficient basis for conducting an investigation, the University shall undertake an investigation in accordance with these procedures within 30 calendar days of the Director's completion of the Inquiry. The Director shall so inform the Complainant and the Respondent. The Director shall also inform the Respondent's dean and department chair of the complaint (if not already informed and interviewed as a part of the inquiry) and the fact that the complaint will be the subject of an Investigation.

F. Investigation

1. The Provost shall select an individual or committee to serve as the investigator(s) (hereafter whether referring to an individual or committee termed the "Investigator") of an allegation of misconduct in research within 20 calendar days of a determination after inquiry that an investigation is warranted. The Provost may, in his/her discretion, select any person, whether or not associated with the University, to serve as Investigator. The Complainant and Respondent shall be informed of the identity of the Investigator. The Investigator shall commence the investigation within 10 calendar days of appointment by the Provost.
2. The investigation normally will include examination of all documentation, including, but not necessarily limited to, relevant research data and proposals, publication, correspondence and memoranda of telephone calls.
3. The Investigator shall, whenever possible, conduct interviews of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations. The Investigator shall prepare complete summaries of these interviews, provide the summary to the interviewed person for comment or revisions, and include the summaries as part of the investigatory file. Where the Investigator is a committee, all members of the committee need not interview all involved individuals. Rather, the committee may in its discretion divide the work of the Investigation among its members who will report back to the entire committee.
4. The Investigator may secure necessary and appropriate expertise (which may include experts from on or off campus) in order to carry out a thorough and authoritative evaluation of the relevant evidence.
5. The Investigator shall prepare and the Director shall maintain the documentation to substantiate the Investigator's finding.
6. The investigation should ordinarily be completed within 120 calendar days of its initiation. At the conclusion of the investigation, the Investigator shall prepare a report describing the policies and procedures under which the Investigation was conducted, how and from whom information was obtained relevant to the Investigation, the findings, and the basis of the findings; and the Investigator will include the actual text or an accurate summary of the views of any Respondent. The Investigator shall make the report

available to the Respondent for comment. If they can be identified, the Complainant(s) should be provided with those portions of the report that address their role and opinions of the investigation. The Investigator shall provide the entire report including the comments, if any, of the Complainant and Respondent, to the Provost, the Director, and the appropriate dean and department chair.

7. In the event that the Investigator determines by a preponderance of the evidence that the complaint of misconduct has not been substantiated, the Investigator shall so inform the Provost and the Director and recommend to the Provost that no further action be taken. If the Provost (in consultation with the Director) concurs, the investigation shall be concluded and the Investigator shall inform the Complainant, Respondent, dean, and department chair that the complaint has not been substantiated. If the Provost (in consultation with the Director) does not concur in the recommendation, the Provost may determine on the basis of the report and its underlying documentation that misconduct has occurred and (in consultation with the Director, the appropriate dean and department chair) may impose a sanction in accordance with the sanction section of these procedures. The Provost shall inform the Complainant and Respondent that the complaint has been substantiated and inform the Respondent, the Director, Dean, and department chair of the sanction.
8. In the event that the Investigator determines by a preponderance of the evidence that the complaint of misconduct has been substantiated, the Investigator shall so inform the Provost and the Director and recommend to the Provost that sanctions be imposed. If the Provost (in consultation with the Director) concurs, the Provost (in consultation with the Director, the appropriate dean, and department chair) may impose a sanction in accordance with the sanctions section of these procedures. The Provost shall inform the Complainant and Respondent that the complaint has been substantiated and inform the Respondent, Director, Dean, and department chair of the sanction. If the Provost (in consultation with the Director) does not concur in the conclusion and recommendation, the Provost may determine on the basis of the report and its underlying documentation that misconduct has not occurred. In that case the Investigation shall be concluded and the Investigator shall inform the Complainant, Respondent, dean, and department chair that the complaint has not been substantiated.
9. If the Investigator is a committee, the Investigator's recommendation to the Provost shall be the recommendation of a simple majority of the committee.

G. Sanctions

1. Faculty. The Provost may impose any appropriate sanctions including, without limitation, removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise, and reduction in rank. The Provost may in cases involving major offenses recommend the termination or suspension of a faculty member provided, however, that with respect to faculty members covered by the University's Faculty Dismissal and Suspension Procedure, no suspension or termination shall occur unless either the Respondent agrees to accept the sanction or the President determines to impose that sanction after a complete review has been undertaken in accordance with the University's Faculty Dismissal and Suspension Procedure.

A faculty member who is covered by the University's Faculty Grievance Policy may grieve the imposition of a sanction (excepting a suspension or dismissal covered by the Faculty Dismissal and Suspension Procedure) under the University's Faculty Grievance Procedure.

2. **Staff.** The Provost may impose any appropriate sanctions including but not limited to termination, suspension, removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise and reduction in rank.
 3. **Graduate Students or Postdoctoral Students.** The Provost may impose any appropriate sanctions including but not limited to expulsion, suspension, removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise and reduction in rank.
 4. **Undergraduate Students.** Allegations of misconduct against undergraduate students shall be handled under the [University's Code of Conduct](#) or the appropriate procedure within the undergraduate's school or college as determined by the University. The Provost, in consultation with the Director, dean and department chair may determine at any time to settle a complaint through a written settlement agreement executed by the Provost on behalf of the University and by the Respondent.
- H. **Conflicts of Interest.** The University shall take precautions against real or apparent conflicts of interest on the part of those involved in the inquiry or investigation. In the event that the University in its judgment determines that a real or apparent conflict of interest exists, the University may substitute another individual of the University's choice in these procedures for the Provost, Director, Dean, department chair, or investigator. The substitute may then act under these procedures in the capacity of the individual removed due to a real or apparent conflict of interest.
- I. **Reputation.** The University shall undertake diligent effort, as appropriate, to restore the reputation of persons alleged to have engaged in misconduct when allegations are not confirmed, and also undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations.
- J. **Obligation to Cooperate.** All parties to an inquiry or investigation have the obligation to cooperate and furnish all requested information. If any party refuses to do so, the Director and investigator will consider this in the reports to the Provost. The making of false or malicious accusations violates acceptable norms of behavior for members of the University community and will be reported to the Provost.
- K. **Attorneys.** Except under extraordinary circumstances, as determined in the University's sole discretion, attorneys are not permitted actively to participate in these proceedings or to attend meetings or interviews of the Director or investigator on behalf of either Complainants or Respondents. The Provost, Director, investigator, dean and others acting on behalf of the University may at any time seek advice from the University's General Counsel with respect to the conduct of an inquiry or investigation or the construction or applicability of this Policy or its implementing procedures.
- L. **Conduct of Inquiry and Investigation.** Formal rules of evidence shall not apply nor adversarial hearings be held in connection with any Inquiry or Investigation. Evidence, including hearsay evidence, may be considered if it is relevant and not unduly repetitious,

and it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious matters.

- M. **Criminal or Civil Claims.** The University may act under these procedures irrespective of possible civil or criminal claims arising out of the same or other events. The Provost, with the concurrence of the Director, after consulting with the General Counsel, shall determine whether the University shall, in fact, proceed against a Respondent who also faces related charges in a civil or criminal tribunal. If the University defers proceedings, it may subsequently proceed irrespective of the time provisions set forth in these procedures.

Modifications – Flexibility. The University believes that each person covered by this Policy and Procedure is an individual who deserves to be treated as an individual. Consequently, it is impossible to develop a policy and procedure that will govern or control every situation. This Policy and Procedure was created to apply to most situations that may occur; however, where the University believes that the circumstances require special consideration, the procedures may not be followed or used in every respect. This Policy and Procedure is unilaterally created by the University and may be changed at the University's discretion at any time.

Special Requirements - Public Health Service Funded Research/Other Government Funded Research

The following special requirements apply to alleged or apparent misconduct with respect to research or research training, application for support of research or research training, or related research activities that are supported with funds made available under the PHS Act.

1. The Director shall report the decision to initiate an investigation in writing to the Director of the Office of Research Integrity (ORI) on or before the date the investigation begins. The Notification shall include the name of the Respondent, the general nature of the allegation, and the PHS application or grant numbers involved.
2. If the University intends to terminate an inquiry or investigation for any reason without completing the inquiry and investigations steps of this procedure, the Director shall provide a report of such planned termination, including a description of the reasons for such termination to ORI.
3. The Director shall notify ORI within 24 hours of obtaining any reasonable indication of possible criminal violations so that ORI may then immediately notify the Department's Office of Inspector General.
4. The director shall submit the final report of an investigation to ORI.
5. If the Investigator determines that the Investigation cannot be completed within 120 days, the Investigator shall so inform the Director as promptly as possible. The Director will submit to the ORI a written request for an extension and an explanation for the delay that includes an interim report on the progress to date and an estimate for the date of completion of the report and other necessary steps.
6. The Director shall notify ORI if it is ascertained at any stage of the inquiry to investigation that any of the following conditions exist:

- There is an immediate health hazard involved;
 - There is an immediate need to protect federal funds or equipment;
 - There is an immediate need to protect the interest of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;
 - There is a probability that the alleged incident is going to be reported publicly;
 - There is a reasonable indication of possible criminal violation.
7. The Investigator shall inform the Director and the Director shall keep the ORI apprised of any developments during the course of the investigation which disclose facts that may affect current or potential Department of Health and Human Services funding for the individual(s) under investigation or that the PHS needs to know to ensure appropriate use of federal funds and otherwise protect the public interest.
 8. The Investigator shall prepare and the Director shall maintain for a period of 3 years the documentation to substantiate the Investigation's findings. This documentation is to be made available to the Director, ORI, who will decide whether that Office will either proceed with its own investigation or will act on the University's findings.
 9. The University shall take interim administrative actions, as appropriate, to protect federal funds and insure that the purposes of the federal financial assistance are carried out.
 10. The Director shall notify ORI of the final outcome of the Investigation.

Other Governmental Funding or Requirements

These procedures shall be construed, modified, supplemented, and applied so as to comport with any other governmental requirements governing the handling and reporting of misconduct.

57. RESEARCH SUBJECTS

As stated in the Sponsored Research section, when human or animal research subjects are to be used in a research project federal law requires a review by the appropriate institutional IRB (human subjects review board) or IACUC (animal subjects review board) and that investigators follow appropriate federal and University rules and protocols on the protection, care, and use of their research subjects. Likewise, when these subjects are used in *non-sponsored* projects the requirement that the research plan and the animal care protocols be reviewed by the appropriate board must still be met. The federal laws and implementing regulations are not as concerned about who funds the research as they are about what is to be done with the subjects. Any practice which constrains, invades, inquires or reviews subject data must be reviewed for evidence of subject protection or the minimization of subject discomfort. The primary link between the research and teaching faculty and these significant review boards is through the Research and Sponsored

Projects staff. Please refer to the section on **SPONSORED RESEARCH** in this *Faculty Handbook*.

58. RESEARCH SUPPORT PROGRAM

In addition to assisting members of the faculty to compete for extramural funding for research and pedagogical grants, and assisting them in budgeting and record-keeping (see “Sponsored Research” in this *Handbook*), the University sponsors research support programs designed to encourage faculty members to develop their research programs, continue research they have already begun, and to seek extramural grants for both research and teaching-related activities.

The University Summer Grant (USG) program provides support to faculty to be engaged in research, scholarly activities, and creative artistic projects. Overarching goals of the USG program are to foster the intellectual development of faculty and to facilitate faculty efforts to achieve national and international recognition in their scholarly field.

Eligibility for USG awards is limited to full-time tenured and tenure-track faculty in the College of Liberal Arts and Sciences, School of Business, College of Engineering, and the College of Nursing. Individuals may receive USG awards no more frequently than every other year.

Each proposal will be peer reviewed by an internal Evaluation Committee of distinguished Villanova scholars and researchers. Review of proposals will be based on the following criteria (adopted from the American Council of Learned Societies):

- The potential of the project to advance the field of study in which it is proposed and make an original and significant contribution knowledge.
- The quality of the proposal with regard to its clarity, methodology, scope, theoretical framework, and grounding in the relevant scholarly literature.
- The feasibility of the project and the likelihood that the applicant will execute the work within the proposed timeframe.
- The scholarly record and career trajectory of the applicant.

Instructions for applying for USG program can be found at the University Internal Research Programs website.

Individual Villanova colleges, schools, and other offices (e.g., Mission Effectiveness, Office of the Provost) from time to time offer research or special projects grants, and the University may offer special research incentive programs of various sorts.

Summer salary included in the USG is to be paid in June or July of the summer award period and is subject to any limitations that may pertain as outlined in the [University's Compensation Policy](#). After receiving an award, and in order to be eligible for future awards, the recipient will be required to submit a brief report (no more than one page) that includes the significant outcome resulting from the USG award in relation to the anticipated significant outcome as stated in the initial proposal. Reports should be submitted to the Associate Vice Provost for Research (or designee)

(researchgraduate@villanova.edu) by the last day of April in the academic year in which the award was made.

59. RETIREMENT: STEADY STATE PROGRAM

- A. **Eligibility.** Tenured faculty members in Business, Engineering, Liberal Arts and Sciences, Nursing, and Professional Studies with a minimum of age 60 and 15 full years of service as of the date of their retirement are eligible. The “Retirement Date” shall be May 21 (for those with nine month appointments) or August 21 (for those with twelve month appointments), or such other date as may be approved in writing by the Provost.
- B. **Salary Benefit.** The salary benefit is calculated on a sliding scale, with the benefit based on a percentage of one’s regular nine month base salary in the year preceding retirement, excluding any year including an unpaid leave, as indicated in the following chart. The benefit is being provided in consideration of a faculty member’s relinquishing his/her tenure rights and retirement, and will be paid out in equal monthly installments over a four year period beginning with the first month after the date on which the faculty member receives his/her last paycheck for the academic year in which the Retirement Date occurs (the “Benefits Separation Date”), which date shall be May 31 for those having a 9-month payroll arrangement and August 31 for those having a 12-month payroll arrangement.

Eligibility age	60	61	62	63	64	65	66	67	68	69	70
Salary benefit	90%	90%	85%	75%	65%	55%	45%	30%	20%	10%	N/A

The benefit will be determined based on age on the Retirement Date, as indicated in the sliding scale, above. However, any faculty member who does not complete 15 years of service until after reaching age 61 will have a one-time opportunity, solely at the time of first becoming eligible for the program, to retire with the maximum benefit (90%), provided that he or she complies with the election guidelines described in 3 below. After that time, the benefit will be based on age, as per the sliding scale.

- C. **Election to Retire.** Notice of election to retire should be made in writing delivered to the Provost as early as possible in the Academic Year, preferably in the Fall Semester. The notice of election to retire must state the proposed Retirement Date. The notice of election to retire must be submitted in writing delivered to the Provost no later than March 1 of the calendar year in which the proposed Retirement Date would occur. If the faculty member does not provide notice by such date, he/she will forfeit eligibility for the payment at that age.
- D. **Medical Benefits.** Villanova will continue the retired Faculty Member’s (“Retiree’s”) medical coverage in his/her current medical plan (or replacement for such plan) through the last day of the month preceding his/her sixty-fifth (65th) birthday, with the employer contribution provided in the same manner as for active employees, as determined each year. This coverage will be provided for as long as and under the

same terms that this coverage is generally made available to all employees. Upon the first day of the month in which the Retiree turns sixty-five (65), he/she will be offered the retiree health coverage (if any) then made available by Villanova under the same terms offered to retirees generally. Currently, Villanova offers the choice of either a University-sponsored Medicare supplement or a Medicare Advantage HMO health insurance plan. Villanova currently makes a contribution towards the costs of these plans, subject to a monthly premium share by the Retiree, as determined each year. Villanova will also continue to pay for medical coverage for the Retiree's current spouse and any eligible dependent children covered under Retiree's current medical plan (or replacement for such plan) until the earlier of the expiration of the five (5) year period starting on the Benefits Separation Date ("The 5 Year Limit") or, with respect to the Retiree's spouse, the last day of the month preceding the spouse's sixty-fifth (65th) birthday. The plan eligibility terms, including age and student status limits apply for continuation of coverage for dependent children. Villanova will pay the employer contribution for coverage of the Retiree's spouse/eligible children in the same manner as is provided for active employees, as determined each year. Notwithstanding the foregoing, if a faculty member retires from employment with the University after May 31, 2018, the University will not make any contributions for the cost of health coverage for the Retiree, his spouse or dependents under this Steady State Program or any other University group plan.

- E. **Dental Benefits.** Villanova will provide dental benefits to the Retiree through the last day of the month preceding his/her sixty-fifth (65th) birthday for as long as and under the same terms that this coverage is generally made available to all employees. Villanova will also continue to pay the employer contribution for dental coverage for Retiree's current spouse and any eligible dependent children until the earlier of the expiration of The 5 Year Limit, or with respect to the Retiree's spouse, the last day of the month preceding the spouse's sixty-fifth (65th) birthday. The plan eligibility terms including age and student status limits apply for continuation of coverage for dependent children. Villanova will pay the employer contribution in the same manner as is provided for active employees, as determined each year. Notwithstanding the foregoing, if a faculty member retires from employment with the University after May 31, 2018, the University will not make any contributions for the cost of dental coverage for the Retiree, his spouse or dependents under this Steady State Program or any other University group plan.
- F. **COBRA Medical and Dental Plan Continuation.** Upon the expiration of benefits as described in Sections 4 and 5, if the Retiree's spouse has not reached age sixty-five (65), he/she may be eligible to elect to purchase medical and dental coverage through the University's group plans provided under the terms of the Consolidated Omnibus Budget Reconciliation Act ("COBRA"). COBRA continuation may also be available to dependent children upon the expiration of medical and dental benefits as described above.
- G. **Imputed Income.** To the extent that Villanova provides medical and/or dental benefits to Retiree on a self-insured basis, Villanova will treat the employer contribution for

such coverage as taxable compensation to the Retiree and will satisfy all applicable tax reporting and withholding requirements. Villanova may withhold appropriate amounts from any compensation or other amounts payable to Retiree to satisfy applicable tax withholding requirements. Currently, Villanova provides prescription drug and medical and dental benefits on a self-insured basis.

- H. **Life Insurance.** Villanova will pay the cost of a life insurance policy providing a \$5,000 death benefit to one's designated beneficiary, for as long as and under the same terms that this coverage is generally made available to all retirees. Notwithstanding the foregoing, if a faculty member retires from employment with the University after May 31, 2018, the University will not make any contributions for the cost of life insurance for the Retiree under this Steady State Program or any other University group plan.
- I. **Tuition Remission.** Providing academic eligibility requirements are met, the retiree and his/her current qualifying dependents at retirement will receive the same tuition remission benefit for courses at the University as provided for by current University tuition remission policy, for as long as and under the same terms as this benefit is generally made available to all retirees.
- J. **Retirement Plans (TIAA-CREF/Vanguard Group).** Employee and employer contributions cease upon the Benefits Separation Date as required by law.
- K. **Adjunct Teaching.** Retirees may be hired by the University to teach on an adjunct basis, at the normal adjunct faculty salary rates, after retirement commences, but such arrangements are at the sole discretion of the University.
- L. **Death Benefit.** Should the retiree die during the period covered by the retirement agreement, all remaining salary and tuition remission benefits would be assigned to his/her surviving spouse, if he/she is alive, or to one's estate.
- M. **Miscellaneous.** Access to departmental secretarial services shall be available if and to the extent the department chair determines that such services are feasible. Retirees may maintain a University Wildcard, providing appropriate access to University facilities and the Library; may keep their email accounts as long as there is activity; if there is no activity for any one year period, the email account will be terminated; and may obtain a reduced-fee retired faculty parking permit. Other programs currently available to retirees include: Ford College Partner Recognition Program, Wells Fargo at Work Banking Program, Villanova Alumni Association Member Benefits, and a 10% discount at the University Shop with use of one's Wildcard.

A condition of accepting this Program is that the faculty member will be required to execute a formal legal agreement that includes a release of all potential legal claims against the University. The University reserves the right to change the terms of or cancel this Program at any time.

60. SABBATICAL LEAVE

The purpose of a sabbatical leave is to enable faculty members to devote full time to study, research, or other academic activities that will enhance their scholarly competence and capabilities and will enable them to make greater contributions to their disciplines, their students, and Villanova University. Villanova offers two sabbatical programs, a standard sabbatical for the tenured faculty and a one-semester leave for untenured faculty members that is based on a favorable third year performance review, as described in the Rank and Tenure Policy. The standard sabbatical may be (with the approval of the chair, the dean, and the Provost or designee) taken either for a semester at full pay or a year at half pay. With permission of the Provost or (designee), a faculty member may count the spring term of one year and the following fall term as one year for purposes of this sabbatical policy. Untenured faculty sabbaticals are only for a semester. An explicit condition of any sabbatical leave – unless waived by the Provost (or designee) – is that the faculty member will return to and teach at Villanova for one full year after the completion of the leave. Nonfulfillment of this condition for reasons other than disability will result in the faculty member's having to repay the University for all compensation received during the sabbatical period. During sabbaticals the University will continue its contribution to insurance and other benefits. Outside teaching or other employment during a paid sabbatical, including teaching in an “out of load” Villanova program, is subject to this *Handbook*'s policies on “Consulting, Outside Teaching, and Professional Work” and on “Teaching Load, Overload, and Out-of-Load Teaching.”

To be eligible for the one-semester leave for the junior faculty, a faculty member must:

- Have completed three full years (two academic semesters) of service on the tenure track (which may include one year of tenure credit from another institution or from teaching at Villanova in a non tenure-track position if that year immediately preceded one's assumption of a tenure-track position);
- Have successfully undergone a third year review by their department and have been recommended for continuation on the faculty and for the one semester leave;

To be eligible for a regular sabbatical leave, a faculty member must:

- Have served the University in a tenured or tenure-track position for a period of six full academic years (which may include up to three years of tenure credit from another institution or from teaching at Villanova in a non tenure-track position, as stipulated in the appointment letter);
- Hold tenure;
- Have not been the recipient of a sabbatical or junior faculty sabbatical leave within the prior six academic years;
- Have demonstrated that previous sabbaticals, if any, led to concrete achievements of benefit to the faculty member and University; and
- Have submitted to his chair and dean a detailed proposal describing sabbatical activities and rationale, including a timetable and a description of expected results.

No academic year which includes an unpaid leave of absence for a period of a semester or more is included in computing years of service for purpose of sabbatical eligibility. Moreover, faculty members who commence service after the conclusion of the first semester of an academic year will not have that year count toward the six years for sabbatical eligibility. The one semester sabbatical for the junior faculty is considered to be part of the probationary period.

If a junior faculty member taking the one semester sabbatical, above, requests an extension for purposes of scholarly endeavors by means of an unpaid leave of absence for the other semester of the academic year of the sabbatical, the Provost, following the policy on unpaid leaves, may elect to provide University coverage of its portion of the faculty member's benefits for that semester on leave.

Eligibility does not confer a right. Sabbatical leaves are granted only when faculty members meet the above criteria, when their sabbatical plans are judged clearly meritorious, and when the financial resources and staffing needs of a college or department permit. The University will attempt to make sabbatical leaves available to the largest possible number of its faculty, consistent with its financial resources and its ability to meet instructional obligations.

Each recipient of a sabbatical leave must submit to his/her chair and dean a written report of activities during the leave. This report must be made within three months after returning to the University and should describe the activities undertaken, the location of those activities, and the results (e.g., papers written, delivered, or published; skills developed, etc.).

61. SALE OF TEACHING MATERIALS WRITTEN BY FACULTY MEMBERS

Faculty members may include material that they have written in "coursepacks" which are reproduced by Graphic Services and sold at the University Shop, and they may prepare their own materials for sale in the University Shop. These materials must be approved for sale by the department chair through the normal process of textbook approval. Because of the issues of possible conflict of interest, faculty members and departments are not permitted to charge royalties for course materials they have written themselves except as provided below for commercially produced books. Course materials sold by other vendors other than the University Shop must also be approved through the normal process of textbook approval, and faculty members are also not permitted to charge royalties for these materials.

A faculty member who believes that there is a justification for receiving royalty fees for materials s/he has generated must write to his/her chair, explaining how much royalty is to be charged, who will receive it, and what the justification for the royalty is. The chair reviews the request and, if approval is given, sends the request on to the dean. If approval (which is only given in extraordinary cases) is given by both the chair and the dean, the faculty member may receive royalties for the sale of these materials. This policy also covers faculty members who self-publish their own textbooks. The University Shop is not permitted to pay royalties to a faculty member without receiving copies of the approval from the chair and the dean.

This policy also applies to course materials sold at vendors other than the University Shop.

If departments seek royalties on materials, they must seek approval from the dean.

The policy described above does not cover commercially published textbooks written by Villanova faculty members. Those texts are handled by the normal process of textbook approval and are sold through the University Shop in the normal way and the publishers may pay royalties to the authors

without the dean's approval. Used copies of textbooks written by faculty members should be sold in the University Shop in exactly the same way that used texts of non-faculty books are handled. No royalties will be paid to faculty members for the sale of used texts.

Please refer to the section on **COPYRIGHTS AND COURSEPACKS** in this *Faculty Handbook*.

62. SEXUAL HARASSMENT

It is the policy of Villanova University to maintain an employment and educational atmosphere free of any pressures on employees and students relating to sexual harassment.

Consistent with applicable federal and state laws, the University endorses the objective that employees and students be free of situations where sexual considerations form the basis for business or educational decisions.

Sexual harassment may be described as unwelcome sexual advances, requests for sexual favors, and other physical, visual, or verbal behavior of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or,
- Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or professional performance or creating an intimidating, hostile, or demeaning employment or educational environment.

Examples of potentially sexually harassing behaviors include, but are not limited to, the following:

- Unwelcome sexual advances, sexual innuendo, or requests for sexual favors in person, by phone, by electronic message or photo, written words or images such as graffiti, and social media postings;
- Unwelcome behavior of a sexual nature by a faculty member, coach or other staff person directed towards a student, a colleague, or other community member;
- A person in a position of authority (such as a faculty member, coach, supervisor) suggesting that an educational or employment benefit will result from submission to some unwelcome behavior of a sexual nature or will be denied for refusal to engage in sexual activity;
- Repeated sexual remarks, offensive stories, remarks about sexual activity or experiences, sexual innuendoes or other suggestive comments that are unwanted and unwelcome by another;
- Displaying or showing pictures, cartoons, or other printed materials of a sexual nature in the workplace or in an educational setting where there is insufficient academic relevance;
- Exposing the private parts of one's body to another person, or in public forums.

Sexual harassment will not be tolerated at Villanova University, and employees or students who engage in such conduct are subject to the full range of the University's disciplinary policies.

Anyone making a report, filing a complaint or participating in the investigation or resolution of an allegation of sexual harassment is protected by law and this Policy from retaliation.

Procedures for filing and resolving complaints about harassment or discrimination are available at: http://www1.villanova.edu/villanova/hr/policies/university/discrimination_harassment.html

Refer to the section on **SEXUAL AND ROMANTIC RELATIONS BETWEEN FACULTY, STUDENTS, AND STAFF** in this Faculty Handbook.

63. SEXUAL AND ROMANTIC RELATIONS BETWEEN FACULTY, STUDENTS, AND STAFF

Villanova seeks to maintain an educational atmosphere wherein students, staff, and faculty members inter-relate in appropriate professional and pedagogic ways. In keeping with this goal, faculty members are not permitted to have romantic or sexual relationships with students who are enrolled in their classes, who are majors, minors, concentrators, or graduate students in their departments or programs, or over whom they exercise any other type of supervision or academic/professional judgment. In addition to the potential for abuse of power in such relationships, sexual and romantic relationships between faculty members and students place the faculty member in an unethical and unprofessional conflict of interest, and hence are unacceptable. Although it is recognized that the student may be a full and willing participant in such a relationship, both the responsibility for adhering to this policy and the consequences for violating it fall upon the faculty member rather than the student in such situations. The sanction imposed for violation of this policy will necessarily depend on the facts and circumstances of the case, including whether the faculty member/student assistant voluntarily reported the relationship, and may range from a reprimand to termination of appointment.

Faculty members who for whatever reason find themselves in a romantic or sexual relationship with such students are required to report the relationship immediately to their department chairs (or to the Dean in the College of Nursing). The chair should also notify the appropriate dean and the University's Sexual Harassment officer. The department chair is charged with taking appropriate action, in consultation with other appropriate University officials, to eliminate both the substance and appearance of conflict of interest or abuse of power. Department chairs and other officials who deal with these situations are expected to do so in ways that do not penalize or stigmatize the student, and, when possible, are expected to keep these matters confidential.

Graduate teaching assistants, lab assistants, and undergraduates who act as teaching assistants (for the purpose of this policy, known as "student assistants") are not permitted to have sexual or romantic relations with students who are enrolled in their classes or over whom they exercise any other type of supervision or judgment. The prohibition against romantic or sexual relationships with other students who are graduate students, majors, minors, or concentrators in their department or program does not apply unless the student assistants have some supervisory relationship to those students. Otherwise, the same principles apply to student assistants as apply to faculty members.

Even in the absence of the conditions described in paragraph one, faculty-student relationships are strongly discouraged. Faculty members are expected to act so as to insure an educational atmosphere free of any pressures on employees and students relating to sexual harassment and to avoid the appearance of impropriety.

Certain relationships may arise in the work environment that have the potential for compromising or appearing to compromise the fairness and objectivity of a supervisor, in relation to subordinates, and which may result in a conflict of interest. The University recognizes that all individuals are entitled to freely choose their personal associations and relationships. However, when a faculty member enters into a romantic and/or sexual relationship with an employee (faculty or staff member) whom he or she supervises, a power differential may exist which can compromise an individual's exercise of such choice in personal relationships. Others may also perceive such a relationship as one of preferential treatment that may be detrimental to themselves or others. Thus romantic and/or sexual relationships between faculty members and employees (faculty or staff) under their supervision – even though consensual – are discouraged. If such relationships are entered into, they should be approached in a sensitive manner and with an understanding of how they may be perceived by others. Similarly, relationships among individuals on the same level, even where there is no component of supervisory authority or influence, may be misinterpreted by others and should be approached in a sensitive manner. If a faculty member is engaged in a romantic and/or sexual relationship with a subordinate employee (faculty or staff member), the faculty member is required to notify his/her department chair (or Dean in the College of Nursing) and to make alternative arrangements for supervision of the subordinate employee, including especially decision making regarding any employment action pertaining to the subordinate employee. Please refer to the section on **SEXUAL HARRASSMENT** in this *Faculty Handbook*.

64. SMOKING

The University smoking policy can be found at
<http://www1.villanova.edu/villanova/hr/policies/employmentpractices/smoking.html>

65. SPONSORED RESEARCH

When and where appropriate, members of the Villanova faculty are expected to seek funding from extramural sources to support their research and special instructional projects. The Office of Research Administration (ORA) assists the faculty in developing such proposals; guiding them through the rules, regulations, certifications, and instructions prerequisite to submitting proposals; and assisting them in budgeting and accounting relative to their grants. ORA is also interested in the research "ideas" that can be refined into fundable research activity. The Director and staff provide guidance and counsel in the preparation of proposals by working directly with individual faculty members. The office is also responsible for ensuring compliance with federal regulations, for administration of the University policy relative to research involving human and animal subjects, and for intellectual property issues. Any contract or agreement for a sponsored research grant must be approved by ORA, who shall consult with the Office of the Vice President and General Counsel when appropriate.

The Office maintains a library of external funding sources and can access electronically funding information from federal and state agencies, private foundations, and corporations. The Office administers the University's Summer Faculty Research Program and the Research Support Grants, making available internal funding that may be sought to complete research projects for submission to external funding agencies, or to enhance or supplement established research programs. [See "Research Support"] All funding proposals submitted to external funding sources that require any University involvement (i.e. cost-sharing, report preparation, use of University facilities, salary or material acquisitions through the University financial system, etc.) must be approved by faculty

members' chairs and deans, and by ORA before submission, using the University's standard Proposal Review and Transmittal Form (available in hard copy or on-line from ORA). All proposals use human or animal subjects must be reviewed by the Institutional Review Board for Human Subjects (IRB) or the Institutional Animal Care and Use Committee (IACUC), respectively, to assure that there is no violation of federal regulations regarding research subjects. The legal penalties for avoidance of these reviews are sometimes severe. All proposals that include summer or other compensation funding that would bring one's total salary above 100 per cent of twelve month salary (nine month base plus 3/9) must so indicate.

It is the responsibility of the principal investigator to develop a proposal in which the research design is soundly based and which will make a contribution to the field. It is always important that the investigator demonstrate in a concise manner that he/she is well-versed in all appropriate literature relevant to the developing proposal. Careful attention should be given to the budget to ensure that realistic and specific and allowable costs are requested from the agency.

In instances when grant applications or awards are not processed through their college offices and/or through ORA, or when extramural grants are made directly to the faculty member rather than to the University, faculty grant/contract applicants and grant/contract recipients must report such applications, grants, or contracts to their deans and to the Office of Research Administration in a timely fashion before submitting the application to an outside agency or sponsor.

Please refer to the sections on Sponsored Research: Faculty Released Time in this *Faculty Handbook*

66. SPONSORED RESEARCH: FACULTY RELEASED TIME

Faculty applicants for extramural grants who include "released" ("buyout") time in those grants or contracts must budget that released time based on an official 24 credit hours of "workload" each academic year. Thus someone seeking a teaching reduction of one three credit course per semester would seek reimbursement to the University from the granting agency of 6/24, or one-quarter, of the annual salary. Similarly, if the University or one of its colleges or schools supports a faculty member with a grant or contract by means of reducing his or her teaching, such support is a form of grant cost-sharing and is to be valued in the same way, with the addition of the University's indirect cost rate associated with the particular grant or contract. All such teaching reductions, whether paid for by the grant/contract or allowed by a dean, should be clearly indicated on the grant/contract proposal and on the ORA Proposal Review and Transmittal Form that is signed by the faculty member, the chair, the dean, and the Provost's designee. The form must indicate whether or not temporary full-time or adjunct faculty will have to be hired to cover classes from which the grant applicant is to be released. That form must be delivered to ORA prior to submission of the grant/contract proposal.

When an extramural grant includes funding for released time from teaching, those funds are to be applied and distributed as follows:

1. First, as much of such funds as are required to hire temporary faculty members to replace the grantee(s) in the classroom will be allocated to the relevant college or departmental temporary instructional budget.
2. Second, up to 50 per cent of the remainder (after covering grantee teaching replacement costs) will be used to cover any University grant-matching costs for equipment, supplies, graduate or

undergraduate research stipends, etc., that were pledged in the grant proposal as University contributions under the terms of the grant. Depending on the grant, such matches could range from zero to a substantial amount. ORA and Office of the Provost will make the appropriate transfers to the Provost's grant matching budget as the monthly grant payments flow into the University.

3. Third, any remaining "released time" money will be returned to the college dean to support and encourage faculty research, student research, faculty development, and/or to promote college strategic initiatives, as the dean deems appropriate. At the dean's discretion, some or all of these funds may be passed through to the department(s) and/or programs that submitted the grant. The dean will inform the Office of the Provost of the accounts into which the funds should be deposited as they come in.

Administration: At least two months prior to the beginning of the semester in which the temporary/adjunct faculty member will be employed to replace a faculty member on released time, the appropriate department chair will inform his/her dean. The dean will forward the notification form to ORA, which will verify that adequate funds are included in the grant/contract. The verification will be included in the faculty appointment form sent via the dean to the Office of Provost, which then will transfer the funds to the appropriate budgets.

Please refer to the section on **CONSULTING, OUTSIDE TEACHING, AND PROFESSIONAL WORK**.

67. STUDENT GRADE APPEALS AND COMPLAINTS ABOUT FACULTY

The purpose of these Guidelines is to provide a mechanism for the review of student grade appeals and complaints regarding faculty performance within the framework of existing University, college and department policies and rules. For this reason those policies and rules may not themselves be the proper subject matter of a complaint under these Guidelines.

Normally, the resolution of grade appeals or complaints will proceed by the following route: (1) to the chair of the department (program director of the program in the College of Nursing) involved, then if necessary, (2) to the committee constituted to handle complaints, and finally if necessary, (3) to the dean of the college or where appropriate the Graduate Dean of Liberal Arts and Sciences. The University, however, believes that each student and faculty member deserves to be treated as an individual with courtesy and respect. Consequently, it is impossible to develop a policy that will govern or control every situation. The following procedures were created to apply in most situations that may occur; however, where the faculty member, dean and the Provost (or designee) believe that the circumstances may require special consideration, e.g. where the complaint is of a very personal and sensitive nature, the procedures may not be followed or used in every respect. In no event, however, shall a deviation from these procedures be permitted with respect to the obligation of the committee under section III to rely in its decision making only upon information which has been communicated to the faculty member, thus permitting the faculty member the opportunity to respond. These procedures may be modified at the University's discretion according to the University's norms and procedures.

In the sequel, "chair" shall also imply program director and "dean" shall likewise imply Graduate Dean of Liberal Arts and Sciences where appropriate. These procedures apply to student grade appeals and complaints. Individuals who are not University students may not use these procedures.

A. Faculty Performance Complaints

1. Student complaints concerning an instructor 's handling of a class, classroom presentation, professional demeanor, or course policies should be directed to the chair of the faculty member involved. If the complaint is against the chair, these procedures shall be modified such that the dean shall undertake the responsibility as the chair under the Guidelines and the Provost (or designee) shall undertake the responsibilities of the dean under these Guidelines. Normally, such complaints should be made within six months of the end of the course in which the complaint arose.
2. Identified Complaints: When a person makes a complaint and provides his or her name, the chair will advise the individual to approach the faculty member. The chair 's goal will be to arrange a meeting of the parties to permit the issue to be resolved at the local level if at all possible. This also permits the faculty member the opportunity to address the matter directly with the student, which may eliminate the possibility that simple misunderstandings have contributed to the problem. If the Complainant does not agree to a joint meeting, the chair will advise the faculty member of the details. If the Complainant requests that his or her identity remain confidential or the chair considers it appropriate, the identity of the Complainant will remain confidential. The chair will inform the Complainant of the results of the meeting with the faculty member. For cases involving potential sexual harassment, please refer to the section on **SEXUAL HARASSMENT POLICY** in this *Faculty Handbook*.
3. Anonymous Complaints: The chair should express displeasure with any anonymous complaint and point out that such complaint (if made by telephone) will not be accepted. If an anonymous written complaint arrives, the chair should inform the faculty member of the details of the complaint.
4. The faculty member shall be presumed to have acted appropriately unless otherwise determined in accordance with these guidelines.
5. The chair shall make reasonable efforts to mediate the complaint. The chair may consult with others in connection with his or her review of the complaint. In the event that the complaint cannot be amicably resolved in the chair 's judgment, the chair may make such disposition of the complaint as the chair deems warranted. The chair shall ordinarily communicate his or her disposition of the complaint to the student initiating the complaint and the faculty member.
6. If either the student or the faculty member is dissatisfied with the chair 's disposition of the complaint, she or he may contact the department committee constituted to handle complaints. This elected or appointed standing committee of the department should be duly constituted following the department 's own policy. If a department has too few members to reasonably form such a committee the department, less the faculty member involved, shall constitute a committee of the whole. The student or faculty member should present her or his complaint via a formal written and signed statement to the committee within seven days of the chair 's disposition of the matter. The committee shall consider the complaint in accordance with the procedures described in Section III below.

B. Grade complaints

1. Student complaints concerning a grade should be directed to the chair of the faculty member involved. The chair shall normally require, but do no less than urge, a student who brings a complaint about a grade in the first instance to try to resolve the matter with the course instructor. That failing, the chair should attempt to resolve the issue between the student and instructor. The chair may consult with others in connection with his or her review of the complaint. Such complaints should be made according to the following deadlines:
Spring and Summer Semester grade complaints: Last Friday in August
Fall Semester grade complaints: Last Friday in January
2. If the complaint is against the chair, it should be directed to the dean and these procedures shall be modified such that the dean shall undertake the responsibilities of the chair under these Guidelines and the Provost (or his or her designee) shall undertake the responsibilities of the dean under these Guidelines.
3. In the event that the complaint cannot be amicably resolved in the chair 's judgment, the chair may make such disposition of the complaint as the chair deems warranted. The chair shall ordinarily communicate his or her disposition of the complaint to the student initiating the complaint and the faculty member.
4. In a particularly difficult case the chair may elect to refer the matter to the departmental committee for fact finding and recommendations. The committee shall consider the chair 's referral of the matter in accordance with the procedures described in Section III and send its recommendations in writing to the chair. The chair shall be guided in his or her determination by widely accepted professional norms of academic freedom which normally recognize the instructor as the authority in determining grades. The chair shall communicate his or her determination of the complaint to the dean, the faculty member involved, and the Complainant. In general, the formal procedures described below will only take place after a final course grade has been given.

C. Department or College Committee

Upon a referral from the chair in the case of a grade complaint or upon a written complaint from a student of faculty member dissatisfied with a chair's disposition of a faculty performance complaint, the committee shall meet within a reasonable time to determine how best to handle the review of the particular matter. The committee may convene hearings appropriate in its judgment to the particular situation presented. The committee procedures may include by example and not by limitation, individual interviews, closed hearings, and review of documentation. The committee is not bound, however, by formal rules of evidence. All interviews and hearings shall be conducted in appropriate University facilities designated by the committee and shall be closed to the public. Every committee member need not attend every interview or hearing session. The University does not permit legal counsel to participate in hearings or interviews of the committee on behalf of the student or faculty member. Only information which has been communicated to the faculty member, thus permitting the faculty member an opportunity to respond thereto, shall be relied upon by the committee in reaching its conclusions. The committee shall reach its decision by majority vote.

In the case of a grade complaint, the Committee shall provide its findings of fact and written recommendations to the chair for consideration in the chair 's determination of the matter. In

making its recommendation to the chair, the committee shall base its decision on clear and convincing evidence and on the principle that the locus of authority in determining grades normally is placed with the instructor, especially in those cases where the instructor is acting in accordance with principles that have been clearly delineated in the course syllabus. In the case of a faculty performance complaint, the committee shall provide its findings of fact and written decision to the student, faculty member and chair. The Committee shall make its decision based on the preponderance of evidence it has reviewed.

D. Appeals Process

In the extraordinary case when a student or faculty member is unwilling to accept the decision of the chair with respect to a complaint or the departmental complaint committee with respect to a faculty performance complaint, she or he may appeal the decision in writing to the dean within seven days of that decision but only on the following basis:

1. material procedural defect in the Committee, or
2. material procedural defect in the chair 's handling of the matter, or
3. new material evidence not reasonably available at the time of the committee or chair 's review of the matter.

All written deliberations concerning the complaint shall be forwarded to the dean to aid in the decision. In the course of his or her review of the appeal, the dean may, but shall not be required to, consult with others, interview the Complainant, faculty member, chair, committee members, or others. The decision of the dean shall be final.

E. Complaints Involving Discrimination and Harassment

For cases of grade complaints or faculty performance complaints which may involve sexual harassment or discrimination in violation of University policies. Please refer to the sections on **SEXUAL HARASSMENT POLICY and DISCRIMINATION AND HARASSMENT POLICIES** in this *Faculty Handbook*.

68. SUMMER TEACHING

Summer teaching, when available, will be assigned in accordance with the needs of the summer program and with the fit between faculty specialization and the courses which need to be offered. Normally, no faculty member will be invited to teach in summer session who did not receive at least a satisfactory rating for teaching on the most recent annual or triennial faculty evaluation. When there are fewer summer courses than faculty members who seek summer teaching and when the faculty members seeking summer employment are equally qualified in terms of their areas of specialization and appropriateness for the courses, department chairs will assign the courses by rotation, so that appropriately qualified faculty members who do not teach one summer will have an opportunity to do so in another summer. The rotation system may be bypassed in order to further University objectives such as special institutes, distance education, etc.

Normally, with exceptions for certain special programs, summer salary for full-time Villanova faculty members is set on the basis of 2.5 per cent of one's previous nine month base salary per credit hour.

69. SYLLABI

Departments should have on file a course description and guidelines for all courses that are taught on a regular basis. These guidelines should describe in a general way what the course is about. For each course, the instructor must prepare a specific syllabus explaining how the course will be taught during the semester. Copies of the syllabus should be distributed in hard copy or electronically to students on or before the first day of class, and copies should be submitted to the department chair at the time specified by the chair. The syllabus provides the basic expectations for the course. It should be consistent with the general guidelines specified by the department. The syllabus should also include at least the following elements: instructor's name, office number and telephone, E-mail address, and office hours; course objectives; assigned texts; attendance policy; examination policy; explanation of grading system; and weighting of assignments. The syllabus will also include a brief discussion of academic integrity and indicate that students seeking accommodations for learning disabilities must first register with the Learning Support Office. Please refer to the section on **DISABILITIES, STUDENT** in this *Faculty Handbook*.

70. TEACHING LOAD, OVERLOAD, AND OUT-OF-LOAD TEACHING

The normal teaching load for faculty members who are productively engaged in scholarly research that regularly leads to publication is 18 credit hours per year, or the equivalent. Faculty members who are not thus engaged normally teach 24 credits per year, or the equivalent. For faculty members who are extraordinarily productive in research and publication, who carry unusual administrative or service duties, who receive grants providing for additional released time, or who, as new faculty members, receive reduced teaching loads as part of their initial appointments, these teaching duties may be reduced by their deans. Each Villanova college or school adopts its own approach to implementing this policy, and the deans may exercise discretion in this teaching load policy in order to support faculty recipients of grants or contracts. Any such teaching reductions constitute a form of University cost-sharing or matching for purposes of the grant or contract. For such purposes, a faculty member's total work load is considered to be 24 credit hours, and released time in grant/contract budgets must be calculated on this basis.

With the permission of the chair and dean, faculty members teaching a full load of 24 credits per year or teaching a reduced load for whatever reason (e.g. research, department head, program director, center director, etc.) may teach an overload – including “out of load” teaching in special or entrepreneurial programs – for additional compensation. Such out-of-load or overload teaching is subject to the 20 per cent rule that applies to outside teaching, consulting, and other professional work. Please refer to the section on **Consulting, Outside Teaching and Professional Work** in this *Faculty Handbook*. Therefore, each course (three or four credits) taught as overload or out-of-load shall reduce the time available for consulting to 10 per cent and teaching two courses (six or more total credits) as overload or out-of-load shall replace all 20 per cent of the time available for consulting. Under extraordinary circumstances, the Dean may allow faculty teaching an overload and/or out-of-load to continue to devote 20% of their time to consulting, and the Dean will report the exception to the Office of the Provost.

71. TEACHING SUPPORT PROGRAM

The **Villanova Institute for Teaching and Learning (VITAL)** offers services and resources for faculty members from all disciplines who are interested in helping students become better learners. VITAL's teaching support activities include confidential classroom observations with constructive

feedback; instructional diagnosis of students' learning in individual courses; and workshops and discussion groups on issues such as balancing teaching and research, considering students' learning styles, and using instructional technology. VITAL also offers consultations with departments or other groups interested in revising courses, reviewing curricula, exploring new teaching strategies, assessing students' learning, developing peer review processes, and related issues. VITAL's instructional resources include a library/resource center of books, journals, and other materials related to teaching and learning; the *Teaching Excellence* newsletter distributed monthly; and Teaching-Talk, an email discussion list for Villanova faculty members.

In addition to assisting the faculty to compete for extramural funding for pedagogical grants, Villanova sponsors innovative teaching efforts to foster students' learning through VITAL's Minigrant Program. Faculty members may request funding for development of instructional materials, summer stipends, and/or for travel, equipment, and supplies. Information about all of VITAL's programs is available from the VITAL office at 610-519-5627.

72. TERMINATION OF FACULTY EMPLOYMENT DUE TO FINANCIAL EXIGENCY OR CLOSURE OF A COLLEGE, DEPARTMENT, OR PROGRAM

Termination of the appointment of tenured faculty members may occur under several circumstances, as indicated in the Faculty Employment Agreement, including (a) a demonstrably bona fide financial exigency at the University or College level or (b) a discontinuation or significant reduction in the size and scope of a college, a department, or free-standing academic program (center, major, minor, or course of studies in which faculty members are hired and tenured independently of any other department affiliation).

A. Declaration of Financial Exigency

"Financial exigency" means an imminent financial crisis which threatens the viability of the institution as a whole or the viability of one of its colleges or schools. The existence of financial exigency in the University or in one of the colleges shall be determined by the Board of Trustees, upon recommendation by the President. Prior to making a recommendation to the Board, the President shall consult with and give due weight to the opinions of the Faculty Rights and Responsibilities Committee and the Faculty Congress, including sharing relevant financial information, considering the consequences to the educational program of declaring a financial exigency, and exploring alternative measures short of declaring financial exigency.

B. Declaration of College, Department, or Program Discontinuance or Reduction.

In addition to reasons of financial exigency, any of the University's colleges, academic departments, or programs may be closed or merged with others for academic reasons, as determined by the President and/or Board of Trustees according to the Board's bylaws and policies, including strategic decisions to shift the University's focus and resources in new directions. The process of making such determination will if possible include appropriate and timely discussion with the deans, department chairs, program directors, and, as determined by the President, the faculty of such colleges, departments, or programs. Whenever such a closing or consolidation occurs that would involve termination of appointments of tenured faculty, the Provost shall consult with and give due weight to the opinions of the Faculty Rights and Responsibilities Committee and the Faculty Congress, including sharing relevant information, considering the consequences to the educational program of the University, and exploring alternative measures short of closing, consolidating, or significantly reducing a college,

department, or program. The Office of the Provost shall share the results of such consultations with the President.

C. Criteria for Selecting Faculty Terminations

If the Board (or President, following Board bylaws and policies), declares a reduction in the faculty for one of the aforementioned reasons, the Faculty Rights and Responsibilities Committee shall appoint a committee of at least seven tenured faculty members who have been faculty members at Villanova for at least ten years as of the date of the appointment to this committee, including at least three members of the Faculty Rights and Responsibilities Committee. This committee shall be known as the Committee on Dismissals. The responsibility of the Committee on Dismissals will be to consult with and advise the President, the Provost (Office of the Provost), and/or the college dean concerning the individuals whose appointments are to be terminated. The primary termination criterion is the maintenance and promotion of the quality and effectiveness of, in order, the University, college, department, or academic program under consideration. Faculty members deemed to be of key instructional, scholarly, or administrative importance to the unit or program to be reduced or consolidated will have first priority for retention in the unit or program. Thereafter, other criteria to be considered include rank, time in rank, length of service, field of specialization, academic qualifications, and fitness for reassignment and appointment to another college, department, or program. Subject to the quality and effectiveness criteria, appointments will be terminated in the following order: temporary part-time (adjunct) and temporary full-time faculty members, continuing non-tenure track full-time faculty members, untenured tenure-track faculty members, tenured faculty members. The University will seek to reassign tenured faculty designated to be terminated to another of its colleges, departments, and programs, or to a suitable non-academic position, when such reassignment and appointment are feasible and consistent with the primary considerations of academic quality and administrative effectiveness. In addition to recommendations from the Committee on Dismissals, the Faculty Rights and Responsibilities Committee may elect to send its own recommendations to the Provost, who will forward all such recommendations to the President. The President makes the final decision on terminations.

D. Faculty Members' Rights of Appeal

Any tenured faculty member who has received notice of termination because of one of the aforementioned reasons when others in his/her college, department, or program are being retained may request a hearing by sending a written request for a hearing to the Provost within 30 days of receipt of the termination notice. The hearing shall take place before the Appeals Committee described in the Dismissal and Suspension Procedure for Faculty in this *Faculty Handbook* policy governing the dismissal or suspension of a tenured faculty member (the Appeals Committee). The faculty member's failure to request a hearing within the 30-day period shall be construed as a waiver of his or her right to request a hearing.

The hearing need not conform in all respects with the procedures in this *Faculty Handbook* policy governing the dismissal or suspension of a tenured faculty member, but the essentials of an on-the-record adjudicative hearing will be observed. The issues raised in this hearing may include:

- 1. The existence and extent of the condition of financial exigency or need to discontinue, consolidate, or significantly reduce a college, department, or program for academic reasons.** The findings of the President, the Faculty Rights and Responsibilities

Committee, and the Committee on Dismissals may be introduced.

2. **The validity of the judgments with respect to educational needs and the criteria for identification for termination based on educational needs.** The recommendations of the Committee on Dismissals will be given the most serious consideration.
3. **Whether the criteria are being properly applied in the individual case.**
4. **The possibility that the faculty member could have been assigned to other duties.** In this event, the faculty member shall submit a statement describing the other duties. The faculty member shall have the burden of proving by clear and convincing evidence that such an assignment is possible and will contribute to the academic quality and/or administrative effectiveness of the University. In the event that the other duties involve assignment to another academic department, the faculty member must present testimony by faculty members from the department to which such assignment is proposed to be made.

Upon completion of its hearing, the Appeals Committee will convey its conclusions and recommendations in writing to the President of the University, with a copy to the Faculty Rights and Responsibilities Committee and the faculty member. If the President of the University does not sustain the recommendations of the Appeals Committee, the case will be returned to the Appeals Committee with the President's objections specified in writing. The Appeals Committee will reconsider, receiving new evidence, if necessary, and communicate the result of its reconsideration in the same manner as described above. After studying the Appeals Committee's reconsidered recommendations, the President of the University will make a final decision.

E. Faculty Rights under the Terms of Dismissal

If a tenured faculty member is to be terminated for reasons of financial exigency or closure, discontinuance, or significant reduction of a college, department, or program, it is likely that the decision to close such a unit would be taken early enough to ensure that students in the program will have the opportunity to finish its requirements or transfer, as the case may be. Thus the time between notification of closure and termination of the faculty member would likely be substantial. However, if a faculty member is to be terminated for these reasons and if the closure must be effected more quickly, s/he shall be entitled to receive full salary (at the current rate or at a discounted rate if such discount has been applied to all retained faculty members of the University) and benefits (a) through the end of the academic year during which the termination notice is given or (b) for a period of six months after termination notice is given, whichever provides the greater amount of salary. Until the termination date specified in the notice, the faculty member may continue to work in his/her own field or on some other activity mutually agreed upon.

In all cases of termination of appointment for the aforementioned reasons, the place of a tenured faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and given thirty days in which to accept or decline such reinstatement.

73. TRAVEL WITH OR TEACHING STUDENTS OFF CAMPUS

- A. **Class Trips.** At Villanova, it is not uncommon for faculty members to participate in class

trips with students, and several departments have vans. Before a faculty member may drive a University-owned vehicle, he or she must seek approval to do so from the Director of Insurance and Risk Management, who maintains the University driver list for auto insurance purposes. If there is an accident while driving a University-owned vehicle, such as a Department van, it should be reported immediately to the Department of Public Safety; in such event, so long as the faculty or staff member is an approved driver, the faculty or staff member would be covered by the University's insurance policies. If faculty or staff members are in an accident with or without student passengers while driving their personal vehicles, the faculty or staff member's personal auto insurance would provide primary coverage. This is true even if the faculty or staff member's personal car is being used for University business or a class trip. The University's insurance would only apply for University business or class trips once the faculty or staff member's personal auto insurance coverage is exhausted.

Pennsylvania State Law prohibits carrying K-12 school children in anything larger than a ten-passenger van, so Department vans may not be used for any trips that involve K-12 school children.

- B. **Voluntary Trips or Trips Outside the United States.** Special rules apply to voluntary trips and trips outside the United States. If a faculty member is leading a trip for which participation is voluntary, and is not a required part of the class curriculum, a legal waiver should be executed by all participants. The Director of Insurance and Risk Management or the Associate General Counsel should be contacted for the appropriate form. If participating in a trip with students outside the United States, faculty members should contact the Director of Education Abroad for general information; the Director of Insurance and Risk Management should be contacted for information regarding medical, trip and other insurance for trips abroad.
- C. **Classes at a Faculty Member's Home or Elsewhere off Campus.** It is also not uncommon for Villanova faculty members to hold occasional classes at their homes or in other off-campus locations (more than occasional classes in the home are discouraged). No special liability insurance over and above the homeowner's policy is required, provided that the class-at-home is an occasional, not a regular, occurrence. Alcoholic beverages should not be served.

74. USE OF UNIVERSITY'S NAME AND TRADEMARK

The faculty, staff and students of Villanova University may not use their University status or the University's name, trademarks, seal, emblem, insignia, or facilities in any print, video, or electronic announcement, advertising or promotional material, publication, correspondence or commercial which could in any fashion be construed as implying University endorsement of any product, project or service.

Exceptions to the general prohibition on the use of the University's name or faculty/staff/student status may be granted for faculty members at the discretion of the Provost; for staff at the discretion of the Vice President for Administration and Finance; and for students at the discretion of the Vice President for Student Life, all in consultation with the Vice President for University Communications and the University's Vice President and General Counsel.

75. VOTING IN DEPARTMENTAL MEETINGS

The Policy on Rank and Tenure describes voting procedures and eligibility in cases of tenure and promotion, and the Protocol for Chair Selection describes such procedures for selection of chairs. For all other situations, departments will follow the policy below unless they have developed different policies that have been approved by their college dean and disseminated to their department members:

- A. **Eligibility to Vote.** In departmental meetings (excluding rank and tenure, annual/triennial evaluation, hiring, and chair selection, all of which are covered by other policies) all full-time tenured and tenure-track faculty members may vote. Tenured/tenure-track faculty members who are serving as administrators (assistant/associate deans, assistant/associate vice-presidents, and program directors) may also vote. Full-time non tenure-track members who have completed at least two full academic years of continuous service may vote. Eligible faculty members who are on leave of absence or on sabbatical leave may vote if they wish to and if it is practical for them to do so, but they are under no obligation to participate in departmental governance while they are on leave. Faculty members who are not sufficiently prepared to make an informed judgment on an issue should not vote; individual faculty members must judge their preparation for themselves. Deans and the Vice President do not vote in departmental meetings.
- B. **Proxies in general departmental voting.** In general departmental matters, faculty members who are otherwise eligible to vote may leave specific written proxies with the chair. General proxies, verbal proxies or proxies left with other faculty members are not acceptable.
- C. **Proxies in questions of hiring and annual/triennial evaluation.** Proxies are acceptable in votes on hiring. In cases of annual and triennial evaluations faculty members may not leave proxies. Faculty members who are not present at these discussions may communicate their views to the chair, either verbally or in writing. The chairs may, if they wish, take these communications into account when the chairs formulate their own recommendations.

76. BENEFITS

Villanova University provides full-time faculty members with a full spectrum of employee benefits. Typically, coverage is effective immediately on the first day of the month following the first day of work. Because the details of the programs change frequently, this section is only intended to be a summary of some of the main programs and services. It is not meant to be a controlling legal document or a contractual agreement. If questions arise, the legal plan documents, contracts, and insurance policies will always govern. For details please contact the Human Resources office, 610-519-7900, <http://www.hr.villanova.edu/>.

A. Health related benefits

- **Health and Dental Insurance.** The University offers a choice of health insurance plans and a comprehensive dental insurance plan, covering a percentage of the premiums (the specific coverage amount is published every year).
- **Flexible Spending Accounts (FSA).** The University also offers two pretax accounts, one for health expenses not paid by insurance and the other for dependent care/elder care expenses, which includes an employer-funded benefit for eligible day care expenses for pre-school children.
- **Life Insurance.** The University provides group term life insurance, and faculty members may also purchase additional amounts of insurance on themselves or for their dependents.

- **Disability.** The University provides medical leave at full salary when short-term absence (less than 30 days) is needed for personal illness or injury. Extended absences, with appropriate restrictions, are covered by the University's Short Term and Long Term Disability programs.
- **Child Care Assistance.** In addition to the FSA employer-funded program described above, the University provides a Back-up Reimbursement Plan and a discount for services provided through the Rosemont KenCrest Child Development Center.

B. Retirement

Participation is permitted in the University's Basic voluntary defined contribution Retirement Plan after one year of full-time service for tenure track faculty members and continuing non-tenure track faculty members. For all other full time faculty members, participation with University contributions is available after three years of employment. Accounts are available with TIAA-CREF and/or The Vanguard Group. Immediate participation is permitted if the new tenure track or continuing non-tenure track faculty member was employed for a minimum of one year by a non-profit organization immediately prior to beginning employment with Villanova University and was a participant in an employer-funded retirement plan.

C. Tuition Remission

Full tuition remission is provided for the faculty member's study at Villanova beginning with the next semester or summer session following the semester or summer session following the completion of six months of employment. Faculty members may not take courses for credit in their own departments unless approved by their dean. Although a faculty member may not take more than three undergraduate or two graduate courses per semester, there are no restrictions for faculty members on the total number of courses they may take.

Partial tuition remission is provided for the spouse and for the faculty member's natural born or adopted tax dependent children who attend Villanova beginning with the next semester or summer session following the faculty member's completion of three years of continuous full time service. The copayment amount of tuition remission is 20% of full-time regular tuition cost. Summer and part-time tuition rates will be calculated in proportion to the full-time day rate. Employees hired prior to August 30, 1999 are covered by prior tuition remission plan provisions.

In all tuition remission applications, the prospective student must meet normal admission and eligibility requirements. Tuition remission for spouses and children is limited to undergraduate courses except for those graduate level courses which are allowed as a substitute for undergraduate courses in the baccalaureate program. Tuition remission does not cover any fees or expenses associated with being a student at Villanova University (i.e. general fee, student health fee, room and board, the cost of required travel, laptop computers, etc.). Additionally, some University programs are not covered under tuition remission (doctoral program in Nursing, Law School, Continuing Studies, EMBA, and entrepreneurial programs, etc.). Please consult with Human Resources and the Program Director before you apply.

D. Tuition Exchange

Tuition Exchange (TE) is a tuition scholarship program (for natural born or adopted children)

at schools other than Villanova. Under the national Tuition Exchange program attendance at other schools may be available, depending on the balance of students coming to Villanova under the plan versus dependents of Villanova employees going to other schools under the plan. Currently, initial eligibility for two years of tuition exchange is based on five years of continuous service as of September 1st of the year in which TE will be used. Current eligibility is based on the following schedule:

Years of Service	Years of Tuition Exchange Eligibility
5	2
10	4
15	6
20	8
25	10
30	12

For further information about Tuition Remission (or any other benefit) please contact the Human Resources Office, 610-519-7900, <http://www.hr.villanova.edu/>.

E. University Scholarship Assistance Plan and Agreement

The University also provides a limited number of scholarships to dependent children of eligible faculty members to some local colleges, including Cabrini College, Chestnut Hill College, Gwynedd-Mercy College, Holy Family University, Immaculata University, La Salle College, Neumann College, Rosemont College, Saint Joseph's University, and Manor Junior College. This benefit is only available to faculty members hired before April 15, 1981. For more details, contact the Office of Enrollment Management.