
Adjunct Faculty Handbook



UNIVERSITY *of*
INDIANAPOLIS.

Revised February 2017

Welcome from the President

Greetings,

It's our pleasure to welcome you to the University of Indianapolis! These are exciting times at UIndy and we are so pleased that you are now a part of our tradition of excellence.

You will find our employees to be both energetic and creative, dedicated to high standards of excellence and quality. We value each one of our employees and we hope that you will find working here rewarding and satisfying.

The Staff Employee Handbook has been designed as a guide to assist you to learn about your work environment, your responsibilities, and the outstanding benefits that you have as an employee of the University of Indianapolis.

Please read the handbook carefully so that you can better understand who we are and what we do. We believe UIndy is a very special place – made all the more so by the hard work and dedication of our employees.

We are glad that you are here to help to make us better.

Welcome Aboard!

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat Manuel".

Robert L. Manuel
President

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I. The University

A. Motto

The official motto for the University of Indianapolis is “Education for Service.”

B. Identity Statement

The University of Indianapolis is a private, residential, metropolitan institution of higher learning that provides a transformational educational experience through strong programs in the liberal arts and sciences, selective professional and doctoral programs, collaborative partnerships throughout the city and the world, and a Christian tradition that emphasizes character formation and embraces diversity.

C. Mission, Vision and Values

See the following link for this information:

<http://www.uindy.edu/administration-and-trustees/president/mission-vision>

D. History

See the following link for this information:

http://www.uindy.edu/about-uindy/history-and-mission?_ga=1.62000811.684507844.1485535006

II. Academic Personnel Policies

A. Special Appointment Faculty

1. Adjunct Faculty

An adjunct faculty member is an unranked part-time teacher appointed on a semester or term basis. Adjunct faculty should have at least a master’s degree and several years of teaching and/or work experience. They have duties associated with teaching and do not assume other responsibilities of full-time faculty except as an associate adjunct faculty member or by designation of the unit director.

The part-time employment is for one semester at a time (or other instructional term) and usually is for teaching one or two classes. Associate adjuncts may teach 15-21 credit hours during Semesters I, II, and Spring Term; other adjunct faculty members may teach no more than 14 hours during Semesters I, II, and Spring Term. These limits are the maximum allowed even if you teach in more than one department or school of the University.

2. Adjunct Faculty Assignments

Deans or Department Chairpersons assign adjunct faculty members. Teaching assignments are issued on an as-needed basis. There is no guarantee that an offer to teach will be issued in subsequent semesters or sessions. Associate adjunct faculty offers to teach follow the same process.

The University may decline to rehire a faculty member for reasons such as, but not limited to: (a) failure to comply with class schedules, including class dismissal prior to the full amount of scheduled time each week; (b) failure to submit online midterm and final grade reports on time; (c) failure to submit course syllabi or faculty evaluations as requested; or (d) unsatisfactory performance in the classroom (as reflected by student evaluations).

3. Reporting Structure

Adjunct faculty members report to the Dean or Department Chairperson of the academic area in which they are employed.

4. Adjunct Faculty Orientation

Each Dean or Department Chairperson is responsible for conducting orientation for new adjuncts hired in his or her academic unit.

5. Adjunct Faculty Personnel File

The University requires all prospective employees to complete an application of employment and successfully complete a criminal and all other required background screenings prior to an offer of employment being extended. Additionally, all new adjunct faculty members must provide official transcripts from the college or university that awarded their highest degree prior to beginning their initial course assignment. The following employment forms must also be completed:

- Form I-9
- Direct Deposit Form
- Employee Information Form
- Federal W-4
- State W-4

All forms are available through the Human Resources Department.

6. Adjunct Faculty Evaluations

Student evaluations are part of the required assessment process. The results of student evaluations are provided to the Deans and Department Chairpersons for review. Feedback is at the discretion of the appropriate Dean or Department Chairperson.

7. Equal Employment Opportunity Policy

The University of Indianapolis, as required by law, makes equal employment opportunities available to all persons without regard to race, sex, age, color, religion, national origin, disability, citizenship status, military status, marital status, or any other category protected under Federal, State, or local law. This policy applies to applicants and employees and to all aspects of employment including recruitment, hiring, promotion, training, transfer, demotion, rates of pay, or other forms of compensation, and termination of employment. Further, irrespective of whether sexual orientation is a legally-protected status, the University of Indianapolis does not tolerate discrimination on the basis of an employee's sexual orientation. Questions regarding Equal Employment Opportunity should be directed to your supervisor or the Director of Human Resources.

8. Nondiscriminatory Policy

The University of Indianapolis does not discriminate on the basis of race, color, national origin, sex, disability, sexual orientation (or gender identity or expression) or age in its programs and activities. The University complies with the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Debbie Spinney, Executive Director of Student Development Academic Success Center
1400 E. Hanna Avenue, Schwitzer 206, Indianapolis, IN 46227
(317) 788-2140
dspinney@uindy.edu

9. Harassment and Sexual Harassment Policy

The University of Indianapolis attempts to provide a place where all employees and students can work and learn in an atmosphere free from discrimination and harassment based on the Nondiscriminatory Policy stated above. The University does not tolerate the harassment of students or employees and responds to every complaint with established process and provides proper remediation when harassment is shown to have occurred. Moreover, the University does not tolerate the intimidation or exploitation of any student or employee for private advantage by anyone.

HARASSMENT:

Definition: Harassment includes any physical, written, or spoken conduct regarding person's race, ethnicity, creed, age, gender, sexual orientation, national origin, citizenship status, or disability when such conduct has the effect of unreasonably interfering with an individual's work or learning or creates an intimidating, hostile, or offensive working or learning environment.

Harassing conduct includes, but is not limited to, the following:

- 1) Acts that invade the privacy of another individual (including but not limited to repeated contact in person, in writing, via phone, online, etc.), so as to create fear for that individual's life or personal safety.
- a) Sexual Harassment: Sexual harassment is a form of sexual discrimination prohibited by civil rights law including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and University policy. It is defined as unwelcome advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Unlawful sexual harassment may take many forms, including but not limited to:
 - VERBAL CONDUCT such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments: other examples include such conduct as persistent, unwanted sexual or romantic attention, discussion of and rating sexual attributes and attractiveness or asking or commenting about someone's sexuality or sex life.
 - VISUAL/ELECTRONIC CONDUCT such as derogatory posters, cartoons, calendars and drawings in physical or virtual/online contexts.
 - PHYSICAL CONDUCT such as assault, blocking normal movement or interference with activities that is sexual in nature and directed at an individual because of his/her gender.

- THREATS AND DEMANDS to submit to sexual requests in order to keep a job, or academic status, participation in University activities, or to avoid some other loss and offers of job benefits or academic opportunity in return for sexual favors.
 - OBSCENE MATERIALS, which must be both (1) materials which a reasonable person, would conclude are expressions of an explicitly sexual nature and appeal to prurient sexual/physical interests, and (2) materials that, given their content and their particular usage or application, lack any redeeming literary, scientific, political, artistic or social value.
- 2) Harassment based on Protected Categories: In addition to prohibiting sexual harassment, the University also prohibits harassment based upon an individual's race, sex, color, national or ethnic origin, age, disability, military service, or sexual orientation. For these purposes, prohibited harassment includes, without limitation, slurs, jokes, other verbal, graphic, or physical conduct that denigrates or shows hostility or aversion toward an individual, or that of his/her relatives, friends or associates.
- In determining whether an alleged behavior constitutes harassment, the full context in which the incident occurred will be considered. Any retaliatory action or behavior taken toward an alleged victim as a consequence of his or her decision to report a violation, pursue conduct action or criminal prosecution, is prohibited. Retaliation by either party may result in immediate disciplinary action up to and including termination.

Informal Steps You May Take To Stop Harassment

- Speak up at the time and say "NO" to the harasser. Be direct and firmly tell the harasser to stop. Clearly communicate your disapproval of behavior that makes you uncomfortable and that you consider it to be harassing, there is no need to apologize or smile. Whether or not you confront harassing behavior immediately, you can still take actions and the behavior can still be judged harassing.
- Write a letter to the harasser, particularly if speaking up is uncomfortable or unsuccessful. First, describe in plain terms the behavior you found objectionable, then describe your feelings in response to it. State clearly that you want the behavior to stop. Send the letter by registered, return receipt mail and keep a dated copy of the letter for yourself. Also, tell someone you trust about the letter.
- Keep records, regardless of whether you have decided to take other action.
- Document all incidents and conversations that involve sexual harassment, noting date, time, place, witnesses and what was said and done.
- Get help at any point. If the harassment does not stop, or if you would like advice on deciding how to deal with the harasser, follow the procedures outlined below.

Formal Procedures for Pursuing and Resolving Complaints

Should direct confrontation fail to remedy the problem or be unreasonable due to the sensitive nature of the issue or the relationship of the persons involved, the complaint should follow the procedure set out below:

File a formal written complaint that alleges a violation of the University's policy against harassment. If the complaint involves only University employees, it should be sent to the Director of Human Resources. Any complaints involving students should be directed to the Dean of Students. Upon receipt of a formal written complaint, the Director of Human Resources will begin the investigation process of the charge(s). An investigation shall include an interview with

the person filing the complaint, the person(s) accused of violating the anti-harassment policy and any person designated by either of the principle parties as witnesses to the incident in question. This investigation process shall be completed and a final decision communicated on the merits of the complaint within 60 days of receipt of the complaint by the Director of Human Resources. The decision shall be final. Throughout this process the University will strive to keep the identities of the complaining party and accused confidential.

Employees found to have made false accusations in exercising his/her rights under this procedure, or in filing a false charge of retaliation, is subject to disciplinary action up to and including discharge.

B. Compensation Policies

1. Adjunct Faculty Compensation

Adjunct faculty members (and full-time faculty members teaching on an extra contractual basis) are paid per credit hour according to a salary schedule that recognizes and rewards academic qualifications. Compensation for the semester is based upon the highest degree you have earned on the first day of the semester or session in which you teach. If you are awarded a new academic degree that might qualify you for additional compensation, it is your responsibility to provide an official transcript to Human Resources to verify completion of your academic work. The University does not pay mileage to adjunct faculty members.

2. Payroll Deductions

Deductions for federal income tax, social security and Medicare tax, state and county income tax are made in accordance with the laws of the United States and the state of residence.

3. Direct Deposit and Payment Schedule

Adjunct faculty members must have current tax withholding forms on file with Human Resources before compensation will be processed and directly deposited into your account on the 25th of each month. If the 25th falls on a weekend, deposits are made on the previous Friday.

4. Small Class Formula

Adjunct pay may be reduced based on the Small Class Formula which is applied according to department guidelines for classes not meeting the minimum student enrollment. Please contact your Dean or Department Chair for information on the Small Class Formula.

C. University-Sponsored Benefits

1. Tuition Remission

For those who qualify, 25% tuition remission is provided to part-time employees and spouses and to their children. See the Human Resources website for more information.

2. Campus Parking

There is no charge for vehicle parking or registration; however, adjunct faculty members operating motorized vehicles on campus must register the vehicles and properly

display a valid parking permit. Campus Police issue traffic citations and fines are applied for failure to properly register a vehicle, improper parking, improper operation of a vehicle, etc. Parking permits are available in the Campus Police office, 3920 Shelby Street and in the Student Business Center, Schwitzer Center 207 (call for hours). University identification cards are issued by the Student Business Center, and parking permits are only issued to individuals who possess a valid University identification card.

3. Discounts and Service

The University Bookstore, located on the main floor of Schwitzer Center inside the east entrance, allows an employee discount of 10% on personal purchases for use by members of your immediate family. This discount does not apply to textbooks.

4. Campus Activities

Adjunct faculty members are admitted free of charge to regularly scheduled home athletic events, as well as certain musical and theatrical presentations.

5. Ruth Lilly Center for Health and Fitness

Adjunct faculty members may use the Ruth Lilly Center facilities by presenting their faculty I.D. card to the guard at the main entrance. Use of the fitness center is restricted to individual use and does not include family participation.

III. Academic Policies, Procedures and Support Services

A. Procedures for Health and Security Emergencies

1. Life-Threatening Illnesses or Accidents (fire, personal attack, heart attack, etc.)

Dial 9-911 from a campus phone or 911 from a cell phone to reach the police/fire emergency telephone number.

2. Non Life-Threatening Illnesses or Accidents

- a. Dial 3333 from a campus phone or 788-3333 from a cell phone for Campus Police
- b. Identify yourself as a faculty member, describe the problem, and give your location, including address (1400 East Hanna Avenue), building, and room number.

3. Theft Prevention of Personal or University Property

- a. Do not leave cash or other valuable items unattended in classrooms, lounges, or offices.
- b. Report suspicious people or situations to Campus Police at 788-3333.

4. Fire Procedures

- a. If you hear a fire alarm:
 - (1) **Exit the building immediately** through the nearest door or stairwell.
 - (2) **Do not use the elevators.**
 - (3) Take only readily available valuable personal possessions out of

the building with you.

(4) Close the classroom door, but do not lock it.

(5) Alert other occupants of the building on your way out.

(6) **Do not re-enter the building until it is safe to do so.**

5. Tornado and Storm Alerts

a. Local radio and TV stations announce tornado watches when the weather conditions are right for a tornado but none have been sighted. Tornado warnings are issued when a tornado has been sighted. Storm alerts may be sounded when a severe thunderstorm is approaching the area.

b. If approaching weather warrants, the siren located at Shelby Street and Hanna Avenue will sound. The weather alert radios should activate then as well. The intercom system should be used in the residence halls, the library, and the fitness center to assist in informing persons of the approaching weather. In other buildings, staff and faculty have the responsibility to communicate word of approaching weather via phone or word-of-mouth, to all areas of the building.

c. The following procedures are standard if a tornado or storm warning is sounded:

(1) Go to the lowest floor you can reach before high winds or the tornado strikes. Never use the fire alarm to alert persons of a tornado (as this might cause them to go outside into the weather!).

(2) Sit in a central hallway with arms folded over your face and head.

(3) Stay away from windows.

(4) Leave corridor windows open.

(5) Try to stay calm; don't panic.

(6) Stay in the building until the all clear is sounded.

(7) Do not move to observe damage until the tornado or storm is well out of the area. Tornadoes sometimes come in pairs.

(8) If you are in an open area, move away from the tornado's path at a right angle. If you do not have time to run, lie flat in the nearest ditch or ravine.

(9) Stay away from trees, power lines, and open areas.

B. Classroom Policies and Procedures

1. Class Sessions

The Chair or Dean of your department maintains records of the times and dates of your class assignments.

2. Syllabus Preparation

The Faculty shall prepare a syllabus for each course being taught. The exact form will vary with the nature of the course, but, as a rule, a syllabus should describe the instructor's objectives, expectations, teaching methods, testing procedures, and grading system and include a schedule of assignments, due dates for papers, laboratory exercises, or other projects, and test dates. Syllabi should be distributed to students during the first class session; soon thereafter one copy shall be filed with the Chair or Dean and another with the Office of the Registrar.

3. Class Duration

Instructors are expected to hold class for the full time each class session—including the first class and the last one. The University expects that you will prepare sufficient material to fill the allotted time for the class. Appropriate breaks should be given.

4. Course Evaluation

It is customary for students to evaluate the course. Your chair/Dean will explain the process.

5. Adjunct Faculty Office Hours

Instructors should make themselves available to students on a regular basis. Each instructor should plan to devote at least 15 minutes before or after class for this purpose. In addition, the expectation is that adjunct faculty will respond to student e-mails and phone calls promptly.

6. Room Assignments

Classrooms are assigned on an overall master plan. You can find out the room in which you are meeting the class by looking on Self-Service Banner. Changes in a class meeting time or place may NOT be made without prior approval from the Registrar's Office. Once the Registrar's Office assigns a classroom, it is yours. You have "absolute domain" over the room assigned for your class. This means that you are within your rights to ask anyone occupying the room to leave during the assigned hours for your class. If individuals occupying the room refuse to leave, notify the SAL office at 788-3393 (open until 7:00 p.m. weeknights) or call the Campus Police at 788-3386 (open until 10:00 p.m. weeknights).

7. Classroom Maintenance

The lights in the classroom are to be turned off when the room is not in use. If light bulbs are burned out, if the heating or air conditioning is not working, or if the condition of the classroom is not satisfactory, notify the SAL office. Blackboards and whiteboards should be erased at the end of each class. This procedure is a courtesy to the next instructor who uses the room. Instructors who rearrange chairs (or tables) should put them back before leaving the classroom. No food or drinks are allowed in computer labs.

8. No Smoking Policy

The university is a smoke free campus. The university expects the instructor to set the example.

9. Faculty Attendance and Tardiness

We expect all classes to begin promptly at the appointed hour. Faculty members do not have the authority to cancel classes. If an instructor finds it impossible to meet with his/her class, it is the instructor's responsibility to notify the Dean or Department Chair before the class meets. If an instructor will be unavoidably late for class, the SAL office should be notified at 788-3393 so that the class can be instructed to remain until the instructor arrives.

10. Student Attendance

1. Class Admission/Temporary Class Admission

Instructors should download their class rosters before the first class meeting from Self-Service Banner. If a student is not on the roster, the instructor should notify the Registrar's Office. The instructor should download the class roster again after the second week of class so he/she will have an accurate record of those students registered for the course.

2. Attendance Records

The expectation is that students attend all class periods.

Attendance records are to be kept by the instructor as there is the possibility that Financial Aid will contact you regarding the attendance of students. The Veterans Administration indicates that it is particularly concerned about the absences of veterans who are receiving financial benefits. If you deem that a student has had excessive absences, you may administratively withdraw any student by completing an *Administrative Withdrawal Form* that you can download from the Registrar's web page. Consult the University's administrative withdrawal policy for guidelines in this area.

3. Student Withdrawal

A student may officially withdraw with a W up to the Friday before the last week of a semester. A grade will be assigned to any student who remains in a class after the withdrawal deadline. If a student intends to drop your course, please remind the student to contact the Registrar's Office to complete the appropriate paperwork. Discontinuing attendance does not constitute withdrawal.

C. Academic Policies and Procedures

1. Grades (Extended Programs Division)

a. Responsibilities

Instructors have the responsibility for evaluating the results and determining the quality of student performance. At the outset of the course, students should be told what will be expected of them. The instructor should indicate what part each requirement of the course will play in determining the final grade. Further, the instructor should keep the students informed as to their progress. All grades should be earned by students according to clear, published criteria. Instructors simply monitor these criteria and record the results of student efforts.

b. Submission of Grades

Instructors turn in their grades on-line through Self-Service Banner. Their grading options are letter grades, incompletes, and deferred grades.

c. Incomplete (IN) Grade

A report of "incomplete" (IN) will be made when the student, for unavoidable reasons (such as illness or family emergency), has been unable to complete the required work by the end of the semester or session. The student must complete the work within six months of the end of the semester or session, or a time frame established by the instructor. We recommend that all instructors establish the time frame for completion of Incompletes in the syllabus. On completion of the required work by the student, the instructor must submit the final grade on a Grade Change form, available in the Registrar's Office.

d. Deferred (DE) Grade

The term "deferred" (DE) is used on rare occasions when credit is withheld until the work of a succeeding semester has been completed. A deferred grade may be used in the case of faculty illness, a course that spans two summer sessions, or related circumstances. A course in which the grade is designated as "deferred" is not computed as hours attempted until the work has been completed. In other words, the student's GPA is not adversely affected. In an emergency situation in which an instructor is unable to compute final grades, the "deferred" grade should be used. Upon the student's completion of the required work, the instructor must

submit the final grade on a Grade Change form, available in the Registrar's Office or the SAL office.

e. Grade Reporting Deadlines

Midterm grades are to be submitted as soon as possible after the midterm grading period ends. The deadline to submit midterm grades is always 10:00 a.m. on Tuesday following the 7th week of Semester I or Semester II classes. This is an absolute deadline that must be met to facilitate data entry and distribution of grades in a timely manner. This is an obligation on the part of adjunct faculty members. Failure to meet this deadline may be used by your Dean or Department Chairperson in future hiring decisions. Student grade reports are annotated to indicate those faculty members who do not submit grades on time.

f. Grade Change

A change of grade may be submitted only by filling out a Grade Change form in the Registrar's Office or the SAL office. Grade changes will not be accepted unless submitted on this form and signed by the Dean of the school/college in which the course was taken.

2. Makeup Exams

Make-up exams are a courtesy that is extended to students by their instructors. An instructor is never obligated to provide a make-up exam for any student.

SAL will proctor make-up exams as a service to instructors teaching extended and accelerated classes only. SAL offers this service ONLY for classes with the 50 or accelerated section numbers. Instructors teaching Day Division classes should schedule make-up exams through the appropriate department.

Students must come to the SAL office, sign up for the exam, and pay a fee. The student will be taken to a room reserved for testing. A proctor will be present. Students must arrive in time to conclude their exam by 6:30 p.m. Should an accelerated or extended student be unable to take the exam and complete it by the above time, he/she is encouraged to call the SAL office at 788-3393 to make another appointment.

Instructors who wish to give a make-up exam should bring the test to the SAL office, place the exam in the envelope provided, and fill out the instructions completely. The instructor should not seal the envelope. The student will seal the envelope after he/she has completed the exam. The SAL staff will place the completed exam in the designated expanding file. In order to pick up the completed exam, the instructor must sign the make-up exam record. Exams not taken by the end of the semester will be returned to the instructor.

D. Academic Misconduct

Cheating will not be tolerated. The faculty member's responsibilities in this regard are outlined in detail in Appendix B—Academic Misconduct. The adjunct faculty member, upon discovering that a student has committed an act of academic misconduct, has the authority to initiate academic misconduct proceedings against the student.

E. Academic Honor Societies

For information about academic honor societies at the University of Indianapolis, see the current Academic Catalog, which is on-line on the Registrar's web page. Of particular interest to evening students is the Alpha Nu chapter of Alpha Sigma Lambda, the national honor society for adult learners in America.

F. Academic Support Services

1. The Krannert Memorial Library

The Krannert Memorial Library is located on the west side of the campus, and its facilities are readily accessible to adjunct faculty and University students. Please go to <http://kml.uindy.edu> to access online databases, to reserve materials, to find personal tour information, to borrow and return materials, and to find out the operational hours.

2. Media Services

Media Services is located off the main lobby of Krannert Memorial Library. The facility serves the media needs of the students, faculty, and staff. For information on how to schedule media equipment for your classroom, operational hours, and available resources, please go to <http://media.uindy.edu>.

3. Writing Laboratory

A Writing Lab is available for all students, at any level, who need assistance with writing skills. The lab provides individualized instruction from professionals and trained peer tutors. Students may use the lab on their own initiative or may be referred by faculty (referral forms are available in the Registrar's Office). Hours of operation are posted at the entrance to the Writing Lab, which is located on the west end of the 2nd floor of Krannert Memorial Library.

4. Math Laboratory

The math lab is staffed by qualified student assistants. There is additional coverage during the day. Instructors should encourage students to use this resource.

5. Duplicating Services

Under the employee tab of MyUindy, you will find the Copy Center/Digital Storefront, where you have the ability to create an order to duplicate materials. You will need to have your department's account number. If you have the materials delivered to the School for Adult Learning, a SAL employee will place the materials in your mailbox. See Appendix A for university policy on reproducing copyrighted material.

6. Tutoring

An instructor is not permitted to tutor University students for compensation. All requests for special tutoring assistance should be directed to the appropriate Dean or Department Chairperson.

G. Administrative Information

1. School for Adult Learning Office

The School for Adult Learning office is located in Esch Hall 103 and is open 8:00 a.m. to 6:30 p.m., Monday through Thursday, and 8:00 a.m. to 4:30 p.m. on Friday. The office is

closed on Saturday and Sunday. Exceptions to these times will be posted on the SAL Web site, <http://sal.uindy.edu/officehours.php>.

2. University Bookstore

The bookstore is located on the main floor of Schwitzer Center inside the east entrance to the building. Check with the bookstore for hours of operation. The bookstore is closed on Sunday.

3. Textbooks

Deans and Department Chairpersons will order all textbooks and teaching materials. If you do not have a copy of the textbook for your course, contact your chair/Dean immediately. Part-time instructors will be supplied copies of all books and manuals for use in their classes. All test materials and supplies are to be ordered by the university and sold through the bookstore. The Dean or Department Chairperson must authorize all orders.

4. Blue Books and Supplies

Deans and Department Chairpersons will provide adjunct instructors with blue books, white board markers and erasers, chalk, pencils, glue, scotch tape, grade books, etc. These items are available at no cost to you.

5. Adjunct Faculty Mailboxes

Adjunct Faculty mailboxes are located in Esch Hall 102, in addition to any other mailbox you may have elsewhere on campus (department offices, etc.). These mailboxes are used to distribute messages from students and other items. Please check your Esch 102 mailbox weekly.

6. Field Trips

Occasionally it may be desirable to have a class visit a local business or professional institution. The value of field trips should be considered very carefully. Field trips can be an excellent addition to many courses and should serve as a supplement to, not a substitution for, classroom instruction. There are no funds to subsidize field trips.

7. Closing for Inclement Weather or Emergencies

Adjunct faculty members do not have the authority to cancel classes. The decision to cancel classes is made only by the upper administration of the University and done so only under extreme conditions. Radio and TV stations will announce the decision. A decision to cancel evening classes will not be made until late afternoon.

8. Drug-Free Workplace Act

The Drug-Free Workplace Act prohibits the unlawful manufacture, distribution, possession, or use of controlled substances by any employee of the university. Any violation will result in the immediate termination of the employee.

9. Access to Educational Records

The Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the "Buckley Amendment", is a Federal law that gives protection to student educational records. This act guarantees students:

- the right of access to their educational records;

- the right to give consent prior to the release of a record to a third party;
- the right to challenge any inaccurate, misleading, or inappropriate information in those records; and
- the right to be notified of their privacy rights.

In the context of FERPA, education records are those records, files, documents, or other materials that contain information directly related to a student or former student and that are maintained by any employee or an agent of the University. Employment records relating to current or former students who are employees are also considered educational records under FERPA.

In compliance with FERPA, all student academic information is considered confidential and only directory information is available to the public. The University of Indianapolis defines the following items as directory information:

- name
- address (campus, local, permanent)
- telephone (campus, local, permanent)
- University electronic mail address
- date and place of birth
- major field(s) of study
- admission status
- student classification (i.e., freshman, sophomore)
- enrollment status
- University merit scholarship awards
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of enrollment
- degrees and awards received
- previous educational institutions attended

The University shall provide directory information only to legitimate agencies (such as student loan agencies and government agencies), individuals, organizations, or corporations with whom the University has a relationship with respect to the conduct of the educational program, or in accordance with applicable law.

No information about a student, even directory information, shall be given without authorization by the student except to persons presenting current and proper credentials from organizations described above. A student can request that no information, including directory information, be made available to persons outside the University. Such a request should be submitted in writing to the Registrar.

Students of record in attendance at the University will receive notice of their rights under FERPA by publication in the Academic Catalog, the Schedule of Classes, and the Student Handbook.

Additional information about the Family Educational Rights and Privacy Act is available from www.ed.gov/offices/om/fpco/ferpa/ or from the Office of the Registrar or <http://registrar.uindy.edu/ferpa/php>.

10. FERPA-Complaint Use of a Web-Based Plagiarism Detection Service

The Family Educational Rights and Privacy Act (FERPA) was enacted to protect the privacy of student education records. This act and the related Federal laws affect the use of web-based plagiarism detection services at the University of Indianapolis.

Specifically, for use of such a service to be compliant with FERPA, the following policy has been established:

- a) Faculty may require that their students submit their work to a web-based plagiarism detection service;
- b) Faculty who intend to require the use of anti-plagiarism software in their courses should issue each student a random 4-digit ID number at the start of each semester.
- c) Any student work submitted to the University of Indianapolis designated web-based plagiarism detection service must use this random 4-digit ID number as the sole identifier.
- d) Faculty must inform their students if a web-based plagiarism detection service is going to be utilized. It is, therefore, essential that Faculty put the following statement in their syllabi under the section in which they put the plagiarism policy:

“The University of Indianapolis maintains a university license agreement for an online text matching service called TurnItIn.com. At my discretion, I will use this web-based plagiarism detection service and/or require students to submit work to this service to determine the originality of student papers. A random 4-digit ID number will be assigned to each student prior to submission to this web-based plagiarism detection service.”

APPENDIX A

The University of Indianapolis Policy Concerning Photocopying for Classroom Research and Library Reserve Use (in consultation with recommendations prepared by the American Library Association, March 1982)

I. The Copyright Act and Photocopying

From time to time, the faculty and staff of the University of Indianapolis may use photocopied materials to supplement research and teaching. In many cases, photocopying can facilitate the University's mission; i.e., the development and transmission of information. However, the photocopying of copyrighted materials is a right granted under the copyright law's doctrine of "fair use" which must not be abused. The following will explain the University's policy concerning the photocopying of copyrighted materials by faculty and library staff. Please note that this policy does not address other library photocopying which may be permitted under other sections of the copyright law, e.g. 17 U.S.C. (108).

Copyright is a constitutionally conceived property right designed to promote the progress of science and the useful arts by securing for an author the benefits of his or her original work of authorship for a limited time (U.S. Constitution, Art. I, Sec. 8). The Copyright statute, 17 U.S.C. (101 **et seq.**), implements this policy by balancing the author's interest against the public interest in the dissemination of information affecting areas of universal concern, such as art, science, history and business. The grand design of this delicate balance is to foster the creation and dissemination of intellectual works for the general public.

The Copyright Act defines the rights of a copyright holder and how they may be enforced against an infringer. Included within the Copyright Act is the "fair use" doctrine that allows, under certain conditions, the copying of copyrighted material. While the Act lists general factors under the heading of "fair use," it provides little in the way of specific directions for what constitutes fair use. The law states:

17 U.S.C. (107). Limitations on exclusive rights: Fair use

Notwithstanding the provisions of section 106, the fair use of a copyrighted work, **including such use by reproduction in copies** or phonograph records or by another 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 work in any particular case is a fair use the factors to be considered shall include:

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work.
- (3) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) *The effect of the use upon the potential market for or value of the copyrighted work.*
(emphasis added.)

The purpose of this report is to provide you, the faculty and staff at the university, with an explanation of when the photocopying of copyrighted material, in our opinion, is permitted under the fair use doctrine. Where possible, common examples of research, classroom, and library reserve photocopying have been included to illustrate what we believe to be the reach and limits of fair use.

Please note that the copyright laws applies to all forms of photocopying, whether it is undertaken at a commercial copying center, at the university's copying facilities, or at a self-service machine. While you are free to use the services of a commercial establishment, you should be prepared to provide documentation of permission from the publisher (if such permission is necessary under this policy), since many commercial copiers will require such proof.

We hope this report will give you an appreciation of the factors that weigh in favor of fair use and those factors that weigh against fair use, but faculty members must determine for themselves which works will be photocopied. **This university does not condone a policy of photocopying instead of purchasing copyrighted works where such photocopying would constitute an infringement under the copyright law, but it does encourage faculty members to exercise good judgment in serving the best interests of students in an efficient manner.** This university and its faculty and staff will make a conscientious effort to comply with these guidelines.

Instructions for securing permission to photocopy copyrighted works when such copying is beyond the limits of fair use appear at the end of this report. It is the policy of this university that the user (faculty, staff or librarian) secures such permission whenever it is legally necessary.

II. Unrestricted Photocopying

A. Uncopyrighted Published Works

Writings published before January 1, 1978, that have never been copyrighted may be photocopied without restriction. Copies or works protected by copyright must bear a copyright notice, which consists of the letter —c| in a circle ()@or the word —Copyright| or the abbreviation “Copr.” plus the year of first publication, plus the name of the copyright owner. *17 U.S.C. (401)*. As to works published before January 1, 1978, in the case of a book, the notice must be placed on the title page or the reverse side of the title page. In the case of a periodical, the notice must be placed either on the title page, the first page of text, or in the masthead. A pre-1978 failure to comply with the notice requirements results in the work being injected into the public domain, i.e., unprotected.

Copyright notice requirements have been relaxed since 1978, so that the absence of notice on copies of a work published after January 1978 does not necessarily mean that the work is in the public domain. *17 U.S.C. (405, a, c)*. However, you will not be liable for damage for copyright infringement of works published after that date, if, after normal inspection, you photocopy a work on which you cannot find a copyright symbol and you have not received actual notice of the fact the work is copyrighted. *17 U.S.C. (405,b)*. However, a copyright owner who found out about your photocopying would have the right to prevent further distribution of the copies if in fact the work was copyrighted and the copies are infringing. *17 U.S.C. (405, b)*.

B. Published Works with Expired Copyrights

Writings with expired copyrights may be photocopied without restriction. All copyrights prior to 1906 have expired. 17 U.S.C. (304, b). Copyrights granted after 1906 may have been renewed; however, the writing will probably not contain notice of the renewal. Therefore, it should be assumed that all writings dated 1906 or later are covered by a valid copyright, unless information to the contrary is obtained from the owner or the U.S. Copyright Office (see Copyright Office Circular 15t).

Copyright Office Circular R22 explains how to investigate the copyright status of a work. One way is to use the *Catalog of Copyright Entries* published by the Copyright Office. The Copyright handbook (N.Y.; R. R. Bowker & Co., 1978), containing summaries of the law, is available in Krannert Memorial Library. Or, you may request the Copyright Office to conduct a search of its registration and/or assignment records. The Office charges an hourly fee for this service. You will need to submit as much information as you have concerning the work in which you are interested, such as the title, author, approximate date of publication, the type of work of any available copyright data. The Copyright Office does caution that its searches are not conclusive; for instance, if a work obtained copyright less than 28 years ago, it may be fully protected although there has been no registration or deposit.

C. Unpublished Works

Unpublished works, such as theses and dissertations, may be protected by copyright. If such a work was created before January 1, 1978, and has not been copyrighted or published without copyright notice, the work is protected under the new Act for the life of the author plus 50 years—17 U.S.C. (303)—but in no case earlier than December 31, 2002. If such a work is published on or before that date, the copyright will not expire before December 31, 2027. Works created after January 1, 1978, and not published, enjoy copyright protection for the life of the author plus 50 years. 17 U.S.C. (302).

D. U.S. Government Publications

All U.S. government publications, with the possible exception of some National Technical Information Service Publications less than five years old, may be photocopied without restrictions, except to the extent they contain copyrighted materials from other sources. 17 U.S.C. (105). U.S. government publications are documents prepared by an official or employee of the government in an official capacity. 17 U.S.C. (101). Government publications include the opinions of courts in legal cases, congressional reports on proposed bills, testimony offered at congressional hearings and the works of government employees in their official capacities. Works prepared by outside authors on contract to the government may or may not be protected by copyright, depending upon the specifics of the contract. In the absence of copyright notice of such works, it would be reasonable to assume they are government works in the public domain. It should be noted that state government works may be protected by copyright. 17 U.S.C. (105). However, the opinions of state courts are not protected.

III. Permissible Photocopying of Copyrighted Works

The Copyright Act allows anyone to photocopy copyrighted works without securing permission from the copyright owner when the photocopying amounts to a—fair use of the material. *17 U.S.C. (107)*. The guidelines in this report discuss the boundaries for fair use of photocopied material used in research of the classroom or in a library reserve operation. Fair use cannot always be expressed in numbers—either the number of pages copied or the number of copies distributed. Therefore, you should weigh the various factors listed in the Act and judge whether the intended use of photocopied, copyrighted material is within the spirit of the Fair Use doctrine. Any serious questions concerning whether a particular photocopying constitutes fair use should be directed to the Provost and Vice President for Academic Affairs at 317-788-3212 or via e-mail at: dbalogh@uindy.edu.

A. Research Uses

At the very least, instructors may make a single copy of any of the following for scholarly research or use in teaching or preparing to teach a class:

1. a chapter from a book.
2. an article from a periodical or newspaper.
3. a short story, short essay, or short poem, whether or not from a collective work.
4. a chart, diagram, drawing, graph, cartoon, or picture from a book, periodical, or newspaper.

These examples reflect the most conservative guidelines for fair use. They do not represent inviolate ceilings for the amount of copyrighted material that can be photocopied within the boundaries of fair use. When exceeding these minimum levels, however, you again should consider the four factors listed in Section 107 of the Copyright Act to make sure that any additional photocopying is justified. The following demonstrates situations where increased levels of photocopying would continue to remain within the realm of fair use.

1. The inability to obtain another copy of the work because it is not available from another library or source or cannot be obtained within your time constraints.
2. The intention to photocopy the material only once and not to distribute the material to others.
3. The ability to keep the amount of material photocopied within a reasonable proportion to the entire work (the larger the work, the greater amount of material that may be photocopied). Most single-copy photocopying for your personal use in research—even when it involves a substantial portion of a work—may well constitute fair use.

B. Classroom Uses

Primary secondary school educators have, with publishers, developed the following guidelines that allow a teacher to distribute photocopied material to students in a class without the publisher's prior permission, under the following conditions:

1. The distribution of the same photocopied material does not occur every semester.

2. Only one copy is distributed for each student, and the copy must become the student's property.
3. The material includes a copyright notice on the first page of the portion of a material photocopied.
4. The students are not assessed any fee beyond the actual cost of the photocopying.

In addition, the educators agreed that the amount of material distributed should not exceed certain brevity standards. Under those guidelines, a prose work may be reproduced in its entirety if it is less than 2,500 words in length. If the work exceeds such length, the excerpt reproduced may not exceed 1,000 words, or 10% of the work, whichever is less. In the case of poetry, 250 words is the maximum permitted.

These minimum standards normally would not be realistic in the university setting. Faculty members needing to exceed these limits for college education should not feel hampered by these guidelines, although they should attempt a —selective and sparing! use of photocopied, copyrighted material.

The photocopying practices of an instructor should not have a significant detrimental impact on the market for the copyrighted work. *17 U.S.C. (107,4)*. To guard against this effect, you usually should restrict use of an item of photocopied material to one course and you should not repeatedly photocopy excerpts from one periodical or author without the permission of the copyright owner.

C. Library Reserve Uses

At the request of a faculty member, a library may photocopy and place on reserve excerpts from copyrighted works in its collection in accordance with guidelines similar to those governing formal classroom distribution for face-to-face teaching, as discussed above. This university believes that these guidelines apply to the library reserve shelf to the extent it functions as an extension of classroom readings or reflects an individual student's right to photocopy for personal scholastic use under the doctrine of fair use. In general, librarians may photocopy materials for reserve room use for the convenience of students both in preparing class assignments and pursuing informal educational activities that higher education requires, such as advanced independent study and research.

If the request calls for only **one** copy to be placed on reserve, the library may photocopy an entire article, or an entire chapter from a book, or an entire poem. Requests for **multiple** copies on reserve should meet the following guidelines:

1. The amount of material should be reasonable in relation to the total amount of material assigned for one term of a course taking into account the nature of the course, its subject matter and level. *17 U.S.C. (107,1,3)*.
2. The number of copies should be reasonable in light of the number of students enrolled, the difficulty and timing of assignments, and the number of other courses that may assign the same material. *17 U.S.C. (401)*.

3. The material should contain a notice of copyright. *17 U.S.C. (401)*.
4. The effect of photocopying the material should not be detrimental to the market for the work. In general, the library should own at least one copy of the work. *17 U.S.C. (107,4)*.

For example, a professor may place on reserve as supplement to the course textbook a reasonable number of copies of articles from academic journals or chapters from trade books. A reasonable number of copies will in most instances be less than six, but factors such as the length or difficulty of the assignment, the number of enrolled students and the length of time allowed for completion of the assignment may permit more in unusual circumstances.

In addition, a faculty member may also request that multiple copies of photocopied, copyrighted material be placed on the reserve shelf if there is insufficient time to obtain permission from the copyright owner. For example, a professor may place on reserve several photocopies of an entire article from a recent issue of *Time Magazine* or *The New York Times* in lieu of distributing a copy to each member of the class. If you doubt whether a particular instance of photocopying is fair use in the reserve reading room, you should seek the publisher's permission. Most publishers will be cooperative and will waive any fee for such a use.

D. Uses of Photocopied Material Requiring Permission

1. **Repetitive copying:** The classroom or reserve use of photocopied materials in multiple courses or successive years will normally require advance permission from the owner of the copyright. *17 U.S.C. (107,3)*.
2. **Copying for profit:** Faculty should not charge students more than the actual cost of photocopying the material. *17 U.S.C. (107,1)*.
3. **Consumable works:** The duplication of works that are consumed in the classroom, such as standardized tests, exercises, and workbooks, normally requires permission from the copyright owner. *17 U.S.C. (107,4)*.
4. **Creation of anthologies as basic text material for a course:** Creation of a collective work or anthology by photocopying a number of copyrighted articles and excerpts to be purchased and used together as the basic text for a course will in most instances require the permission of the copyright owners. Such photocopying is more likely to be considered as a substitute for purchase of a book and thus less likely to be deemed fair use. *17 U.S.C. (107,4)*.

E. How to Obtain Permission

When a use of photocopied material requires that you request permission, you should communicate complete and accurate information to the copyright owner. The American Association of Publishers suggests that the following information be included in a permission request letter in order to expedite the process.

1. Title, author and/or editor, and edition of materials to be duplicated.
2. Exact material to be used, giving amount, page numbers, chapters and, if possible, a photocopy of the material.
3. Number of copies to be made.
4. Use to be made of duplicated materials.

5. Form of distribution (classroom, newsletter, etc.).
6. Whether or not the material is to be sold.
7. Type of reprint (ditto, photography, offset, typeset).

The request should be sent, together with a self-addressed return envelope, to the Permissions Department of the publisher. If the address of the publisher does not appear at the front of the material, it may be readily obtained in *Books in Print*, available in Krannert Memorial Library on campus.

The process of granting permission requires times for the publisher to check the status of the copyright and to evaluate the nature of the request. It is advisable, therefore, to allow enough lead-time to obtain permission before the materials are needed. In some instances, the publisher may assess a fee for the permission. It is not inappropriate to pass this fee on to the students who receive copies of the photocopied material.

The Copyright Clearance Center also has the right to grant permission and collect fees for photocopying rights for certain publications. Libraries may copy from any journal that is registered with the CCC and report the copying beyond fair use to CCC and pay the set fee. A list of publications for which the CCC handles fees and permissions is available from the CCC, 310 Madison Avenue, New York, NY 10017.

Sample letter to Copyright Owner (publisher) requesting permission to copy:

March 1, 2003
Material Permissions Department
Hypothetical Book Company
500 East Avenue
Chicago IL 60601

Dear Sir or Madam,

I would like permission to copy the following for continued use in my classes in future semesters:

Title: Learning is Good, 2nd edition.
Copyright: Hypothetical Book Company, 1993
Author: Frank Jones
Material to be duplicated: Chapters 10, 11, and 14 (photocopy enclosed).
Number of copies: 500
Distribution: The material will be distributed to students in my classes and they will pay only the cost of the photocopying.
Type of reprint: Photocopy.
Use: The chapter will be used as supplementary teaching materials.

I have enclosed a self-addressed envelope for your convenience in replying to this request.

Sincerely,
Faculty Member

F. Infringement

Courts and legal scholars alike have commented that the fair use provisions in the Copyright Act are among the most vague and difficult that can be found anywhere in the law. In amending the Copyright Act in 1976, Congress anticipated the problem this would pose for users of copyrighted materials who wish to stay under the umbrella of protection offered by fair use. For this reason, the Copyright Act contains specific provisions that grant additional rights to libraries and insulate employees or a non-profit educational institution, library, or archives from statutory damages for infringement where the infringer believed or had reasonable grounds to believe the photocopying was a fair use of the material. *17 U.S.C. (502,c,2)*.

Normally, an infringer is liable to the copyright owner for the actual losses sustained as a result of the photocopying and any additional profits of the infringer. *17 U.S.C. (504,a,1 and b)*. Where the monetary losses are nominal, the copyright owner usually will claim statutory damages instead of the actual losses. *17 U.S.C. (504, a, 2 and c)*. The statutory damages may reach as high as \$10,000 (or up to \$50,000 if the infringement is willful). In addition to suing for monetary damages, a copyright owner can usually prevent future infringement through a court injunction. *17 U.S.C. (502)*.

The Copyright Act specifically exempts from statutory damages any employee of a nonprofit educational institution, library, or archives, who —believed and had reasonable grounds for believing that his or her use of the copyrighted work constituted a fair use under Section 107.¶ *17 U.S.C. (504, c, 2)*. While the fair use provisions are admittedly ambiguous, any employee who attempts to stay within the guidelines outlined above should have an adequate good faith defense in the case of an innocently committed infringement.

APPENDIX B

Academic Misconduct

Philosophy

The students, faculty, and administration of the University of Indianapolis commit themselves to the highest level of ethical conduct in academic affairs. The University of Indianapolis, therefore, adopts the following regulations concerning Academic Misconduct to safeguard the academic integrity of the institution. Academic Misconduct includes, but is not limited to the following:

Academic Integrity

University of Indianapolis students are expected to adhere to the ideal of academic integrity in all academic work. Academic honesty and respect for the work of others are considered inviolable tenets of an institution of higher education.

Plagiarism and cheating are contrary to the ideal of academic integrity and are not tolerated. Plagiarism is defined as presenting the work of someone else as one's own. Cheating is defined as dishonesty of any kind in connection with assignments or examinations; it applies to both giving and receiving unauthorized help. Students guilty of plagiarism or cheating are subject to disciplinary action that may include failure in the course involved or expulsion from the University. The disciplinary action depends on the judgment of the instructor and the provost.

Some faculty members encourage collaborative work and make assignments that require cooperative effort. Authorized collaboration should not be confused with plagiarism or cheating.

Cheating includes, but is not limited to, the following examples:

1. Use of external assistance on any "in-class" or "take-home" examination without the instructor's specific authorization. This prohibition includes, but is not limited to, the unauthorized use of tutors, books, notes, calculators, databases, software, or computers.
2. Use of another person as a substitute or surrogate in the taking of an examination or quiz.
3. Theft of examinations or other course materials.
4. Use or allowance of others to conduct research or to prepare any work for a student without advance authorization from the instructor to whom the work is being submitted. Under this prohibition, a student must not make any unauthorized use of materials obtained from commercial term paper companies or from files of papers prepared by other persons.
5. Submission of a written report or project which is represented explicitly or implicitly as the student's individual work when such work was produced in collaboration with one or more other persons.
6. Use of any unauthorized assistance in a laboratory, at a computer terminal, or on field work.
7. Work on an examination other than during the time or at a location authorized by the examiner.
8. Submission of work for credit, when the same work has been or will be used for credit in another course, without the consent of both instructors.

9. Alteration of a grade or score in any way.

Plagiarism

A student must not adopt or reproduce ideas, words, or statements of another person without giving an appropriate acknowledgment to the source. A student must give due credit to the originality of others and acknowledge indebtedness whenever he or she does any of the following:

1. Quotes another person's actual words, either oral or written;
2. Paraphrases another person's words, either oral or written;
3. Uses another person's ideas, opinions, or theories;
4. Cites facts, statistics, or other illustrative material, unless the information is common knowledge.

Fabrication

A student must not falsify or invent any information or data in an academic exercise including, but not limited to, records or reports, laboratory results, and citations to the sources of information.

Interference

A student must not interfere with any other student's opportunity or ability to produce or submit his or her best work on any assignments or examinations. Examples of interference include, but are not limited to, the following:

1. Theft, destruction, alteration, defacement, or mutilation of University or public resources so as to deprive others of information.
2. Giving or offering bribes, promising favors, or making threats with the intention of affecting a grade or the evaluation of academic performance.

Violation of Course Rules

A student must not violate rules as contained in a course syllabus, a professional code of ethics, or other information provided to the student by the course instructor or the University.

Facilitating Academic Dishonesty

A student must not intentionally or knowingly help or attempt to help another student to commit or conceal an act of Academic Misconduct.

Abuse of Confidentiality

A student must not use data or unpublished materials belonging to another student or a faculty member without first obtaining written permission. Students using archival or personal research materials must provide for adequate protection of the privacy of living or recently living subjects. A student must not violate the confidentiality of a patient's or client's records.

Academic misconduct may be categorized as follows:

1. Academic misconduct by a student who is enrolled in a particular course and commits an act of misconduct related to that course.
2. Academic misconduct by a student that is not related to a particular course in which the student is enrolled.

When a student is suspected of academic misconduct related to a particular course, the faculty member or instructor who teaches the course shall have authority to initiate academic misconduct proceedings against the student. Disciplinary action for a suspected or alleged act of academic misconduct that is unrelated to a particular course in which the student is enrolled shall be governed by the same procedures described below except that (1) the proceedings shall be initiated by the Dean or Director of the student's school or program, and (2) the Dean or Director of the student's school or program shall assume the procedural responsibilities of the faculty member or instructor, as described in this Academic Misconduct Policy and Procedure.

Initiating Actions

When a student is suspected of academic misconduct, the faculty member or instructor who teaches the course or, where applicable, the Dean or Director of the student's school or program (collectively, the —University Representative) shall have authority to initiate academic misconduct proceedings against the student. The University representative who has information that a student committed an act of academic misconduct related to that course, assignment, examination, or other work that is submitted for a grade or an evaluation shall hold a conference with the student to discuss the matter.

1. The University representative shall advise the student of the alleged act of misconduct and the information upon which the allegation is based.
2. The student shall be given an opportunity to respond to the allegation of misconduct.

If, following the conference, the University representative concludes that the student committed the suspected or alleged act of academic misconduct, the University representative shall impose an appropriate academic sanction related to the particular course involved:

1. The student may be given a lower grade or score for the assignment, course work, or examination, including a failing grade for the course.*
2. The student may be required to repeat or resubmit any assignment, course work, examination, or paper involved in the act of misconduct.
3. The student may be required to complete additional assignments, course work, examination, or papers as a substitute for any assignment, course work, or examination implicated in the act of misconduct.
4. The student may be required to withdraw from the course with an appropriate grade of W or F at the University representative's discretion.
5. The student may be sanctioned in a manner other than that set forth above, if deemed appropriate by the University representative, in his or her reasonable discretion.
6. An incomplete may be given in the course in the event that a disciplinary matter cannot be resolved before final grades are due in the Office of the Registrar.
7. If a student accused of academic misconduct by a University Representative withdraws from the applicable course before completing the academic misconduct disciplinary process (including any appeal of decisions made with respect to the accusation, if initiated), the University will consider the issue of academic misconduct not to have been resolved and, the University Representative's accusation of academic misconduct will stand unchallenged. In this event, the University Representative may notify and direct the Registrar to change the W (withdrawal) on the student's record to an F (fail), and the student will have no right to

appeal such a change in grade.

*Where an academic sanction results in the recording of a failing grade for the course, the Registrar shall be notified that the grade was given for academic misconduct. The Registrar shall record the grade of —F| on the student's permanent academic transcript without any notation concerning the reason for the grade. The Registrar shall, however, establish procedures to ensure that the grade of —F| is not thereafter removed from the transcript in accordance with other academic policies or procedures. A grade resulting from academic misconduct shall be calculated in a determination of the student's grade point average, but the grade alone shall not prevent the student from repeating the same course for credit.

After imposing an academic sanction, the University representative should report the decision promptly, orally and in writing, to the student, the Dean or Director of the student's school or program, and the Provost.

The University representative also shall report the matter promptly to the Dean of Students who may commence disciplinary procedures under the University's Student Social Misconduct Policy if the commencement of such procedures is warranted when the student's academic misconduct is considered in light of the student's social behavior record at the University.

The University representative's written report to those individuals identified in the paragraphs above should include the following:

1. A statement concerning the nature of the offense.
2. The terms of the academic sanction being imposed.
3. A statement that the student may submit an appeal of the academic sanction, in writing setting forth the reasons for the appeal, to the Provost within five (5) days after receiving notice of the University representative's decision.
4. A statement that the report is being distributed to the student, the Dean or Director of the student's school or program, the Registrar, the Dean of Students, and the Provost.
5. A statement that the Dean or Director of the student's school or program has the authority to impose an additional disciplinary sanction if that person believes that such a sanction is warranted when the student's academic misconduct is considered in the context of the student's prior academic record at the University.
6. A statement that the Dean of Students may commence disciplinary proceedings under the University's Social Misconduct Policy if the commencement of such proceedings is warranted when the student's academic misconduct is considered in light of the student's prior social behavior record at the University.

Right to Appeal

A student may appeal the sanction for the following reasons:

1. The student claims innocence of the act of which he or she is accused;
2. The student claims extenuating circumstances;
3. The student claims unfair treatment by the University representative.

Appeals to the Provost

A student's appeal with respect to an academic decision or sanction concerning an alleged act of academic misconduct shall be filed as follows:

1. A student shall initiate his or her appeal of a decision made, or sanction imposed, by submitting to the Provost, within five (5) days after receiving notice of the academic sanction, a written statement that sets forth all grounds for the appeal.
2. Generally, a student may appeal (1) the decision that the student committed the act of misconduct, or (2) the sanction imposed.
3. Spurious appeals may be rejected by the Provost.
4. The Provost (or designee) may discuss the matter individually with the student and/or the University representative when and if the Provost deems such discussions necessary or appropriate under the circumstances.
5. In addressing cases of a student's alleged academic misconduct, the Provost, in imposing sanctions, may take into consideration (1) all past documented accusations and/or findings of academic misconduct and/or dishonest against that student, whether or not an appeal was initiated or completed by the student, and (2) the conclusions of appeals initiated by the student, if any, of such past findings of academic misconduct and/or dishonesty.
6. The Provost (or designee) shall have the authority to sustain, amend, or reverse any decision concerning the student's act of academic misconduct.
 - a. If the Provost (or designee) concludes that the student did not commit the alleged act of academic misconduct, they shall set aside the academic sanction(s) imposed.
 - b. If the Provost (or designee) concludes that the student committed the alleged act of academic misconduct, they may confirm the academic sanction(s) or impose a lesser or greater sanction than that imposed by the University representative.
7. The Provost (or designee) shall act in a timely manner in deciding an appeal.
8. The Provost (or designee) shall notify the student and the University representative orally and in writing of his or her decision with respect to the appeal.
9. The decisions of the Provost (or designee) shall be final.

APPENDIX C

Grade Appeal Policy and Procedure

Philosophy

The grade appeal policy is designed to create an orderly and effective means of dealing with disputes between a student and a faculty member regarding a grade. Grade disputes involving academic dishonesty are addressed in a separate policy. Course grades assigned by instructors are presumed to be correct. The faculty member is accountable for any and all grades assigned to students; therefore, each faculty member shall maintain records to support student evaluations and grades. Records on grades, examination papers not returned, etc., should be retained on file for a minimum of six months.

Grounds for an Appeal

It is the responsibility of the student who appeals an assigned grade to demonstrate that an inappropriate grade was assigned as a result of prejudice, caprice, or other improper conditions such as mechanical error, or the assignment of a grade inconsistent with those assigned other students, or that a reasonable accommodation for a documented disability was requested and not appropriately provided. Otherwise, the judgment of the instructor is final.

It is important to remember that the burden of proof is on the student. In cases where a student is appealing a grade, the grade appealed shall remain in effect until the appeal procedure is completed, or the problem resolved.

Procedure

Students who believe that a course grade has been assigned inappropriately must follow the proper steps in the appeal process, observing the time limits for completion of various steps in the process as follows:

- Communicate with the instructor during the first three weeks following the assignment of the grade, either directly, by phone, e-mail, or fax. If a grade has been assigned in error, the instructor can quickly correct the error by submitting a change of grade form to the Registrar's Office.
- Should the issue not be resolved at the instructor level, the student may appeal in writing within 30 calendar days of meeting with the instructor to the Dean of the school/college in which the course was taken. The Dean will attempt to achieve a mutually satisfactory resolution. The Dean of the college in which the student is enrolled will be notified.
- Should the issue not be resolved by the Dean, the student may initiate a formal written appeal to the Associate Provost within 10 calendar days of the decision of the Dean. The written statement must clearly state the basis of the appeal. The Associate Provost will determine whether or not the grounds for the appeal are appropriate. If appropriate, the Associate Provost shall conduct a thorough investigation, which could include impaneling a small group to participate in the review of the grade appeal before making a recommendation to the Provost.
- The Associate Provost will send the recommendation to the Provost, who will make the final decision.