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University of South Alabama
Faculty Handbook

August 2005





TABLE OF CONTENTS

		<u>Chapter</u>	<u>Page</u>
1.0	UNIVERSITY INFORMATION		
1.1	University History	1	1
1.2	University Mission	1	1
1.3	University Symbols	1	2
1.4	University Honorary Doctorate Degree.....	1	2
1.4.1	Purpose	1	2
1.4.2	Eligibility.....	1	3
1.4.3	Guidelines for Selection	1	3
1.4.4	Nomination Process.....	1	3
1.4.5	Selection Process.....	1	3
1.4.6	Awarding of the Honorary Doctorate Degree	1	4
1.5	University Compliance.....	1	4
1.5.1	State Ethics Law.....	1	4
1.5.2	American Disabilities Act/Section 504	1	4
1.5.3	Affirmative Action/Equal Opportunity	1	5
1.5.4	Faculty Sexual Harassment Policy	1	12
1.5.5	Drug-Free Workplace Act - Substance Abuse Policy	1	20
1.5.6	Employment Eligibility Verification.....	1	21
1.5.7	Clery Act Statement (Campus Security Act).....	1	22
1.5.8	Copyright Law - Software Policy.....	1	22
2.0	ADMINISTRATIVE ORGANIZATION		
2.1	Organizational Structure.....	2	1
2.2	Board of Trustees	2	1
2.3	Office of the President.....	2	1
2.4	Councils of the President	2	1
2.4.1	Administrative Council	2	1
2.4.2	Budget Council.....	2	2
2.4.3	Long-Range Planning Committee	2	2
2.4.4	Advisory Committee on Diversity	2	2
2.5	Office of Academic Affairs	2	3
2.6	College of Allied Health Professions	2	3
2.6.1	Dean	2	3
2.6.2	Associate Dean	2	3
2.6.3	Department Chairs.....	2	3
2.6.4	Standing Committees	2	4
2.7	College of Arts and Sciences.....	2	4
2.7.1	Dean	2	4
2.7.2	Assoc. Dean of Advising and Undergraduate Instruction	2	4
2.7.3	Assoc. Dean for Research	2	4
2.7.4	Department Chairs.....	2	4
2.7.5	Standing Committees	2	5
2.8	Mitchell College of Business	2	5
2.8.1	Dean	2	5
2.8.2	Associate Dean and Director of Graduate Studies	2	5
2.8.3	Department Chairs.....	2	6
2.8.4	Director of the Business Resources Center	2	6
2.8.5	Director of the Center for Business and Economic Research	2	6
2.8.6	Director of Small Business Development Center.....	2	6
2.8.7	Standing Committees	2	6

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
2.9 College of Education	2	6
2.9.1 Dean	2	7
2.9.2 Associate Dean	2	7
2.9.3 Associate Dean for Graduate Studies and Research.....	2	7
2.9.4 Coordinator of Field Services.....	2	7
2.9.5 Department Chairs.....	2	8
2.9.6 Standing Committees	2	8
2.10 College of Engineering	2	8
2.10.1 Dean	2	8
2.10.2 Associate Dean.....	2	8
2.10.3 Department Chairs.....	2	9
2.10.4 Standing Committees	2	9
2.11 College of Nursing	2	9
2.11.1 Dean	2	9
2.11.2 Associate Dean for Academic Affairs.....	2	9
2.11.3 Associate Dean for Research and Development	2	9
2.11.4 Department Chairs.....	2	10
2.11.5 Standing Committees	2	10
2.12 School of Computer and Information Sciences	2	10
2.12.1 Dean	2	10
2.12.2 Coordinators.....	2	10
2.12.3 Director of Graduate Studies.....	2	11
2.12.4 Standing Committees	2	11
2.13 School of Continuing Education and Special Programs	2	11
2.13.1 Dean	2	11
2.13.2 Associate Dean.....	2	11
2.13.3 Department Chairs.....	2	11
2.13.4 Standing Committees	2	12
2.13.5 Director, University of South Alabama Baldwin County Campus	2	12
2.13.6 Director, University of South Alabama Brookley Center	2	12
2.13.7 Office of International Programs and Development.....	2	12
2.14 The Graduate School and Office of Research	2	13
2.14.1 The Graduate Council	2	13
2.14.2 Graduate Faculty	2	14
2.15 University Libraries	2	14
2.16 Office of Enrollment Services	2	15
2.16.1 Director of Admissions	2	15
2.16.2 Director of International Student Orientation.....	2	15
2.16.3 Director of Financial Aid	2	15
2.16.4 Director of Career Services Center.....	2	15
2.17 Office of the Registrar	2	16
2.18 Office of Student Services	2	16
2.18.1 Vice President for Student Affairs	2	16
2.18.2 Dean of Students	2	16
2.18.3 Coordinator of Student Activities and Organizations	2	17
2.18.4 Coordinator of Minority Services.....	2	17
2.18.5 Director of Housing.....	2	17
2.18.6 Director of the Student Center.....	2	17

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
2.18.7 Program Director, Student Center	2	17
2.18.8 Director of Counseling and Testing Services	2	17
2.18.9 Manager, Campus Recreation	2	18
2.18.10 Manager, Student Support Services	2	18
2.19 Office of University Services and Planning.....	2	18
2.19.1 Vice President for Services and Planning	2	18
2.19.2 Assoc. Vice President for University Computer Services.....	2	18
2.19.3 Executive Director of Governmental Relations	2	19
2.19.4 Manager of Publication Services.....	2	19
2.19.5 Assoc. Vice President for Institutional Research and Planning	2	19
2.19.6 Assoc. Vice President for Sponsored Programs	2	19
2.20 Office of Medical Affairs	2	19
2.20.1 Vice President for Medical Affairs/Dean	2	19
2.20.2 Senior Associate Dean.....	2	20
2.20.3 Vice Dean for Student Affairs and Medical Education.....	2	20
2.20.4 Asst. Dean for Student Affairs and Medical Education	2	21
2.20.5 Asst. Dean for Student Affairs and Special Programs.....	2	21
2.20.6 Associate Dean for Rural Health.....	2	21
2.20.7 Department Chairs.....	2	21
2.20.8 Standing Committees	2	22
2.20.9 Faculty Assembly	2	23
2.21 University Hospitals	2	23
2.22 Office of Auxiliary Enterprises	2	23
2.23 Office of Finance.....	2	23
2.24 Office of University Operations	2	23
2.25 Office of Public Relations	2	23
2.26 Office of Development and Alumni Relations.....	2	24
2.26.1 Vice President for Development and Alumni Relations	2	24
2.26.2 Director of Alumni Relations	2	24
2.27 Administration of Colleges/Schools	2	24
2.28 Administration of Academic Departments	2	25
2.28.1 Role and Responsibility of the Department Chair.....	2	25
2.28.2 Departmental Governance.....	2	26
2.28.3 Access of Dept. Chairs to the Senior Vice President for Academic Affairs	2	29
2.29 University Standing Committees.....	2	29
2.30 General University Committees	2	31
2.30.1 Academic Affairs Undergraduate Curriculum Committee.....	2	31
2.30.2 Academic Affairs Policy Committee.....	2	31
2.30.3 Council of Academic Deans.....	2	31
2.30.4 Fringe Benefits Committee	2	32
2.30.5 The Graduate Council	2	32
2.30.6 Graduation Committee	2	32
2.30.7 International Affairs Committee.....	2	33
2.30.8 Patent Review Committee	2	33
2.30.9 Schedule of Classes Committee	2	33

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
2.30.10 Scientific Misconduct Committee	2	33
2.30.11 Space and Facilities Committee	2	33
2.30.12 Registration Committee.....	2	34
2.30.13 University Committee for Undergraduate Research.....	2	34
2.30.14 University Conflict of Interest Committee	2	34
2.30.15 University Honorary Doctorate Degree Committee	2	34
2.30.16 University Parking and Traffic Committee	2	35
2.30.17 University Research Council.....	2	35
2.31 Faculty Senate Constitution.....	2	35
3.0 FACULTY PERSONNEL POLICIES		
3.1 Introduction.....	3	1
3.2 Definition of Academic Ranks	3	1
3.2.1 Instructor/Senior Instructor.....	3	1
3.2.2 Assistant Professor.....	3	2
3.2.3 Associate Professor.....	3	2
3.2.4 Professor	3	2
3.2.5 Lecturer.....	3	2
3.3 Adjunct, Joint Appointments, Distinguished, Emeritus, and Visiting Faculty.....	3	2
3.3.1 Adjunct Faculty	3	2
3.3.2 Joint Appointments.....	3	2
3.3.3 Distinguished Professor	3	3
3.3.4 Emeritus Professor.....	3	3
3.3.5 Visiting Faculty Status.....	3	4
3.4 Librarian Ranking.....	3	4
3.4.1 Professional Librarians	3	4
3.4.2 Instructor Librarian	3	4
3.4.3 Assistant Librarian	3	5
3.4.4 Associate Librarian	3	5
3.4.5 Senior Librarian	3	5
3.5 Clinical Appointments.....	3	5
3.5.1 Special Procedures for Conversion from a Non-Tenure Track Appointment to Tenure Track Appointment	3	6
3.6 Administrative Officers: Academic Rank and Reversion.....	3	7
3.6.1 Appointment of Admin. Officers to the Ranked Faculty.....	3	7
3.6.2 Reversion of Administrators to Faculty Status.....	3	7
3.7 English Language Proficiency Requirement for Teaching Personnel	3	9
3.8 Faculty Appointments	3	9
3.8.1 Full-Time Faculty Contract Period	3	9
3.8.2 Part-Time Faculty Policy and Procedures	3	9
3.9 Summer School Teaching Assignments	3	13
3.10 Promotion Policies and Procedures.....	3	13
3.10.1 Introduction and General Criteria.....	3	13
3.10.2 Criteria by Rank.....	3	14
3.10.3 Promotion Procedures.....	3	16
3.10.4 Promotion Following Completion of Terminal Degree.....	3	18
3.10.5 Promotion Increments for Faculty	3	18

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
3.11 Tenure	3	19
3.11.1 Academic Freedom and Tenure.....	3	19
3.11.2 Academic Freedom.....	3	19
3.11.3 Academic Tenure	3	20
3.11.4 Tenure Policy and Procedures	3	20
3.12 Leave of Absence During Tenure Probationary Period	3	24
3.13 College of Medicine-Guidelines and Policies Relating to Faculty Appointments, Promotions and Tenure	3	24
3.13.1 Primary Faculty Appointments	3	24
3.13.2 Evaluation for Promotion and Tenure	3	25
3.13.3 Promotion	3	25
3.13.4 Tenure.....	3	29
3.13.5 Joint Appointments.....	3	30
3.13.6 Adjunct Appointments	3	30
3.13.7 Requests for Promotion and/or Tenure.....	3	31
3.14 Post-Doctoral Trainees	3	32
3.15 Non-Tenure Track Positions	3	32
3.15.1 Non-Tenure Track Positions/Conditions.....	3	32
3.15.2 Non-Tenure Track Instructor Positions	3	33
3.15.3 Non-Tenure Track Instructor-Promotion Procedures.....	3	34
3.15.4 Non-Tenure Track Instructor-Promotion Increment	3	34
3.15.5 Non-Tenure Track Professorial Level Positions-Designation of Ranks and Titles	3	34
3.15.6 Non-Tenure Track Professorial Level Positions-Promotion	3	34
3.15.7 Change of Appointment Status for Non-Tenure Track Faculty	3	34
3.16 Severance Policy and Procedures	3	35
3.16.1 Non-Reappointment	3	35
3.16.2 The Standards for Notice of Non-Reappointment.....	3	35
3.16.3 Resignation.....	3	36
3.16.4 Termination/Dismissal	3	36
3.17 Recommendations and Evaluations of Faculty	3	40
3.17.1 Dean Recommendations.....	3	40
3.17.2 Student Evaluations of Faculty.....	3	40
3.18 Academic Administrator Evaluation	3	40
3.19 Faculty Recruitment	3	41
3.19.1 Guidelines for Faculty and Administrative Searches	3	42
3.19.2 Searches for Tenure Track Faculty.....	3	43
3.19.3 Searches for Non-Tenure Faculty.....	3	45
3.19.4 Unsolicited Applications for Faculty Positions.....	3	45
3.19.5 Searches for Departmental Chairs	3	46
3.19.6 Academic Administrative Searches.....	3	46
3.19.7 Internal Admin. and Department Chair Searches.....	3	47
4.0 FACULTY RIGHTS, DUTIES, AND CONDUCT		
4.1 Academic Freedom and Tenure	4	1
4.1.1 Introduction	4	1
4.1.2 Academic Freedom.....	4	1
4.1.3 Academic Tenure	4	2

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
4.2 Faculty Grievance Procedures	4	2
4.2.1 Purpose and Scope.....	4	2
4.2.2 Definition and Grounds	4	3
4.2.3 Informal Solution	4	3
4.2.4 Initiation	4	3
4.2.5 Establishment of the Grievance Committee Pool.....	4	4
4.2.6 Selection of the Grievance Committee.....	4	5
4.2.7 Initial Determination	4	5
4.2.8 Grievance Committee Procedural Rules	4	6
4.2.9 Findings and Recommendations.....	4	7
4.2.10 Presidential Action	4	7
4.2.11 Timeliness	4	8
4.3 Duties	4	8
4.3.1 Faculty Workload	4	8
4.3.2 Student Advising	4	11
4.3.3 Office Hours	4	11
4.3.4 Registration	4	11
4.3.5 Commencement Attendance.....	4	11
4.3.6 Absence Without Notice	4	11
4.4 Consulting	4	12
4.5 Professional Ethics	4	12
4.6 Political Activity	4	13
5.0 FACULTY COMPENSATION, BENEFITS, AND SUPPORT SERVICES		
5.1 Compensation	5	1
5.1.1 Contract Year	5	1
5.1.2 Pay Schedule for Continuing Full-Time Faculty.....	5	1
5.1.3 Pay Schedule for New Full-Time Faculty	5	1
5.1.4 Pay Schedule for Part-Time Faculty.....	5	1
5.1.5 Pay Schedule for Terminating Faculty	5	1
5.1.6 Summer Pay Schedule and Compensation Rate.....	5	2
5.1.7 Retroactive Merit Raises	5	2
5.1.18 Faculty Grant Incentive Policy.....	5	2
5.2 Group Insurance Plans	5	5
5.2.1 Group Health Program	5	5
5.2.2 Group Life Insurance.....	5	5
5.2.3 Long-Term Disability.....	5	6
5.3 Retirement Plans	5	6
5.3.1 Teachers' Retirement System of Alabama	5	6
5.3.2 Social Security.....	5	6
5.3.3 Tax-Sheltered Annuities.....	5	7
5.4 Leave Policies.....	5	7
5.4.1 Faculty Sick Leave	5	7
5.4.2 Family and Medical Leave	5	8
5.4.3 Leaves of Absence Without Pay.....	5	14
5.4.4 Vacation Leave for 12-month Faculty in the Colleges of Allied Health Prof., Medicine, Nursing & University Libraries	5	14
5.4.5 Military Leave	5	15

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
5.4.6 Professional Leave	5	16
5.5 Sabbatical Policy	5	16
5.6 Tuition Reimbursement/Transcript Waiver	5	19
5.7 Support Services	5	19
5.7.1 Bookstore Facilities.....	5	19
5.7.2 Campus Mail and Email.....	5	19
5.7.3 Clerical and Secretarial Support.....	5	19
5.7.4 Computer Center	5	20
5.7.5 Credit Union	5	20
5.7.6 Duplicating Services.....	5	20
5.7.7 Food Service.....	5	20
5.7.8 Identification Cards	5	20
5.7.9 Office Facilities	5	20
5.7.10 Parking Permits	5	20
5.7.11 Recreational Facilities	5	20
5.7.12 Telephone	5	21
6.0 ACADEMIC POLICY & PROCEDURES AND FACULTY INSTRUCTIONAL GUIDELINES		
6.1 Advising, Office Hours, and Registration	6	1
6.1.1 Student Advising	6	1
6.1.2 Office Hours	6	1
6.1.3 Registration Procedures.....	6	1
6.1.4 Auditing.....	6	1
6.2 Class Definition, Scheduling, and Attendance	6	1
6.2.1 Definition of a Class.....	6	1
6.2.2 Class Scheduling	6	2
6.2.3 Attendance.....	6	3
6.2.4 Withdrawing from a Course	6	3
6.3 Course Description, Textbooks, and Sale of Academic Material	6	3
6.3.1 Course Description and Syllabi.....	6	3
6.3.2 Textbook Selection and Procurement.....	6	4
6.3.3 Sale of Academic Materials to Students.....	6	5
6.4 Course Credit for Non-Collegiate, Off-Campus, Non-Credit Courses	6	5
6.4.1 Academic Credit for Non-Collegiate Instruction	6	5
6.4.2 Off-Campus Instruction for Credit	6	6
6.4.3 Non-Credit Course Work	6	6
6.5 Course Assignments, Testing, and Final Examinations	6	7
6.5.1 Assignments and Testing.....	6	7
6.5.2 Final Examination	6	7
6.6 Records and Grades	6	8
6.6.1 Class Records	6	8
6.6.2 Grading System	6	8
6.6.3 Criterion-Referenced and Norm-Referenced Grading	6	9
6.6.4 Reporting Grades.....	6	9
6.6.5 Posting Grades.....	6	9

TABLE OF CONTENTS - continued

	<u>Chapter</u>	<u>Page</u>
6.6.6	Grade Changes	6 10
6.6.7	Final Grade Grievance Policy	6 11
6.6.8	Academic Status Policy for Undergraduates.....	6 11
6.7	Development of New Academic Programs	6 13
6.8	Library Facilities	6 14
6.8.1	Circulation of Materials.....	6 14
6.8.2	Reserve Materials	6 14
6.8.3	Interlibrary Loan.....	6 14
6.8.4	On-Line Search Service.....	6 14
6.8.5	Library Orientation/Bibliographic Instruction	6 15
6.8.6	Instructional Media Center	6 15
6.9	Computer Use Policy	6 15
6.9.1	Faculty and Staff	6 15
6.9.2	Students	6 18
6.9.3	Alabama Research and Education Network Acceptable Use Policy	6 20
6.9.4	Software	6 22
6.9.5	Summary	6 23
7.0	FACULTY RESEARCH	
7.1	Research Mission	7 1
7.2	Support for Research	7 2
7.2.1	Internal Research Support	7 2
7.2.2	External Research Support	7 3
7.3	External Funding	7 3
7.3.1	University Approvals	7 3
7.3.2	External Requests for Research Assistance.....	7 4
7.4	Grant and Contract Administration	7 4
7.4.1	Indirect Costs.....	7 4
7.4.2	Compensation Under Externally Funded Grants and Contracts.....	7 4
7.4.3	Financial Conflict of Interest	7 5
7.4.4	Lapsed Research Salaries	7 10
7.4.5	Equipment Ownership and Transfer.....	7 10
7.4.6	Post-Award Administration.....	7 11
7.5	Research Involving Human Participants	7 12
7.6	Care and Use of Animals in Research and Teaching	7 13
7.7	Biosafety	7 15
7.8	Standards in the Conduct of Research	7 15
7.9	Copyright Policy (Intellectual Property)	7 21
7.9.1	Introduction	7 22
7.9.2	Scope and Effective Date	7 22
7.9.3	Summary of Key Points	7 22
7.9.4	Copyright Basics	7 23
7.9.5	Fair Use of Copyrighted Materials	7 23
7.9.6	Definitions	7 24
7.9.7	Management of Copyrighted Works	7 25
7.9.8	Policy Administration and Implementation.....	7 28
7.10	USA Patent and Invention Policy.....	7 29

TABLE OF CONTENTS -- continued

	<u>Chapter</u>	<u>Page</u>
7.10.1 Introduction	7	29
7.10.2 Scope and Effective Date	7	29
7.10.3 Definitions	7	30
7.10.4 Management of Inventions	7	30
7.10.5 Policy Administration and Implementation.....	7	35
8.0 STUDENT POLICIES		
8.1 Final Grade Grievance Policy	8	1
8.1.1 Meet With Instructor	8	1
8.1.2 Filing the Grievance Form	8	2
8.1.3 Grievance Facilitator	8	2
8.1.4 Initial Grievance Review.....	8	2
8.1.5 Grievance Conference	8	2
8.1.6 Grievance Resolution	8	3
8.1.7 Appeal	8	3
8.1.8 Implementation of Grievance Outcome	8	3
8.1.9 Confidentiality.....	8	4
8.1.10 Summary	8	4
8.2 Student Academic Conduct Policy.....	8	4
8.2.1 Definitions	8	5
8.2.2 Committees.....	8	6
8.2.3 Procedures	8	7
8.3 Personnel Policy for Student Employees.....	8	12
8.4 Student Health Center	8	12
8.5 Student Computer Use Policy	8	13
9.0 BUSINESS POLICIES		
9.1 Travel Regulations	9	1
9.2 Entertainment Regulations.....	9	1
9.2.1 General Guidelines	9	1
9.3 Purchasing Procedures	9	2
9.4 Campus Solicitation	9	3
10.0 APPENDICES		
10.1 Mission/Philosophy of the Athletic Department.....	10	1
10.2 Bylaws of the Faculty Organization of the College of Medicine	10	1
10.3 Bylaws of the Graduate Program in Basic Medical Sciences	10	6



1.0 UNIVERSITY INFORMATION

1.1 University History

The University of South Alabama was created by Act of the Alabama State Legislature and approved May 9, 1963. All provisions relating to the establishment and operation of the University of South Alabama embodied in the Act are found in Sections 16-55-1 through 16-55-9, Code of Alabama 1975.

The University of South Alabama includes the main campus, the USA-Springhill campus, the USA-Brookley campus, the USA-Medical Center, the USA-Children's and Women's Hospital, the USA-Knollwood Park Hospital, and the USA-Baldwin County campus.

1.2 University Mission

The University of South Alabama was chartered in 1963 by the State of Alabama as a comprehensive, coeducational institution of higher education. The University serves as a major center of high quality and accessible undergraduate, graduate, and professional education for metropolitan Mobile, the State of Alabama, the Gulf Coast Region, and the Southeastern United States. The University mission actively embraces the functions of teaching, research, public service, and health care through which it vigorously pursues the preservation, discovery, communication, and application of knowledge. As it grows and develops, the University will focus its strengths to produce programs of interdisciplinary excellence that address the special needs of the people it serves.

Undergraduate education is designed to promote the growth of the individual to think critically and analytically, to communicate effectively, to acquire information and apply it to problem-solving, and to understand the context of global complexity and diversity in which knowledge is applied. The University is committed to the education of the whole person - the creative person. To accomplish this, a wide range of curricular and co-curricular opportunities for students to expand their cultural, physical, and emotional awareness are provided. The University's environment must encourage and foster the qualities expected of leaders, such as integrity, service, stewardship, involvement, and respect for individuals, as well as an appreciation for diversity. Graduate education provides students with increasing levels of challenge and opportunities for independent investigation, creative achievement, the advancement of knowledge, and participation in traditional and new forms of scholarly activity in a broad range of discipline-based and inter-disciplinary programs. These programs will prepare students for new, as well as traditional, professional, and academic careers.

Scholarship is an important aspect of the mission of the University and is the responsibility of every faculty member. The University of South Alabama will provide quality research and scholarly activity in all areas of its academic programs and community service activities, as illustrated by the work of its faculty in business, education, engineering, mathematics, science, fine arts, humanities, and health sciences. To advance scholarship, the University will provide appropriate instructional and investigative facilities within an atmosphere of academic freedom and shared governance.

Because of its location and commitment to the community, the University's academic health center is an important resource for accomplishing its mission. The University is dedicated to the education of

physicians, health scientists, allied health professionals, and professional nurses who will provide the community and the region with the highest quality health care. To promote improved health care in its service region through research, teaching, and outreach programs, its hospitals and clinics will offer the latest scientific and medical technology possible.

The University is further dedicated to the promotion of lifelong learning and to the enhancement of access to education for a variety of individuals and communities. Thus, it will continue to develop programs that meet the needs of its evening, weekend, off-campus, and special program clients who seeks both credit and non-credit learning experiences on campus and at the Brookley campus site. The USA-Baldwin County campus will provide degree programs and other learning opportunities required by the rapidly growing population in Baldwin County.

The University of South Alabama's programs of education, research, public service, and health care are all founded upon the basis of a reciprocal relationship between the institution and the community it serves. Instruction, research, scholarship, public service, and health care that enhance the economic development of the State and improve the quality of life and health of its citizens are integral and essential parts of its mission as a comprehensive, metropolitan university.

1.3 University Symbols

The University seal and logo are official symbols of the University and are used only on formal official documents. The graphic identity of the University is significant in the portrayal of the University's image. The logo may be used on stationary and other official documents that represent the University to the public. Other logo designs are not permitted in place of the approved logo.

1.4 University Honorary Doctorate Degree

1.4.1 Purpose

The honorary doctorate degree is the highest honor bestowed by the University among the various awards given beyond the granting of earned degrees. The nomination should serve as a tribute to worthy individuals as defined below. The honorary degree is not equivalent to nor a replacement for an earned degree.

The honorary degree will be awarded to:

- recognize and honor exceptional individuals who have given a substantial part of their lives to serving others and who have distinguished themselves throughout their professional careers and/or volunteer service;
- establish a public association between the University of South Alabama and such exceptional individuals, thereby providing testimony to the values and quality of the University; and
- assist the University of South Alabama with its goals and objectives in the areas of educational programming, scholarly and creative activity, service, and institutional advancement.

1.4.2 Eligibility

An honorary doctorate degree may be granted to an individual who:

- has achieved distinction in his/her profession;
- has made an outstanding contribution or rendered an outstanding service to the University of South Alabama;
- has made a significant public or scholarly contribution, or
- has achieved personal status that will enhance the reputation of the University of South Alabama.

Individuals who are connected in some meaningful way with the State of Alabama or with the University of South Alabama will be given special consideration.

Individuals shall not be eligible while serving as:

- faculty or administrators of the University of South Alabama;
- members of the University's Board of Trustees;
- candidates for or officials of state or local governments of the State of Alabama; and
- candidates for or officials of the Alabama congressional delegation.

1.4.3 Guidelines for Selection

Primary consideration shall be given to individuals whose achievements and contributions include a significant degree of creativity, resourcefulness, humanitarian concern, personal dedication, intellect and other qualities consistent with the intent of the honorary degree. Performance shall be beyond the call of duty in service to the University of South Alabama or to humanity.

1.4.4 Nomination Process

Except in unusual circumstances, the process for nominating candidates for the honorary doctorate degree shall be as follows:

1. The Senior Vice President for Academic Affairs shall accept nominations for honorary doctorate degrees from members of the University of South Alabama faculty.
2. Nominations may be made by an individual faculty member or a group of faculty, shall be written and include:
 - a biographical statement containing name, address, professional title, place of birth, educational background, and other honorary degrees, if any;
 - appropriate written documentation for the nomination, including a concise enumeration of primary contributions that qualify the individual for the honorary degree;
 - a minimum of three written references from knowledgeable people who are familiar with the nominee's contributions.

1.4.5 Selection Process

Except in unusual circumstances, the process for selecting recipients for the honorary doctorate degree shall be as follows:

1. The nomination must be sent by November 15 to the Senior Vice President for Academic Affairs.
2. By December 1 the Senior Vice President for Academic Affairs will submit the nomination to the University Honorary Doctorate Degree Committee for its consideration.
3. The University Honorary Doctorate Degree Committee is the central agency in the process of awarding honorary degrees. The committee is appointed by the President and is chaired by the Senior Vice President for Academic Affairs. The committee consists of 12 faculty members including at least one member of the Faculty Senate. Every effort will be made to provide broad campus representation.
4. A two-thirds positive vote of the committee members present is required for a recommendation to the President.
5. The University Honorary Doctorate Degree Committee will by February 1 deliver to the President of the University of South Alabama its recommendations for honorary doctorates.
6. The President shall review the recommendations of the committee and submit his/her recommendations to the Board of Trustees for consideration at its March meeting.

1.4.6 Awarding of the Honorary Doctorate Degree

Following approval by the President of the University of South Alabama and the Board of Trustees, the names of the honorary doctorate degree recipient(s) will be announced to the public and the degree(s) will be conferred during the University's Commencement exercises.

The degree to be awarded will be the Doctor of Humane Letters.

The honorary doctorate degree shall not be awarded in absentia, and an invitation to a candidate shall be conditioned on the candidate's attendance at the commencement exercises to receive the honorary degree. It is not expected that honorary degrees must be awarded at each commencement.

1.5 University Compliance

1.5.1 State Ethics Law

The University of South Alabama and its employees, who are covered by the State Ethics Law, pursuant to the statutory section, are required to follow those provisions.

1.5.2 American Disabilities Act/Section 504

The American Disabilities Act of 1990 prohibits discrimination on the basis of disability, and protects qualified applicants and employees with a disability from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants and employees with reasonable individual accommodations that do not impose undue hardship. Section 504 of the Rehabilitation Act of 1973 states that employers shall not discriminate against qualified individuals solely on the basis of disability.

The following statement is to be used on all University literature and informational brochures used in student recruitment:

The University of South Alabama provides equal educational opportunities to and is open and accessible to all qualified students without regard to race, color, creed, national origin, sex, or disability with respect to all of its programs and activities.

1.5.3 Affirmative Action/Equal Opportunity

Introduction

The University of South Alabama's Affirmative Action Plan, implemented in September of 1973 and revised in March 1975, June 1982, and March 1993 is a detailed program designed to ensure the University's compliance with the Civil Rights Act of 1964 and the subsequent Executive Orders governing employment practices in various University programs. The University, from its inception, has been a signatory to the compliance provisions of the Civil Rights Act of 1964. All contractual relationships involving use of federal funds and stipulatory conditions under the Civil Rights Law of 1964 and subsequent Executive orders, including the Vietnam Era Veterans Readjustment Assistance Act of 1974, have been extended to and observed in all phases of the University's activities. The policies and processes to be used by the University of South Alabama in action-oriented programs designed to insure Equal Employment Opportunity/Affirmative Action are delineated in the succeeding sections of this policy.

Equal Opportunity and Affirmative Action Policy

The University of South Alabama is an Equal Employment Opportunity/Affirmative Action Employer. The policy of the University is to affirm and dedicate itself to a primary principle of affirmative action and non-discrimination. To this end, Equal Employment Opportunity/Affirmative Action shall be practiced in such actions as recruitment, employment, transfers, promotions, compensation, benefits, and other terms and conditions of employment. The University does not discriminate on the basis of race, sex, religion, color, national origin, age, disability, disabled veteran or Vietnam Era veteran status.

The University will enter building and purchasing contracts only with firms or contractors subscribing to Equal Employment Opportunity/Affirmative Action Regulations.

It is the intent of the University of South Alabama in consonance with this policy of Equal Employment Opportunity/Affirmative Action, to be fair and impartial in all of its relations with employees and to recognize and respect the dignity of the individual. In furtherance of this policy, the University, in general, maintains an environment insuring full utilization and adequate reward of the individual employee's effort, achievement, and cooperation.

The University will afford each and every employee a fair opportunity, impartial treatment and will grant advancement without prejudice in the organization as the employee's ability warrants and as vacancies occur.

All administrative, management, and supervisory personnel will provide leadership in support of this policy.

It is the responsibility of each member of the University community to implement the Equal Opportunity/Affirmative Action Policy. However, those individuals who participate actively in recruitment, placement, promotion, and other crucial employment decisions have the primary responsibility for assuring non-discrimination in employment practices in the University. Individual initiative and leadership is encouraged as the best means for attaining the goals of the Affirmative Action Plan.

The University will work cooperatively with other educational institutions, with community organizations, with its contractors and suppliers, and with appropriate governmental agencies to promote equal employment opportunity and affirmative action in the University and in organizations doing business with the University.

Dissemination of Equal Employment Opportunity/Affirmative Action Policies

The University of South Alabama will continue to make its Equal Employment Opportunity/Affirmative Action policies known widely within the institution and in the surrounding community. To accomplish this goal, the following actions will be undertaken:

1. The University will continue to make its Equal Employment Opportunity policy known internally by:
 - including the policy in the Faculty Handbook, the Staff Handbook, and the Academic Administrative Operating Manual
 - publicizing the policy in the University newspaper and other media
 - conducting special meetings with executive, management, and supervisory personnel to explain the intent of the policy, the President's commitment to the Affirmative Action Plan, and individual responsibilities for effective implementation
 - disseminating to all non-management and supervisory employees the policy explaining individual employee responsibilities
 - explaining the policy in employee orientation and management training programs
 - posting the policy on University bulletin boards
 - picturing both minority and non-minority men and women in publications in which employees are featured
 - making current employees aware of the existence of the University Affirmative Action program and the benefits available to them
 - maintaining copies of the Affirmative Action Plan available for review in the University Libraries and in the Offices of Human Resources located on the main campus and at each hospital.

2. The University will continue to disseminate its policy externally by:
 - informing all recruiting sources, verbally and in writing, of University policy, stipulating that these sources actively recruit and refer minorities and women for all positions listed
 - incorporating the University Equal Opportunity policy in all purchase orders, leases, and contracts covered by Executive Order 11246 as amended
 - notifying, in writing, minority and women's organizations, community agencies, and other appropriate entities on the University policy

- informing prospective employees of the existence of the University's Affirmative Action policy and the benefits available to them under the policy
 - sending written notification of the University policy to all subcontractors, vendors, and suppliers requesting appropriate action on their parts.
3. The dean of the college, his/her designee, or chair of the Search Committee will review faculty search and employment procedures and policies with each Search Committee as recruitment begins and policies will be discussed with each prospective employee during the employment interview.

Responsibility for Implementation

The President has the overall responsibility for implementation of the University's Equal Employment Opportunity policy. The coordination of responsibilities for the implementation of the policy has been assigned to the Affirmative Action Coordinator for staff and administrators and to the Senior Vice President for Academic Affairs for faculty personnel. Together they have the full support of executive management.

Each administrator, dean, division/department head is responsible for maintaining a vigorous affirmative action program and each is responsible for compliance with the Affirmative Action Plan and policies. The specific responsibilities of line management shall include, but not be limited to, the following:

- meeting with employees to assure that University policies are being followed
- assisting in the identification of problem areas and the establishment of employment goals and affirmative action objectives
- collecting and organizing data, including those necessary for auditing patterns of recruitment, employment, promotion, and training
- informing employees of employment opportunities within the institution and reviewing employee qualifications to insure that minorities and women are given full opportunities for advancement
- preventing harassment of employees placed through affirmative action programs.

Every member of the University community, regardless of his/her position in the institution, will be expected to support Equal Employment Opportunity/Affirmative Action through positive actions. The goals of the plan will be attained only through broad commitment and participation by those in the University.

Action-Oriented Programs

The University will seek to attain its affirmative action objectives by means of action-oriented programs designed to accomplish specific tasks. The programs will concentrate on important problem areas that have been identified in evaluating past employment practices and affirmative action efforts. Action-oriented programs in the following areas are being pursued:

- recruitment and retention of minority faculty, including an active recruitment process and graduate scholarship program for interested minority candidates for faculty positions
- plan for overcoming physical barriers for disabled students/faculty in compliance with Section 504/ADA
- a support system for disabled students/faculty

- development, implementation, and review of policies and grievance procedures for sexual or racial grievances.

Evaluation of Program Effectiveness

The Affirmative Action Program will be under constant review. Periodic and extensive reviews of progress in accomplishment of the Plan will be performed on a regular basis. Detailed personnel rosters will be analyzed and achievement will be related to the goals and objectives in the Plan. Where efforts or achievement are unsatisfactory, the responsible officials will be notified of the reviewer's findings and remedial actions will be formulated.

Support of Local and National Programs

The University will cooperate with and support local and national organizations dealing with Equal Opportunity/Affirmative Action. In this regard, the University is joining with other universities across the country in the support and development of information systems relating to employment of minorities and women in higher education. The University, however, reserves the right to evaluate the integrity, personnel and other pertinent aspects of such organizations to assure itself of similar aspirations, goals and objectives prior to commitment to specific organizations.

The University will continue to be actively involved in community programs that are concerned with enhancing the employment opportunities of minorities, women and those with disabilities.

Academic Affirmative Action Complaint Procedures

Any person who believes that they, or any class of individuals, have been subjected to discrimination based upon race, color, gender, sexual preference, age, religion, national origin, disability, or veteran or marital status may file a complaint pursuant to the procedures set forth below. Rights to be free from discrimination are found in such federal statutes as Title VI, Title VII, Title IX, the Rehabilitation Act of 1973, the Equal Pay Act, the Age Discrimination in Employment Act, and accompanying regulations.

Any person may file a complaint on their own behalf, or on the behalf of another person. All persons are encouraged to file complaints in order to resolve any dispute(s). Filing a complaint will not subject a person to any form of adverse action, reprimand, retaliation, or otherwise negative treatment by the University of South Alabama.

1. Informal Complaint

The purpose of the informal complaint procedure is to counsel a person who feels that they have been discriminated against, harassed, or experienced an intimidating, hostile or offensive environment and to attempt an informal resolution of the problem. Every effort will be made to resolve complaints informally whenever possible. This informal process is hereby understood to exclude legal representation.

Informal complaints should be brought to the attention of the appropriate member of the University, i.e., department chair, dean, supervisor, University Affirmative Action Officer. The person to whom the complaint is brought will counsel the complainant as to the options available under this policy and, at the complainant's request, may assist the complainant in their attempt to

resolve the complaint informally and/or assist the complainant in drafting a formal complaint, if the complainant decides to follow that route.

Those who receive informal complaints of discrimination or harassment will consider such reports confidential and will not disclose them to persons who have no direct involvement. No action will be taken on an informal complaint, nor will the accused be informed of the specific complaint or of the complainant's identity, without the prior consent of the complainant. Administrators and supervisors who receive informal complaints may become aware of apparent patterns of discriminating or harassing behavior on the part of a member of the University community. If such a situation occurs, the appropriate administrator or supervisor should, without informing the individual of specific complaints or complainants, counsel that individual toward more appropriate behavior.

2. Formal Complaint

Formal complaints should be filed with the Affirmative Action Officer for Faculty and Administration if the complaint is against a faculty member, academic administrator, or student, or with the Affirmative Action Officer for Staff if the complaint is against a staff member.

Formal complaints must be filed within 180 calendar days of the most recent alleged discriminatory or harassing act and must be written and signed by the complainant. The University is not required to investigate reports that are not written and signed or that are submitted more than 180 days after the alleged incident. The formal complaint should contain the full name, address, and telephone number of the person filing the charge and the name of the person alleged to have committed the discriminating or harassing act. It should also contain a clear and concise statement of the alleged incident(s).

The following procedures are for formal complaints filed with the University Affirmative Action Officer for Faculty and Administration. (Formal complaints filed with the Affirmative Action Officer for Staff will be handled according to a separate policy available in the Office of Human Resources.)

Investigation of Complaint: When a formal complaint is received by the Affirmative Action Officers for Faculty and Administration, it will be examined by that individual to determine if the alleged act is within the purview of this policy. If so, a copy of the complaint and a copy of the policy and procedures will be sent to the person accused. The person accused will be asked to respond to the complaint in writing within ten (10) working days. The respondent's answer shall contain full, direct, and specific responses to each claim in the complaint. On receipt of the response, the Affirmative Action Officer for Faculty and Administration will meet with both complainant and accused either separately or together to try to resolve the complaint. These meetings are understood to be informal and to exclude legal representation. If the complaint cannot be resolved in this manner, a full investigation will be conducted as follows.

Appointment of Committee: The Affirmative Action Officer for Faculty and Administration will, within thirty (30) days, appoint a committee of five (5) individuals to conduct an investigation of the allegations in the complaint. The committee shall be composed of two (2) faculty members selected from the Faculty Grievance Committee Pool, two (2) administrators, and one (1) student or staff member. (A student member will be included **only** if the complaint is brought by a student.) The complainant and the person accused shall have a right to challenge

any person appointed to membership on the committee. To exercise the right to challenge, the challenging party must send a written notice to the Affirmative Action Officer for Faculty and Administration within fourteen (14) days of appointment, with copies sent to the other involved parties. The Affirmative Action Officer for Faculty and Administration shall determine whether the facts present grounds for disqualification and the decision shall be final. The ruling by the Affirmative Action Officer for Faculty and Administration shall be issued within fourteen (14) days of the receipt of the challenge notice. The above appointment mechanism shall be continued until a satisfactory committee is constituted. Once the committee is constituted, the Affirmative Action Officer for Faculty and Administration shall appoint one of the members as chair.

The purpose of the investigation is to establish whether there is a reasonable basis for believing a violation has occurred.

Initial Determination: The committee will be given copies of the formal complaint and of the response by the accused. The committee chair shall convene the committee within fourteen (14) days. Upon first convening, the committee shall acquaint themselves with these procedures. The committee shall then make an initial determination on the basis of the written complaint and the written response of the accused individual whether there are sufficient facts alleged to make it appear that grounds for the complaint exist and that a formal hearing should be held.

If the initial determination is affirmative, the committee shall set a date, time, and place for a hearing and notify the complainant, the accused, and the Affirmative Action Officer for Faculty and Administration. If the initial determination is negative, the committee will report this to the Affirmative Action Officer for Faculty and Administration stating the reasons for the negative decision, and there shall be no further proceedings under these procedures. Copies of the report of the initial determination shall be sent to both the complainant and the accused.

Procedural Rules: Unless overruled by a majority of the committee, rulings of the chair shall be final on all questions except those pertaining to the initial determination and the substance of the findings and recommendations of the committee. The chair of the committee may establish such rules, within the general guidelines of these procedures, as deemed necessary.

The chair of the committee shall arrange for the official tape recordings of the hearing. No other recording or transcription of the hearing shall be permitted unless specifically authorized by the committee chair. Upon request of either party, the chair shall arrange for the parties to be given, as soon as possible after each session of the hearing, a copy of the official tape recording. The University will assume costs associated with the tape recordings.

Three (3) members of the committee, one of whom must be the chair, shall constitute a quorum for business transaction of the committee. No member who is absent during any part of the hearing may participate in the preparation of findings and recommendations of the committee.

At the hearing, the complainant shall present evidence following which other evidence shall be presented by the person accused, as well as other evidence presented, all in accordance with the complaint procedures set forth below.

The chair of the committee shall:

- call witnesses before the committee as requested by the complainant, the accused, and members of the committee;
- maintain an orderly hearing and permit no person to be subjected to abusive treatment, ejecting or excluding anyone whose conduct is disorderly;
- convey to all participants the seriousness of the proceedings and admonish them to be truthful;
- actively participate in questioning witnesses and reviewing information to try to determine the facts of the case.

Witnesses unable to attend in the opinion of the committee may submit written or taped statements to the committee. Such inability to attend shall be found only in cases of serious illness or death of the witness or a family member or physical absence from the area due to pre-existing plans that cannot be changed.

The complainant and the person accused shall be permitted to:

- examine all evidence presented to the committee
- present evidence available to them and question witnesses
- present an oral or written argument, or both, prior to the conclusion of the hearing

The complainant and the person accused shall be permitted to be represented by any other member of the university community (faculty member, administrator, staff person, or student) who is willing to serve with the exception of attorneys admitted to the practice of law before any State or Federal court. Any rights conferred on the parties at the hearing by these procedures may be exercised by their respective representatives.

At the hearing, the members of the committee may ask questions of any witness, of the complainant, or of the person accused.

At the hearing, the following persons should be present: the committee members, the complainant, and the person accused and their respective representatives, and the current witness(es). Because of the sensitive and confidential nature of the subject matter, the hearing shall be closed unless all parties agree to an open hearing. The hearing will be conducted in a manner to protect the confidentiality of all parties. All reasonable action will be taken to assure that all parties involved will suffer no retaliation as a result of their activities in regard to the proceedings. Any correspondence, notices, and evidence which is exchanged, shall be distributed to the complainant and to the person accused.

Findings and Recommendations: Following the conclusion of the hearing, the committee shall meet in executive session, with all other persons excluded. In this session, the committee shall prepare its findings of fact and recommendations to the Senior Vice President for Academic Affairs or Vice President for Medical Affairs for resolution of the complaint. Executive sessions of the committee shall not be taped.

1.5.4 Faculty Sexual Harassment Policy

I. Sexual Harassment Statement

The University of South Alabama is committed to an environment in which students, faculty, staff and guests are free from sexual harassment. Sexual harassment threatens the legitimate expectations of all members of the campus community in which academic achievement or employment progress is determined by classroom and job performance. Particularly unacceptable in a university setting, sexual harassment seriously undermines the atmosphere of trust essential to the academic enterprise. Sexual harassment is illegal and violates Title VII of the Civil Rights Act of 1964, and Title IX of the Educational Amendment of 1972, as well as the University's Nondiscrimination Policy. All members of the University community (including faculty, staff and students) must understand that sexual harassment will not be tolerated, and that they are required to abide by the following policy. Persons who engage in sexual harassment are subject to discipline up to and including termination.

II. Definition of Sexual Harassment

A. General Definition

For the purposes of University policy, sexual harassment includes, but is not limited to verbal or non-verbal conduct with an inappropriate focus on gender or sexual history, individual characteristics or individual orientation that is intimidating, demeaning, hostile or offensive; unwelcome verbal or physical advances; attempts to subject a person to unwanted sexual attention or to coerce a person into sexual relations; and/or retaliation for refusal to comply with sexual demands.

Sexual harassment is further defined as unwelcome 1) sexual advances or 2) requests for sexual favors, or 3) other 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, academic standing, or participation in a University sponsored program or activity; and/or if such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile or offensive environment for work or learning, or
- Submission to or rejection of such conduct by an individual is or may be used as the basis for an academic, employment or other University decision affecting that individual, or
- Such conduct unreasonably interferes with an individual's academic and/or work performance, participation in University sponsored programs or activities or it creates an intimidating, hostile or offensive working, educational or residential environment provided by the University.

B. Evaluative Factors for Sexual Harassment Allegations

Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location and duration of the questioned behavior. Unwelcome conduct of a sexual nature can form the basis of a sexual harassment claim if a reasonable person, similarly situated, would consider it so unreasonable, severe or pervasive as to interfere with academic, educational or employment performance or participation in a University program or activity or residential environment.

C. Persons Who Can be Victims of Sexual Harassment

Sexual harassment can occur when one person has power or authority over another; however, it may also occur between individuals of equal status or rank within the University.

D. Academic Freedom, the First Amendment and Sexual Harassment

In cases of alleged sexual harassment, the protections of the First Amendment must be considered if issues of speech or artistic expression are involved. Free speech rights apply in the classroom and in all other educational programs and activities of public institutions, and First Amendment rights apply to the speech of students and teachers. Speech or conduct of a sexual or hostile nature which occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited sexual harassment if it meets the definition of sexual harassment noted above and (1) is reasonably regarded as non-professional speech (i.e. advances a personal interest of the faculty member as opposed to furthering the learning process or legitimate objective of the course), or (2) lacks accepted pedagogical purpose or is not germane to the academic subject matter.

III. General Policy Guidelines

A. Persons Covered by Policy

All faculty members of the University are required to act in accordance with this policy. For the purposes of this policy, "faculty" shall include all full or part-time University personnel who teach or carry out research, including graduate teaching assistants and research assistants and administrators with faculty status. Graduate teaching assistants and research assistants are considered both faculty and students for the purposes of this sexual harassment policy. Graduate teaching assistants and research assistants may file a complaint as a student or have a complaint filed against them as faculty pursuant to this policy.

B. Compliance Officers

Designated Compliance Officers (CO's) in the offices of the Senior Vice President for Academic Affairs and Vice President for Medical Affairs are responsible for administering these guidelines and procedures.

C. Confidentiality Provisions

The University will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only as determined to be appropriate in the University's discretion.

D. Assurance Against Retaliation

This policy seeks to encourage students, faculty and other employees to express freely, responsibly and in an orderly way, opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is strictly prohibited. Any act of reprisal, including internal interference, coercion and restraint, by a University employee or by one acting on behalf of the University, violates this policy and will result in appropriate disciplinary action. The University Senior Vice President for Academic Affairs and Vice President for Medical Affairs and/or his/her designee are authorized to take all necessary steps to ensure persons acting in good faith are not subject to sexual harassment.

IV. Sexual Harassment Complaint Reporting Requirement

A. Who May File a Complaint

Any person who believes he or she has been subjected to sexual harassment by a member of the faculty of the University may file a sexual harassment complaint pursuant to this policy.

Although this policy applies to situations in which a faculty member is being charged with sexual harassment, faculty members, also, are protected from such conduct by staff employees and non-employee third parties such as students, patients, vendors, contractors, etc., with whom the University is doing business.

Complaints of harassment of a faculty member by a student may be filed with the Vice President for Student Affairs. Complaints of harassment by staff personnel or non-employee third persons may be filed with the Office of Human Resources.

B. Initiation of a Sexual Harassment Complaint Against a Faculty Member

A complaint accusing a faculty member of sexual harassment, as defined in these guidelines, is initiated by submitting a written signed statement to the office of the Senior Vice President for Academic Affairs or the Vice President for Medical Affairs, as appropriate.

If the designated compliance officer is the alleged harasser or the complainant feels uncomfortable talking to the designated compliance officer, students may file complaints with the Dean of Students, and faculty and staff may file complaints with the Office of Human Resources.

C. Details to be Included in the Complaint.

The complaint must include:

- (1) the name of complainant,
- (2) the name of accused,
- (3) the details of the alleged sexual harassment,
- (4) the names of any persons believed by the complainant to have knowledge of the alleged harassment,
- (5) any other information the complainant believes pertinent to the alleged sexual harassment, and
- (6) whether the complainant seeks resolution of the complaint through the formal or informal processes described in this policy.

D. Standard of Proof Required

The complainant has the burden of providing evidence of the alleged sexual harassment, and the complainant has the burden of proving that it is more likely than not that the alleged harassment occurred.

E. Failure to Report Complaint in Good Faith

It is a violation of University policy for any member of the campus community to make an intentionally false accusation of sexual harassment.

V. Investigation and Resolution of Sexual Harassment Complaints

A. Informal Resolution Process

1. General Information

Many sexual harassment complaints can be resolved through an informal process. The purpose of the informal procedure is to provide assistance and guidance to both the complainant and the accused in the functioning of the University's sexual harassment procedures. An informal resolution process does not involve the appointment of an investigator and the Sexual Harassment Resolution Committee, nor does it provide for any rights of appeal.

Whether to proceed with the complaint through an informal process or through the formal process is at the sole option of the complainant. If the complainant elects to seek resolution through an informal process, the complainant may attempt such resolution through either direct contact with the accused or with the assistance of a facilitator. At any time during an informal resolution process, the complainant may change his/her request for disposition of the complaint from the informal to formal process; provided, however, that the complainant notifies the Compliance Officer, or his/her designee, of that decision in writing.

2. Initial Meeting with Faculty Compliance Officer

Generally, within fifteen (15) calendar days after receiving a complaint, the Compliance Officer or a designee will meet with the complainant to discuss the complainant's concerns and clarify the University's policy and internal complaint resolution procedures. At that time, the complainant may request the appointment of a facilitator to aid in resolution of the complaint.

3. Resolution of an Informal Process

A complaint is deemed resolved when the complainant indicates to the Compliance Officer that the complainant believes the matter has been resolved. If the complainant does not advise the Compliance Officer of the resolution within thirty (30) calendar days after the initial meeting between the complainant and the Compliance Officer, the University will presume the complainant has elected to dismiss the complaint. Any informal resolution reached by the parties must be in writing and acknowledged by the parties. The statement of resolution will be retained in the office of the Compliance Officer. The Senior Vice President of Academic Affairs/Vice President for Medical Affairs and Dean of the appropriate College will be notified of the resolution by the Compliance Officer.

B. Formal Resolution Process

1. Investigation of Formal Complaints

a. General Information

All written complaints reported to the Compliance Officer shall be resolved through the formal process unless the complainant expressly elects to pursue the allegations in an informal resolution process. The Compliance Officer will be responsible for conducting an investigation of all complaints and may designate other individuals to assist in that process.

b. Initial Meeting with Compliance Officer

Generally, within fifteen (15) calendar days after receiving a request for a formal resolution process, the Compliance Officer or a designee will meet with the complainant to discuss the complainant's concerns and clarify the University's policy and internal complaint resolution procedures. During this meeting the complainant may elect to change the style of resolution from formal to informal by so indicating in writing. If the complainant elects to change the resolution style to informal, resolution will be sought through the informal process outlined in this Sexual Harassment Policy.

c. Accused's Notification of Complaint by Compliance Officer

Generally, within five (5) calendar days after meeting with the complainant, the investigator will meet with the accused to discuss the complainant's concerns and clarify the University's policy and internal complaint resolution procedures. The accused will have the opportunity to review the complainant's written statement before responding to the charges contained therein. The accused has the right to respond via a formal statement to the investigator within ten (10) calendar days of his/her meeting with the investigator. If the accused does not provide a written response, his/her failure to do so will be considered an admission of the complainant's charges, and the complaint will be immediately forwarded to the Sexual Harassment Resolution Committee for a recommendation regarding sanctions.

d. Identification of Relevant Witness and/or Information

Both the complainant and the accused have the right to provide any information and/or identify any persons who may have information relevant to the complaint. The investigator will interview witnesses and collect written statements from all witnesses deemed relevant by the Compliance Officer.

e. Scope of Investigation

The scope of the investigation shall be within the discretion of the investigator. An investigation report shall be completed within thirty (30) calendar days of the complainant's initial meeting with the investigator (or as of the date the complaint resolution was amended from informal to formal process, if applicable) unless extraordinary extenuating circumstances exist as defined and determined by the Compliance Officer.

f. Additional Information

Upon completion of the investigation, the information gathered will be forwarded to the Sexual Harassment Resolution Committee unless the complainant elects to proceed with resolution through informal procedures.

Persons who have filed a complaint of sexual harassment, are accused of sexual harassment or are identified by any party, including the University, as possible witnesses to sexual harassment do not have the right to be represented by an attorney during any step or phase of the proceedings. Furthermore, at no time during the proceedings, including during any meetings and/or interviews, shall an attorney be present.

Persons involved in sexual harassment investigations are entitled to the due process rights provided by the State of Alabama for persons employed by and/or attending a state university. No further or other due process rights exist.

2. Sexual Harassment Resolution Committee

a. Composition of Committee

The Sexual Harassment Resolution Committee will be appointed by the President of the University and will be composed of three (3) members: (1) a department chair; (2) a tenured member of the faculty; and (3) the Vice President for Student Affairs or Dean of Students, if the complainant is a student; if the complainant is not a student, another tenured faculty member will be appointed to the Committee. A Chair will be selected by the Committee. All members of the Committee will receive training in the processing of sexual harassment complaints.

b. Review of Complaints by Sexual Harassment Resolution Committee

The Sexual Harassment Resolution Committee will meet to review complaints of sexual harassment within fifteen (15) calendar days of receipt of the investigator's completed investigation. The Sexual Harassment Resolution Committee is responsible for determining whether a preponderance of evidence suggests that the alleged sexual harassment occurred, and, if so, what the recommended sanction will be.

The Sexual Harassment Resolution Committee will review the entire investigation of the case, as reported by the investigator, prior to making its decision. Furthermore, the Committee has the right to call the parties, any witnesses or the investigator before a Committee meeting at any time during the Committee process if the Committee determines, in its sole discretion, that this would be beneficial to the Committee's consideration of the complaint. No party to the case or any witness has a right to attend a Committee meeting. No person called before a Committee meeting may attend with counsel.

c. Time Frame for Review by Sexual Harassment Resolution Committee

The Sexual Harassment Resolution Committee must complete its review of the complaint and determine any recommended sanctions within thirty (30) calendar days of the Committee's receipt of the completed investigation report, unless the Compliance Officer determines, in his/her sole discretion and upon a request from the Chair of the Committee, that additional time is needed by the Committee to fully perform this function.

d. Possible findings by Sexual Harassment Resolution Committee

The Compliance Committee may determine:

(1) that the alleged conduct did not occur and/or does not constitute sexual harassment. If so, the Chair of the Committee will notify, in writing, the Compliance Officer of the Committee's determination within three (3) calendar days of that decision,

or

(2) that the alleged conduct constituted sexual harassment. If so, the Committee Chair will notify, in writing, the Compliance Officer and the appropriate Vice President (Academic or Medical) of the Committee's determination, including its recommended sanctions, within three (3) calendar days of that decision.

e. Review by Senior Vice President for Academic Affairs and Vice President for Medical Affairs

The Senior Vice President for Academic Affairs or the Vice President for Medical Affairs will review the Committee's determination and make a decision regarding sanctions within five (5) calendar days of receiving the Committee's recommendation. The accused will be notified of the Senior Vice President for Academic Affairs' or Vice President for Medical Affairs' decision regarding sanctions within three (3) calendar days of that decision.

f. Complainant's and Accused's Notification Rights

The complainant is entitled to notification that his or her complaint is being investigated and to notification by the Compliance Officer when the complaint has been fully investigated. The complainant is not entitled to notification of the outcome of the investigation or to notification of any disciplinary sanctions or subsequent actions by the University or the Sexual Harassment Resolution Committee. The accused will also be notified when the investigation is completed.

g. Prohibition of Review of Findings, Investigation, Determinations and/or Sanctions

No party to the investigation, including any witness to the alleged harassment, is entitled to review its findings, a summary of the findings and/or any determination reached pursuant to the investigation and/or findings, except that the complainant and accused are entitled to review each other's written statements, and those of witnesses. The Compliance Officer may elect to redact the names of any witnesses prior to review of the witness's statement.

3. Appeals of Sexual Harassment Resolution Committee Decisions

Faculty employees who have been sanctioned pursuant to the University's Sexual Harassment Policy shall only have the right to appeal the sanction imposed to the Senior Vice President of Academic Affairs or to the Vice President for Medical Affairs, as applicable. The appeal must be filed within five (5) calendar days of notification of the sanction. However, there is no right to appeal the substantive finding of a violation of the sexual harassment policy. Within ten (10) calendar days of receiving the appeal, the Senior Vice President of Academic Affairs or the Vice President of Medical Affairs, as applicable, will issue a final decision regarding the appeal. However the Senior Vice President of Academic Affairs or the Vice President of Medical Affairs shall have the right to extend the ten (10) calendar days if he/she deems such an extension necessary. The faculty member will be notified of any such extension.

4. Sanctions Permissible Pursuant to this Policy

The sanctions imposed will depend on all the facts and circumstances discovered during the investigation and/or informal resolution process. Disciplinary action pursuant to University procedures may include, but is not limited to:

- a requirement not to repeat or continue the harassing conduct,
- certification of completion of a sexual harassment education program,
- a reprimand,
- reassignment of duties,
- denial of pay increase,
- suspension with or without pay or
- termination of employment.

C. University Investigative Authority

Nothing in this policy shall be interpreted as preventing the University from investigating any conduct which the University considers potentially harmful to the University community, regardless of when discovered by the University. Further proceedings shall respect the due process rights of anyone accused and any disciplinary action shall be subject to appeal following the appropriate University procedures. However, nothing in this policy shall be interpreted as requiring the University to investigate sexual harassment which is not reported pursuant to this policy.

D. Obligation to Participate in Investigations

All University students, faculty, personnel and others involved in a sexual harassment investigation, whether as parties or witnesses, have an obligation to participate in the investigation of sexual harassment complaints to the fullest extent requested by the University. Failure to participate shall be grounds for disciplinary action up to and including termination.

VI. Sexual Harassment Complaints within Official Records

All records pertaining to sexual harassment complaints, appeals and decisions regarding appeals will be maintained in the Office of the Senior Vice President of Academic Affairs or Vice President for Medical Affairs, as applicable. The Senior Vice President of Academic Affairs/Vice President for Medical Affairs will notify the appropriate supervisor of the findings and sanctions. In all cases where a faculty member is determined to have engaged in sexual harassment or where, in the discretion of the Senior Vice President for Academic Affairs or Vice President for Medical Affairs, an informal resolution regarding a sexual harassment complaint needs to be noted, a letter will be placed in the faculty member's personnel file indicating that the Senior Vice President for Academic Affairs or the Vice President for Medical Affairs office maintains records on sexual harassment by the faculty member.

VII. Procedures and Policies Affecting Consensual Amorous Relationships

The appearance of a compromising conflict of interest or of coercion, favoritism or bias in educational or academic evaluation is prejudicial to the interests of the University of South Alabama. Amorous relationships between faculty members and students with whom they also have an academic evaluative role create such an appearance, even where the relationship is genuinely consensual. Such relationships are particularly susceptible to exploitation. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. In light of the significant power differential that exists, or is believed to exist, between faculty and students, even when both parties initially have consented, the development of such a relationship renders both the faculty member and institution vulnerable to possible later allegations of sexual harassment.

Therefore, faculty members are prohibited from participating in amorous relationships with students enrolled in their classes or with students whom they otherwise evaluate, grade or supervise. Similarly, faculty members have an obligation to avoid situations which may require them to evaluate, grade or supervise students with whom they have or have had amorous relationships. If such a situation arises, a faculty member must immediately report the situation to his/her immediate supervisor for advice and counsel and must abstain from any evaluation, grading or supervision of students with whom he/she has or has had an amorous relationship.

Conducting amorous relationships in violation of this policy may lead to a presumption of sexual harassment and can lead to sanctions including termination.

For the purpose of this policy, evaluative situations may include, but are not limited to, supervising instruction; evaluating academic performance; or serving on committees for awards, prizes or thesis supervision.

1.5.5 Drug-Free Workplace Act - Substance Abuse Policy

The University of South Alabama recognizes that substance abuse is a major issue affecting all aspects of society. The University views the abuse of alcohol and other drugs as potentially harmful to life, safety, and the orderly progress of the academic community. Responsible conduct and accountability is expected from each individual on campus. The University will express its ongoing concern through an institution-wide commitment to appropriate education, training and counseling services. The University recognizes, through this policy and through programs developed pursuant to this policy to prevent illicit use of drugs and abuse of alcohol, its goals and commitments to a drug-free academic environment, in accordance with the Drug-Free Schools and Communities Act Amendment of 1989 and the Drug-Free Workplace Act of 1988. As a part of the University's institution-wide substance abuse education/prevention program, and also in accordance with the Drug-Free Workplace Act of 1988, the following are prohibited:

1. use, possession, manufacture, distribution, dispensation or sale of illegal drugs or drug paraphernalia on University premises or while on University business, in University vehicles either during or after working hours;
2. unauthorized use or possession or any manufacture, distribution, dispensation or sale of a controlled substance, as defined by State law, on University premises, or while engaged in University business, in University vehicles, either during or after working hours;
3. unauthorized use, manufacture, distribution, dispensation, or possession or sale of alcohol on University premises or while on University business as set forth in the policy, in University vehicles either during or after working hours;
4. storing on University premises any illegal drug, drug paraphernalia, any controlled substances, of which use is unauthorized, or any alcohol on University premises unless specifically authorized in accordance with this policy;
5. use of alcohol off University premises that adversely affects the employee's work performance, their own or others' safety;

6. possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off University premises that adversely affects the employee's work performance, their own or others' safety;
7. any act leading to conviction under any criminal drug statute;
8. failure to notify the University of any arrest or conviction under any criminal drug statute within five days of the arrest or conviction, in accordance with the Drug-Free Workplace Act. The University pledges to support and enforce all Federal, State and City laws and ordinances pertaining to the use, possession, sale, and distribution of alcohol and other drugs.

The University of South Alabama institution-wide substance abuse education/ prevention program includes:

1. Substance Abuse Counseling - The University has established a Center for Substance Abuse Education and Prevention. This office provides assessment, counseling, intervention, and referral services for USA students and employees. There is no charge for information or on-campus counseling services. For more information call 460-7980.
2. Twelve Step Group - Support groups for recovering persons have been established on the USA campus. These member-led organizations provide information and hope for anyone with substance abuse concerns. Contact the Substance Abuse Counseling Office (460-7980) for meeting dates and times.
3. Alcohol/Drug Surveys - The Center conducts periodic surveys of campus attitudes and practices regarding the use of alcohol and other drugs. The surveys do not require disclosure of names and are not mandatory.
4. Peer Helpers - Volunteers receive ongoing training which enable them to assist their peers who may be at risk for substance abuse (or related) problems.
5. Intervention Teams - Students and staff from University Housing are trained to confront troubled persons in a caring manner, and to assist those persons in getting the help they need.
6. DUI/Prevention Program - Many persons will be able to be helped through this on-campus, six-week series of instruction, counseling, and group discussion.
7. Media Center - Books, pamphlets, videos, and other materials are available to the University community on loan at no charge.
8. Training - All University employees and student organizations can receive information about alcoholism and addiction, signs and symptoms, and resources for assistance with substance abuse concerns.

1.5.6 Employment Eligibility Verification

The U.S. Department of Justice Immigration and Naturalization Service requires that all employers have an Employment Eligibility Verification Form (I-9 Form) on file for all employees within three days of employment.

1.5.7 Cleary Act Statement (Campus Security Act)

The University of South Alabama's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings owned or controlled by the University; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters. A copy of this report can be obtained by contacting the University Police Department or by accessing the following web site:

<http://www.southalabama.edu/polic/clery.html>.

1.5.8 Copyright Law - Software Policy

The reproduction and use of computer software on University equipment or by University employees or students in pursuit of University business or instruction shall be in accordance with copyright law as set forth in Title 17, U.S. Code and the manufacturer's condition of sale. Specifically,

- no University employee or student shall reproduce or allow reproduction of software in violation of copyright law or the conditions of sale;
- no University employee or student shall accept or use software which is not known to be provided in accordance with copyright law and/or conditions of sale;
- it is the individual responsibility of each user to determine that their use of software is in accord with this policy.

This policy statement summarizes the University position pertaining to microcomputer software use and applies to:

- the use of copyrighted or licensed software by University departments and employees on University equipment;
- the use of software purchased with University funds on non-university equipment;
- the use of software for instructional purposes.

2.0 ADMINISTRATIVE ORGANIZATION

2.1 Organizational Structure

The organizational structure of the University is shown on the Office of Institutional Research and Planning website.

2.2 Board of Trustees

Authority for operation of the University is vested in the Board of Trustees. The Legislature has given the Board power to organize the institution by appointment of necessary personnel and the power to remove persons so appointed. The Board may prescribe courses of instruction, rates of tuition and fees, and confer appropriate degrees. The Legislature has specifically given the Board the right to act in the best interest of the institution. An Executive Committee has been created and the Board of Trustees has delegated to this Committee certain authority. The Board has delegated to the President of the University the authority necessary to the operation of the institution in the context of the responsibility of the President's Office. All authority vested in administrative officers, administration, faculty, student committees, and internal political bodies comes directly from the Board of Trustees to the Executive Committee and the President and through the President to the respective individual or entity.

The University of South Alabama, operating as a state institution of higher learning and financed in part by public funds, is governed by a Board of Trustees composed of seventeen members: twelve members appointed from south Alabama; three members appointed from the State-at-large; the Governor of the State of Alabama as President, ex-officio of the Board; and, the State Superintendent of Education serves as an ex-officio member. Of the twelve members appointed from the southern region of the State, three members are appointed from Mobile County and one member is appointed from each of the nine southern senatorial districts, as those districts were designated at the time the University was organized. All members, except ex-officio members, are appointed by the Governor with the advice and consent of the Senate.

2.3 Office of the President

The President of the University is appointed by the Board of Trustees and presides over the University. As the Chief Executive Officer, the President's function consists of organizing, advancing, operating, and preserving the University. The President is assisted by the Assistant(s) to the President, academic and non-academic vice presidents, academic deans, directors, and other administrative staff members.

2.4 COUNCILS OF THE PRESIDENT

2.4.1 Administrative Council

The Administrative Council serves as an advisory group to the President, which is chaired by the President, and is composed of: the President, the Assistant(s) to the President, the Senior Vice President for Academic Affairs, the Vice President for Medical Affairs, the Associate Vice President for Medical Financial Affairs, the Associate Vice President for Hospital Affairs and Senior Hospital Administrator, the Vice President for University Services and Planning, the Vice President for Financial Affairs, the Vice President for Student Affairs, the Associate Vice President for

Research/Dean of the Graduate School, the Associate Vice President for Enrollment Services, the deans of all the colleges/schools, the Director of Public Relations, and Dean of University Libraries.

2.4.2 Budget Council

The Budget Council, which is chaired by the President, prepares the University budget and serves as an advisory group appointed by the President to review budget proposals. The Budget Council is composed of the following members: the University President, the Senior Vice President for Academic Affairs, the Vice President for Medical Affairs, the Associate Vice President for Medical Financial Affairs, the Associate Vice President for Hospital Affairs and Senior Hospital Administrator, the Vice President for University Services and Planning, the Vice President for Financial Affairs, the Vice President for Student Affairs, the Associate Vice President for Enrollment Services, the Assistant Vice President for Institutional Research and Planning, the Director of Budget, and the Chair and immediate Past Chair of the Faculty Senate.

2.4.3 Long-Range Planning Committee

The Long-Range Planning Committee is a standing committee of the Board of Trustees, chaired by the Vice-Chair of the Board. The President serves as the Vice-Chair. Membership includes Board members, faculty members, administrators, an appointee of the USA Alumni Association, an appointee of the Student Government Association, and an appointee of the African American Student Association.

The Long-Range Planning Committee is divided into four subcommittees charged with addressing planning issues in four broad categories as follows:

1. improvement of academic programs and the learning environment;
2. enhancement of student services and campus life;
3. reinforcing and improving the University's public image; and
4. improving the institution's public and private financial support.

Membership on each subcommittee is drawn from the Long-Range Planning Committee members, members of University permanent and standing committees, representatives of major ad hoc committees, students, alumni, and representatives of communities in Mobile and Baldwin counties. The Office of Institutional Research and Planning provides information and technical support to each subcommittee.

Each subcommittee is charged with nominating strategic goals and objectives under its area of emphasis in context of the University Mission Statement, defining assumptions about the external environment and University characteristics that may affect achievement of the goals, and recommending qualitative and quantitative measures that may be used to assess achievement of each strategic objective.

The Long-Range Planning Committee and its subcommittee structure replaces the Joint Planning Council and the subordinate University and Medical Affairs Planning committees described in earlier editions of the *Faculty Handbook*.

2.4.4 Advisory Committee on Diversity

The mission of the Advisory Committee on Diversity is to identify and to develop creative strategies

and initiatives for the recruitment and retention of African-American faculty and administrators. The committee is appointed by and reports to the President. At least fifty percent of the committee is African-American derived from a slate of nominations presented to the President by African-American faculty and administrators. The remaining members are selected from other University faculty and administrators. The Senior Vice President for Academic Affairs serves as chair of the committee.

2.5 Office of Academic Affairs

The **Senior Vice President for Academic Affairs** is the Chief Academic Officer of the University and has administrative responsibility for, and proper jurisdiction over, the academic programs and the faculty and staff serving the various academic units, colleges, schools, divisions, and departments. The divisions within Academic Affairs include: the Colleges of Allied Health Professions, Arts and Sciences, Business, Education, Engineering, Nursing, The Graduate School and Office of Research, the School of Continuing Education and Special Programs, the School of Computer and Information Sciences, and the University Libraries. The Senior Vice President has a major role in developing academic rules and regulations, planning and developing curriculum, and planning for and participating in faculty recruiting and appointments. The Senior Vice President also acts as Affirmative Action Officer for Faculty and Administration.

2.6 College of Allied Health Professions

The College of Allied Health Professions consists of the Departments of Biomedical Sciences, Cardiorespiratory Care, Clinical Laboratory Sciences, Occupational Therapy, Physical Therapy, Physician Assistant Studies, Radiological Sciences, and Speech Pathology and Audiology.

2.6.1 Dean

The Dean is the executive officer of the college and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.6.2 Associate Dean

The Associate Dean reports to the dean and has the following responsibilities:

- development of class schedules in the college
- all matters related to curriculum
- registration activities
- evaluation of student transfer records
- all matters pertaining to student program admissions, records, credit by examination, advanced credit, and student advising
- development, supervision, and administration of college graduate programs
- student recruitment and retention
- other duties as assigned by the dean

2.6.3 Department Chairs

The department chairs report to the dean and serve as senior administrative and academic officers for their departments. Departmental chair functions are described in section 2.28.1.

2.6.4 Standing Committees

- Academic Standards Committee (for each department)
- Admissions Committee (for each department with Professional Components)
- Council of Chairs
- Curriculum Committee
- Faculty Tenure Committee
- Faculty Promotion Committee

Operational policies and criteria for the Admissions Committees are specified at the departmental level and are specified at the College/University level for all other committees.

2.7 College of Arts and Sciences

The College of Arts and Sciences consists of the Departments of Air Force Studies, Visual Arts, Biological Sciences, Chemistry, Communication, Dramatic Arts, English, Foreign Languages and Literatures, Earth Sciences, History, Interdisciplinary Studies, Marine Sciences, Mathematics and Statistics, Military Science, Music, Philosophy, Physics, Political Science and Criminal Justice, Psychology, Sociology and Anthropology and Social Work.

2.7.1 Dean

The Dean is the executive officer of the college and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.7.2 Associate Dean of Advising and Undergraduate Instruction

The Associate Dean of Advising and Undergraduate Instruction reports to the dean and has the following responsibilities:

- coordination of undergraduate studies for the college
- responsible for registration and orientation activities
- coordination of student advising and student records
- development of college class schedules
- other duties as assigned by the dean

2.7.3 Associate Dean for Research

The Associate Dean for Research reports to the dean and has the following responsibilities:

- coordination of faculty research and development
- grant budget review and development
- other duties as assigned by the dean

2.7.4 Department Chairs

The department chairs report to the dean and serve as senior administrative and academic officers for their departments. Departmental chair functions are described in section 2.28.1.

2.7.5 Standing Committees

- Academic Programs and Planning Committee (APPC)
- College Assessment Committee
- Faculty Awards Committee
- Sabbaticals
- Gender Studies Committee
- Graduate Academic Standards (GASC)
- Graduate Arts and Sciences Programs Committee (GASP)
- International Education Committee
- Personalized Studies Program Committee (PSP)
- Summer Research Committee
- Support and Development Awards Committee
- Technology Committee
- Tenure and Promotion Committee
- Undergraduate Academic Standards (UASC)
- Undergraduate Scholarship Committee

2.8 Mitchell College of Business

The Mitchell College of Business consists of the departments of Accounting, Economics and Finance, Management, and Marketing and E-Commerce.

2.8.1 Dean

The Dean is the executive officer of the college and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.8.2 Associate Dean and Director of Graduate Studies

The Associate Dean and Director of Graduate Studies reports to the dean and is responsible for:

- assisting in the general planning and operation of the college
- developing academic programs in the college with the dean, departmental chairs, and faculty
- assisting the dean and chairs in recruitment of new faculty
- coordinating and supervising the graduate programs of the college
- coordinating and editing materials for the Bulletin
- coordinating and supervising orientation, advising, and registration activities
- coordinating and supervising scheduling of academic classes
- assigning classroom space
- approving substitutions, fee waivers, late course drop/adds
- maintain liaison with faculty in academic matters requiring policy determinations and making appropriate recommendations to the dean
- acting in liaison between graduate program directors in other colleges
- other duties as assigned by the dean

2.8.3 Department Chairs

The department chairs report to the dean and serve as senior administrative and academic officers for their departments. Departmental chair functions are described in section 2.28.1.

2.8.4 Director of the Business Resources Center

The Director of the Business Resources Center reports to the dean and directs professional management development programs for the college, including a variety of business seminars and programs for professional organizations, industrial firms and the business community. The Director serves as the point of contact for the Business Executive Council and the Business Alumni Association and coordinates external relations and development activities.

2.8.5 Director of the Center for Business and Economic Research

The Director of the Center for Business and Economic Research reports to the dean and directs faculty research activities relating to business and economic areas, including applied research, faculty publication support, and community research services through establishment of data bases and publication of applied research projects of community interest.

2.8.6 Director of Small Business Development Center

The Director of the Small Business Development Center reports to the dean. The Center offers business services to small business people in a six-county area of Southwest Alabama. The Center provides free one-on-one counseling, offers workshops that address the problems of the business community, and staff specialists in the areas of international trade and government procurement.

2.8.7 Standing Committees

- Curriculum Committee
- Distance Education Committee
- Executive Committee
- Faculty Development Committee
- Graduate Committee
- Outcomes Assessment Committee
- Promotion Committee
- Research/Library Committee
- Strategic Planning Committee
- Student Services Committee
- Technology Committee
- Tenure Committee

2.9 College of Education

The College of Education consists of the Departments of Leadership and Teacher Education, Health, Physical Education and Leisure Studies, and Professional Studies.

2.9.1 Dean

The Dean is the executive officer of the college and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.9.2 Associate Dean

The Associate Dean reports to the dean and has the following responsibilities:

- coordination and supervision of the Office of Student Personnel Services
- coordination and supervision of the registration of students by the college
- coordination and editing of college materials for the University Bulletin
- coordination of the use of space within the college
- coordination and supervision of college computer labs
- certain aspects of college administration and supervision given by the dean
- other duties as assigned by the dean

2.9.3 Associate Dean for Graduate Studies and Research

The Associate Dean for Graduate Studies and Research reports to the dean and has the following responsibilities:

- leadership for graduate program planning, development and evaluations in the college and for the development of cooperative programs at the graduate level with other colleges and divisions of the University
- leadership in the development of policies as they pertain to the graduate programs in the college
- implementation of the policies of the graduate program of the University as they pertain to graduate student selection, admission, retention, and graduation
- recommendations for development, use and modification of a management information system for graduate programs in the college
- liaison between the Dean of the Graduate School and the college liaison between graduate program directors in other colleges and divisions
- development of faculty expertise in research design, data collection, and analysis and publication of research findings
- collaboration with selected faculty in developing research proposals
- assessment of hardware/software needs of the college and University as pertains to research efforts
- serve as needed on master theses and doctoral dissertation committees
- other duties as assigned by the dean

2.9.4 Coordinator of Field Services

The Coordinator of Field Services reports to the dean and is responsible for

- coordinating all laboratory and field experiences within the college
- conferring with the dean, departmental chairs, and faculty concerning the establishment and/or modification of policies pertaining to laboratory experiences
- serving as liaison between the college, schools, teachers, and other agencies for participation in various laboratory programs

- conferring with concerned departmental chairs in the assignment of college faculty to supervise student teachers
- planning an orientation session for student teachers each semester and making required information and forms available to college supervisors, cooperating teachers, and student teachers.

2.9.5 Department Chairs

The department chairs report to the dean and serve as senior administrative and academic officers for their departments. Departmental chair functions are described in section 2.28.1.

2.9.6 Standing Committees

- Academic Standards (Grade Grievance) Committee
- Curriculum Committee
- Graduate Programs Committee
- Honors and Awards Committee
- Promotion Committee
- Recruitment and Retention Committee
- Student Services Committee
- Tenure Committee

2.10 College of Engineering

The College of Engineering consists of the Departments of Chemical Engineering, Civil Engineering, Electrical and Computer Engineering, and Mechanical Engineering.

2.10.1 Dean

The Dean is the executive officer of the college and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.10.2 Associate Dean

The Associate Dean reports to the dean and has the following responsibilities:

- assist in the general planning and operation of the college
- coordinate and supervise schedule preparation for the college
- perform graduation audits on candidates for graduation
- assign classroom space in Engineering buildings
- participate in ad hoc committees
- approve student requests for substitutions, fee waivers, late course drop/adds, and other exceptional student requests
- serve as chair of the Curriculum Committee
- other duties as assigned by the dean

2.10.3 Department Chairs

The department chairs report to the dean and serve as senior administrative and academic officers for their departments. Departmental chair functions are described in section 2.28.1.

2.10.4 Standing Committees

- Academic Standards Committee
- Dean's Administrative Council
- Engineering Computing Committee
- Faculty Affairs Committees
- General Engineering Studies Committee
- Graduate Affairs Committee
- Personnel Action Committee for Tenure (PACT)
- Promotion, Evaluation and Review Committee (PERC)
- Undergraduate Affairs Committee

2.11 College of Nursing

The College of Nursing consists of the Departments of Adult Health Nursing, Community/Mental Health Nursing, and Maternal/Child Health Nursing.

2.11.1 Dean

The Dean is the executive officer of the college and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.11.2 Associate Dean for Academic Affairs

The Associate Dean for Academic Affairs reports to the dean and has the following responsibilities:

- provide leadership in the development and maintenance of college academic programs
- assist in promoting the image of the college through community service and public relations activities
- represent college on standing and ad hoc committees
- participate in grant development to support college programs
- serve as Director of Graduate Studies
- oversee recruitment, retention, registration, student advisement, and course scheduling activities
- ensure compliance of academic programs with accreditation and approval organizations
- maintain liaison with other colleges of the University
- perform other duties and functions as may be assigned by the dean
- coordinates the nursing convocation
- other duties as assigned by the dean

2.11.3 Associate Dean for Research and Development

The Associate Dean for Research and Development reports to the dean and has the following responsibilities:

- promote the image of the college through community service

- garner and coordinates resources for assisting faculty with grant proposals, research projects, publications, presentations
- supervise faculty practice plan agreements
- coordinates computer and learning resources of college
- facilitates programs for faculty development and continuing education
- oversee evaluation activities of the college
- coordinate activities related to accreditation procedures for the college
- develop and implement activities to build alumni support
- represent college on standing and ad hoc committees
- other duties as assigned by the dean

2.11.4 Department Chairs

The department chairs report to the dean and serve as senior administrative and academic officers for their departments. Departmental chair functions are described in section 2.28.1.

2.11.5 Standing Committees

- Evaluation Committee
- Graduate Admissions and Progression Committee
- Graduate Curriculum Committee
- Graduate Faculty Organization
- Heritage Committee
- Learning Laboratory/Computer Resources Center
- Student-Faculty Committee
- Undergraduate Admissions and Progression Committee
- Undergraduate Curriculum Committee
- Undergraduate Faculty Organization

2.12 School of Computer and Information Sciences

The School of Computer and Information Sciences offers two areas of study. The first has specializations in computer science, information science, and information technology. The second, computer engineering is jointly administered with the College of Engineering.

2.12.1 Dean

The Dean is the executive officer of the School and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.12.2 Coordinators

The Coordinators report directly to the Associate Dean and indirectly to the dean of the School. The Coordinators act as facilitators and moderators for the respective program units. Each coordinator is responsible for performing tasks of developing goals and objectives, course scheduling, course assignments, textbook selection, defining resource needs, and overseeing the quality of the curricula of the respective program unit.

- **Coordinator of Computer Science**
Responsible for CIS and CSC undergraduate and graduate courses.

- **Coordinator of Information Systems**
ISC undergraduate and graduate courses.
- **Coordinator of Information Technology**
CIS service courses and ITE courses.

2.12.3 Director of Graduate Studies

The Director of Graduate Studies reports to the dean and has the following responsibilities:

- leadership for graduate program planning
- implementation of the policies of the graduate program of the University
- liaison between the Dean of the Graduate School and the School
- serve as needed on master theses committees

2.12.4 Standing Committees

- Faculty Recruiting Committee
- Academic Standards Committee
- Promotion and Tenure Committee
- Faculty Development Committee

2.13 School of Continuing Education and Special Programs

The School of Continuing Education and Special Programs consists of the Departments of Interdisciplinary Studies, Conference Activities and Special Courses, Emergency Medical Services Training, and English as a Second Language. The School also includes the Developmental Studies Program, the Center for Emergency Response Training, Office of International Programs and Development, and the Cooperative Education Program. Additionally, the School is administratively responsible for the USA Baldwin County Branch Campus and the USA Brookley Center.

2.13.1 Dean

The Dean is the executive officer of the School and reports to the Senior Vice President for Academic Affairs. Responsibilities of the Dean are described in section 2.27.

2.13.2 Associate Dean

The Associate Dean reports to the dean and has the following responsibilities:

- assist in the general planning and operation
- assist in the development and implementation of new programs
- serve as chair of the Curriculum Committee
- other duties as assigned by the dean

2.13.3 Department Chairs

The Department Chair reports to the dean and is responsible for the general direction and supervision of the Department. The chair has the following responsibilities:

- scheduling of classes
- maintenance of student counseling files
- coordinating and supervising orientation and advising
- approving requests for substitutions, fee waivers, late course drop/adds
- applications and evaluations for graduation where appropriate
- registration activities
- coordinating and editing of material for the Bulletins
- developing academic programs with the dean, coordinators, and faculty
- assisting in the recruiting of new faculty
- membership on various standing and ad hoc committees
- other duties as assigned by the dean

Additional departmental chair functions are described in section 2.28.1

2.13.4 Standing Committees

- Academic Standards Committee
- Faculty Development Committee
- Faculty Recruiting Committee
- Promotion and Tenure Committee

2.13.5 Director, University of South Alabama Baldwin County Campus

The Director of USA Baldwin County reports to the dean and has the following responsibilities:

- facilitate the development and general supervision of the USABC curriculum
- serve on committees
- plan and supervise the USABC budget
- carry out assignments given by the dean

2.13.6 Director, University of South Alabama Brookley Center

The Director of the USA Brookley Center reports to the dean and has the following responsibilities:

- promote and schedule the various programs at Brookley Center
- supervise and coordinate the facilities and programs of the Center
- recommend the budget for the Center and exercise budgetary control over the allocations
- carry out any other assignments given by the dean

2.13.7 Office of International Programs and Development

The Office of International Programs and Development is responsible for the coordination and oversight of University international activities, e.g., academic programs or projects that involve University faculty, staff, or students beyond the territorial limits of the United States. All existing or proposed international programs, travel, exchanges, contracts and grants are to be reviewed and registered with the Office of International Programs and Development. Each existing or proposed program will provide necessary information on personnel, fees, curriculum, budget, transient approval, credit transfer/equivalencies, itinerary, insurance, orientation, and liability.

2.14 The Graduate School and Office of Research

The Associate Vice President for Research/Dean of the Graduate School is the executive officer of The Graduate School and principal administrator of University research activity reporting to the Senior Vice President for Academic Affairs. The Associate Vice President has the following responsibilities:

- provide leadership to support faculty in the development of research activity and to enhance sponsored program activity
- work with faculty and deans to identify areas of potential interdisciplinary research and funding support
- work with the Office of Sponsored Programs to identify potential funding opportunities and support activities to secure funding through linking of faculty to appropriate funding sources
- chair of the University Research Council
- work with the academic deans to improve the quality of graduate programs through program development, student recruitment, and enhancement of support for graduate fellowships, assistantships, and related opportunities
- provide leadership to the Graduate Council in the development, implementation, and evaluation of policies governing graduate programs
- administer graduate assistant program
- provide appropriate models for determining and evaluating quality of graduate programs
- provide leadership in developing and implementing institutional policy regarding intellectual property, licenses, patents, commercialization, technology transfer, and industrial sponsorship of research and creative activity
- represent the University in state, regional, and national organizations of major research and graduate program administrators
- carry out other duties as assigned by the Senior Vice President for Academic Affairs

2.14.1 The Graduate Council

The Graduate Council consists of eight Directors of Graduate Studies and eight elected graduate faculty members. The Directors and graduate faculty come from those academic units engaged in graduate study, viz., one Director and one graduate faculty member each from the colleges of Allied Health Professions, Arts and Sciences, Business, Education, Engineering, Medicine, Nursing, and the School of Computer and Information Sciences. A student member with full voting privileges is appointed each year by the Graduate Dean. In addition, the Senior Vice President for Academic Affairs, the Dean of the Graduate School, the Dean of Libraries, and representatives from Admissions and Registrar serve as *ex officio* members on the Council.

Only full members of the Graduate Faculty are eligible for election to the Graduate Council. (If this requirement imposes a hardship on an emerging program or smaller academic unit, the college dean may request an exception be made by the Dean of the Graduate School.)

- The Director of Graduate Studies, appointed by the dean of each academic unit will serve as a member of the Graduate Council.
- The Graduate Faculty of each academic unit elects one faculty representative to serve on the Graduate Council. The eight elected Graduate Council members serve staggered terms of three years each. Should a member fail to serve for a full term of three years, a replacement member is elected (as described above) to complete the remaining portion of the term.

- The Graduate student member of the council serves a one year term and has full voting privileges. Student membership will rotate between schools and colleges in the same order that they appear in the University Bulletin. College/School Graduate Directors nominate students to the Graduate Dean for approval. Terms for a student member begins in the fall semester.

2.14.2 Graduate Faculty

The Graduate Faculty consists of those members of the faculty who have been designated by the President upon recommendation by the Graduate Dean and Senior Vice President for Academic Affairs acting upon appropriate nominations from the academic unit. Such designations provide for classification of Associate Members and Full Members of the Graduate Faculty.

Associate Members

- an academic appointment at the rank of assistant professor or higher
- normally, the terminal degree appropriate to the field
- evidence of scholarly/professional activities
- demonstrated competence in teaching at the upper-division and/or graduate level
- the recommendation of a majority of graduate faculty in the appropriate department
- reviews and requests for reappointment are conducted at three year intervals
- may teach graduate courses (courses 500 or higher) and serve on graduate degree examination and thesis committees
- may chair master's thesis committees

Full Members

- an academic appointment at the rank of assistant professor or higher
- normally, the terminal degree appropriate to the field
- demonstrated competence in teaching at the upper-division and/or graduate level
- experience in having served on or chaired thesis/dissertation committees or directed other appropriate research
- current and continuing interest in creative research as evidenced by ongoing scholarly activity, usually resulting in peer-reviewed publication (e.g., three refereed publications/activities in the field within the past five years)
- the recommendation of a majority of full members of the graduate faculty in the department
- reviews and requests for reappointment are conducted at five-year intervals
- may teach graduate courses (courses 500 or higher) and serve on graduate degree examination committees
- may serve on master's thesis and Ph.D. dissertation committees
- may chair doctoral dissertation advisory committees and master's thesis committees

Administrative Appointee to Graduate Faculty

- terminal degree or special expertise relevant to serving on a thesis/dissertation committee or teaching a graduate course
- recommendation of majority of graduate faculty in appropriate department
- the appointment will be for a specified period of time

2.15 University Libraries

The Dean of the University Libraries reports to the Senior Vice President for Academic Affairs and is responsible for the University Library and the Biomedical Library and their proper administration with responsibilities as follows:

- formulation and supervision of policies and regulations governing the use of the libraries, materials, and services
- supervision of the Biomedical Library
- supervision of the library staff, including making recommendations for appointments to the Senior Vice President for Academic Affairs and Vice President for Medical Affairs
- administration of library budgets
- supervision of the ordering, cataloging, binding, and storage of all library materials
- making the resources and services of the libraries well known to potential users
- preparation of reports, studies, and analyses that describe and evaluate library collections, services, and uses
- cooperation with other librarians for the improvement of common holding services
- receiving and considering recommendations and suggestions from the student body which may aid in improving collections, services, and uses of the Libraries
- serving as ex-officio member of the University Library Committee
- carrying out other duties as assigned by the Senior Vice President for Academic Affairs.

2.16 Office of Enrollment Services

The Associate Vice President for Enrollment Services reports to the Senior Vice President for Academic Affairs and is responsible for the Office of Admissions, International Student Orientation, Financial Aid, and Career Placement Services and Student Publicity.

2.16.1 Director of Admissions

The Director of Admissions reports to the Associate Vice President for Enrollment Services and has the primary function of facilitating the acceptance of qualified students applying for admission to the University of South Alabama, evaluating all applications for admission, including transfer credit. The Director is responsible for the initiation of the student data base, including the collection of statistical information used to establish the student's permanent record. The Director has the additional responsibility of high school and junior college visitation and student recruitment.

2.16.2 Director of International Student Orientation

The Director of International Student Orientation assists international students with problems encountered in making the transition from native lands to the U.S. and the University of South Alabama. The Director establishes and maintains the Share Team to work with all entering students in making the transition to university life.

2.16.3 Director of Financial Aid

The Director of Financial Aid is responsible for providing assistance to needy students through a multitude of Federal, State, institutional, and private programs. The Director is responsible for establishing the necessary procedures to ensure all applicable regulations are observed in filing all agreements, applications for funds, and operating reports within the specified time requirements for each. This office also handles scholarships.

2.16.4 Director of Career Services Center

The Director of Career Services Center supervises a cooperative education program that offers qualified students an opportunity to alternate or schedule concurrent periods of employment with

periods of study at the University and acts as a catalyst for institutional and student responses to changing employment conditions. Other duties include assisting students in becoming more knowledgeable about career opportunities, keeping employers informed about the number of students by discipline who are degree candidates, informing students of employers who will be recruiting for positions for which students will be interviewing, maintaining files on students registered with placement, assisting students as they begin career searches and assisting in developing proper interviewing techniques, and working with alumni seeking change of position.

2.17 Office of the Registrar

The University Registrar reports to the Senior Vice President for Academic Affairs and is responsible for monitoring the release of specific student data and for maintaining the integrity of all student records, i.e., ensuring the accuracy, confidentiality and security of these records. The University Registrar supervises the organization and maintenance of all student academic records systems including readmission of former students, registration, and transcripts; the coordination of student academic data with the Computer Center; the development and implementation of new technological applications; and the management of budgetary matters and personnel for the Offices of the Registrar and Veteran Affairs. The University Registrar is the certifying official for enrollment and degree verification and is an ex-officio member of the Admissions and Records Committee and serves on other University committees by appointment.

The Senior Associate Registrar, Associate Registrar and Assistant Registrar report to the University Registrar and assist in the supervision and coordination of all aspects of the Registrar's Office such as graduation, registration, academic records functions, and general office supervision, including student assistants. The Senior Associate Registrar also assists in the management of budget and interacts with the deans, faculty, staff and students concerning the implementation of University policies and procedures. In the absence of the Registrar, the Senior Associate Registrar assumes responsibility for the office.

2.18 Office of Student Services

2.18.1 Vice President for Student Affairs

The Vice President for Student Affairs reports to the President and is responsible for the operation, coordination, and supervision of student housing; counseling and testing services; Student Center, the University Center; University Auxiliaries; Campus Security; student programs and events; minority affairs; community service (OCI); student organizations and activities; disabled and student support services, talent search; and intramural and recreational sports. The Office oversees traffic and parking regulations, develops retention programs, administers disciplinary procedures, and coordinates several campus-wide honoraries. The Office of Community Involvement reports to the Vice President for Student Affairs. OCI recruits student volunteers (service-learners) for many non-profit community agencies. This office facilitates activities which promote social responsibility, provides curricular and co-curricular opportunities, and fosters a mutually beneficial relationship between the University and Mobile.

2.18.2 Dean of Students

The Dean of Students reports to the Vice President for Student Affairs. The following offices report directly to the Dean of Students: Counseling and Testing Services, Minority Student Affairs, Student

Center, Campus Recreation, Student Media, Special Student Support Services, and Student Government Services.

2.18.3 Coordinator of Student Activities and Organizations

The Coordinator of Student Activities and Organizations is responsible for developing and implementing university guidelines for student organizations in the Office of Campus Involvement. Duties include registering each organization and publishing an annual directory; direct supervision of the Greek sororities and fraternities and their social and philanthropic events, and advisor to the Inter-Fraternity Council and Panhellenic. Additional responsibilities include coordinating an annual student leadership development conference and drug and alcohol awareness programming.

2.18.4 Coordinator of Minority Services

The Coordinator of Minority Services provides programs and services for minorities in conjunction with Student Activities Office; develops and implements retention programs; serves as a liaison with the community and provides advice and counsel to students.

2.18.5 Director of Housing

The Department of Housing offers a wide range of housing options to meet the needs of a diversified student body. These options include traditional residence halls, apartment-style buildings, suite-style buildings, and a limited number of efficiency apartments and private rooms.

2.18.6 Director of the Student Center

The Director of the Student Center is responsible for the operation and maintenance of the facility and coordination of the various activities of the Center and is responsible for approving all posters and flyers used to advertise events on campus. The Student Center Services Office makes Student Center room reservations and processes photo I.D. cards.

2.18.7 Program Director, Student Center

The Programs and Special Events Office presents educational activities outside the classroom, implementing activities that serve the cultural, educational, social, and recreational interests of students.

Student Programming functions through committees, such as Fine Arts, Horizons, Club South, Trips and Tours, Concerts, Movies, Special Events, Technical and Promotions. Students select, publicize and produce the events. A monthly campus-wide activities calendar is printed and distributed to the faculty, staff, and students.

2.18.8 Director of Counseling and Testing Services

Counseling/testing services are staffed by professional counselors who are available to assist students, faculty, and staff with personal, academic, and vocational concerns. Psychotherapy is provided by qualified psychologists and counselors. Referrals are made to various agencies. In addition, a Center for Substance Abuse Education and Prevention provides assessment, counseling, intervention, and referral services for University students and employees. Testing services provided include standardized tests such as ACT, GRE, and MCAT, as well as individualized intelligence,

personality, and interest tests; professional tests such as the CLU, CFP, CDP and achievement tests (CLEP).

2.18.9 Manager, Campus Recreation

The Manager of Campus Recreation is responsible for the operation and maintenance of the Student Recreational Center and recreation programs; including: intramural, open recreation, fitness activities, sport clubs, and outdoor recreation.

2.18.10 Manager, Student Support Services

The University offers special services to students with disabilities. Students who register with this office must submit documentation regarding the disabilities. Services provided are: priority registration, counseling, tutoring, study skills training, advocacy training, enlargements for the visually impaired, interpreters for the deaf, assistance in obtaining recordings for the blind, and arrangements for accommodations in and out of the classroom as covered under Section 504 of the Rehabilitation Act of 1973.

Federal funding provides support services to students who are first generation (i.e., parents did not graduate from college), income eligible, and/or are disabled. These services are free: tutoring, study skills training, counseling, assistance in obtaining financial aid, information of further educational opportunities, and assistance in securing admissions and financial assistance for enrollment in graduate and professional programs. Students are also assigned to a faculty mentor.

Talent Search is a federally funded program which identifies at-risk young people in middle schools and high schools with potential for postsecondary education. High school dropouts are also encouraged to return to school. Tutoring for the program participants is provided by USA students.

2.19 Office of University Services and Planning

2.19.1 Vice President for Services and Planning

The Vice President for Services and Planning reports to the President and is responsible for the management and direction of Development and Alumni Affairs, Computer Services Center, Institutional Research and Planning, Publications, Sponsored Programs, and Governmental Relations.

2.19.2 Associate Vice President for University Computer Services

The Associate Vice President for University Computer Services is responsible for the overall direction and coordination of all University computing activities and telecommunication, including the USA Hospitals and the College of Medicine. The Associate Vice President assesses computing and telecommunication needs for all academic and administrative applications and directs the design and development of such applications. In addition, this office through the Vice President for Services and Planning is responsible for the coordination and approval of the purchase of all computer and telecommunication services and equipment for the University. The manager of the Telecommunication Services reports to the Associate Vice President for University Computer Services.

2.19.3 Executive Director of Governmental Relations

The Executive Director of Governmental Relations is responsible for reporting legislative matters as they relate to the University. The Executive Director attends sessions of the Alabama Legislature to advocate the interests of the University and also responds to matters concerning federal, county, and city government that affect the University.

2.19.4 Manager of Publication Services

The Manager of Publication Services is responsible for the organization and supervision of all University publication services, including the College of Medicine and USA Hospitals. The Manager assesses publication needs and determines the techniques and equipment required for the delivery of efficient and quality printing needs.

2.19.5 Associate Vice President for Institutional Research and Planning

The Associate Vice President for Institutional Research and Planning is responsible for the systematic collection, verification, analysis, and dissemination of data to promote informed decision-making. The Associate Vice President coordinates the design and implementation of cost analyses, financial projections, studies of student characteristics and enrollment, and other research activities in support of University planning and evaluation processes. The Associate Vice President oversees reporting of a variety of institutional data to federal, state, and private agencies. The Associate Vice President is also responsible for maintaining an inventory of all facilities owned by the University, for analyzing the allocation and use of space, and coordinating construction and renovation plans with the University Architect. The Associate Vice President provides liaison with the Alabama Commission on Higher Education in matters related to program development and approval, state funding processes, and statewide planning activities.

2.19.6 Associate Vice President for Sponsored Programs

The Associate Vice President for Sponsored Programs is responsible for the supervision of development and marketing of research and sponsored program projects. The Associate Vice President also provides services to all colleges, divisions, and departments for the basic functions of information dissemination on potential sponsored programs, maintenance of liaison with funding agency staff, proposal development and documentation, and contract and grant award negotiation. The Associate Vice President coordinates the design and implementation of electronic proposal submission and administration systems. The Associate Vice President also approves all proposals to external agencies on behalf of the University serving as the Authorized Organizational Representative (AOR).

2.20 Office of Medical Affairs

2.20.1 Vice President for Medical Affairs/Dean

The Vice President for Medical Affairs/Dean reports to the President and is the principal academic officer for the undergraduate medical education programs in the College of Medicine and the graduate medical education programs at the USA Hospitals. In this capacity, the Vice President/Dean has administrative responsibility and authority for the academic programs and for the faculty and staff in the medical units of the University. In addition, the Vice President/Dean serves as

the chief medical officer of the USA Hospitals and works closely with the Senior Hospital Administrator. The Vice President for Medical Affairs/Dean has the following responsibilities:

- serves as the medical director of the USA Hospitals
- administers the graduate medical education programs at the USA Hospitals
- serves as the primary administrator of the college
- administers the academic programs of the college
- works with the associate/assistant deans, the curriculum committee, and the appropriate faculty to develop the undergraduate medical curriculum
- works with the various departmental chairs in developing and administering the college budget
- works with the committee for the development and administration of academic rules and regulations of the college and the University
- works in a cooperative fashion with the local, state, and national medical organizations in all phases of medical education
- performs other duties and functions as assigned

2.20.2 Senior Associate Dean

The Senior Associate Dean reports to the dean concerning affairs of the college and has the following responsibilities:

- works with the chairs of the college for recruitment of faculty and development of research and academic programs
- supervises and administers the Biotechnical Services facilities and other central research facilities of the college
- oversees the research grant office and the University-wide Institutional Review Board, Institutional Animal Care and Use Committee, Biosafety and Radiation Committees, Patent Committee, and the Office of Technology Transfer in the College of Medicine
- administratively responsible for the graduate program in Basic Medical Sciences
- accepts special assignments from the dean

2.20.3 Vice Dean for Student Affairs and Medical Education

The Vice Dean for Student Affairs and Medical Education reports to the Dean of the College of Medicine concerning all educational activities of the college including Medical School Admissions, Academic and Student Affairs, Graduate Medical Education, Continuing Medical Education, and Alumni Affairs, and has the following responsibilities:

- oversees the activities of the Office of Admissions and works with the Director of Admissions in all aspects of the admissions process
- administers the Office of Student Affairs and Medical Education, including the Offices of Student Records and Financial Aid
- works with the Curriculum Committee in development and administration of the undergraduate medical education program
- administers the National Resident Matching Program including the Match Week activities
- coordinates college Honors Convocation and related activities
- supervises Assistant Deans for Student Affairs (see below)
- oversees the activities of the Graduate Medical Education Office and works with the Coordinator for GME and the chair of the GME Committee to ensure that the quality of the GME programs are maintained and that appropriate procedures are followed

- administers the Office of Continuing Medical Education to ensure that USA maintains its status as a CME provider through the Accreditation Council for Continuing Medical Education and provides appropriate CME activities for local and regional physicians
- oversees the activities of the Office of Alumni Affairs and works with the Director to enhance relations with college alumni
- accepts special assignments from the dean

2.20.4 Assistant Dean for Student Affairs and Medical Education

The Assistant Dean for Student Affairs and Medical Education reports to the Vice Dean for Student Affairs and Medical Education concerning medical student affairs of the college and has the following responsibilities:

- academic and personal counseling to medical students as needed
- management of the senior elective program for medical students
- career counseling to medical students
- additional duties as assigned by the Vice Dean

2.20.5 Assistant Dean for Student Affairs and Special Programs

The Assistant Dean for Student Affairs and Special Programs reports to the Vice Dean for Student Affairs and Medical Education concerning the Biomedical Enrichment and Recruitment Program and student affairs of the college and has the following responsibilities:

- administers the Biomedical Enrichment and Recruitment Program
- administers other special programs of the college
- serves as ex-officio member of the Admissions, Minority Affairs Advisory and Student Promotions and Evaluation Committees
- additional duties as assigned by the Vice Dean

2.20.6 Associate Dean for Rural Health

The Associate Dean for Rural Health reports to the dean concerning affairs of the college and has the following responsibilities:

- administers the USA Telemedicine Program
- administers the USA Area Health Education Center (AHEC) Program
- works with local, state, and national agencies, institutions, and legislative bodies on rural health initiatives
- oversees creation and maintenance of a rural research base
- reviews community planning documents and advises the dean of their impact on rural health initiatives
- facilitates rural health activities throughout the University

2.20.7 Department Chairs

College of Medicine department chairs report to the dean and are responsible for developing the curriculum in cooperation with the dean's office and the curriculum committee of the college. They serve as senior administrative officer for their departments and work with the Dean's Office on budget, faculty, and research development.

2.20.8 Standing Committees

As outlined in the Faculty Assembly Bylaws:

- The Executive Committee is chaired by the dean and is composed of the associate and assistant deans, chairs of the college departments and three faculty members elected at large by the Faculty Assembly.
- The Committee on Admissions considers and recommends admission policies which are approved by the Board of Trustees. The Committee has the total and absolute authority to select those applicants who best fulfill the stated qualifications.
- The Curriculum Committee is charged with development and supervision of the undergraduate medical educational programs.
- The Institutional Review Board is a federally mandated committee that formulates policies and reviews all research involving the use of human subjects.
- The Faculty Committee on Appointments, Promotions and Evaluations is charged with the development of policies and standards for appointment, promotion and tenure. All appointments and promotions at the level of Associate Professor or above require the recommendation of the Committee.
- The Student Promotions and Evaluations Committee is charged with the overview of the progress of all students and recommends their promotion and/or graduation to the dean of the college.
- The Continuing Medical Education Committee is responsible for the development and conduct of continuing medical education programs as well as the quality of such programs.
- The Committee on Committees consists of four members of the Faculty Assembly elected annually from its membership whose function is to advise and consult with the dean on the membership of committees.
- The Committee on Standards in the Conduct of Research monitors national policies, procedures and regulations related to the conduct of research by faculty, students, and staff. It provides advice to the Office of Research in the College of Medicine, the Office of Sponsored Programs, and the Office of Academic Affairs on issues related to standards of conduct in research including allegations of scientific misconduct.
- The Graduate Medical Education Committee is appointed by the Vice President for Medical Affairs to oversee the general operation of the residency programs at the USA Hospitals and affiliated facilities.
- The Institutional Animal Care and Use Committee is a federally mandated committee that approves all use of animals in research and teaching.
- The Research Advisory Committee serves in an advisory role to the Senior Associate Dean and Dean regarding the use of College of Medicine funds to support the research efforts of the faculty on a college-wide basis.

- The Student Research Committee administers and oversees the medical student summer research program.

2.20.9 Faculty Assembly

The Faculty Assembly consists of all full-time faculty holding the rank of Instructor or above in the College of Medicine. Officers of the Faculty Assembly are the President, Vice President (President Elect), Immediate Past President and Secretary who are elected annually by the membership.

The By-laws of the College of Medicine can be found in Appendix 10.2.

2.21 University Hospitals

The Senior Administrator of the University of South Alabama Hospitals reports to the President. The Administrator has the responsibility of administering the University Hospitals to ensure quality care to the patients it serves, working with other components of the health sciences in achieving the educational goals of the hospital and clinics. Additional responsibilities are related to the hospitals' organized medical staff and responsiveness to the needs of the individual physicians and patients.

2.22 Office of Auxiliary Enterprises

The Director of Auxiliary Enterprises reports to the Vice President for Student Services and is responsible for the USA Bookstore, the Post Office, internal auditing, property, telecommunications, food service, and licensing and vending.

2.23 Office of Finance

The Vice President for Finance provides general supervision and recommends policies for all financial affairs and reports to the President with responsibility for all institutional books of account, University and Hospital accounting, Fiscal Reporting, Budgetary Controls, Investments, Purchasing, Bursar, Accounts Payable, Payroll, Human Resources, Grants and Contracts Accounting, and Financial Aid Accounting. The Vice President for Finance is also responsible for all matters related to plant operations and facilities, buildings and grounds.

2.24 Office of University Operations

The Director of University Operations provides general supervision and recommends policies for business affairs and reports to the Vice President for Finance with responsibility for internal auditing, telecommunications, environmental safety, auxiliary enterprises, risk management, campus security, landscaping, plant operations, and the USA Springhill facility.

2.25 Office of Public Relations

The Director of Public Relations is responsible for all press/news releases from the University and is the University liaison with all media.

2.26 Office of Development and Alumni Relations

2.26.1 Vice President for Development and Alumni Relations

The Vice President for Development and Alumni Relations is responsible for institutional advancement and alumni affairs and reports to the President of the University.

2.26.2 Director of Alumni Relations

The Director is responsible for coordinating all programs and information relating to alumni of the University. The Director reports to the Vice President for Development and Alumni Relations.

2.27 Administration of Colleges/Schools

As the executive officer, the dean provides leadership in setting the direction of the college/school. With input from appropriate constituency groups, the dean is responsible for establishing a vision for the college/school, for creating a strategic plan and for evaluating the college/school's overall effectiveness in achieving the stated goals and objectives. The responsibilities of the dean include:

- develop academic programs of the college/school compatible with the mission statement of the University
- evaluate and make recommendations for appointment, reappointment, promotion, tenure, dismissal, and salary of faculty members in consultation with appropriate chairs, and departmental committees
- evaluate and make recommendations for appointment, reappointment, dismissal, and salary of departmental chairs and associate deans in consultation with the Senior Vice President for Academic Affairs and departmental chairs
- evaluate and make recommendations for appointment, reappointment, dismissal, and salary of college/school office personnel
- foster faculty development in teaching, research, and service
- assign academic and professional responsibilities to the faculty, and associate deans
- appoint faculty to committees to assist in the developing of curricula and programs and policies pertaining to the academic affairs of the college/school
- recommend faculty appointments to the University committees
- maintain adequate personnel and financial records of the college/school
- conduct meetings for faculty and chairs to ensure effective communications
- administer and supervise the academic programs, departments, policies, and regulations of the college/school

- develop and supervise the academic (and clinical) schedules of the programs of the college/school
- coordinate college/school programs with other colleges and divisions of the University
- maintain academic standards and enforce policies and procedures of the University, the college/school, and the departments
- establish the criteria for eligibility of students to enter and graduate from the programs of the college/school
- certify completion of degree requirements by candidates for graduation
- approve the credits offered by students in partial fulfillment of the requirements for the respective programs administered by the college/school
- provide leadership in all matters relative to the accreditation/reaccreditation of college/school programs
- prepare, recommend, and administer the budgets of the college/school
- assign space, facilities, and equipment resources allocated to the college/school
- recommend and oversee college/school facilities alterations, remodeling, and new construction
- review all publications originating within the college/school
- promote the image of the college/school and University through public relations and service activities
- perform such other duties and functions as deemed to be in the best interest of the college and University
- perform such other duties and functions as assigned by the Senior Vice President for Academic Affairs.

2.28 Administration of Academic Departments

2.28.1 Role and Responsibility of the Department Chair

The department chair is both a faculty member and an administrator. The basic orientation is toward the role of a faculty member, but the chair also functions as an administrator and performs as an integral member of the administration. The department chair is responsible for the general direction and supervision of the department, reporting to the dean of the respective college. The department chair is responsible for:

- planning, recruiting, and recommending the appointment of faculty members
- evaluating annually, and as directed, the performance of departmental faculty and making recommendations with respect to salaries, promotions, tenure, and retention

- planning and recommending departmental programs and curricular changes, additions and deletions, coordinating with others when needed and as directed
- recommending departmental class schedules, semester and annually
- planning and recommending departmental space needs
- developing and supervising a departmental protocol for advising students
- recommending annual budget requests, and after appropriations, supervising expenditures
- serving as custodian of all instructional property assigned to the department, including receipt, assignment, and eventual disposition
- performing other duties as assigned by the dean, including special projects

Further detail and elaboration of the role, responsibilities, and duties of the Department Chair are given below.

2.28.2 Departmental Governance

1. The Position of the Chair

The department chair is the chief administrator of the department and shall be responsible for the academic, personnel, financial, and administrative needs of the department. The department chair has two primary responsibilities: administrator of the department and academic leader of that faculty in the development of the department's programs. The faculty should have a deep interest in the administrative decisions that condition the department's capacity for implementing its policies. Consequently, continuing interaction must occur between the chair and the faculty in a climate of mutual respect and in recognition of their respective roles as outlined in this policy.

By virtue of the position, the chair is able to initiate actions and establish procedures, and should regard it as a specific responsibility to see that the faculty have adequate opportunity to discuss all matters, even those primarily administrative, that bear upon the department's development and direction. Two considerations suggest the wisdom of this policy quite apart from the dictates of regulations. First, a sensible leader seeks all the counsel available, as a supplement to and check upon individual judgment. Second, the faculty provide the best concentration of expertise one can find on matters of departmental concern. Thus, the chair is well advised to take full advantage of consultation before making decisions. Moreover, faculty members should be kept informed of matters affecting the department, and a chair must not underestimate the effort necessary to maintain appropriate communications.

The chair's method of administering the department should include appropriate techniques for securing the advice of the faculty and for keeping them informed, not only of formal administrative decisions, but of broad directions and developments in the formative stage. In short, faculty members should participate in the affairs of the department, and the chair must encourage the faculty to become an integral part of departmental planning.

2. Some Suggestions for Department Chairs

Since departments vary greatly in size and complexity, methods appropriate for one may be inappropriate for another. Each chair will be expected, however, to submit to the dean of the college an acceptable arrangement to assure appropriate consultation with the faculty. In matters for which the faculty have primary responsibility, e.g., curricula, standards of instruction, and requirements for degrees, action will be required by the faculty as a whole or by a representative committee of the faculty. In transmitting recommendations on such matters, the chair must certify that the action has been approved by the faculty or by such a committee. In matters for which the chair has primary responsibility, e.g., recommendations for appointments and reappointments, promotions, leaves, salary increases, budgetary allocations, and the general administration of the department, appropriate consultation with the faculty is expected before a decision is reached.

Advisory committees may be helpful, particularly in the larger departments. The formality of this advisory machinery may be left to the discretion of the chair as well as the makeup or method of selection of such committees. However, the chair should take care to involve most, if not all, of the faculty in departmental decision-making activities and should not depend exclusively upon a few especially compatible colleagues. Two points should be remembered: 1) The chair is expected to seek advice; 2) final decisions at the departmental level on these matters are those of the chair and must be considered as final departmental decisions.

Departmental faculties should have ample opportunity to meet as a body to discuss departmental business. Departmental meetings should be scheduled regularly, at least, bi-monthly, unless the faculty (not the chair) feel the informal contacts of daily operations make such formal sessions superfluous. Informal contacts would presumably suffice only in small departments.

In addition to regularly scheduled meetings, a departmental meeting should be called whenever at least one-third of the faculty request a meeting. Opportunity should be given at any such meeting for the discussion of new and old business without limitation, except as faculty members themselves might rule to limit discussion. The chair should not restrict the agenda of a meeting or abruptly terminate a meeting unless a majority of the faculty agree to such arrangements. Minutes of departmental meetings should be prepared and distributed to the departmental faculty, the dean of the college, the associate dean of the college, and the Senior Vice President for Academic Affairs. A copy should be retained on file in the department.

Students are deeply concerned with the functioning of departmental programs, and the perspective they bring can add a valuable component to departmental planning. The chair should devise standard procedures for allowing students to express their opinions, preferably by appointing some to standing committees or special advisory group. Whatever the means, the student voice should be heard.

3. Further Elaboration

• Academic Responsibilities

The department chair will involve the faculty in determining educational policy within the broader outlines of those policies already established within the college and the University. Such departmental policy would include the establishing of curricula and departmental majors, developing the department's faculty, establishing standards of instruction, evaluating instruction within the department, and determining requirements for graduation.

Thus, the department chair should encourage excellence in teaching; engage the faculty in the evaluation of teaching; establish appropriate arrangements for the supervision and approval of graduate theses/dissertations and for the advising and guidance of both undergraduate and graduate students within the department; encourage the organization and operation of appropriate student seminars, convocations, student groups, and clubs within the department; participate in teaching and research; maintain appropriate relationships with the technical, scientific, and scholarly organizations within the discipline; and effect an appropriate library collection. Those departmental operations that concern primarily the formulation of educational policy, including curriculum requirements, are the primary responsibility of the faculty. The faculty must act to effect changes.

- **Personnel Responsibilities**

The department chair must assist the dean and the faculty in recruiting capable faculty by making appropriate recommendations to the dean; ensuring that appropriate departmental members are recommended for membership to the faculty of the Graduate School; making all other pertinent recommendations about personnel to the college dean; encouraging research, writing, and other creative endeavors of departmental members; organizing and supervising the operation of appropriate faculty members and convocations; and assisting, on occasion, in selecting a replacement chair.

- **Financial Responsibilities**

The department chair must be involved with budget preparation and with administering the departmental budget, making recommendations to the dean relative to promotions, salaries, tenure, faculty evaluations, leaves of absence, etc. for departmental faculty members.

- **Administrative Responsibilities**

The department chair, as the chief administrative officer of the department, shall be responsible for the programs of the department; supervision of the department's staff members, initiating and securing textbook lists for classroom use; preparation of class schedules and teaching assignments; maintaining a liaison with other department chairs, officers of the Graduate School and of the University; supervision and management of the physical facilities assigned to the department; making appropriate arrangements for advising student majors of the department; cooperating with and assisting the dean in evaluating and promoting development of the department's programs of instruction; development and maintenance of contracts with research organizations and foundations on and off campus and with appropriate business, professional, and public groups; serving as liaison between the department and other academic units of the University. The chair will serve, when assigned, as a member of college or University committees.

- **Appointment of Chairs**

Chairs should be appointed after consultation with, and normally in conformity with the judgment of, the members of the department. The chair's appointment will be recommended by the dean of the involved college to the Senior Vice President for Academic Affairs who, if in agreement, will recommend the appointment to the President of the University. The chair will be appointed in writing by the President.

- **Evaluation of Chairs**

Each chair is evaluated annually by the college dean with formal input from departmental faculty. Chairs may be appointed to term appointments upon recommendation by the college

dean to the Senior Vice President for Academic Affairs, after consultation with the departmental faculty. Appointments and reappointments are made by letter from the President.

- **Conclusion**

It must be noted that the spirit of mutual respect, cooperation, and shared responsibilities to which this document speaks is much more important than its mere "letter". Moreover, this statement must not be construed to mean that the prerogatives of either the chair or the faculty are in any way diminished or augmented.

2.28.3 Access of Department Chairs to the Senior Vice President for Academic Affairs

It is always necessary, in order to maintain and further good order, to establish policies and procedures for the access of one administrative officer or person with another, especially with regard to official business. The statement below will be the policy concerning the access of department chairs of all colleges with the Office of the Senior Vice President for Academic Affairs.

The chairs are all heads of departments in colleges; the colleges are represented by a dean. Except in unusual circumstances, official business with the Senior Vice President for Academic Affairs should be carried on with the college dean, not with individual chairs unilaterally presenting departmental problems and/or questions.

Ordinarily, a chair who wants to make an appointment with the Senior Vice President for Academic Affairs on official business must inform the college dean and secure the latter's approval. The dean may accompany the chair or may decline to accompany the chair to the meeting, but must approve its purpose and be informed of its outcome.

If the chair wishes to make an appointment with the Senior Vice President for Academic Affairs concerning a subject that is innately personal in nature, or is of a special delicacy or sensitivity, and there are apparent reasons why the chair would not wish to divulge these matters to the dean initially, these reasons should be sent to the Senior Vice President for Academic Affairs confidentially. Acceptable reasons for such a meeting are, by definition, not matters of official business of the chair acting in that role.

The purpose of this procedure is not to restrict access but to establish and maintain appropriate and effective communication lines, simultaneously preserving and enhancing the proper authority of both college dean and chair.

2.29 University Standing Committees

In addition to University Councils, college and department committees, the Senior Vice President for Academic Affairs appoints University Standing Committees at the beginning of each academic year. Appointees include faculty and students who are recommended by the dean of the various academic units to the Senior Vice President for Academic Affairs or the Vice President for Medical Affairs and forwarded to the President. Service on committees is part of a faculty member's responsibility.

Standing committee jurisdiction extends to all subject matter fairly implied by their names. As recommending bodies, the committee proposals and recommendations are the basis for policy decisions. Each Committee is obligated to submit a formal report to the President at the end of the academic year which summarizes the committee's activities. Copies of these annual reports should also be forwarded to appropriate administrative officers of the University.

Chairs of Standing Committees are elected at the first meeting of each year-no later than October 1. The chair schedules regular meetings thereafter to review and discuss matters on the respective subjects and make recommendations for change/improvement when appropriate to the President, with copies to appropriate administrative officers. Copies of University Standing Committee rosters are distributed campus-wide when the election of the respective chairs has been completed.

The University Standing Committees are listed below with the respective charge established by the Board of Trustees:

- **Academic Computing Committee:** recommends and advises on the computer services to the academic units and serves as a liaison between faculty, students, and computer center personnel. The primary purpose of this committee is to provide a regular review of the current services and those planned which would impact teaching and research in all academic areas. The committee meets regularly to provide information relative to new program planning and research projects.
- **Admissions and Records Committee:** recommends policy concerning student admission standards, recommendations concerning the structure and content of student records, and assists the Director of Admissions in resolving borderline admission problems on rare occasions. The committee meets as required.
- **Bookstore Committee:** acts as a liaison between Bookstore personnel and the faculty, staff, and students relative to services, policies, procedures for ordering textbooks, hearing concerns of users and other related matters. The committee meets regularly to assure better communication between the Bookstore and its users.
- **Career/Placement Committee:** participates with the Director of the Career Placement Services formulating new policies, programs, and changes to existing policies and procedures, advises and recommends changes for implementation to the Associate Vice President for Enrollment Services. The Committee meets regularly and annually reviews the administration and operation of the Career Services Center and submits an annual report to the Senior Vice President for Academic Affairs.
- **Library Committee:** formulates policies governing the use of library materials, explores methods of promoting library use, formulates policies relative to development of resources for teaching and research, and recommends allocations of library funds to departments for acquisition of books and library materials. Policy recommendations are made to the Senior Vice President for Academic Affairs and approved by the President. The Committee meets regularly. The Dean of University Libraries and the Director of the Biomedical Library serve as ex-officio members of the Committee.
- **Scholarship and Financial Aid Committee:** recommends policy to be followed by the Financial Aid office in the administration of financial aid funds and scholarship funds, serves as an appeals board for students who wish to appeal denials of financial assistance, advises on matters brought to them by the Financial Aid Director. The Committee meets on call and minutes are distributed to appropriate units of the University.
- **University Academic Standards Committee:** appointed each Fall Semester by the Senior Vice President for Academic Affairs, is composed of five faculty members and two non-voting, upper division students. The Committee charge is cited in the Student Academic Conduct Policy.

- **Writing Committee:** recommends and monitors “W” courses, schedules, and conducts an annual Writing Seminar for faculty.

2.30 General University Committees

2.30.1 Academic Affairs Undergraduate Curriculum Committee

The Academic Affairs Undergraduate Curriculum Committee is an ad hoc committee of the Academic Affairs Division and is composed of representatives from each academic unit who are recommended by the academic deans/directors. The general charge to the Committee is to oversee all academic programs, with particular attention to curricular structure and development to assure compliance with the University mission. The specific charge includes:

- review of all curricula for undesirable overlapping and duplication
- review of and recommended approval/disapproval of all proposed curricular changes
- recommendations concerning academic affairs as deemed appropriate
- report on committee activities to the Senior Vice President for Academic Affairs at least once a semester.

All curricular matters are routed through the Senior Vice President for Academic Affairs to the Academic Affairs Committee. All requests for curricular and programmatic changes must be forwarded before October 31 of each year in order to appear in the next edition of the University Bulletin.

If/when a request has an impact, conflict, or relationship to another college, it is the responsibility of the dean of the requesting college to inform the dean of the other college. If there is a difference of opinion between colleges, both sides should be allowed to present information to the Academic Affairs Committee before the Committee makes recommendation to the Senior Vice President for Academic Affairs. When an inter-college conflict occurs, the recommendation from the Committee should include the vote as well as a principle/rationale. If unanticipated impacts are recognized after the Senior Vice President makes a decision, the decision may be reconsidered.

Each curricular change request is logged in the Office of Academic Affairs at the time distribution of the completed form is made. In this way, all curriculum changes can be tracked by year of change.

2.30.2 Academic Affairs Policy Committee

The Academic Affairs Policy Committee is an ad hoc committee that reports to the Senior Vice President for Academic Affairs and is composed of four academic deans appointed by the Senior Vice President for Academic Affairs and four faculty members - Faculty Senate Chair, Vice Chair, immediate Past Chair, and Chair of the Faculty Senates' University Policy and Faculty Handbook Committee. The general charge of the Committee is to coordinate academic policy changes with Academic Affairs and the faculty. The positions of chair and co-chair of the Committee rotate annually between the Academic Deans and the Faculty Senate.

2.30.3 Council of Academic Deans

The Council of Academic Deans is comprised of the full academic deans and is chaired by the Senior Vice President for Academic Affairs. The Council meets regularly, deliberates on all academic and

administrative matters, serves as an advisory council to the Senior Vice President for Academic Affairs, and is the decision-making authority on academic policies.

2.30.4 Fringe Benefits Committee

The Fringe Benefits Committee, which is appointed by the President, chaired by the Vice President for University Services and Planning, and is composed of administration, faculty including the chair of the Faculty Senate Salaries and Benefits Committee, and staff members. The Committee is responsible for reviewing and making recommendations to the President on all matters related to fringe benefits.

2.30.5 The Graduate Council

The Graduate Council consists of eight Directors of Graduate Studies and eight elected graduate faculty members. The Directors and graduate faculty come from those academic units engaged in graduate study, i.e., one Director and one graduate faculty member each from the colleges of Allied Health Professions, Arts and Sciences, Business, Education, Engineering, Medicine, and Nursing, and the School of Computer and Information Sciences. A student member with full voting privileges is elected by the council each year from nominations made by Graduate Directors. In addition, the Dean of Libraries, the Dean of the Graduate School, and the Senior Vice President for Academic Affairs serve as ex-officio members on the Council.

Only full members of the Graduate Faculty are eligible for election on the Graduate Council. (If this requirement imposes a hardship to an emerging program or smaller academic unit, the college dean may request an exception be made by the Dean of the Graduate School.)

The Graduate Council serves as the advisory body to the Dean of the Graduate School on all matters of policy and procedure pertaining to the conduct of graduate education at the University of South Alabama.

2.30.6 Graduation Committee

The Graduation Committee is appointed by and reports to the Senior Vice President for Academic Affairs and is composed of faculty representatives from all academic colleges who serve as Faculty and Student Marshals and Readers, Associate Dean of the College of Medicine, SGA President, Vice President for Student Affairs, Director of Public Relations, Bookstore Manager, Coordinator of Computer Student Information Systems, Registrar's Office Staff, Director of Alumni Affairs, Chair of Music Department, and Conductor of University Symphony Band.

The Graduation Committee serves as a steering committee for the commencement exercises; reviews graduation policies and procedures and recommends initiatives and changes as needed. The committee meets annually and as required.

Membership on the Graduation Committee is by responsibility of function. In addition, faculty representatives serve as student marshals and are appointed on a one, two, or three-year term. The University Registrar serves as chair.

2.30.7 International Affairs Committee

The International Affairs Committee is appointed by and reports to the Senior Vice President for Academic Affairs. The Committee is an advisory committee whose charge is to disseminate information, guide policy and assist in the coordination of University-wide international activity. Members of the Committee are appointed to represent on-going academic programs, student services and admissions, grants, exchanges and new program initiatives.

2.30.8 Patent Review Committee

The Patent Review Committee, which is appointed by and reports to the President, as matters require, consists of faculty members, the Director of Office of Technology Transfer, the Vice President for Financial Affairs, and the Vice President for Services and Planning.

2.30.9 Schedule of Classes Committee

The Schedule of Classes Committee is appointed by and reports to the Senior Vice President for Academic Affairs and is composed of Assistant Registrar (registration/scheduling), Associate Deans, Chairman of Basic Medical Sciences, other college representatives directly involved with schedule production, Director of Publications, and Coordinator of Student Computer Information Systems.

The Schedule of Classes Committee reviews and approves the schedule of classes before each publication; recommends changes as appropriate in format, etc.; adopts an annual schedule production timetable prepared by the Registrar's Office.

The Schedule Committee meets at least twice a year and at other times as required.

The chair is appointed by the Senior Vice President for Academic Affairs and the University Registrar serves as co-chair.

2.30.10 Scientific Misconduct Committee

The Scientific Misconduct Committee is charged to monitor and report on findings under a University-wide policy for dealing with charges of misconduct in science. Members are appointed annually, usually for 3-year terms by the Dean/Vice President for Medical Affairs. The Committee works closely and reports to the dean by way of the Senior Associate Dean of the College of Medicine. Most of the members of the Committee are basic science and clinical faculty in the College of Medicine; however, at least two members are appointed from other colleges in the University involved in research activities.

This Committee is the only one within the University that is charged to deal with issues related to integrity in the conduct of research. The University is required by the federal government to have an approved plan indicating how such issues of scientific misconduct are to be handled to be eligible to receive federal research funding.

2.30.11 Space and Facilities Committee

The Space and Facilities Committee, which is appointed by and reports to the President, is chaired by the Senior Vice President for Academic Affairs and is composed of the following members: the Senior Vice President for Academic Affairs, the Vice President for Medical Affairs, the Vice

President for Financial Affairs, the Assistant to the President, the Associate Vice President for Hospital Affairs and Senior Hospital Administrator, a representative from the Senior Vice President for Academic Affairs Council, Vice President for Student Affairs, the Assistant Vice President for Institutional Research and Planning, the chair of the Faculty Senate University Planning and Development Committee, and a representative from the Faculty Senate (appointed annually by the Faculty Senate).

2.30.12 Registration Committee

The Registration Committee is appointed by and reports to the Senior Vice President for Academic Affairs and is composed of Assistant Registrar (registration/scheduling), Bursar, Director of Admissions, Director of Financial Aid, Coordinator of Student Computer Information Systems, two (2) Associate Deans, and one full Dean.

Membership on the Registration Committee is by responsibility of function plus academic college representation. The academic dean serves as chair and the University Registrar as co-chair.

The Registration Committee reviews registration policies and procedures; promotes enhancements to the VIPS/WEB registration system and other technological advancements to improve delivery of services to students.

The committee meets each term and other times as required to ensure that student registration needs are being met efficiently and effectively by all areas involved.

2.30.13 University Committee for Undergraduate Research

The University Committee for Undergraduate Research, which is appointed by the Senior Vice President for Academic Affairs, is composed of faculty members from the colleges of Allied Health Professions, Arts and Sciences, Business, Computer and Information Sciences, Continuing Education, Education, Engineering, and Nursing. The purpose of the committee is to encourage students to become involved in basic research or similar scholarly activity in any discipline during their undergraduate education.

2.30.14 University Conflict of Interest Committee

The University Conflict of Interest Committee, which is appointed by the President, shall be chaired by the Associate Vice President for Research or his/her designee, and shall include the Associate Vice President for Academic Affairs, Senior Associate Dean for the College of Medicine and no less than three additional appointed members with broad representation across the University. The purpose of this committee is to serve as a deliberative body to consider matters involving conflict of interest (see section 7.4.3).

2.30.15 University Honorary Doctorate Degree Committee

The University Honorary Doctorate Degree Committee is appointed by and reports to the President. The committee is chaired by the Senior Vice President for Academic Affairs and is composed of 12 faculty members, including at least one member of the Faculty Senate. The duties of the committee are outlined in section 1.4.

2.30.16 University Parking and Traffic Committee

The University Parking and Traffic Committee is appointed by and reports to the President and is composed of faculty, administrative staff, and students. The committee reviews issues related to parking and traffic control.

2.30.17 University Research Council

The University Research Council, which is appointed by the President and chaired by the Associate Vice President for Research, is composed of term-appointed faculty representing all academic units as follows: one representative each from Allied Health Professions, Business, Computer and Information Sciences, Education, Engineering, Library, Medicine and Nursing; five representatives from Arts and Sciences. The Associate Vice President for Research serves as permanent chair of the Council and the Assistant Vice President for Sponsored Programs serves as an ex-officio member. The Council is specifically responsible for:

- formulation of policy concerning internally funded grants
- issuing requests for proposals
- conducting an annual meeting to review proposals for acceptance
- allocating funds for grants that satisfy the requirements set forth by the Council

2.31 Faculty Senate Constitution

PREAMBLE

The Faculty Senate shall be organized so that the faculty may work cooperatively with the chief administrative officer and the other administrative officers of the University for the general welfare of the University. The Senate's formulation provides a means for the faculty to deal with faculty issues that have university-wide application and with more localized issues which have exhausted their usual channels.

ARTICLE I: STRUCTURE

Section I: Authority

The faculty recognizes the authority of the Board of Trustees as the governing body of the University of South Alabama. Any responsibilities and duties assumed by the Faculty Senate must be delegated by the Board of Trustees.

A faculty representative designated by the Senate shall attend meetings of the Board of Trustees.

The Faculty Senate is the primary representative body of the faculty.

A faculty representative designated by the Senate shall be a member of all councils that advise the President, and ad hoc search or screening committees appointed to assist the chief administrative officer and other officers of the University in the selection of administrative officers whose authority and responsibility have an impact university-wide.

Any resolution passed by the Faculty Senate shall be communicated in writing directly to the chief administrative officer of the University.

Any decision by the chief administrative officer of the University to reject a Senate resolution, or failure to respond in writing within thirty working days to a resolution submitted by the Faculty Senate, may be appealed to the Board of Trustees, and presented to the Board by the chair of the Faculty Senate, upon request by ballot of a three-quarters majority of the Faculty Senate, 60 percent of the Senators responding.

Section 2: Membership and Election Procedures

Each member of the Faculty Senate shall be a faculty member. The term faculty member applies to anyone who has the rank of Lecturer, Instructor, Assistant, Associate or Full Professor, and who normally teaches six or more credit or contact hours per semester, or who performs equivalent instructional duties. This is to include Librarians, and all those below the rank of Assistant Dean or Assistant Director. Only faculty members may vote in Senatorial elections.

Each college or division or free-standing department shall have one member elected at large. In addition, each college or division with fifteen members or less shall have one representative for the first fifteen members or less. For those colleges or divisions having more than fifteen members, there shall be one representative for each fifteen members. Fractions of 8/15 or greater entitle the college or division to an additional representative. (For example, 38 members: $38/15 = 2 + 8/15 = 3$ representatives, plus one elected at large = 4 representatives.)

A faculty member may be counted in only one college or division for purposes of Senate representation. The colleges and divisions shall furnish the Secretary of the Senate with a list of their faculty members by January 15th and a list of elected representatives prior to the Senate meeting scheduled for the third Wednesday of April.

The term of Senate membership shall be three years, terminating before the Senate meeting scheduled for the third Wednesday of April of the third year.

Elected members shall not succeed themselves, except that an elected member completing a term of not more than one year for an absent senator shall be eligible for re-election. Elections shall be conducted so as to ensure that one-third of the members' terms expire each year.

Every elected member shall be subject to recall. Upon petition signed by one-fourth of the number of members of the unit from which the member was elected, a recall election shall be held. A majority of votes cast for recall shall cause the recall of the member, creating a vacancy. A vacancy caused by the resignation or recall of a Senator shall be filled promptly by a vote of the appropriate college or division.

Section 3: Officers

The officers are the Past-Chair, Chair, Chair-Elect, and Secretary. The Chair-Elect and Secretary shall be elected by ballot at the Senate meeting scheduled for the third Wednesday of April by simple majority from the Senate membership, to take office immediately. At that time, the Chair-Elect selected the prior year will assume the position of Chair. Nominations shall be made from the floor.

The chair shall serve for a one-year term. The chair shall (1) preside at all meetings; (2) call special meetings of the Senate as defined in Article II, Section 1, Paragraph 2, when necessary or useful; (3) when invited, attend other meetings relating to the work of the Faculty Senate; (4) take action as necessary to expedite the operation of the Faculty Senate. All rulings or actions of the chair are subject to the approval of the Faculty Senate.

The chair may appoint a Parliamentarian who shall be selected upon the basis of knowledge of parliamentary procedures and need not be a member of the Senate.

At the end of her/his term as Chair, the Chair will serve for one year as past-Chair. If the senate term of the former Chair expires, s/he will serve as an ex-officio, non-voting member of the Senate. The Chair will receive one course reassigned time per semester.

The Chair-Elect shall perform all duties of the chair in the absence or incapacity of the chair and shall assist the chair in carrying out the business of the Senate. At the end of the term, the Chair-Elect will serve as Chair for a one-year term.

The Secretary shall be eligible for re-election to not more than one additional consecutive term. The duties of the Secretary as directed by the chair shall be to (1) assist the chair in the construction and distribution of an agenda; (2) issue calls for all meetings; (3) receive reports, motions, or resolutions to be presented at Senate meetings; (4) record and maintain accurate minutes of all meetings including attendance; (5) distribute copies of the minutes of all meetings to all faculty and deposit copies in the University Library for general perusal; (6) conduct necessary correspondence; (7) keep and distribute an accurate list of the membership of the Senate; (8) perform other duties as may be appropriate, including maintaining the archives of the Senate. The Secretary will receive one course reassigned time per semester.

Section 4: Committees

A. University Committees: The chair of the Faculty Senate shall be an ex-officio member of all University committees and of all committees with an impact university-wide, including, but not only, committees whose work involves planning, budgetary matters, curriculum, policy, and development.

B. Standing Senate Committees: Standing Senate committees are established to represent the viewpoints of the faculty and to aid the Board of Trustees and the chief administrative officer of the University in their appropriate areas of concern. The chair of the Faculty Senate shall be an ex-officio member of all Senate committees.

Standing Senate Committee chairs shall be nominated and elected from the Senate floor. These elected chairs shall meet with the Senate chair to determine the membership of each committee appointed by the Senate.

Each college or division shall have the option to be represented on each Standing Senate Committee.

All recommendations or actions of the Standing Senate Committees are subject to the approval of the Faculty Senate. The chair of the Faculty Senate shall coordinate the activities of the Standing Senate Committees.

1. Faculty Salaries and Benefits Committee

This Committee represents the faculty in matters related to salaries and fringe benefits.

2. Faculty, Staff, and Administration Evaluation Committee

This Committee shall assist in the development and implementation of evaluation procedures. It shall further represent the faculty in matters relating to promotion and tenure.

3. University Planning and Development Committee

This Committee represents the faculty in matters related to planning at the university level. Its activities include but are not limited to participation in the planning for academic programs and University facilities. It fulfills the function and performs the service of acting as a communication channel between the faculty and the administration in these matters.

4. **University Policies and Faculty Handbook Committee**

This Committee represents the faculty concerning all academic policies of a general nature. It functions as a communication channel between faculty and administration through the Academic Affairs Policy Committee. It shall further assist the administration in constructing the *Faculty Handbook*.

Grievances or problems of individuals or groups may be referred to the appropriate Standing Senate Committee for consideration. This Standing Committee, at its discretion, may recommend the establishment of an ad hoc committee to pursue resolution.

5. **Environmental Quality Committee**

This Committee represents the faculty in matters related to the physical environment. Its activities include, but are not limited to, recycling programs, overseeing the use of resources on campus, and construction initiatives.

6. **Academic Development and Mentoring Program Committee**

This Committee will coordinate the Senate mentoring program for new faculty. It will recommend policies for the mentoring program, identify and recruit faculty mentors, and establish operating procedures. The Committee will also represent faculty in matters related to academic development at the university level.

7. **Technology Utilization Committee**

This Committee represents the faculty in matters related to the use of computing and other technological facilities. Its activities include but are not limited to on-line education, library and health care technology.

The Chairs of these committees will sit on related university committees as designated by the Chair of the Senate.

C. **Executive Committee:** The Executive Committee shall consist of the Past-Chair (as ex-officio, non-voting member, Chair, Chair-Elect, and Secretary, as well as the chair of each Standing Senate Committee, and is to be presided over by the Senate Chair.

The Executive Committee shall meet at the call of the Senate chair in order to advise and assist in the administration of Senate business.

D. **Ad Hoc Committees:** Members of the general faculty, as well as other specially qualified persons from within the University community may be requested to serve as members of ad hoc committees. Motions establishing ad hoc committees shall include:

The name of the committee and its charge

The size and composition

Whether it shall be elected or appointed, and by what methods

Date by which the committee is expected to present a progress and/or final report

Section 5: Budget and Maintenance

Clerical help shall be made available to the Faculty Senate. An adequate office and an adequate budget shall be provided by the University in order to support the Senate in its service to the University.

ARTICLE II: FUNCTION

Section 1: Scheduling of Meetings

Regular meetings for the Senate are normally held on the third Wednesday of September, October, November, January, February, March, April, June, and July at 3:00 p.m.

Special meetings of the Senate may be initiated by a request of the chief administrative officer or of the Board of Trustees directed to the chair of the Senate; by a majority vote of the Executive Committee; by a written request directed to the Senate chair from ten or more Senate members. The written request shall state explicitly the matter proposed for Senate consideration, which shall then become the first order of business at a special meeting of the Senate. All Faculty Senate meetings shall be open.

Section 2: Quorum

A Senate quorum shall consist of fifty-one percent of the total membership. A simple majority of those present is sufficient to pass a motion or approve an item of business.

Section 3: Order of Business

Except for the order of business stated below, meetings of the Senate shall be conducted according to the latest edition of *Roberts Rules of Order, Revised*.

Call to Order

Roll Call by the Secretary

Completion of Pending Business

Reports from Senate Committees

Communications from the University President or his representative

New Business

Adjournment

Section 4: Agenda Items

Agenda items for Senate consideration are to be submitted in writing to the Secretary of the Senate at least seven (7) days before they are to be introduced. Additional agenda items may be introduced from the floor with the consent of the Senate.

Section 5: Voting

Except in elections, voting in the Senate shall ordinarily be by hand, voice, or roll call, with the Secretary recording the yeas, nays and abstentions by Senators. At the request of a simple majority of those present, however, a vote shall be taken by secret ballot.

Absentee votes on stated agenda items may be submitted in writing to the Secretary prior to the meeting.

ARTICLE III: AMENDMENTS

Amendments to this Constitution may be proposed by three-fifths vote of the Senate. The amendment does not become official until it has been approved by a majority of the University faculty and by the Board of Trustees of the University of South Alabama.

BYLAWS

In order to facilitate its work, the Senate shall operate in accordance with the following interpretations of its Constitution.

I. Number of Representatives a College or Division May Have

- A. The specifications in Article I, Section 2, paragraph 1 concerning eligibility to serve on the Senate shall also determine who are to be recognized as the members of a college or division for the purpose of ascertaining the number of representatives a college or division may have.
- B. The first sentence of paragraph 2 of Article I, Section 2 shall be understood to mean that each college or division, except those with 15 members or less, shall have one member elected at large.

II. Eligibility to Vote for Senators

The specifications in Article I, Section 2, paragraph 1 concerning who is eligible to serve on the Senate shall also determine who is eligible to vote in elections for Senators.

III. Procedures Concerning Election of Senators

- A. In the Spring of each year the Secretary will obtain from each college or division a list of the full-time faculty for the coming academic year. Projected loads for each faculty member will also be requested so that the number of Senators a college or division is entitled to may be established.
- B. Pursuant to the Constitution, Article I, Section 2, representation for the coming academic year will be determined from the census. Each college or division will be notified of the number of representatives it needs to elect, if any, and will be asked to hold any necessary elections by March 1.

IV. Procedures Concerning Election of Officers and Establishment of Committee Memberships

- A. During the week after April 1, when all new Senators have been elected, the past Secretary of the Senate shall circulate a list of Senate membership for the forthcoming year to each Senator on the list. The past Secretary shall also ask each such Senator to provide:
 - 1. names of two committees on which he/she would be interested in serving; (These may be either Senate Committees or committees on which the Senate has membership.)
 - 2. any nominations he/she might wish to make for the Senate's elective offices; (As mandated by the Constitution, nominations may also be made from the floor when elections are held.)

3. the resulting nominations for the Senate's elective offices should be summarized by the past Secretary and distributed to the entire Senate membership for study during the second week in April. (As mandated in Article I of the Constitution, election of officers shall take place on the third Wednesday in April.)

B. Prior to the next regular meeting, those elected shall meet to appoint the members of the Senate committees, as well as committees on which the Senate has membership (such as Academic Affairs Policy Committee, University Planning Committee, Space and Facilities Committee). Appointments should be made so as to provide a measure of continuity in the yearly membership of each committee.

V. Resignations and Replacements

A Senator who wishes to resign should instead request a leave of absence for the duration of his/her term. A replacement shall then be elected to serve for the duration of his/her term. This procedure will help maintain a 1/3 year rotation of Senate membership and is in keeping with Article I, Section 2, paragraph 5.

VI. Attendance

Any member of the Faculty Senate who misses without a valid excuse two Senate meetings (constitutionally mandated or called) during the academic year shall no longer be regarded as a member of the Faculty Senate. The Secretary of the Faculty Senate shall undertake steps to seek the selection of a replacement by the appropriate college, division, or electing body. Any member liable for dismissal may appeal to the Executive Committee of the Faculty Senate.

VII. Additional Responsibilities of the Executive Committee

1. The chair of the Senate, or the chair's designee, shall attend meetings of the Board of Trustees and the Budget Council
2. Subject to review by the Senate, the Executive Committee shall recommend to the appropriate administrative officer appropriate Senate involvement in searches for administrators having university-wide responsibilities
3. Faculty concern with the University budget shall be charged to the Executive Committee

VIII. Year-End Reports

Members of the Executive Committee shall provide written year-end reports on their areas of responsibility. Chairs of ad hoc committees and the principal Senate representatives to University committees shall also provide year-end reports. All such reports shall be submitted to the Senate.



3.0 FACULTY PERSONNEL POLICIES

3.1 Introduction

The University of South Alabama subscribes to the Statements of the American Association of University Professors, as noted throughout the *Faculty Handbook* and as listed below:

1940 Statement of Principles on Tenure
1940 Statement of Principles on Academic Freedom and Tenure
1964 Standards of Notice of Non-Reappointment
1958 Statement of Procedural Standards for Faculty
Dismissal Proceedings
Statement of Government of Universities
The Role of Faculty in Budgetary and Salary Matters
Faculty Participation in the Selection, Evaluations, and Retention of Administrators
The Role of Faculty in the Governance of College Athletics

Where differences occur, University policy supersedes.

Special Considerations

University policy and accreditation require that:

- each faculty member be proficient in spoken and written English. Certification of such proficiency must be provided by the Departmental Chair and Dean prior to the appointment.
- each full- or part-time faculty member has completed AT LEAST 18 graduate semester hours in the teaching discipline, and
- hold AT LEAST a Master's degree, or holds the minimum of a Master's degree with a major in the teaching discipline,
- or justify, in exceptional cases, outstanding professional experience.

All faculty search committees are asked to assure compliance with these minimum requirements during the applicant screening process BEFORE interviews are requested. Official transcripts must be a part of the completed file which is forwarded to the President when the candidate is recommended for appointment, so requiring them early saves time in the final appointing process and enables the Committee to ensure compliance with minimum requirements. Also, spoken and written English proficiency should be critically evaluated through written evaluation materials and through telephone interviews of those applicants making the short list. No full-time or part-time faculty will be appointed who do not meet these criteria.

3.2 Definition of Academic Ranks

3.2.1 Instructor Senior Instructor

The ranks of Instructor and Senior Instructor are open to persons who have not met the degree,

graduate study, and/or experience requirements for appointment or promotion to a professorial rank. See Section 3.15.2, 3.15.3, and 3.15.4 of this Handbook for further detail.

3.2.2 Assistant Professor

The rank of Assistant Professor is open only to a faculty member considered terminally qualified in his/her field. Exceptions can be made if they are of a positive nature, but such exceptions need not be included in University policy. Where a master's degree is considered terminal, at least three years of full-time teaching experience at the Instructor level is required before eligibility for this rank is established; otherwise the length of time at the Instructor level will depend upon attainment of the necessary basic qualifications for promotion to Assistant Professor.

3.2.3 Associate Professor

The rank of Associate Professor is open only to one holding an earned doctoral degree or other terminal degree in the field in which he/she is teaching, or to one whose credentials have been accepted by the University as equivalent to terminal qualifications. In exceptional cases, an associate professorship may be granted for clearly distinguished achievement to one who has not met the prescribed degree requirements.

3.2.4 Professor

The rank of Professor is open only to one holding an earned doctoral degree or other terminal degree in the field in which he/she is teaching, or in a closely related field. In exceptional cases, a full professorship may be granted for clearly distinguished achievements to one who has not met the prescribed degree requirements.

3.2.5 Lecturer

The titles "Professorial Lecturer" and "Lecturer" may be used for appointments at any salary and experience level. Service in either capacity does not qualify a person for tenure.

3.3 Adjunct, Joint Appointments, Distinguished, Emeritus, and Visiting Faculty

3.3.1 Adjunct Faculty

Appointing authority is the Board of Trustees through the President. Origination of recommendation is from the department to the dean to the Senior Vice President for Academic Affairs. Adjunct status in any rank may be awarded to part-time faculty as well as to those designees who are not paid by the University and who have a primary affiliation with some other institution or in some other profession. Reimbursement, benefits, and duration of appointment are specified by letter of appointment.

3.3.2 Joint Appointments

An individual faculty member may be appointed to two or more academic units within the University. The terms and conditions of such appointments are normally specified at the time of original appointment in the letter(s) of appointment signed by the President. However, a joint appointment may be arranged with mutual consent subsequent to the original appointment and confirmed by new letter(s) of joint appointment. Such faculty may be awarded all rights and privileges of full-time faculty in each academic unit. Definition of teaching, research, service

expectations, rights and privileges of the individual are specified in the letter(s) of appointment.

Responsibility for evaluation and consideration of salary, promotion, and tenure are also specified in the letter(s) of appointment. Usually, because of the weight of the duties and salary responsibilities, one academic unit is designated the primary department of appointment for the individual faculty member, and the other department(s) as the secondary department(s).

3.3.3 Distinguished Professor

Appointing authority is the Board of Trustees through the President of the University. Candidates for this appointment will be nominated and recommended by the dean of the college to the Senior Vice President for Academic Affairs for recommendation to the President. Reimbursement is as specified by letter of appointment. The status of Distinguished Professor will be an honorary designation. The basic criteria for eligibility shall be a sustained scholarly productivity over a period of at least five years immediately preceding this appointment and that this productivity represents the output of original scholarship, and the scholarship shall be in the scholarly field of the eligible person. The status of Distinguished Professor shall be open only to those having attained the rank of full professor. The administration shall give special recognition to this honor with suitable documents and ceremonies, but no pecuniary consideration shall be given. Duration of appointment shall be for a specific year of appointment, renewed as desired by the University.

3.3.4 Emeritus Professor

Appointing authority is the Board of Trustees through the President of the University. Origination of recommendation is from the department to the dean to the Senior Vice President for Academic Affairs. There is no reimbursement. The status is open to all full-time faculty at all ranks and titles and to all academic administrators. A minimum of ten years' service at the University of South Alabama is necessary to establish eligibility for consideration. The subject must have accepted retirement and retired officially from the University of South Alabama on a specific date. The following qualifications are examples of desirable characteristics that must be considered by the recommending department:

1. Academic
 - widespread or prestigious recognition as a scholar in his/her discipline
 - accepted and well-known excellence in teaching
 - notable contributions to student academic welfare, i.e., in the area of academic counseling, academic organizations, etc.
2. Extra Academic
 - recognized public service of definite institutional benefit
 - positive character in conduct over an extended period representing a consistently benign and inspiring influence

The benefits and/or privileges shall include continued library privileges, continued bookstore faculty discount, continued use of the University as agent for grant applications, continued eligibility for faculty parking privileges, and continued eligibility for University housing. The tenure and/or duration of appointment is for life.

3.3.5 Visiting Faculty Status

Appointing authority is the Board of Trustees through the President. Origination of recommendation is from the department to the dean to the Senior Vice President for Academic Affairs. Visiting status can be awarded at any professorial rank. The designee must have a current academic affiliation with another organization. Reimbursement, benefits and/or privileges, and duration of appointment are specified by letter of appointment.

3.4 Librarian Ranking

3.4.1 Professional Librarians

Professional librarians at the University of South Alabama shall have faculty status equivalent in all respects, including eligibility for tenure, to that status enjoyed by those in the departments of instruction, but professional librarians shall not hold professorial rank per se. Although faculty status for professional librarians carries all the rights and privileges of the instructional faculty, three aspects of faculty status must not be misunderstood. First, although the ranks of professional librarians and their suggested instructional counterparts may be established, the rank structure of professional librarians and the rank structure for members of the faculty whose primary function is instruction and research shall be denominated differently (see below). Second, although carrying different designations, no differences are intended, nor shall any be made. Third, the ranks of professional librarians differ from that of the instructional staff because of the basic difference in function. Consequently, the criteria for promotion shall be different (see next page).

The library ranks and their instructional counterparts are as follows:

<u>Library Rank</u>	<u>Counterpart Rank</u>
Instructor Librarian	Instructor
Assistant Librarian	Assistant Professor
Associate Librarian	Associate Professor
Senior Librarian	Professor

Rank at the time of appointment will be determined by educational credentials and professional experience. Only those with terminal degrees are eligible for library rank in accordance with the policy of the Association of College and Research Libraries, the Master's Degree in Library Science from an institution accredited by the American Library Association is considered the appropriate terminal degree for librarians employed in the academic setting. Tenure determinations will be made for professional librarians in accordance with the policies in effect for the instructional ranks on an equivalent basis. Promotion in rank will occur on the basis of performance and merit as determined by the stated criteria for promotion, both general and specific, included below.

3.4.2 Instructor Librarian

This rank constitutes the beginning level of professional librarianship and performance of professional duties. A supervisor for adequacy and compliance with instructions reviews professional work performed. Some professional functions are performed independently but within a limited scope. Administrative responsibility is not required at this level.

Minimum Qualifications: A Master's Degree in Library Science from an ALA-accredited program or an equivalent terminal degree is required. This is an entry level position, no professional library

experience is required. Persons holding this rank may be promoted only after a minimum probationary period of three years and satisfactory performance.

3.4.3 Assistant Librarian

This rank includes all positions that involve application of professional knowledge, responsibility for performance of others, and independent professional judgment. The person in this position assists in policy-making decisions and performs independently; a supervisor is available for consultation when necessary. This is the minimum rank for department heads.

Minimum Qualifications: A Master's Degree in Library Science from an ALA-accredited program or an equivalent terminal degree and at least three years of professional library experience. Persons holding this rank perform professional duties with considerable autonomy and serve their profession, the University, and the community. Promotion to this rank requires evidence of significant professional contributions to the Library or the institution.

3.4.4 Associate Librarian

This rank independently performs complex professional duties and supervises the activities of others. It also requires considerable subject expertise or depth in areas of librarianship or related areas with evidence of strong research potential. The person in this rank participates actively in professional contributions to the Libraries and the institution, as well as attainment of a high level of bibliographic activities in research or in other professional endeavors.

Minimum Qualifications: A Master's Degree in Library Science from an ALA-accredited program or an equivalent terminal degree, at least seven years of professional library experience or four years of USA service at the rank of Assistant Librarian, and appropriate administrative and supervisory experience. An additional graduate degree lends evidence of subject knowledge, although other evidence may be acceptable.

3.4.5 Senior Librarian

This rank includes the highest levels of professional responsibility. It has responsibility for staffing and assigning duties, for recommending establishment of or changes in policy; and for establishing procedures within the parameters of library regulations.

Minimum Qualifications: A Master's Degree in Library Science from an ALA-accredited program or an equivalent terminal degree; at least twelve years of professional library experience or five years of USA experience at the Associate Librarian rank; demonstrated administrative and supervisory ability; and a subject specialization where appropriate, evidenced by a graduate degree in the subject field or the equivalent in training or experience. Promotion to this rank requires outstanding achievements in bibliographical activities, in research, or in other professional endeavors.

3.5 Clinical Appointments

The policy given below applies to all clinical appointments in the College of Allied Health Professions made after August 14, 1998.

Clinical appointments for faculty in the College of Allied Health Professions will be designated by rank of Instructor of Clinical (name of discipline). Any such appointment carrying the prefix

“clinical” is non-tenure-track. Appointments are made official in writing with the terms specified in writing. Clinical appointments may be made when the faculty member teaches in a medically or health-related discipline and is not involved in research as a major component of his/her time.

1. Clinical appointments are made in two circumstances:

- To those individuals who volunteer their services in clinical practicum teaching; volunteer or part-time clinical faculty will carry the title of Adjunct Clinical Instructors.
- To those individuals who are salaried full-time faculty of the University and who meet the eligibility requirements. In such cases clinical faculty will be afforded all of the privileges awarded to faculty in probationary services in tenure-track appointments.

2. Clinical appointments are non-tenure track and are made on an annual basis. Notification of non-reappointment for salaried clinical faculty will be identical to the notification procedures specified for tenure track faculty unless otherwise specified in the appointment letter. Such notification will be given in writing.

Procedures relative to appointment, non-reappointment, and dismissal of clinical appointments are as follows:

- recommendation by the departmental chair to the dean of the college
- upon concurrence by the dean, recommendation to the Senior Vice President for Academic Affairs
- upon concurrence by the Senior Vice President for Academic Affairs, recommendation to the President of the University
- dismissal entails special procedures which comply with AAUP standards. Dismissal is defined as termination of employment prior to expiration of the term appointment
- performance evaluations and other matters relating to consideration for reappointment and salary increases will be based on individual performance relative to the responsibilities as a clinical appointee

3. Promotion in rank in clinical (non-tenure track) appointments is not possible.

3.5.1 Special Procedures for Conversion from a Non-Tenure Track Appointment to Tenure Track Appointment

An individual appointed in a non-tenure track (clinical) position may request to convert to a tenure track appointment when eligibility conditions described above are met. In such circumstances, the following conditions must be met:

- The conversion to tenure track status must be a voluntary decision of the individual.
- The individual requesting the change in appointment status must notify the department chair and dean of the college in writing. The request may be made at any time.
- Origination of recommendation and procedures relative to the change in appointment follow the personnel procedures described above.
- The individual requesting the change in appointment status must resign the faculty appointment prior to appointment to the tenure track position.
- A letter of appointment to the tenure track position will specify the beginning date of appointment and will specify the conditions of the appointment.

- The recommendation documents from the department and dean must be accompanied by a letter of resignation from the non-tenure track appointment signed by the faculty member and the faculty member's letter requesting conversion to tenure track status. The resignation letter must be addressed to the President.

Conversion from tenure track status to non-tenure track status is not possible.

- Decisions to recommend and appoint the faculty member in a tenure track position may be based on financial resources available to the department and the department chair's evaluation and judgment of the individual's potential success in meeting those standards necessary to achieve tenure.
- However, a denial of a request for a different type of appointment is not appealable.
- Probationary periods required in tenure track ranks will apply to individuals who convert from clinical status to tenure track status. A maximum of three years' credit may be applied toward the probationary period from time spent in previous tenure track status and clinical status. If credit to be applied toward the probationary period is granted for previous tenure track status and clinical status, the amount of time will be designated in the appointment letter.

3.6 Administrative Officers: Academic Rank and Reversion

3.6.1 Appointment of Administrative Officers to the Ranked Faculty

Administrative officers may hold rank in an academic department.

3.6.2 Reversion of Administrators to Faculty Status

Given below are two academic reversion policies: The 1989 Policy applies to administrators who were appointed to their administrative position on or after 1989. Administrators appointed prior to June 1989 will revert to faculty status in accordance with the reversion policy effective prior to February 1980.

June 1989 Academic Administrator Reversion Policy:

The following reversion policy applies to full-time administrators who hold faculty rank and tenure. The policy applies to both administrators who choose to revert to faculty status and to administrators who are removed from administrative positions for administrative reasons. Administrators who are removed from a position for cause are not automatically entitled to the following privileges.

1. Salary Conditions

Nine-Month Salary - An administrator's salary consists of a base portion, a summer portion, and a stipend. The base salary is comparable to the nine-month salary for faculty in a particular rank and department. The summer portion is 33% of the base. The stipend is an amount necessary to make the salary appropriate to the position. Annual raises are proportionately applied to all three portions of the total salary.

Upon reversion, an administrator becomes a faculty member and the base portion of the salary becomes the nine-month salary paid in twelve equal installments. The stipend stays with the position.

Summer Salary - An administrator who has held a full-time administrative appointment for five years and who reverts to a nine-month position is entitled to one summer's assignment at full pay

(25% of base salary) the summer immediately following reversion. An administrator who has held a full-time administrative appointment for ten years is entitled to two consecutive summer assignments at full pay.

Twelve-Month Salary - An administrator's salary in a department/college with twelve-month faculty appointments will receive a salary of the base portion and a stipend. The base salary is comparable to the twelve-month salary for faculty in a particular rank and department. The stipend is an amount necessary to make the salary appropriate to the position. Annual raises are proportionately applied to both portions.

Upon reversion an administrator becomes a faculty member and the base salary portion becomes a twelve-month salary paid in twelve equal installments and the stipend stays with the position.

2. **Study Leave**

An administrator who has held a full-time administrative appointment for five years is entitled to the equivalent of one semester of academic leave with full pay to prepare for return to full-time classroom and scholarly activity.

An administrator who has held a full-time administrative appointment for ten years is entitled to the equivalent of two consecutive semesters of academic leave with full pay. Study leave would normally be taken during the year after reversion.

3. **Vacation and Sick Leave**

Vacation not taken at the time of, or before the time of, reversion is lost.

February 1980 Academic Administrator Reversion Policy:

1. The following policy is applicable (or will apply) only to administrators who hold administrative posts on a fiscal-year basis and who hold tenured appointments at faculty rank in an academic department.
2. Reversion to faculty status is possible only for those holding tenured faculty appointments. Reversion to faculty status does not apply to departmental chairs.
3. The individual's twelve-month administrative salary will be converted to a nine-month faculty salary by multiplying the former by 0.818 (9/11). (This provision does not apply to those academic units whose faculty are on twelve-month appointments.)
4. For those who have served as an administrator for at least five years, but fewer than ten, no assignment will be made in the semester immediately subsequent to reversion. Rather, this semester is to be used for the study and research necessary to prepare adequately for return to the classroom. For those who have so served for ten or more years, two semesters without assignment will be provided. Full compensation at the new faculty salary will be provided. Full compensation at the new faculty salary will be paid in semester(s) in which those services of study and research preparation are made.
5. Those serving as an administrator for five years or more will be given a teaching or research

assignment for two Summer Semesters following reversion. In the event reversion occurs at the end of a Spring Semester, the first of these two summers will be devoted to the study cited in Item 1. above.

3.7 English Language Proficiency Requirement for Teaching Personnel

1. The Chairperson and Dean must certify in writing to the Senior Vice President for Academic Affairs that each individual appointed to a teaching position at the University of South Alabama can communicate effectively with students in the English Language. This policy took effect on November 15, 2002.
2. The Department of English as a Second Language, as appropriate, will provide assistance in improving the spoken English competency of currently employed teaching personnel (teaching faculty employed prior to November 15, 2002) who are identified as needing such assistance.

3.8 Faculty Appointments

3.8.1 Full-Time Faculty Contract Period

The academic year (9-months) is from August 15 through May 15. Faculty receive academic year contracts (normally issued in May each year) after the initial appointment year until tenure is acquired. Tenured faculty receive notification each year of any salary increase.

3.8.2 Part-Time Faculty Policy and Procedures

The University recognizes that part-time faculty are an essential component of the University's instructional workforce. Part-time faculty bring to the classroom and laboratories professional experience, disciplinary expertise, and provide an important enrichment to student learning. The University also recognizes its responsibility to maintain an appropriate balance of part-time and full-time faculty and will carry out this responsibility in a manner that does not jeopardize academic standards as determined by individual departments. Given below are policy and procedures regarding part-time faculty.

1. Appointment Procedures

Part-time faculty are temporary employees who are appointed "as needed" on a semester-by-semester basis. Appointment procedures are as follows:

National searches are not conducted for part-time faculty. Although search committees are not normally used for part-time faculty, the chair will appropriately consult with departmental faculty in their selection and appointment. Advertisements in local newspapers will be done only when deemed necessary by the dean and the chair. In those cases where local advertisements are necessary, both the *Mobile Register* and the local African-American newspaper, *Mobile Beacon* or equivalent, will be used.

Required documentation for a part-time faculty appointment is identical to that of a full-time faculty appointment as given below:

- Official transcripts (cannot be "issued to student")

- Curriculum Vita
- Biographical Data Form
- 3 signed letters of recommendation
- A letter of recommendation from the department chair with the approval signature of the dean
- Completed Part-Time Faculty Appointment Form

All of the above information is forwarded to the Senior Vice President for Academic Affairs. Upon approval for addition to the Part-Time Faculty Roster, the file is returned to the College Dean.

Part-Time Faculty Roster: A roster of approved part-time faculty is maintained in the offices of the Senior Vice President for Academic Affairs and the College Dean. Once approved for addition to the Part-Time Faculty Roster, the individual is eligible to teach on an “as needed” semester-by-semester basis. The department chair is responsible for initiating a written notice to the dean and the Senior Vice President for Academic Affairs to withdraw an individual from the Part-Time Roster.

Part-Time Faculty Appointment Letter (Contract): A contract letter using the approved standard form will be issued to all part-time faculty appointees for each semester employed. A teaching assignment may not be made in the absence of a written contract.

Time Frame: The Dean’s office will call for recommendations from the Department. The letter will be issued by the Dean at least two weeks prior to the end of the semester immediately preceding the semester in which the individual will teach. Exceptions to the time-line will be made only in critical situations when the file is complete and the individual has been duly interviewed, recommended and approved at all levels.

Official files for part-time faculty are maintained in the Dean’s Office.

2. Academic Credentials

Part-time faculty members teaching credit courses leading toward the baccalaureate degree must have completed at least 18 graduate semester hours in the teaching discipline and hold at least a master’s degree, or hold the minimum of a master’s degree with a major in the teaching discipline. In exceptional cases, outstanding professional experience and demonstrated contributions to the teaching discipline may be presented in lieu of formal academic preparation. Such cases must be justified by the department on an individual basis using the standard “Exception for Faculty Academic and Professional Preparation” form.

Part-time faculty teaching courses at the master’s and specialist degree level must hold the terminal degree, usually the earned doctorate, in the teaching discipline or a related discipline. In some instances, the master’s degree in the discipline may be considered the terminal degree, such as the M.F.A., the M.S.W., and the M.L.S.; in others, a master’s degree in the discipline coupled with a doctoral degree in a related discipline is considered appropriate. It is the responsibility of the department to justify the master’s degree, or master’s in the teaching discipline coupled with a related doctorate, as the terminal degree for faculty members teaching in those disciplines. All faculty members teaching courses at the doctoral degree level must hold the earned doctorate in the teaching discipline or a related discipline.

The University recognizes that in unusual cases it may be appropriate to include those graduate faculty members who have demonstrated exceptional scholarly or creative activity, or professional experience, but who may not possess the required academic credentials. There also may be an occasion when a new graduate discipline is in its formative stage in higher education and there are no faculty members available with academic credentials in the discipline. In either case, when a department presents evidence of competence or academic credentials other than the doctorate in the discipline for its graduate faculty, the department must justify the employment of such faculty.

3. Tenure Eligibility

Part-time faculty are **not** eligible for tenure and thus are non-tenure accruing.

4. Scheduling and Staffing

Scheduling and staffing of all classes is tentative until registration is complete; therefore, course assignments and employment of part-time faculty may change with little notice. Part-time faculty will be notified of such changes as soon as possible.

5. Pay Rates

Pay rates for part-time faculty will be reviewed periodically by the Senior Vice President for Academic Affairs and the Council of Deans to determine if remuneration should and can be adjusted.

6. Duties

In general, the duties of part-time faculty are limited to teaching and should not include research or service.

7. Faculty Meetings

Although regular attendance at Departmental, College, or University faculty meetings is not required, part-time faculty should be encouraged to attend those meetings directly dealing with their teaching responsibilities. Supervisors will keep part-time faculty informed about meetings relevant to part-time faculty or about the information disseminated at such meetings.

8. Teaching Load

No part-time faculty member will teach more than 12 credit hours per academic year at the University of South Alabama, except in unusual cases in which special permission is given by the appropriate dean.

9. Orientation and Teacher Development

Orientation refers to providing information on mission statements, policies, logistics, facilities, and pedagogical advice that assist faculty in performing their duties and becoming integrated into the University community. *Teacher development* refers to initiatives by the University to

promote effective teaching and to promote their professional development as educators.

- Part-time faculty will be encouraged to participate in University-sponsored teacher development and orientation activities (e.g., "Orientation for New Faculty Program", workshops, and meetings).

In addition to institutional-level orientation opportunities for part-time faculty, each department will also provide orientation for its new part-time faculty. Such orientation can be in the form of, e.g., printed material, oral communication, or audiovisual technology. Orientation also can be one-on-one or in groups. Each department chair will provide new part-time faculty with the institution's *New Faculty Orientation Handbook*, which can be supplemented with information specific to the department. Departmental orientation should especially focus on matters that apply to the department and to the part-time instructor's particular role.

Department chairs are encouraged to appoint a faculty mentor to each new part-time teacher for at least the first semester of employment at the University.

Although not prohibited by policy, the University usually does not fund individual requests for professional development of part-time faculty (e.g., funding for presentations at conferences).

10. Supervision and Evaluation

Supervision refers to a means by which the faculty member's teaching performance is monitored and by which individual guidance on meeting teaching responsibilities is received. *Evaluation* refers to a means by which teaching performance is formally assessed.

- Part-time faculty will be supervised and evaluated by the department chair or designee.
- In every course taught by a part-time faculty member, the department chair or designated tenured faculty member will visit the class at least one time.
- Each semester, the department chair or designee will review and approve the syllabus, schedule of lectures or topical outline, objectives, and textbook(s) for all courses taught by part-time instructors, and will discuss with the part-time instructor the department's expectations for the course as well as the part-time instructor's teaching plan for the course.
- Part-time faculty will be evaluated in accordance with the same policy and procedures as those employed for the evaluation of teaching for full-time faculty. However, part-time instructors will be evaluated by students in every course. Part-time faculty should be informed of the procedures for the evaluation of teaching during their orientation.
- Each department will demonstrate that it uses the results of student and other evaluations of the courses in decisions regarding rehiring part-time instructors and in improvement of teaching and student learning.

11. Student Access

Student access refers to the means by which students can communicate with their instructors in a regular, effective, and timely fashion.

- On the first day of classes of the semester, part-time instructors will provide students with information indicating how and when students can access them for out-of-class assistance.
- To facilitate student access, the department will, to the extent possible, provide part-time teachers with reasonable access to appropriate support services (e.g., office space, office telephone, faculty parking, mailbox, mail services, email account, and essential secretarial support for performing teaching duties).

3.9 Summer School Teaching Assignments

It is University policy that no academic year (9-month) faculty is guaranteed summer school teaching. The following is designed to serve as a guideline for the selection of summer school faculty.

No faculty member will receive a summer school assignment for more than two consecutive summers, unless it is in the best interest of the University to do so. For example, circumstances may necessitate that a person teach more than two consecutive summer school sessions, or a person may possess a particular expertise and be the only faculty member available for teaching. However, in all instances, summer school assignments will be made in the best interest of the University. Therefore, the dean of each college, along with the respective department chair, will make the determination about summer school assignments. Moreover, each department, with a range of complexities, will within the policy framework develop and refine a policy for the selection of faculty for the summer sessions. Such policy must be approved by the dean of the college.

3.10 Promotion Policies and Procedures

3.10.1 Introduction and General Criteria

The overall quality of the University and its programs depends, quite clearly and directly on the quality of the faculty. The faculty's achievements in scholarship, research, honors, professional reputation, and teaching excellence are all measures of faculty strength, although different types of institutions may value these measures differently. For universities, however, the level of scholarship attained by the faculty is the most meaningful criterion, judged in the light of national standards. On this basis, few institutions in the country can claim true excellence, but certainly the University of South Alabama aspires to that goal. Just as certainly it cannot accept a level of scholarship that is anything less than adequate, i.e., a performance considered respectable by national standards. Because promotion in rank is recognition of the achievements by which the University is measured, then, promotion decisions have the most serious long-term implications for the quality of the faculty, and, therefore, of the University.

Therefore, given the relationship described above, it shall be University policy to base all promotion decisions solely on demonstrated professional merit, the quality of contributions to the University, and the competent and regular performance of duties, including one's ability to participate harmoniously in a healthy learning environment. In making promotion decisions, the general policy of the University shall be to use faculty consultation with appropriate approval and recommendation by the department chair, academic deans/directors, vice presidents, and a final decision made by the President and the Board of Trustees.

Promotion in academic rank constitutes recognition of an individual's professionalism and professional achievement. The pertinent attributes of professionalism are identified in the "AAUP Statement on Professional Ethics" (see section 4.5). The degree of professional achievement is evaluated in three broad areas: teaching effectiveness, professional development, and professional service to the department, the college, the University, and where appropriate, the community. While not exhaustive, the following descriptions provide broad definitions of the three areas.

The area of teaching effectiveness includes classroom and laboratory performance, academic advising and counseling, availability to students, supervision of students' independent research or study, course and curriculum development, and guest lectures to classes.

The area of professional development includes scholarship in all its manifestations-service on editorial and advisory boards, offices held in professional organizations, participation in professional institutes and workshops, research, publications, exhibitions, performances, professional awards, grants and fellowships, presentations to professional organizations and lecture appointments.

The area of university-related service includes committee and administrative work at any level of the University, assisting in student activities and university-related community and clinical services rendered in a professional capacity.

Participation in university management by persons who are also faculty members -- either through holding administrative positions at the University or through committee work of a purely administrative nature -- may not be the sole basis for promotion in academic rank. Promotions are always based on merit and achievement, rather than upon length of service only. Promotions will not be denied solely on the basis of budgetary limitations; as a practical matter, however, budgetary limitations may not always permit an immediate salary increase commensurate with the new rank at the time the promotion is granted.

As a matter of policy, the University has no quota system as to the number or percentage of persons who can hold any particular rank.

Candidates recommended for promotion must meet the following minimum qualifications as well as the highest standards of the discipline according to the general criteria found above. Additionally, candidates must display evidence of substantial professional development or achievement since attaining their present rank.

Full-time academic service is defined as full-time employment as a faculty member for the entire academic year. An "academic year" is nine months (August-May) normally covering Fall and Spring semesters. For faculty appointed on a twelve-month basis, an "academic year" is twelve months covering Fall, Spring, and Summer terms.

3.10.2 Criteria by Rank

1. Assistant Professor

The rank of assistant professor is open only to faculty members considered terminally qualified in their field, or to one whose credentials have been accepted by the University as equivalent to terminal qualifications. In exceptional cases, an assistant professorship may be granted for

clearly distinguished achievement to one who has not met the prescribed degree requirements. The following requirements must be met for promotion from Instructor to Assistant Professor:

- The candidate must have the appropriate terminal degree.
- Where a Master's degree is considered terminal, at least three years of full-time academic service at the Instructor level are required before eligibility for promotion is established. The time-in-rank requirements refer to continuous service only at the University of South Alabama. For prior teaching or other professional experience, including prior experience at the University of South Alabama prior to the current appointment, to count toward promotion eligibility, the individual's initial letter of appointment must so specify and indicate the extent to which it will be counted. Lacking this specification, prior experience, including previous experience at the University of South Alabama under another appointment, cannot be used to establish eligibility to be considered for promotion.
- The candidate must display evidence of effective teaching and advising and of scholarly or creative activity.

A person with a Master's degree who is given a tenure-track appointment in a discipline in which the Master's degree is the terminal degree is appointed as an Instructor and is promotable after three full years of service. An application for promotion to Assistant Professor would be submitted to the department after two years of service. If the Instructor is promoted, credit for three full years of service would be granted toward tenure. However, the probationary period for promotion to Associate Professor would remain the same (six years at the Assistant Professor level). An Instructor with a Master's degree who is not promoted will normally serve no more than six years of full-time service. Such an Instructor would be given notice for the final year of service after five years. Faculty members given a letter of non-reappointment will receive no salary increases for the terminal year. Furthermore, once the letter of non-reappointment has been given, the annual affirmative action plan evaluation will not be required.

2. Associate Professor

The rank of associate professor is open only to those holding an earned doctor's degree or other terminal degree in the field in which they are teaching, or to one whose credentials have been accepted by the University as equivalent to terminal qualifications. In exceptional cases, an associate professorship may be granted for clearly distinguished achievement to one who has not met the prescribed degree requirements. The following requirements must be met for promotion from Assistant Professor to Associate Professor:

- The candidate must have at least six year's full-time professorial experience as an Assistant Professor. The time-in-rank requirements refer to service only at the University of South Alabama. For prior teaching or other professorial experience to count toward promotion eligibility, the individual's initial letter of appointment must so specify and indicate the extent to which it will be counted. Lacking this specification, no prior experience can be used to establish eligibility to be considered for promotion.
- The candidate must display evidence of professional development of sufficient quality to indicate the continuation of a significant scholarly or creative career.

- The candidate must display evidence of effective teaching and student advising.
- The candidate must have begun to show competent work in university-related services at one or more levels.

3. Professor

The rank of professor is open only to those holding an earned doctor's degree or other terminal degree in the field in which they are teaching, or in a closely related field. In exceptional cases, a full professorship may be granted for clearly distinguished achievement to one who has not met the prescribed degree requirements. The following requirements must be met for promotion from Associate Professor to Professor:

- The candidate must have at least three years' full-time academic experience as an Associate professor. Time-in-rank requirements refer to service only at the University of South Alabama. For prior teaching or other professorial experience to count toward promotion eligibility, the individual's initial letter of appointment must so specify and indicate the extent to which it will be counted. Lacking this specification, no prior experience can be used to establish eligibility to be considered for promotion.
- The candidate must display evidence of effective teaching and student advising.
- The candidate must display evidence of outstanding scholarly (or equivalent creative) work, including, for instance, one or more significant book-length works or number of substantial articles.
- The candidate must display evidence of significant and sustained university related service.

Exceptions: While all criteria and formal requirements must normally be met for promotion to the ranks indicated, it is conceivable that, in rare instances, truly outstanding performance will carry sufficient weight to make exceptions appropriate. In such instances, a compelling case for promotion must be made, including specific, detailed information that will allow reviewing officials to make an informed evaluation of the recommendation. Such cases will constitute rare exceptions to the normal policy.

3.10.3 Promotion Procedures

Promotion recommendations will be submitted to the Senior Vice President for Academic Affairs each year, normally by March 1. (A list of eligible faculty is forwarded to the college dean by the Senior Vice President for Academic Affairs.) The recommendations originate at the departmental level and proceed upward through normal administrative channels. Final promotion decisions are made by the President, subject to approval by the Board of Trustees.

1. Departmental Procedures

The chair is responsible for the organization and conduct of the department's activities with regard to promotion. Candidates for promotion are identified by the chair's nomination or, lacking that, self nomination should a person not nominated feel qualified. The chair will insure

that all candidates have an opportunity to submit relevant information and materials for appropriate review.

For purposes of dealing with the recommendations for promotion, the appropriate faculty consultative body consists of a committee composed of all those members of the department senior in rank to the candidate. Some academic units may find it difficult or impossible to constitute such a committee, given the above exclusions. In that event, the chair appoints an appropriate committee, following the spirit of the review process. All involved faculty must have an opportunity to examine whatever supporting information and materials the candidate may have submitted in support of his/her candidacy.

Once these procedures have been completed, the chair shall submit a recommendation in writing, including justification for the recommended action, to the dean (or director) of the academic unit. Along with the recommendation, the chair will report to the dean the results of the faculty consultation that has been conducted.

2. Collegiate Procedures

The dean (or director) of each college, school, and division will appoint each year a Promotion Evaluation and Review Committee (PERC). Membership on this Committee shall be limited to tenured associate and full professors. Additionally, chairs of departments having candidates for promotion will not serve as members. (Some academic units may find it difficult or impossible to constitute such a committee and will follow the spirit of the review process in the constitution of the Committee.) The Committee's charge shall be to review the departmental promotion recommendations submitted to the dean's office and to evaluate the candidates so that it can make its own recommendations to the dean. The Committee may establish the procedures it wishes to follow in carrying out its charge, subject to the dean's approval. These procedures must include, however, adequate provision for the candidates to submit relevant information and materials in support of their candidacies and must be grounded in the promotion criteria stipulated above. The Committee recommendations submitted to the dean should contain a rationale for the Committee's action and a report of the Committee's vote on each recommendation. If an academic unit finds this Committee procedure unworkable, it may substitute another consultative method, upon the approval of the Senior Vice President for Academic Affairs.

When the recommendations of the department chair, departmental committee, and college committee have been forwarded, the dean shall review the file and make a separate recommendation. The recommendations of the department chair, the departmental committee, the college committee (PERC) and the dean shall be forwarded to the Senior Vice President for Academic Affairs.

3. Vice Presidential Procedures

After receiving the college submissions, the Senior Vice President for Academic Affairs shall proceed to formulate his/her recommendations, based on the supplied information, and submit those recommendations (department chair, departmental committee, college committee, and the dean of the college) to the President.

4. Presidential Action

The President takes final action on the recommendations for promotion, subject to the approval of the Board of Trustees.

5. Notification

Once the President and the Board of Trustees have acted, letters of promotion are issued by the President. Upon the issuance of such letters, the Senior Vice President for Academic Affairs shall report to the appropriate dean the results of the Board action on promotions for further transmission to the chairs and faculty and submission of appropriate personnel action forms.

3.10.4 Promotion Following Completion of Terminal Degree

Promotions will be considered once a year. This statement refers to the ordinary promotion procedures which involve faculty input into the formal evaluation process. That process results in promotions at the beginning of each academic year-August 15. However, faculty who are appointed as Instructors may receive a mid-year promotion upon completion of the terminal degree if the following conditions are met:

1. The letter of appointment provides for a promotion based upon completion of the terminal degree. (The department chair and the dean are responsible for indicating this request at the time of the initial appointment.)
2. All requirements for the terminal degree are met before January 1.
3. Transcripts documenting and certifying that all requirements have been completed are forwarded to the Senior Vice President for Academic Affairs along with a recommendation for promotion before January 15.

If a salary adjustment is to be made, other than the ordinary promotion increment, such salary adjustment must have been specified in the letter of appointment.

3.10.5 Promotion Increments for Faculty

A salary increase accompanies each promotion. The promotion increments are:

Instructor to Senior Instructor	\$4,000.00
Promotion to Full Professor	\$5,000.00
Promotion to Associate Professor	\$3,000.00

Due to a wide variation of circumstances under which a faculty member is promoted from Instructor to Assistant Professor, the promotional increment is based on a \$1,000.00 increase with the understanding that many circumstances make the increase negotiable.

3.11 Tenure

3.11.1 Academic Freedom and Tenure

Introduction

The University supports the AAUP 1940 Statement of Principles on Academic Freedom and Tenure, as printed below. If University policy differs with AAUP policy, the University policy supersedes and prevails.

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends, specifically: (1) freedom of teaching and research and of extramural activities; (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

3.11.2 Academic Freedom

1. The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. The teacher is entitled to freedom in the classroom in discussing his/her subject, but he/she should be careful not to introduce into his/her teaching controversial matter which has no relation to his/her subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.
3. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge his/her profession and his/her institution by his/her utterances. Hence, he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson.

3.11.3 Academic Tenure

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigency.

In the interpretation of this principle it is understood that the following represent acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
2. Beginning with tenure-track appointment to full-time instructor or higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the provision that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his/her new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.
3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.
4. Termination for cause of continuous appointment, or the dismissal for cause of a teacher, previous to the expiration of term appointment, should, if possible, be considered by both faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him/her and should have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon his/her case. He/she should be permitted to have with him/her an advisor of his/her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from his/her own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.
5. Termination of a continuous appointment because of financial exigency should be demonstrably *bona fide*.

3.11.4 Tenure Policy and Procedures

3.11.4.1 Introductory Statements

1. Pre-Tenure Review of Assistant Professors

In addition to the Annual Affirmative Action Plan Evaluation, a pre-tenure review will be conducted at the department level or comparable academic unit for all assistant professors by no

later than the completion of the third year of probationary service (or mid-probationary term for those faculty whose probationary term includes credit for prior service). The department chair will conduct the evaluation in consultation with the tenured faculty of the department or comparable academic unit. The chair will meet with the faculty member to discuss the results of the review and will provide the faculty member with a written summary.

2. Tenure Policy

The following Tenure Policy applies to appointments made on or after September 1, 1987.

Tenure acquisition requires specific procedures and approvals. It is never automatic, regardless of the number of years of service. Tenure is granted only by the Board of Trustees.

If approved, tenure is granted to faculty members in the ranks designated below on August 15th following the completion of a period of probationary service as a full-time member of the faculty of the University of South Alabama. The tenure decision may not be delayed beyond the applicable probationary period indicated by rank.

When this tenure policy differs from the 1940 Statement of Principles on Tenure, this policy will supersede the 1940 Statement.

3.11.4.2 Requirements for Eligibility for Tenure

1. Rank Requirements

Tenure is granted only to faculty members holding the rank of Assistant Professor, Associate Professor, Professor, Assistant Librarian, Associate Librarian, or Senior Librarian.

2. Time of Service Requirements

The period of required full-time probationary service is defined in the table below:

RANK	YEARS OF FULL-TIME PROBATIONARY SERVICE BEFORE BEING ELIGIBLE FOR TENURE
Professor, Senior Librarian	2
Associate Professor, Associate Librarian	3
Assistant Professor, Assistant Librarian	6

A tenure track faculty member who has not achieved at least the rank of Assistant Professor or Assistant Librarian normally shall not serve on the faculty more than six years. Years of service as a faculty member on fractional appointment(s) cannot be accumulated to be counted toward tenure (see section 3.12). Academic service must be full-time to be counted toward tenure. Full-time academic service is defined as full-time employment as a faculty member for the entire

academic year. Academic service includes both administrative and academic activities while holding faculty rank. Time on leave from the University of South Alabama normally may not be counted toward the required probationary period.

Faculty at the rank of Assistant Professor, Assistant Librarian, or above may be granted credit up to a maximum of three years toward tenure for prior full-time academic service at the University of South Alabama or other institutions of higher education. If credit is granted toward tenure, the number of years credit will be stated in the letter of appointment, and the same number of years credit must also be granted toward promotion. In exceptional cases, at the time of appointment, tenure may be granted to persons who are tenured at another university at the rank of Professor. For appointments with tenure, reviews and recommendations shall occur prior to appointment at the departmental level, the collegiate level and the University level.

3.11.4.3 Tenure Procedures

The review process for awarding tenure is conducted during the faculty member's final year of probationary service. The process begins in the department and includes administrative and peer recommendations at both the departmental and the collegiate levels. Following are the procedures for each level of review including departmental, collegiate, dean, Vice President, and President.

1. Departmental Procedures

The departmental tenure committee shall be notified by the department chair to consider a faculty member who is in the final year of probationary service. The departmental tenure committee is normally composed of all tenured faculty members in the department except the chair. The committee shall have an opportunity to examine whatever supporting information and materials the candidate may have submitted in support of his/her candidacy.

External Review of Candidates for Tenure

An external review of the candidate's scholarship will be included in all tenure applications. Obtaining the reviews will be the responsibility of the department chair in accordance with the following procedures:

- The candidate, the chair of the Tenure Committee of the academic unit, and tenured faculty of the Department will each have an opportunity to submit a list of names of external referees who are recognized scholars in the candidate's field of scholarship.
- The chair of the Tenure Committee of the academic unit will select name(s) from each of the three lists and will request that these individuals provide a written review of the candidate's scholarship. The candidate will be notified of the names of those selected to serve as referees. The external review will then be included in the candidate's tenure portfolio and will be a component of all levels of the tenure review process.

The departmental committee shall submit a written report to the department chair. The chair shall submit a written report to the dean along with the departmental committee's report and the faculty member's supporting documents.

2. Collegiate Procedures

Each year, the dean (or director) of each college, school, and division shall appoint a collegiate tenure committee of at least seven (7) members. Membership on this committee shall be limited to tenured associate and full professors. In addition, chairs of departments having candidates for tenure and the dean of the college will not serve as members. (Given the above exclusions, some academic units may find it difficult or impossible to constitute such a committee. In that event, the dean will appoint an appropriate committee, following the spirit of the review process.)

The committee's charge shall be to review the departmental tenure recommendations submitted to the dean's office and to evaluate the faculty members who are eligible for tenure consideration so that it can make its own recommendations to the dean. Subject to the dean's approval, the committee may establish the procedures it wishes to follow in carrying out its charge. These procedures are to provide an adequate opportunity for faculty members who are in their final probationary year to submit relevant information and materials in support of their candidacies.

When the recommendations of the department chair, departmental committee, and collegiate committee have been forwarded to the dean, the dean shall review the file and make a separate recommendation. Recommendations of the department chair, the departmental committee, the collegiate committee, and the dean shall be forwarded to the Senior Vice President for Academic Affairs along with the supporting documentation.

3. Senior Vice Presidential Procedures

After receiving the collegiate recommendations and all related materials and information, the Senior Vice President for Academic Affairs shall proceed to formulate his/her recommendations, based on the supplied information, and submit those recommendations to the President along with the recommendations of the department chair, the departmental committee, the collegiate committee, and the dean of the college.

4. Presidential Action

The President takes final action on the recommendations for tenure, subject to the approval of the Board of Trustees.

5. Notification

When the President and the Board of Trustees have acted, letters of tenure are issued by the President's Office. Upon issuance of such letters, the Senior Vice President for Academic Affairs shall report to the appropriate deans the approval of tenure by the Board of Trustees for further transmission to the chairs and faculty.

6. Non-Reappointment of Faculty Not Granted Tenure

When a decision not to grant tenure has been made, a letter shall be forwarded to the affected faculty member. This letter will be sent no later than August 15th of the year that the faculty member would have been eligible to receive tenure.

In cases of non-reappointment, the period of untenured service is extended one year only beyond the probationary period. No reasons, oral or written, need be given for non-reappointment of untenured faculty.

Faculty members given a letter of non-reappointment will receive no salary increases for the terminal year. Furthermore, once the letter of non-reappointment has been given, the annual affirmative action plan evaluation will not be required.

3.12 Leave of Absence During Tenure Probationary Period

Academic service must be full-time to be counted toward tenure. Full-time academic service is defined as employment as a faculty member for the entire academic year. Exception to the policy may be granted under the following conditions:

1. The faculty member must submit a request for leave during the probationary period to the department chair. This request must include a description of planned activities, and all materials that would be required for the mid-tenure review.
2. The faculty member must obtain written permission from the departmental Tenure Committee, the department chair, the dean of the college, and the Senior Vice President for Academic Affairs. If permission for a leave during the probationary period is granted, the permission does not imply or mean that the faculty member will receive tenure.

3.13 College of Medicine-Guidelines and Policies Relating to Faculty Appointments, Promotions and Tenure

Policy Approved by the Board of Trustees on April, 2004

3.13.1 Primary Faculty Appointments

1. **Academic track.** Appointment to a particular academic track is based on the expected primary focus of academic effort for that individual, i.e., research, education or clinical practice. For promotion or tenure, evaluation of scholarship focuses on the major academic effort defined by the appointment track:
 - Investigator - major focus on research
 - Educator - major focus on medical education
 - Clinician - major focus on clinical practice
2. Appointments can be made on a **tenure-accruing or non-tenure basis**, depending on the track. Appointments to the Investigator and Educator tracks can be tenure-accruing or on a non-tenure track basis. When the appointment is tenure-accruing, tenure is recommended based on: 1) evidence of the capacity and likelihood for continued academic excellence, including continued intellectual, scholarly, and professional vitality; 2) evidence of dedication to the educational mission of the College; and 3) ability and willingness to contribute via service. The awarding of tenure is considered separately from the promotions process. Tenure is never automatic, regardless of the number of years of service. Appointments to the Clinician track will not be tenure-accruing. Scholarship and excellence are expected for promotion in any track, regardless of whether the appointment is tenure-accruing or on a non-tenure basis.

3. Appointment **rank and title**

The rank of Lecturer is a faculty appointment. However, this is not a tenure-accruing rank. This rank can be used for individuals appointed to a departmental position who deserve faculty status but who do not have a terminal degree.

The rank of Instructor is also a faculty appointment. Although Instructors may not be granted tenure, years spent at this rank may be applied toward tenure-accruing years if this individual is subsequently promoted to the rank of Assistant Professor.

Appointment at the level of Associate Professor or Professor requires evidence of significant academic, scholarly contributions by the candidate.

The academic rank will be used as the professorial title for all faculty.

4. Board certification and licensure

Physicians (MD or DO) must have a current Alabama license.

To be appointed as an Assistant Professor, these individuals must be board-eligible in their specialty.

Physicians promoted to Associate Professor or newly appointed as Associate or Full Professor must be board-certified in their specialty or subspecialty; this requirement pertains both to academic and adjunct appointees.

Board certification must be by a board recognized by the American Board of Medical Specialty or the American Osteopathic Association.

5. New appointees are expected to meet the time in previous rank and promotion criteria established for the proposed rank within the pertinent track.

3.13.2 Evaluation for Promotion and Tenure

1. Regardless of the academic track, promotion to successive ranks and/or tenure in the College of Medicine is based on the expectation of excellence and scholarship. Promotion or tenure are never automatic, regardless of the number of years of service.

2. Evaluation for promotion or tenure is based on assessment of scholarship, teaching, and service. The academic track identifies the major focus for evaluation of scholarship. General criteria for promotion and tenure in each track are outlined in this document. More specific expectations may be defined within each Department. However, expectations defined within a Department may not be less than those outlined in this document.

3. Excellence is defined as a high quality of performance and sufficient quantity of performance (or product).

4. Scholarship is defined as the intellectual/creative synthesis of new knowledge or insights, the testing of new hypotheses, and the dissemination of ideas and findings to colleagues. Excellence is intrinsic to scholarship, in that the product of scholarly activity should be peer-reviewed. Scholarship may be documented in many areas.

3.13.3 Promotion

1. The College of Medicine has adopted a uniform promotion date of August 15th.

2. Probationary periods - time in rank

Instructors and Assistant Professors in a tenure-accruing track must be recommended for promotion to the rank of Associate Professor prior to the end of the 7th year of total creditable service. A recommendation relating to tenure must accompany the request for promotion.

Generally, candidates must have at least 6 years of full-time professorial experience as an Assistant Professor before a promotion to Associate Professor will be considered.

Credit for previous full-time academic service may be granted up to a maximum of 3 years. If credit is granted, the number of years will be designated in the individual's initial letter of appointment. Lacking this specification, prior experience cannot be used to meet time-in-grade requirements for promotion.

To be considered for promotion to the rank of Professor, the candidate must have at least 4 years of full-time academic experience as an Associate Professor.

Time spent on sabbatical leave may count toward the required probationary period, whereas other types of leave (e.g., family or medical leave) do not count.

3. General criteria for promotion within academic faculty tracks

Investigator. Faculty in this academic track are full-time faculty whose professional effort is focused on basic, translational and/or clinical research. Faculty in the Investigator track are also expected to make contributions to medical education and service. Scholarly activity related to research is expected for advancement in rank.

Assistant Professor. At the Assistant Professor level, faculty in the Investigator track must have an MD, PhD, or equivalent terminal degree. During the term of appointment at this rank, development of the faculty member with respect to scholarship, teaching and service is expected. The major commitment of scholarly effort in this academic track is to research. At the rank of Assistant Professor, commitment to excellence in medical education and service is expected.

Associate Professor. Promotion to Associate Professor within this track will ordinarily be awarded to faculty who demonstrate a significant body of independent research and research support that is recognized by scientific peers at the national level, and excellence in teaching and service. Continued service and performance at the rank of Assistant Professor shall not, by itself, constitute grounds for promotion to Associate Professor. At this rank, Investigators are expected to be independent and nationally-recognized for their work, as measured by success in obtaining and maintaining extramural funding for investigator-initiated, hypothesis-oriented and peer-reviewed research projects from one of the major national funding agencies, and a solid publication record in peer-reviewed journals. Invited talks at local and regional scientific meetings also provide evidence for independence and recognition. Excellence in teaching medical and graduate students is expected, as evaluated by peers and students. Excellence in service is expected, through active membership in College of Medicine committees, participation in the peer-review process for scholarly journals or study sections, typically in the capacity of an ad hoc reviewer, and in local or regional professional scientific organizations.

Professor. Promotion to the rank of Professor in the Investigator track requires a consistent record of excellent performance at the Associate Professor level. However, continued service and performance at the rank of Associate Professor shall not, by itself, constitute grounds for promotion to Professor. With respect to research, a track record of obtaining and maintaining multiple independent NIH grants or extramural funding of

equivalent status is expected, as is the attainment of a strong national reputation for research. Excellence in teaching and service is expected. In addition, evidence of leadership is expected for promotion to this rank, both within the College of Medicine and within the scientific community. The individual would be expected to demonstrate leadership within the department through successful course directorships, as chair of College of Medicine committees, or via administrative duties for the College. Leadership in service is also evidenced by serving as an officer or committee chair for national and international scientific societies, in the design of national or international scientific meetings, as a regular member of a study section, or as a member of a peer-reviewed journal editorial board.

Educator. Faculty in the Educator track are full-time faculty, usually with a primary appointment in a clinical department, whose major professional effort focuses on medical education and service. Scholarly activity related to medical education and demonstrated excellence in teaching are expected for advancement in this track.

Assistant Professor. Faculty in this track must have an MD, PhD or equivalent doctoral degree. During the term of appointment at this rank, development of the faculty member with respect to scholarship, teaching and service is expected. The major commitment of scholarship effort in this academic track pertains to medical education. At the rank of Assistant Professor, commitment to excellence and scholarship in medical education and service is expected.

Associate Professor. Promotion to Associate Professor within this track will be based on a consistent record of excellence in teaching, service, and contributions to the academic community. However, continued service and performance at the rank of Assistant Professor shall not, by itself, constitute grounds for promotion to Associate Professor. At this rank, faculty are expected to be independent academic scholars. Academic efforts will focus on the scholarship of integration, application, or teaching as well as the delivery of educational service to the medical school community. Scholarly contributions may include peer-reviewed original articles, book chapters, development of new curricular materials, and/or contributions to textbooks. Though not the only criteria, publication and/or presentation of scholarly efforts in national forums or acquisition of extramural funding to support curricular efforts will be considered strong evidence as to the importance of the work. Since curricular materials are often not peer-reviewed, the applicant will be expected to include sufficient documentation to demonstrate the importance and quality of these contributions. Teaching as evaluated by students and peers should reflect excellence. Excellence in service is expected, through participation in College of Medicine committees and in local or regional professional organizations. Those applicants with a clinical appointment should continue to demonstrate excellence in direct care delivery as documented through patient satisfaction measures, clinical performance measures, and peer evaluations and should maintain clinical certification by his or her specialty board.

Professor. Promotion to the rank of Professor in the Educator track requires a consistent record of excellent performance at the Associate Professor level. This individual should be recognized by peers and students or other trainees as a preeminent educator and should have a national reputation for continued scholarship with respect to integration, application, or teaching as well as excellence in teaching. Leadership is expected for promotion to the rank of Professor. This could be evidenced through initiation and completion of major revisions of the curriculum or major curricular innovations. Similarly, service as residency program director or course director of a major academic course would provide evidence of leadership. At this rank, the individual would also be

expected to demonstrate leadership within College of Medicine committees or via administrative duties to the College and/or in professional societies. Those applicants with a clinical appointment should continue to demonstrate excellence in direct care delivery as documented through patient satisfaction measures, clinical performance measures, and peer evaluations and should maintain clinical certification by his or her specialty board.

Clinician. Faculty in the Clinician track are full-time faculty with a primary appointment in a clinical department, whose professional effort is focused on patient care and teaching activities related to patient care. Scholarship and excellence related to clinical practice are expected for promotion within this track.

Assistant Professor. Assistant Professors in the Clinician track must have an MD or equivalent terminal degree, must have completed an ACGME-accredited training program and be eligible to take the specialty examination in his or her field. During the term of appointment at this rank, development of the faculty member with respect to scholarship, teaching and service is expected. Faculty in the Clinician track must have demonstrated commitment to scholarship and excellence regarding patient care, the latter documented through patient satisfaction measures, clinical performance measures, and peer evaluations. At the rank of Assistant Professor, commitment to excellence in medical education and service is also expected.

Associate Professor. Promotion to Associate Professor within this track will be based on scholarship with respect to clinical practice and the delivery of exceptional clinical service to the local and regional community. Although the primary focus of this track is clinical care, delivery of such care will not in and of itself constitute grounds for promotion to Associate Professor. Academic efforts will focus on the scholarship of application with respect to clinical practice. The applicant will be expected to include sufficient information to the committee to demonstrate the importance of this work to the institution. Though not the only criteria, publication and/or presentation of scholarly efforts in national forums will be considered strong evidence as to the importance of the work. Evaluation of clinical services by outside organizations, which demonstrates a level of care that meets or exceeds national standards, will provide strong evidence for excellence. Applicants should continue to demonstrate excellence in direct care delivery as documented through patient satisfaction measures, clinical performance measures, and peer evaluations and should maintain clinical certification by his or her specialty board. Contributions to medical education, through delivery of grand rounds, one-on-one mentoring of medical students and/or participation in educational activities during clerkships or in residency programs, should reflect excellence. Active participation in College of Medicine committees, particularly those which pertain to clinical care, is required. Participation in planning and program committees for local or regional medical organizations constitutes another measure of service.

Professor. Promotion to the rank of Professor requires a consistent record of excellence and scholarship at the Associate Professor level. This individual should be recognized as a preeminent clinician and should have a record of continued excellence and scholarship with respect to clinical practice. This could be evidenced through introduction and implementation of major clinical innovations or major improvements in the delivery of clinical services within the College of Medicine. Leadership is expected for promotion to this rank, as evidenced by clinical leadership within the department, such as directorship of a clinical service. Evidence of successful review of the service by external agencies should be provided if available. At this rank, the individual would also be expected to provide leadership within College of Medicine committees or via administrative duties to

the College. In addition, the individual would be expected to provide leadership within local or regional professional medical organizations, through leadership on planning and program committees. Continued demonstration of excellence in direct care delivery as documented through patient satisfaction measures, clinical performance measures, and peer evaluations is expected, as is maintenance of clinical certification by specialty boards.

3.13.4 Tenure

1. Tenure is evaluated separately from promotion or appointment.
2. Tenure in faculty tracks. Tenure acquisition is never automatic, regardless of the number of years of service and does not apply to all tracks.

Investigator. Tenure may be granted to faculty whose excellence in professional and scholarly activities is recognized at the national level, who have demonstrated excellence in teaching, and who demonstrate a long-term commitment to the institution.

Educator. The granting of tenure to faculty in this track is limited to a small number of faculty who demonstrate a level of outstanding performance in medical education and commitment to the institution which stands significantly above that achieved by the majority of faculty in this academic track. It is expected that the professional and scholarly activities of these individuals are recognized at the national level.

Clinician. This is not a tenure-accruing track.

3. Probationary periods - time in rank

Tenure for faculty promoted from within the College of Medicine

Assistant Professors in tenure-accruing tracks must be recommended for promotion to the rank of Associate Professor and tenure prior to the end of the 7th year of service in the College of Medicine.

For newly appointed Assistant Professors, credit for previous full-time tenure-accruing service at other institutions may be granted up to a maximum of 3 years. If credit is granted, the number of years will be designated in the letter of appointment.

Faculty promoted to the rank of Associate Professor, but not awarded tenure will be considered for tenure after a 3-year probationary period as Associate Professor. The total duration of non-tenured appointment at the University of South Alabama for these individuals should not exceed 7 years. If the term of prior non-tenured appointment as Assistant Professor exceeds 4 years, the length of service as Associate Professor before tenure eligibility will be reduced so that the total non-tenure appointment does not exceed 7 years.

Tenure for new appointments

Professors and Associate Professors holding tenure at other institutions may receive tenure when appointed to the faculty of the University of South Alabama College of Medicine in the Investigator or Educator track.

Individuals recruited from outside the institution at the rank of Professor or Associate Professor who are not appointed with tenure should be considered for tenure after probationary periods of no more than 4 and 5 years, respectively.

Lecturers, Instructors and Assistant Professors will never be eligible for tenured appointments.

Time spent on sabbatical leave does count toward the required probationary period, whereas other types of leave (e.g., family or medical leave) do not count.

3.13.5 Joint Appointments

1. The College of Medicine permits joint departmental appointments when there is evidence of meaningful participation of a faculty member in the educational, research and service programs of both departments. The merits of the proposed joint appointment will be judged on the impact that appointment will have on these missions. Such appointments must mutually benefit the faculty/departments involved. Appointments that serve as recognition of an individual's achievements in another field are considered unnecessary.

Joint appointments on the basis of research may be made in order to provide space and/or other tangible support to the investigator or to enable the investigator to apply for research funding not available without such appointment. Collaborative research across departmental lines alone does not provide grounds for joint appointment.

Joint appointments on the basis of teaching reflect substantial contributions of the appointee to teaching within the secondary department. Ordinary interdepartmental cooperative efforts in teaching do not constitute grounds for joint appointment.

2. The primary department assumes responsibilities for remuneration and recommendations for promotion and/or tenure. If a joint appointment is made upon initial appointment to the University faculty, a primary department must be designated at that time.
3. Appointments to a secondary department for current faculty (joint appointments) will be at the discretion of the Chair.

In general, such appointments must mutually benefit the parties involved in a real and demonstrable manner.

When joint appointments are made, the Chair of the secondary department should forward a letter for informational purposes to FCAPE documenting the relationship. The letter should be co-signed by the appointee and the Chair of the primary department.

Joint appointments should only be continued for as long as the perceived value of the relationship continues. The Chair of the secondary department and the appointee should review the relationship annually.

4. All joint appointments are made at the rank of Assistant Professor or above. Joint appointment as an Associate Professor or Professor requires that the appointee demonstrate accomplishments similar to those required for primary appointment at that rank or promotion to that rank in the secondary department. Appointments do not have to be parallel, i.e., the individual's rank in the secondary department may be lower than that in the primary department. Appointment in the secondary department is never tenure-accruing.

3.13.6 Adjunct Appointments

1. Adjunct Faculty are non-salaried appointees who participate in the research or educational mission of the College of Medicine. These include adjunct appointments in basic science departments and voluntary clinical appointments. All such faculty must use the word "Adjunct" when referring to their affiliation with the College of Medicine on business cards, publications and presentations. These are non-salaried appointments, renewed on an annual basis.

2. Chairs have the responsibility of appointing adjunct faculty using the guidelines set out in this document. Initial appointments must be reviewed by FCAPE.

Adjunct Assistant Professor. Adjunct Assistant Professors must have a PhD, MD, or equivalent terminal degree. MDs must have specialty board eligibility or certification and current Alabama licensure. These faculty must contribute an average of twenty hours of service to the College of Medicine each year.

Adjunct Associate Professor. For appointment as an Adjunct Associate Professor, the above criteria must be met. In addition, MDs must be board certified. Promotion to Adjunct Associate Professor requires contributions to the College of Medicine over a period of 6 years, with documentation of the following: (1) superior teaching, (2) activity as a role model or mentor, (3) significant research collaborations, or (4) substantive service contributions through participation on College of Medicine committees.

Adjunct Professor. Appointment or Promotion to the rank of Adjunct Professor requires the above, as well as the demonstration of the individual's long-term commitment to the department and the institution.

3. All Adjunct appointments should be renewed on an annual basis.

3.13.7 Requests for Promotion and/or Tenure

1. Requests for promotion and/or tenure are reviewed once per year by the College of Medicine Faculty Committee on Appointments, Promotions and Evaluations (FCAPE).
2. Requests are initiated by the Department Chair. The Chair's letter accompanying the request should summarize the rationale for promotion and/or tenure. In rare cases, the request may be initiated by the faculty of a department or the appointee.
3. All requests for promotion and/or tenure will be prepared and submitted in a standardized form. The packet will include documentation of the candidate's qualifications and other required materials that can be used in support of a candidate (e.g., letters of recommendation, the Chair's letter, and the summary from the intra-departmental review).
4. The request for promotion and/or tenure must include a minimum of three letters from individuals outside the institution and three letters from individuals within the institution.
5. Requests for promotion and/or tenure must be initially reviewed within the candidate's primary department by departmental faculty at or above the proposed rank. A summary of the departmental review must be included in the packet forwarded to FCAPE.
6. Packets documenting materials required for "Requests for promotion and/or tenure" must be organized in a 3-ring binder, and fourteen copies of the complete packet submitted. The deadline for submission of packets is April 1st. Packets received after this date will not be reviewed.
7. Recommendations for promotion and tenure are forwarded from FCAPE to the Dean of the College of Medicine/Vice President for Medical Affairs. Final administrative action is taken by the President of the University who submits recommendations to the Board of Trustees. Promotions and tenure are granted only by the Board.

3.13.8 Where this policy differs from the 1940 AAUP Statement of Principles on Tenure, this policy will supercede the 1940 Statement.

3.14 Post-Doctoral Trainees

A Post-Doctoral appointment is a temporary appointment made primarily for the purpose of allowing individuals to obtain additional education and training in research and clinical activities.

Hiring procedures are determined at the department/college level, and in general follow the same path as those for graduate student research assistants, with the exception that the applications do not need approval from the Graduate Dean's Office. In general, the rights and privileges available to graduate students are also available to those hired as Post-Doctoral Trainees.

The following issues are left to the discretion of the dean of the college involved:

- application/appointment procedure
- compensation
- length of service
- teaching duties
- clinical duties

3.15 Non-Tenure Track Positions

Introduction

Designation of an approved non-tenure track faculty position requires written justification by the dean and must be approved by the Senior Vice President for Academic Affairs. Non-tenure track faculty positions may be approved in any of the following instances:

- when the position satisfies a current need but may not be needed in the future
- when a program requires positions to satisfy a current need but the program may not be needed in the future
- when the position is funded with 3-ledger and/or 5-ledger funds, i.e., grants and other temporary funding sources
- when the duties of the position exclude either teaching or research as a major responsibility
- when the position does not require a terminal degree

3.15.1 Non-Tenure Track Positions/Conditions

1. With the exception of explicit term contracts, appointments to non-tenure track faculty positions are made on an annual basis and are not automatic. The decision to reappoint, non-reappoint, or non-renew may be based upon an annual performance evaluation of the incumbent, on program needs, or on the financial position of the University. Non-renewal or non-reappointment notification dates and procedures will be the same as those for tenure-track positions.
2. Non-tenure track appointees are eligible for participation in faculty governance activities, including Faculty Senate privileges, committee memberships, and departmental deliberations.

3. Non-tenure track appointees are eligible to participate in faculty development opportunities available to tenure track faculty.
4. Non-tenure track appointees are eligible for benefits comparable to tenure track appointees.
5. Ordinarily, annual performance evaluations will be conducted for non-tenure track faculty positions.
6. Upper limits for the number of non-tenure track positions may be established by the various colleges.

3.15.2 Non-Tenure Track Instructor Positions

Non-tenure track Instructor appointments are ranked as follows:

Instructor
Senior Instructor

As a general rule, research is not a responsibility of these positions unless otherwise stated.

The rank of **Instructor** is open to faculty holding a minimum of a master's degree appropriate to the field in which they are teaching. Their primary duties include teaching in their field, academic advising, active involvement in departmental and university governance, professional development and public service.

The following requirements must be met for promotion from **Instructor** to **Senior Instructor**.

- The candidate must have at least seven years of full-time professional experience at the University of South Alabama as an Instructor. For prior teaching or other professional experience to count toward promotion eligibility, the individual's initial letter of appointment must so specify and indicate the extent to which it will be counted. Lacking this specification, no prior experience can be used to establish eligibility to be considered for promotion. The prior teaching experience must have been at an institution of higher education approved by the University and must have been full-time. A maximum of three years credit for the prior teaching experience may be applied toward the probationary service period for promotion eligibility. The granting of prior service credit is never automatic. The decision to grant credit and the amount of credit to be granted is based on the recommendation of the departmental chairperson and the dean and approved by the Senior Vice President for Academic Affairs and the President.
- The candidate must display evidence of excellence in teaching and in student advising or equivalent academic activity.
- The candidate must display evidence of professional development appropriate to the role of a faculty member whose primary responsibility is teaching.
- The candidate must demonstrate significant and sustained work in departmental, college and/or university-related services.

3.15.3 Non-Tenure Track Instructor – Promotion Procedures

Procedures for promotion from Instructor to Senior Instructor, at all levels, including departmental, college, dean, Senior Vice President for Academic Affairs and President, are identical to those outlined for tenure track faculty as outlined in the *Faculty Handbook*.

3.15.4 Non-Tenure Track Instructor – Promotion Increment

A salary increase of \$4,000.00 accompanies promotion from Instructor to Senior Instructor.

3.15.5 Non-Tenure Track Professorial Level Positions-Designation of Ranks and Titles

Non-tenure track faculty professorial level appointments are ranked as follows:

Assistant Professor
Associate Professor
Professor

3.15.6 Non-Tenure Track Professorial Level Positions-Promotion

Criteria and minimum time-in-rank before being eligible for promotion, and requirements for promotion in rank for non-tenure track professorial faculty positions are identical to those for tenure track professorial level faculty positions.

3.15.7 Change of Appointment Status for Non-Tenure Track Faculty

Procedures and conditions governing change from non-tenure track faculty appointment status to tenure track faculty appointment status are as follows:

1. Persons holding non-tenure track appointments will not be eligible for consideration for tenure track faculty rank, except as successful applicants responding to a normal, advertised search along with other candidates under affirmative action procedures. Change from non-tenure track status to tenure track status is not automatic.
2. Appointment to a tenure track position will be treated as a new appointment and the appointee must submit in writing his/her resignation from the non-tenure track appointment. Origination of recommendation and procedures relative to the change in appointment will follow procedures identical to those for appointment of new faculty.
3. Probationary periods for both tenure and promotion required for tenure track ranks will apply to individuals who change from non-tenure-track status to tenure track status. A maximum of three year's credit may be applied toward the probationary period time spent in previous non-tenure track status. If credit for prior service is to be applied toward the probationary period(s), the amount of time must be designated in the letter of appointment.

Faculty in tenure track positions are not eligible for non-tenure track appointments.

3.16 Severance Policy and Procedures

3.16.1 Non-Reappointment

The precise terms and conditions of each appointment are to be stated in writing and are to be in the possession of the appointee and the University. At the University of South Alabama, appointments are made on an annual basis through the probationary period or until tenure has been granted (see section 3.11.4). Non-reappointment of an individual during this period is not considered a dismissal. Faculty members who are given a letter of non-reappointment will receive no salary increase for the terminal year. Furthermore, once the letter of non-reappointment has been issued, the annual affirmative action plan evaluation will not be required.

3.16.2 The Standards for Notice of Non-Reappointment

Written notice of non-reappointment or of intention not to recommend reappointment should be given the faculty member according to the following standards:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year. If a one-year appointment terminates during an academic year, notice should be given at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year. If an initial two-year appointment terminates during an academic year, notice should be given at least six months in advance of its termination.
3. At least twelve months before the expiration of an appointment after two or more years in the institution.

The following procedures within the University have been adopted relative to appointment, non-reappointment, dismissal, tenure, promotion, etc.

1. A recommendation will be made by the department chair to the dean of the college or director of the division.
2. Upon concurrence by the dean of the college or the director of the division, a recommendation will be made to the appropriate vice president.
3. Upon concurrence by the Senior Vice President for Academic Affairs or Vice President for Medical Affairs, a recommendation will be made to the President of the University.

When this Non-Reappointment Policy differs from the AAUP 1940 Statement of Principles on Academic Freedom and Tenure, the 1964 Standards of Notice of Non-Reappointment and the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings, this policy will supersede the subject Statement and Standards.

Except as noted above, the AAUP 1940 Statement of Principles on Academic Freedom and Tenure, the 1964 Standards for Notice of Non-Reappointment and the 1958 Statement on Procedural Standards in Faculty Dismissal proceedings establish a norm in the first instance and serve as a guide in the last two instances (1958 and 1964 Standards). It is possible, however, to deviate from these

statements and standards provided the deviations are a matter of record and are understood by all personnel at the time of employment.

3.16.3 Resignation

Faculty members are expected to give reasonable notice before terminating employment.

3.16.4 Termination/Dismissal

Obviously, a dismissal entails much more complicated procedures than does non-reappointment. All academic deans should become completely familiar with the statements contained in the AAUP Bulletin: Winter, 1963, Spring, 1964, Summer, 1967.

Termination for cause of continuous appointment, or the dismissal for cause of a teacher, previous to the expiration of term appointment, should, if possible, be considered by both faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him/her and should have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to have an advisor of his/her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence, the testimony should include that of teachers and other scholars, either from his/her own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

Termination of continuous appointment because of financial exigency should be demonstrably *bona fide*.

The AAUP's 1958 Statement on Procedural Standards in Faculty Dismissal proceedings as printed below has been endorsed by the University of South Alabama. Where the University policy differs with AAUP Policy, the University policy supersedes and prevails.

THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings

Introductory Comments

Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely if ever need occur. Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty are the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions. Nonetheless, the faculty of a modern college constitutes an entity as real as that of the

faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

A well-organized institution will reflect sympathetic understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no way inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthful setting. When it does come, however, the college should be prepared for it, so that both the institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 Statement of Principles on Academic Freedom and Tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement and Standards which have developed in the experience of academic institutions.

This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in given effect to both faculty tenure rights and the obligations of faculty members in the academic community.

Procedural Recommendations

1. Preliminary proceedings concerning the fitness of a faculty member

When reason arises to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with him/her in personal confidence. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment if possible, and, if none is effected, to determine whether in its view formal proceedings to consider his/her dismissal should be instituted. If the committee recommends

that such proceedings should begin, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses his/her conviction that a proceeding should be undertaken, action should be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the President and the faculty committee; if there is disagreement, the President or his/her representative should formulate the statement.

2. Commencement of formal proceedings

The formal proceedings should be commenced by a communication addressed to the faculty member by the President of the institution, informing the faculty member of the statement formulated, and informing him/her that, if he/she so requests, a hearing to determine whether he/she should be removed from his or her faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare his/her defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded to him/her. The faculty member should state in reply whether he/she wishes a hearing and, if so, should answer in writing not less than one week before the date set for the hearing, the statements in the President's letter.

3. Suspension of the faculty member

Suspension of the faculty member during the proceeding involving him/her is justified only if immediate harm to himself/herself or others is threatened by his/her continuance. Unless legal considerations forbid, any such suspension should be with pay.

4. Hearing Committee

The committee of faculty members to conduct the hearing and render a decision should either be an elected standing committee not previously concerned with the case or a committee established as soon as possible after the President's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chair.

5. Committee proceeding

The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing.

If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether he/she should be removed; otherwise the hearing should go forward. The committee, in consultation with the President and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the President's letter to the faculty member should be received.

The President should have the option of attendance during the hearing. He/she may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of the witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the President. The faculty members should have the additional procedural rights set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or his/her counsel and the representative designated by the President should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all witnesses adverse to him/her. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as his/her statements, should nevertheless be disclosed to the faculty member.

Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

6. Consideration by Hearing Committee

The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or his/her counsel and the representative designated by the President to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and reasoned opinion may be desirable.

Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The President and faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the President's office.

7. Consideration by Governing Body

The President should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with the objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and

communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.

8. Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officer should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

3.17 Recommendations and Evaluations of Faculty

3.17.1 Dean Recommendations

A resolution passed by the Vice President's Council in 1986 requires deans to submit annual recommendations regarding faculty reappointments/non-reappointments for full-time, non-tenured faculty, both tenure and non-tenure track. All faculty are evaluated each year during the Spring Semester using the standard Affirmative Action Evaluation of Faculty form. Weightings, other than 60-30-10, are approved by the dean of the college.

3.17.2 Student Evaluations of Faculty

All faculty of the University of South Alabama are evaluated by students at least one time during each academic year. A computerized questionnaire is available through the University Computer Center for this purpose.

3.18 Academic Administrator Evaluation

Periodic performance evaluation and review of academic administrators provides a process to assist in the development of more effective administrative leadership. The academic administrator will receive performance feedback which should provide the basis for the continuous improvement of administrative performance. Periodic, formal evaluation of academic administrators - deans, directors, departmental chairs - is official academic policy at the University of South Alabama.

Academic administrative evaluations involving a survey of subordinates is a separate and unique evaluation process. The administrative evaluation is in addition to the annual performance evaluation conducted for purposes of merit and/or promotion decisions. Academic administrative performance evaluations may occur at any time as directed by the Senior Vice President for Academic Affairs.

The Senior Vice President for Academic Affairs will administer the evaluations of deans. The evaluation form will be sent to all chairs of the dean's college. The completed evaluation is to be returned, either signed or unsigned, to the Office of the Senior Vice President for Academic Affairs in a sealed envelope. The written tabulated summary and any written comments will be given to the dean personally by the Senior Vice President for Academic Affairs. After the dean has had an opportunity to analyze the results, the Senior Vice President for Academic Affairs will schedule a performance review meeting with the dean. The meeting will provide an opportunity to discuss administrative strengths and weaknesses, and when necessary, develop improvement plans for specific areas which have been identified as weaknesses. The Senior Vice President for Academic

Affairs will present a summary report of the administrative evaluation of deans to the President. The dean being reviewed may, if desired, submit a response to the President and to the college faculty.

The evaluation of associate deans, chairs, or directors will be conducted by the dean. The evaluation form will be sent to all full time faculty in the department. The completed form will be returned, either signed or unsigned, to the office of the dean in a sealed envelope. A written summary, including the relevant written comments, will be given to the chair personally by the dean. After the chair has had an opportunity to analyze the results, the dean will schedule a performance review meeting with the chair. The meeting will provide an opportunity to discuss administrative strengths and weaknesses and, when necessary, develop improvement plans for identified weaknesses. The dean will submit a written summary report, including recommended improvement plans, to the Senior Vice President for Academic Affairs. The chair being reviewed may, if desired, submit a response to the Senior Vice President for Academic Affairs and to the department faculty.

For the evaluation of associate deans, the evaluation forms will be sent to department chairs and to other faculty or staff identified by the dean that interact with the associate dean on a continuing basis. For the evaluation of directors, the evaluation form will be sent to all full-time employees working under the direct supervision of the director or other faculty or staff identified by the dean that interact with the director on a continuing basis. The evaluation process described for department chairs will be used for the evaluation of associate deans and directors.

The President will conduct an administrative performance evaluation of the Senior Vice President for Academic Affairs using the process as outlined above. The evaluation will be completed by those under the purview of Academic Affairs.

3.19 Faculty Recruitment

The University of South Alabama is an Affirmative Action/Equal Opportunity Educational Institution. The pre-employment file must include official transcripts from all institutions of higher learning, a completed University Biographical Data form, three letters of reference, and any other required EEOC/Affirmative Action/M/F/D Compliance statements.

The Guidelines for Faculty and Administrative Searches are presented to each search committee at the first meeting of the committee. Copies of the guidelines are available in the office of each college dean, each department chair and in the office of the Senior Vice President for Academic Affairs. These guidelines are followed from the beginning of a search to the final appointment of an applicant for an academic position to assure compliance with EEOC, Affirmative Action, ADA, Southern Association for Colleges and Schools and Consent Decree mandates.

University policy requires that all persons appointed to the faculty must be proficient in spoken and written English. The Department Chair and Dean must certify that proficiency.

There is only one official personnel file maintained by the University, and that file is housed in the Office of the Senior Vice President for Academic Affairs.

3.19.1 Guidelines for Faculty and Administrative Searches

Introduction

Special Considerations

University policy and accreditation standards:

- each faculty member be proficient in spoken and written English. Certification of such proficiency must be provided by the Departmental Chair and Dean prior to the appointment.
- each full- or part-time faculty member has completed AT LEAST 18 graduate semester hours in the teaching discipline, and
- hold AT LEAST a Master's degree, or holds the minimum of a Master's degree with a major in the teaching discipline,
- or justify, in exceptional cases, outstanding professional experience.

All faculty search committees are asked to assure compliance with these minimum requirements during the applicant screening process BEFORE interviews are requested. Official transcripts must be a part of the completed file which is forwarded to the President when the candidate is recommended for appointment, so requiring them early saves time in the final appointing process and enables the Committee to ensure compliance with minimum requirements. Also, spoken and written English proficiency should be critically evaluated through written evaluation materials and through telephone interviews of those applicants making the short list. No full-time or part-time faculty will be appointed who do not meet these criteria.

This document is meant to serve as a guideline for deans, department chairs, and search committees involved in filling vacant or new faculty and administrative positions within the Academic Affairs division. A separate policy governs searches for endowed chairs. In the following step-by-step procedures, items marked with "REQUIRED" are actions mandated by the University Affirmative Action Plan, by consent decrees, and by federal, state, and immigration laws. All correspondence, including advertisements, brochures, and flyers must include the Affirmative Action/Equal Opportunity/M/F/D statement.

All efforts to fill academic positions will be directed toward choosing the most qualified individual based on professional qualifications, personal integrity, and affirmative action/equal opportunity considerations. These procedures are designed to assist academic personnel in completing the search process in an efficient and effective manner.

While affirmative action and consent decree requirements have been incorporated into the following procedures, this does NOT replace the need for all persons concerned to be familiar with the University Affirmative Action Plan, consent decree requirements, and state and federal laws. Deans, department chairs and their representatives are responsible for implementation of the University Affirmative Action Plan, compliance with federal and state laws, and consent decrees.

3.19.2 Searches for Tenure Track Faculty

I. Responsibilities of Department Chair

- Analyze departmental needs, with input from faculty, to determine the type of individual needed.

REQUIRED Complete *Academic Affairs Form #1: Request Authority to Fill Existing Faculty Vacancy/Request for New Faculty Position* and forward it through administrative channels, i.e., chair to dean, dean to Senior Vice President for Academic Affairs.

REQUIRED All search committees must have at least 25% female representation. If it is not possible to meet the 25% female requirement within a department, faculty members from another department should be included.

2. Responsibilities of Search Committee and Department Chair

REQUIRED Use the *Search Committee Checklist* form as a guide throughout the search process.

- Determine and specify in writing the minimal qualifications, as well as any specific requirements, for an acceptable applicant. Usually, the qualifications are those that would suggest a reasonable expectation that the applicant could achieve tenure in his/her discipline.
- Set up a tentative schedule for the screening process.

REQUIRED Prepare an announcement/advertisement for the position to include:

position, rank, discipline
starting date
minimal credentials required
application materials required (letter of interest, vita, transcripts, etc.)
closing date for applications
AA/EEO/M/F/D statement

REQUIRED Advertise the position in the *Chronicle of Higher Education* and the *Affirmative Action Register*.

- Forward requisitions for each advertising source, with attached advertisement, through the administrative channels.
- Notify other universities/agencies of the vacancy.
- Circulate position announcement on campus, if applicable.

REQUIRED Check the *Directory of Minority PhD and MFA Candidates and Recipients* (also referred to as *CIC Directory*) and the *Minority and Women Doctoral Directory*, which are available in the Office of Academic Affairs for doctorally-prepared minority candidates.

- Begin preparing for arrival of applications.

REQUIRED Start a list of all applicants/nominees received with name, address, and telephone number. This information is required for the *Affirmative Action Report*, which is filled-out at the conclusion of the search.

REQUIRED Create a file immediately upon receipt of each application/nomination. These files must be retained for at least three years.

REQUIRED Send an acknowledgment letter citing the requirements for a completed file, i.e., *Biographical Data Form*, three letters of reference, curriculum vitae, and official transcripts (cannot be "issued to student") from degree awarding institutions of higher learning. Enclose the *Biographical Data Form* and an Affirmative Action Card. The letter should also include the statement "Proof of U.S. citizenship or other authorization to work in the United States will be required within three (3) days after employment".

- Letters of reference must be signed by the referee. Take care to ensure that all information provided by referees is kept confidential.
- The Biographical Data Form must be signed by the applicant and must contain information concerning his or her eligibility to work in the United States.
- Select two (2) or three (3) candidates to recommend to the dean for a campus interview after the screening and evaluation process is completed.
- Contact candidates, who have been approved by the dean, and invite them to campus. Make arrangements for lodging, interview schedule, meals, escorts, etc., and distribute the information to all interested parties.
- Schedule interviews with the following individuals:
 - Search/Screening Committee
 - department faculty
 - department chair
 - college dean
 - Senior Vice President for Academic Affairs (for Department Chair and others as deemed appropriate)
 - President (for department chair and others as deemed appropriate)
- Schedule a scholarly presentation and teaching demonstration to be made by the candidate where appropriate.
- Conduct interviews. A specific interview process must be determined prior to the actual visit. A paper trail is always advisable.
- **Note:** University policy and accreditation standards require that all persons appointed to the faculty must be proficient in spoken and written English. Search Committees should attempt to do as much as possible to determine such proficiency through careful evaluation of written application materials. Also, English proficiency should be critically evaluated through telephone interviews of those applicants making the short list.

- Solicit reactions from those people who meet with the candidate(s) during the interview process.
- Evaluate candidates, including the solicited responses.
- Prepare a report to submit to the department chair listing the strengths and weaknesses of each interviewed candidate, along with the recommendation to appoint or not to appoint.

REQUIRED Complete the *Affirmative Action Report* and forward it to the department chair who will forward it through administrative channels to the Office of Academic Affairs. Supporting documentation should be attached to the report: the listing of names, addresses and telephone numbers of all applicants, advertisement copy, recommendations, evaluations, and any other pertinent information relating to the search/screening.

REQUIRED The department chair will forward all the materials from the Search Committee as well as his/her own recommendation for appointment to the dean of the college.

- The Search Committee and chair recommendations, which are sent to the dean, will be used for recommending candidates for appointment to the Senior Vice President for Academic Affairs and should include completed files of interviewed candidates, and perceived strengths and weaknesses of each candidate, stating whether or not the candidate is acceptable with justification for the preferred candidate(s).
- When/if a candidate is recommended for appointment, and after the appointment letter has been issued and the appointment accepted by the candidate, the Search Committee should notify all other applicants that the search has been successfully completed.

3.19.3 Searches for Non-Tenure Faculty

Searches for non-tenure track full-time and part-time faculty are the same as for tenure-track with the exception that advertising may be done on a local or regional basis rather than a national basis. If the search is confined to the local/regional area, advertisement **must** be done in the *Mobile Register* and in the *Mobile Beacon* (or similar publication that reaches a predominantly African-American audience). If the search for a non-tenure track position is advertised nationally, then it **must** be advertised in the *Chronicle of Higher Education* and in the *Affirmative Action Register*. Also see Chapter 3 Section 3.19.2 (full-time) and Chapter 3, Section 3.8.2 (part-time) for more detail.

3.19.4 Unsolicited Applications for Faculty Positions

Each department/academic unit should have established a policy for dealing with unsolicited applications and faculty position inquiries. Several possible options are suggested below:

1. If an unsolicited application is received and no suitable position exists, the inquiry should be acknowledged by the department accordingly.
2. All unsolicited applications should be kept on file for 90 days. Applicants should be informed that materials are retained for a 90-day period and after 90 days, a new application is required if the applicant wishes to be considered for future vacancies.

3.19.5 Searches for Departmental Chairs

Searches for department chairs should follow the same procedures as specified for tenure-track faculty positions with the following exceptions:

REQUIRED The dean will submit the initial request for a search (*Academic Affairs Form #1*) and will recommend names for the search committee on that form. The committee should include a chair from another department as a member of the committee. As with all committees, the composition must be 25% female.

- Interviews with other department chairs in the college and with the deans (or their representative) from other colleges served by the department concerned should be included.
- The recommendation for appointment should include the recommendation for faculty rank as well as the recommendation for appointment to chair. An appointment letter will be issued identifying separate aspects of faculty and chair positions.

3.19.6 Academic Administrative Searches

Searches for administrators should follow the same procedures as specified for tenure-track faculty and chair searches with the following exceptions:

- The President will appoint the search committee for vice presidents, deans, and directors. The appropriate dean/director will appoint for assistant/associate deans/ directors.
- Membership of the committee should include a dean/associate dean from another college and a representative from the Faculty Senate. Normally, a dean/associate dean will chair the committee.
- The interview process should include the opportunity for the following individuals to meet with the candidate(s):
 - Search Committee
 - Faculty of appropriate academic unit(s)
 - Graduate Dean
 - President
 - Faculty Senate
 - Deans and Associate Deans
 - Vice Presidents
- Candidates will normally be asked to give a presentation (scholarly/philosophical) which should be open to all interested persons, especially the faculty members of the candidate's discipline.
- The department in which the candidate would hold faculty rank will be asked to submit a written recommendation to the Search Committee concerning the tenurability of the candidate.
- The Search Committee will make recommendation to the appointing authority.

- The finalist (for positions of vice president, dean, director) may be invited to visit the campus for a second time. The candidate's spouse may be included in the second visit with prior approval.

3.19.7 Internal Administrative and Department Chair Searches

Normally, all faculty and academic administrative positions are filled following both a nationally and internally advertised search process. In certain instances, however, the University may elect to limit the search process for a dean, assistant/associate dean, department chair, or director to internal applicants. An internal search could be justified in any of the following circumstances:

- when there is consensus that a qualified individual is already with the University's employ and there is urgency to fill the position in order to prevent prolonged disruption of University services;
- when there is evidence that an internal search would provide an opportunity to comply with the University Affirmative Action Plan by appointing a qualified minority and/or female who is already within the University's employ;
- when there are fiscal constraints.

In such cases, the appropriate vice president, in consultation with the dean or other appropriate administrative head, may declare an internal search to fill a vacancy. Internal searches should be conducted in the same manner as externally advertised searches with the exceptions of (1) limiting the position announcement to the University community, and (2) the Search Committee for internal departmental chair searches will be chaired by a departmental chair from another department.

REQUIRED Final reporting must be made on ALL search activities using the *Affirmative Action Report Form*.

The deans and department chairs are responsible for assuring that each full- and part-time faculty member meets these criteria.



4.0 FACULTY RIGHTS, DUTIES, AND CONDUCT

4.1 Academic Freedom and Tenure

4.1.1 Introduction

The University supports the AAUP 1940 Statement of Principles on Academic Freedom and Tenure, as printed below. If University policy differs with AAUP policy, the University policy supersedes and prevails.

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends, specifically: 1. freedom of teaching and research and of extramural activities; 2. a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

4.1.2 Academic Freedom

1. The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. The teacher is entitled to freedom in the classroom in discussing his/her subject, but he/she should be careful not to introduce into his/her teaching controversial matter which has no relation to his/her subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.
3. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge his/her profession and his/her institution by his/her utterances. Hence, he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson.

4.1.3 Academic Tenure

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigency.

In the interpretation of this principle it is understood that the following represent acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
2. Beginning with tenure-track appointment to full-time instructor or higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the provision that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his/her new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.
3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.
4. Termination for cause of continuous appointment, or the dismissal for cause of a teacher, previous to the expiration of term appointment, should, if possible, be considered by both faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him/her and should have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon his/her case. He/she should be permitted to have with him/her an advisor of his/her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from his/her own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.
5. Termination of a continuous appointment because of financial exigency should be demonstrably *bona fide*.

4.2 Faculty Grievance Procedures

4.2.1 Purpose and Scope

The purpose of these Procedures is to provide an equitable procedure for investigating alleged grievances of individual members of the faculty of the university as presented by the aggrieved individual faculty member. A grievance proceeding should be initiated only in situations involving possible serious injustice to a faculty member of the University. A grievance hearing is in no sense a

trial. Attempts to resolve the areas of discontent by informal discussion shall precede, continue through, and preferably, be a reason for terminating a grievance proceeding.

4.2.2 Definition and Grounds

A "grievance proceeding" is a proceeding initiated by one or more members of the faculty of the University who claim(s) to have been directly wronged. Such a wrong is concerned normally with appointment, termination, tenure, promotion, academic freedom, reassignment, or similar actions of substantial effect. Non-reappointment decisions prior to the tenure-decision year are not grievable. In such instances, only matters of procedure are grievable and reasons for non-reappointment, even during or after the tenure decision year, are not matters that are grievable. In the event the Grievance Committee as defined determines an alleged grievance originates from actions not clearly defined above, the Notice of Grievance shall be referred to the chair of the Faculty Senate to be treated as stated below. Upon exhaustion of the procedure therein described and if the grievance has not been resolved, the Notice of Grievance shall be treated as a normal grievance and returned to the Grievance Committee for action. All such actions seek correction of an asserted wrong. Such an asserted wrong may grow out of allegations of an improperly authorized action, of a substantial departure from duly established procedures, or because substantial evidence favorable to the grievant was allegedly not given appropriate weight or was neglected. A grievance proceeding is to be distinguished from a disciplinary action proceeding, which latter does not give rise to correction of the effects of wrongdoings, but instead looks to a dismissal or the imposition of some other sanction upon the wrongdoer.

Normally, only final decisions are subject to review by a grievance proceeding; grievance proceedings may not be brought to review recommendations of faculty committees or recommendations of administrators. A final decision may be the subject of only one grievance proceeding by any grievant.

In the event of an asserted wrong not clearly defined in these procedures should be raised, the Faculty Senate shall, after all appropriate administrative solutions have been sought, consider the asserted wrong and determine if it should be the subject of a grievance proceeding and return its determination to the Grievance Committee.

4.2.3 Informal Solution

No grievance proceeding should be initiated unless, in an attempt to resolve the problem, the grievant has made every reasonable effort to resolve the problem on an informal and internal basis. This normally entails discussions with the grievant's departmental chair, the dean of the college or division, and the appropriate vice president. This informal process is hereby understood to exclude legal representation.

4.2.4 Initiation

A grievance proceeding shall be initiated by a written Notice of Grievance. Such notice shall:

- contain a concise statement of the allegations giving rise to the grievance;
- state the relief sought;
- list the persons with whom discussions were had on the problem in an attempt to resolve it on an informal basis.

The grievant shall send the Notice of Grievance simultaneously to

The President of the University

The chair of the Faculty Senate

The appropriate department chair

The appropriate dean

The Senior Vice President for Academic Affairs, the Vice President for Medical Affairs, or appropriate other officer

Any other persons named in the Notice of Grievance.

The Notice of Grievance must be filed within 180 calendar days of the alleged wrong. If an exception to this provision is to be sought, before filing the Notice, the grievant should send the Notice with a request for an exception to the chair of the Faculty Senate. The chair will convene a subcommittee of the Grievance Committee Pool to consider the request for the exception. The subcommittee of the Grievance Committee Pool will communicate its decision to the grievant in writing within three (3) weeks. If the request is approved, the grievant should append such approval to the Notice of Grievance and proceed to file it as directed by these Procedures. If the request is not approved, there shall be no further proceedings under these Procedures.

4.2.5 Establishment of the Grievance Committee Pool

The chair of the Faculty Senate, the Senior Vice President for Academic Affairs and the Vice President for Medical Affairs shall together, during the spring of each year nominate a pool of fifteen (15) faculty members to serve as potential grievance committee members during the succeeding twelve (12) months from June 1 through May 31. Initially, one-third of this number shall be appointed for a one-year term, one-third for two-year terms, and one-third for three-year terms. Thereafter, all appointments will be for three years, with five (5) new appointees being named each year. Any necessary interim replacements will be for the unexpired term of the person being replaced. After the pool has been formed, it will be convened by the chair of the Faculty Senate, in consultation with the Senior Vice President for Academic Affairs and the Vice President for Medical Affairs, for familiarization of these procedures. During any one calendar year, no member of the pool shall be asked to serve on more than two (2) grievance committees nor shall the member be asked to serve on two (2) committees simultaneously. In the event the pool is exhausted and the necessity of a grievance committee should arise, the chair of the Faculty Senate, the Senior Vice President for Academic Affairs, and the Vice President for Medical Affairs shall nominate to the pool an additional five (5) members for that appointment year. Only those members of the faculty who hold tenure and the rank of Professor or Associate professor or equivalent rank and who hold full-time appointments on the faculty of the University shall be eligible to be appointed to the Grievance Committee Pool. Officers of administration, academic deans, and general administration and staff shall not be eligible for service on the Grievance Committee Pool.

A standing subcommittee of the grievance committee pool shall be appointed with one member being appointed by the chair of the Faculty Senate, one member selected and appointed by the Senior Vice President for Academic Affairs and one member selected and appointed by the Vice President for Medical Affairs.

4.2.6 Selection of the Grievance Committee

Once a Notice of Grievance has been filed as per these procedures, the President shall appoint within thirty (30) days a Grievance Committee made up of three (3) members of the faculty of the University selected from the Grievance Committee Pool. The copies of all letters of appointment to a Grievance Committee will be provided to the chair of the Faculty Senate, the grievant, the appropriate department chair, the appropriate dean, the Senior Vice President for Academic Affairs, the Vice President for Medical Affairs, and appropriate other officers or persons named in the Notice of Grievance.

The grievant and those persons listed in these Procedures shall have a right to challenge any person appointed to membership on the Committee because the Committee member is related to the grievant or to any person directly involved in the action or decision which is the subject of the grievance or to any person who made recommendations as to such actions or decisions, or because of past association with such person which would prejudice the Committee member's judgment. To exercise the right to challenge, the challenging party must send a written notice to the President of the University within fourteen (14) days of appointment, with copies sent to those named. A ruling by the President excluding any individuals named in these procedures shall determine whether the facts present grounds for disqualification and his/her decision shall be final. The ruling by the President shall be issued within fourteen (14) days of the receipt of the challenge notice.

The appointment mechanism provided for in these Procedures shall be continued until such time as a Grievance Committee is constituted. In the event of a successful challenge, the President shall appoint, within ten (10) days of notice of such successful challenge, replacement faculty members equal in numbers to those successfully challenged.

Once the Grievance Committee is constituted, the chair of the Faculty Senate shall appoint one of the members as chair. The Committee chair shall convene the Committee within fourteen (14) days. Upon first convening, the Committee shall acquaint itself with these Procedures.

4.2.7 Initial Determination

The Grievance Committee shall determine on the basis of the Notice of Grievance and any written statement of the cause submitted pursuant to these Procedures whether there are sufficient facts alleged to make it appear that grounds for a grievance proceeding exist, and that a hearing should be held.

If the initial determination is affirmative, the Notice of Initial Determination shall state the date, time, and place the hearing on the grievance shall occur. Once set, it may be extended only by the chair of Grievance Committee for reasons that, in the chair's opinion, are compelling.

If the initial determination is negative, the Notice of Initial Determination shall state the reasons for that negative decision, and there shall be no further proceedings under these Procedures.

The Notice of Initial Determination shall be distributed to the grievant and those listed in these Procedures.

4.2.8 Grievance Committee Procedural Rules

Unless overruled by a majority of the Grievance Committee, rulings of the chair shall be final on all questions except those pertaining to the initial determination and the substance of the finding and recommendations of the Committee which are sent to the President. All other provisions of these Procedures pertaining to the authority of the chair shall be subject to this Section.

The chair may establish such other rules, within the general guidelines of these Procedures, as deemed necessary.

The chair of the Grievance Committee shall arrange for the official tape recording of the hearing. No other recording or transcription of the hearing shall be permitted unless specifically authorized by the Committee chair. Upon request of either party, the chair shall arrange for the parties to be given, as soon as possible after each session of the hearing, a copy of the official tape recording. The University will assume costs associated with the tape recordings.

Two (2) members of the Grievance Committee, one of whom must be the chair, shall constitute a quorum for transcription of the business of the Committee. No member who is absent during any part of the hearing may participate in the preparation of findings and recommendations of the Committee without first listening to the official tape recording of the portion of the hearing conducted in the Committee member's absence.

At the hearing, the grievant shall present evidence, following which other evidence shall be received, as specified in these Procedures. The grievant shall have the burden of persuasion.

Where more than one grievant complaining of a wrong arising out of the same set of facts has a hearing pending, the hearings may be consolidated with the approval of all such grievants and of the Grievance Committee first appointed to hold such hearings. The consolidated hearing shall be conducted by that Grievance Committee.

The chair of the Grievance Committee shall:

- call witnesses before the Committee as requested by the grievant, the person grieved, and members of the Grievance Committee;
- maintain an orderly hearing and permit no person to be subjected to abusive treatment. The chair may eject or exclude anyone whose conduct is disorderly.

The grievant and the person grieved shall be permitted to:

- examine all evidence presented to the Grievance Committee;
- present evidence available to them and question witnesses.

In addition, witnesses unable to attend, in the opinion of the Grievance Committee, may submit written or taped statements to the Grievance Committee. Such inability shall be found only in cases of serious illness or death of the witness or a family member, or physical absence from the area due to pre-existing plans which cannot be changed. The chair of the Grievance Committee may request the chair of the Faculty Senate to assist in the appearance of witnesses at the hearing.

- Present an oral or written argument, or both, prior to the conclusion of the hearing. The grievant and the person grieved shall be permitted to be represented by any tenured faculty member of the University whom the subject individual may select and who is willing to serve, except that attorneys admitted to practice law before any state or federal court are excluded from the category of these individuals who may represent the grievant or the person grieved.

Any rights conferred on the parties at the hearings by these Procedures may be exercised by their respective representatives.

At the hearing, the members of the Grievance Committee may ask questions of any witness, of the grievant, or of those persons listed in these Procedures.

At the hearing, the following persons should be present: the Grievance Committee members, the grievant, the person grieved and their respective representatives and the current witness.

Hearings shall be open, unless the grievant or others request that the hearing be closed. Such reasons should be set forth to the chair of the Grievance Committee who will make the determination and the chair's decision shall be final. The usual basis for hearings that are not open is because the subject matter is determined to be one of a sensitive and confidential nature. However, other reasons may be deemed to be valid and appropriate by the chair of the Committee.

Any correspondence, notices, evidence which is exchanged, shall be distributed to the grievant and those listed in these Procedures.

4.2.9 Findings and Recommendations

Following the conclusion of the hearing, the Grievance Committee shall meet in executive session, with all other persons excluded. In this session, the Committee shall prepare its findings of fact and recommendations to the President for settlement or solution of the grievance. Executive sessions of the Grievance Committee shall not be taped.

The Grievance Committee shall make its written report as promptly as possible, but not later than thirty (30) days after the last hearing date, to the chair of the Faculty Senate and to the President, with copies to the grievant and to those persons listed in these Procedures. The official recording of the hearing and the Committee's file on the proceedings shall be forwarded to the President at this time.

In its deliberation, the Grievance Committee shall consider no evidence other than written, oral, or taped testimony at the hearing.

4.2.10 Presidential Action

Upon receipt of the report of the Grievance Committee, the President of the University shall review the findings and recommendations of the Grievance Committee and decide upon the action to be taken on the Committee's recommendation.

The President shall send the Notice of Decision promptly to the grievant, to the persons named in these Procedures, and to the Grievance Committee, unless the President returns the matter to the Grievance Committee for clarification or further proceedings as appropriate. In either case, this

action shall occur not later than thirty (30) days after receipt of the report. The decisions of the President in each case are final.

4.2.11 Timeliness

It is expected that all procedures will take place in a timely fashion, and that all parties involved shall strive to adhere to the time limits established in these Procedures. However, mitigating circumstances may delay a particular action beyond its deadlines, and such a delay should not be construed as a procedural violation, as long as the involved parties are acting in good faith. In any event, it is expected that a final resolution will be reached within twelve (12) months from the date of the Notice of Grievance. The term “days” used throughout these grievance procedures for faculty is defined as university working days or those days that are regularly scheduled for faculty members to be working at the University.

4.3 Duties

4.3.1 Faculty Workload

All faculty members are expected to participate in teaching, research and service activities relevant to the mission of the university, their college or school, their department and their own interests and particular areas of expertise. The typical distribution of time and effort for these activities consists of 60% teaching, 30% research and 10% service activities. (However, other distributions are possible, and even likely.)

1. Application

The policy applies to the following individuals:

- all persons holding tenured, tenure-track and non-tenure track positions who are classified as faculty (instructional, research and public service);
- all persons who, while holding faculty rank, are classified as administrators and perform their administrative duties at the level of academic department or equivalent academic unit, including chairs, assistant chairs, program director, etc.

This policy does not apply to individuals who hold faculty rank but who are assigned to administrative duties outside the department or equivalent academic units, for example, deans, vice presidents, presidents, etc.

2. Teaching

The standard teaching load (where 60% is the assigned effort for teaching) is the equivalent of 12 credit hours per semester. Total course enrollment, number of course preparations, preparations of new courses and complexity of subject preparations and complexity of subject matter may be considered by the chair and dean in determining credit hour equivalents. Any deviation (adjustment) from the normal load must be approved by the dean of the respective college or school. However, the teaching load is never greater than 15 semester hours.

(The maximum teaching load for faculty during a summer session will normally be defined as teaching no more than nine semester hours.)

Teaching activities include, but are not limited to the following: offering courses at the undergraduate and graduate levels; offering or supervising course related discussion sections of laboratories; supervising independent study by undergraduate and graduate students; supervising internships and practica; directing undergraduate and graduate theses; serving in undergraduate and graduate thesis committees; serving in undergraduate and graduate examining committees; preparing undergraduate and graduate students for examinations; participating in undergraduate and graduate reading groups; developing courses or course materials; and supervising undergraduate and graduate students in their performance of instruction or research; and advising. All of these responsibilities may, and sometimes should, have an effect on the number of hours taught. N.B. teaching load and work load are not synonymous.

Advising activities include, but are not limited to the following: curricular advising of undergraduate and graduate students; undergraduate advising regarding future graduate study; graduate advising regarding future graduate and post-graduate study; and undergraduate and graduate career advising.

3. Research, Scholarship and Creative Activity

Faculty conduct of research, scholarship and creative activities are all essential to the mission and are encouraged and actively supported by the University, moreover that they are required elements to support promotion and tenure decisions.

The typical research expectation shall equate to 30% of total faculty workload. For the purposes of this policy, research, scholarship and creative activities include, but are not limited to the following: conduction and publishing experiments and investigations; writing and publishing books; and articles and multimedia or electronic publications; directing or participating in sponsored research; making presentations at professional conferences; preparing research proposals; producing works of art or architecture; presenting recitals and performances; and maintaining disciplinary expertise.

4. Service

Service includes but is not limited to the following: serving as a full- or part-time academic administrator for the university, a college, or a department; service in university, college, and departmental councils, committees and advisory boards; supervising or managing departmental academic programs, personnel, space and budget; managing sponsored research; directing a center or institute; service as a reviewer of academic units, programs, administrators, or peers within or outside the university; serving as an officer or committee member in a professional organization; organizing professional conferences or colloquia; and serving as an advisor to public and private organizations at the local, state, national, or international level.

5. Exceptions to Standard Workload Expectations

All faculty are expected to be involved in instruction, research/scholarship and service as previously defined. Recognizing that some faculty will assume new or additional responsibilities in any one of these areas, exceptions to the standard workload may be made. However, the department is responsible for making the necessary adjustments in the total faculty workload so that departmental expectations as determined by the department and dean in each of these areas are fulfilled. These expectations will be derived from student and curricular needs, shall be consistent with the resources available to the department, and shall be approved by the dean. Departments shall make the minimum number of exceptions necessary for the fulfillment of its

institutional mission. Exceptions to the standard workload may be made based on the following considerations.

- **Instruction**. Exceptions from the standard instructional load may be based upon a number of factors, including class size (number of preparations); development of new courses; modality of instruction, including distance education; level of instruction; discipline; accreditation requirements; etc.
- **Departmental Administration**. Assumption of responsibility for the functions of chair, assistant chair, or program director, or for special departmental projects, may require reduction of expectations for service, research/scholarship or instruction. The magnitude of such reduction shall be dependent on the scope of administrative responsibilities and size of the department.
- **Externally Funded Research and Service Activities**. Assignment of additional time for research or service activities can be supported by external funds, either research or training grants. In these instances, the accompanying reduction of expectations for service or instruction should mirror the replacement of departmental salary support by externally-funded salary support. However, it is noted that external funding is not equally available in all disciplines. Thus, external funding is not a requirement for consideration of weight distributions nor for teaching load consideration. Successful pursuit by faculty of extramural funding sources will normally result in the reallocation of effort devoted to teaching, research and service activities. *Example: A faculty member awarded fifty percent (50%) salary support under grant and contract agreements with external sponsors allows a revised workload allocation of 30% teaching, 60% research and 10% service.*
- **Department Supported Research**. (Departmental Research). Assignment of additional time for research activities supported by the department and consequent reduction of expectations for service or instruction should be related to the institution's mission.
- **Department Supported Service**. Assignment of additional time in areas of service and consequent reduction of expectations for research/scholarship or instruction should be directly related to the duration and the extent of the commitment. For example, individual faculty members may be released from the standard expectation in the areas of research/scholarship or instruction in order to make major professional contributions-e.g., to work in partnership with the public schools or with business or industry.

6. **Workload and Faculty Evaluation**

University policy requires that all faculty members receive an annual evaluation with specific references to the areas of teaching, research and service. The allocation of workload and the weighting of the components for evaluation will be based on the guidelines as stated above.

The institutional reward structure will take cognizance of the workload assignment for each faculty member. Colleges shall develop procedures for the systematic review of faculty, recognize outstanding performance and establish consequences for failure to fulfill expectations.

The primary means for ensuring proper accountability of individual faculty will be after-the-fact reporting of actual departmental performance in comparison with the expectations previously approved by the deans of the College. Each dean shall submit an after-the-fact accountability report annually to the Senior Vice President for Academic Affairs as requested.

The workload performance of each faculty member will be considered as part of the annual review of faculty conducted by the departments and should be a major factor in all faculty promotion, tenure and merit-pay decisions. Workload allocations for each individual faculty member will be developed and agreed to in writing by the chair and faculty member concurrent with the beginning of the academic year. The workload allocation may be renegotiated during the year if circumstances so dictate.

4.3.2 Student Advising

Faculty members will be asked to serve as student advisors, so they are urged to make themselves familiar with current University requirements, policies, and procedures used during the academic year and especially during registration periods. Advisors should enforce course prerequisites.

Each student in the University will be assigned a faculty advisor as a matter of record. Selection of faculty advisors and assignment of students to advisors will be left to the judgment of the individual colleges. Faculty advising will be limited to guidance through the curriculum and miscellaneous professional counseling. Although faculty advising should not extend to personal counseling, each faculty member is expected to be knowledgeable to direct students to where they can be helped with personal problems (financial, psychological, etc.). Faculty members are expected to become familiar with current University requirements, policies, and procedures with respect to advising.

4.3.3 Office Hours

Faculty members will post and keep office hours each semester and, as a minimum, indicate six hours a week for conferences with interested students. With respect to evening classes (those scheduled after 4 p.m.) and weekend classes, faculty members teaching those courses will make suitable and adequate arrangements to carry out the advising function by scheduling office hours accordingly. A common practice is to state that, in addition to regularly scheduled office hours, appointments may be arranged at other times.

4.3.4 Registration

Faculty members are expected to perform necessary duties during registration periods each semester. Assignments will be made by departmental heads and deans.

4.3.5 Commencement Attendance

Each faculty member is expected to attend all commencement exercises in full academic regalia unless specifically excused by the respective academic dean.

4.3.6 Absence Without Notice

A faculty member who fails to perform the duties of his/her faculty position and who fails to communicate with his/her department chair for a period of two weeks is considered to have voluntarily resigned his/her position without proper notice.

4.4 Consulting

A faculty member will be permitted to serve as a consultant, with or without pay, the equivalent of one day per week during the academic year or thirty-six days per year. If the faculty member chooses to spread the thirty-six days per year over the calendar year, it would represent three days per month, with a maximum of thirty-six days during the calendar year.

If a faculty member chooses full-time employment at the University for the Summer Semester, the total of thirty-six days for consulting services applied to the calendar year. If a faculty member who is appointed on a 9-month basis chooses to increase the number of days above thirty-six, arrangements can be made for reduction in the summer teaching load. If consultation is to be funded from a grant or contract account administered by the University of South Alabama, see **Compensation Under Externally Funded Grants and Contracts (section 7.4.2)**.

4.5 Professional Ethics

The University subscribes to the AAUP Statement on Professional Ethics, as printed below:

1. The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities placed upon him/her. His/her primary responsibility to his/her subject is to seek and to state the truth as he/she sees it. To this end, he/she devotes his/her energies to developing and improving scholarly competence. He/she accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. He/she practices intellectual honesty. Although he/she may follow subsidiary interests, these interests must never seriously hamper or compromise his/her freedom of inquiry.
2. As a teacher, the professor encourages the free pursuit of learning in his/her students. He/she holds before them the best scholarly standards of his/her discipline. He/she demonstrates respect for the student as an individual, and adheres to his/her proper role as intellectual guide and counselor. He/she makes every reasonable effort to foster honest academic conduct and to assure that his/her evaluation of the students reflects their true merits. He/she respects the confidential nature of the relationship between professor and student. He/she avoids any exploitation of students for his/her private advantage and acknowledges significant assistance from them. He/she protects their academic freedom.
3. As a colleague, the professor has obligations that derive from common membership in the community of scholars. He/she respects and defends the free inquiry of his/her associates. In the exchange of criticism and ideas he/she shows due respect for the opinion of others. He/she acknowledges his/her academic debts and strives to be objective in his/her professional judgment of colleagues. He/she accepts his/her share of faculty responsibilities for the governance of his/her institution.
4. As a member of his/her institution, the professor seeks above all to be an effective teacher and scholar. Although he/she observes the stated regulations of the institution, provided they do not contravene academic freedom, he/she maintains his/her right to criticize and seek revision. He/she determines the amount and character of the work he/she does outside his/her institution with due regard to his or her paramount responsibilities within it. When considering the

interruption or termination of his/her service, he/she recognizes the effect of his/her decision upon the program of the institution and gives due notice of his/her intentions.

5. As a member of the community, the professor has the rights and obligations of any citizen. He/she measures the urgency of these obligations of any citizen; measures the urgency of these obligations in the light of individual responsibilities to his/her subject, to students, to profession, and to institution. When he/she speaks or acts as a private person, he/she avoids creating the impression that he/she speaks or acts for his/her college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.
6. The Academic Freedom and Ethics Committee on Professional Policies Council is responsible for discussing privately and confidentially with a faculty member the ethics of his/her behavior when the Committee concludes that the above ethical standards are being transgressed. Faculty and administrators may confidentially invite the attention of the Committee to the practices of a particular faculty member.

4.6 Political Activity

1. Faculty may not participate in any political activity while acting in the status of a representative of the University.



5.0 FACULTY COMPENSATION, BENEFITS, AND SUPPORT SERVICES

5.1 Compensation

5.1.1 Contract Year

The contract year for faculty on a 9-month basis begins on August 15th and ends May 15th.

5.1.2 Pay Schedule for Continuing Full-Time Faculty

Continuing faculty will receive their checks on the first working day of each month. Faculty terminating at the end of Fall Semester will receive their final payment on their contract in the paycheck received in March in an amount equal to one-half of regular monthly pay. The total pay received by 9-month faculty terminating at the end of Fall Semester will be equivalent to one-half of the contract amount for the academic year. Faculty terminating at the end of Spring Semester will receive their final paycheck on the first working day in September in an amount equal to one-half of regular monthly pay.

5.1.3 Pay Schedule for New Full-Time Faculty

Faculty who begin employment in Fall Semester will receive one-half of a monthly installment on the first paycheck received in September (payday is always the first normal working day in the month). Beginning in October, and continuing through the following September, new faculty will receive one-twelfth of their academic contract.

Faculty who begin employment in Spring Semester will receive monthly payments over an eight-month period beginning February and ending September. Pay will be calculated by dividing the total pay for the semester by seven months. A faculty member will be paid one-half of a monthly installment in February and September. In the six months of March through August, the balance of the contract for the Spring Semester will be paid in equal installments. For example, if a faculty member is hired beginning Spring Semester at a rate of \$21,000 for the semester, he/she will receive \$1,500 in February. In the months of March through August, the faculty member will be paid \$3,000. In September, a final payment of \$1,500 will be made to the faculty member.

5.1.4 Pay Schedule for Part-Time Faculty

Fall Semester - First normal working day in October, November, December and January.

Spring Semester - First normal working day in February, March, April, and May.

Summer Semester - First normal working day in July, August and September.

5.1.5 Pay Schedule for Terminating Faculty

Faculty terminating at the end of Fall Semester will receive the final payment on their contract in the paycheck received in March in an amount equal to one-half of their monthly pay. The total pay received by faculty terminating Fall Semester will be equivalent to one-half of the contract amount for the academic year.

Faculty terminating at the end of Spring Semester will receive their final paycheck in September in an amount equal to one-half of their monthly pay.

5.1.6 Summer Pay Schedule and Compensation Rate

Summer pay will be issued in three installments on the first normal working day in July, August and September.

Compensation for instruction in a semester summer school format will be at a rate of 3.125% of the nine-month base salary per semester credit hour taught.

Faculty working on externally funded sponsored activities during Summer Semester may earn up to a maximum of one-third of their nine-month base salary for working three (3) calendar months.

5.1.7 Retroactive Merit Raises

If retroactive merit raises are approved and given in the academic year, all full-time faculty are entitled to be considered for retroactive merit pay raises, regardless of future employment status.

5.1.8 Faculty Grant Incentive Policy

USA Faculty members employed in the Division of Academic Affairs may earn a supplement to their salary through the USA Faculty Grant Incentive Pilot Plan in accordance with the policy, eligibility criteria and other provisions as described herein. The Plan will be implemented on a pilot basis and will be reviewed two years following implementation to determine any adjustments that may be necessary. While the plan is directly linked to the University's strategic goal in research, increased research funding will directly benefit all aspects of the University including teaching and service.

Purpose

The FGIPP is intended to meet the following goals:

1. To enhance the University's research programs by increasing the level of extramural funding to the institution;
2. To stimulate accomplishments in research, scholarship, instructional effectiveness, and service associated with increases in externally funded grant activity;
3. To stimulate increased grant and contract submissions and awards by faculty members thereby enhancing the reputation of the University.
4. To improve the institution's ability to recruit and retain faculty members who are capable of competing successfully for externally funded grants and contracts.
5. To stimulate the economic development of the community, state and region through the development of the research enterprise.

Policy

To qualify for a salary supplement, a faculty member must include part, or all, of his or her base salary and applicable fringe benefits in a grant or contract budget (base salary = 9 months salary except for those faculty specifically employed on 12-months contracts). This salary supplement

is restricted to the redistribution of available unrestricted funds generated by a faculty member from current lapsed salary revenues that are derived from competitively funded extramural grants and contracts. Funds from gifts and Federal direct appropriations are not eligible. No other source of funds may be used to fund this incentive plan.

Once each fiscal year, the salary support for each faculty member holding grants will be evaluated to determine if such funds are available and all eligibility criteria have been fulfilled. The salary supplement will be paid in a one-time lump sum payment to eligible faculty once each year on the first working day of December for eligible salary that accrued in the previous fiscal year (October 1 through September 30).

The lapsed salary accumulated for that faculty member's activity on the grant or contract for the preceding fiscal year will be distributed according to the following formula:

1. Costs associated with the project such as equipment, supplies, cash match, and costs for any faculty unfunded non-administrative reassigned time based on a 12 credit full-time teaching load and any replacement costs, will be deducted from the total lapse salary recovery amount prior to calculation of an incentive salary distribution. Typically, the amount deducted for reassigned time costs will be equivalent to the salary paid to a Ph.D. level part-time faculty member to teach courses needed to replace the full-time faculty member, whose time has been reassigned to non-administrative duties. In some cases, replacement costs may exceed the normal rate paid to part-time instructors. In these cases, actual replacement costs will be deducted.
2. The investigator may be eligible to receive up to 50% of the **remaining funds** in the lapsed salary pool (after deducting all replacement and other costs as described above). The remaining lapsed salary funds will be distributed to the college. A maximum of 30% of the annual base salary may be earned from the grant incentive plan.

Summary: Distribution of Lapsed Salary Funds

- ***Amount Available for distribution to college/school and to investigators:***
Total amount of lapsed salary minus (1) any cash match for the grant; (2) instructional replacement costs for the investigator's(s') reassigned time for the project and any unfunded non-administrative reassigned time based on a 12 credit full-time teaching load; and (3) any other direct costs associated with the project such as equipment, supplies, etc.
- ***Distribution of available funds after deductions***
 - *Fifty percent (50%) to college/school*
 - *Fifty percent (50%) to investigator(s)*.**A maximum of 30% of the annual salary base may be earned from the grant incentive plan*

Eligibility Criteria

1. Completion of FGIP Form #1 and a memorandum requesting a salary supplement under the plan must be submitted as attachments to the "Transmittal Sheet for Proposals" during internal review of the application/proposal. Also, requests for payment must be documented

- on the "Request for Faculty Grant Incentive Payment" form and must be approved by the departmental chair, the college or division dean, and the Senior Vice President for Academic Affairs, and must be accompanied by a current copy of the individual's Federal Time and Effort Certification, if applicable.
2. With the exception of those research track faculty as defined below in Number 3, all members of the full-time faculty in the Division of Academic Affairs are eligible to file a request to participate in the FGIPP if their base university salary and benefits are charged to a grant or contract, and if they are principal investigators or co-principal investigators on the project. Administrators may be eligible to participate only when they are the principal investigator. Support staff and research assistants are not eligible to participate in the Incentive Plan.
 3. Some faculty have research appointments with contracts that require that they receive external funding to pay a percentage of their base salary. Faculty in this situation must first recover that contracted portion of their base salary before being eligible for incentive pay. After repaying the university the amount or percentage specified, research faculty are entitled to receive incentive pay in accordance with the FGIPP. For example, consider a research faculty member who by contract must recover \$20,000 of his/her base salary. If that faculty member recovers \$50,000 of his/her base salary, the university gets the first \$20,000. If there are no other deductions for cash match, etc., the incentive for the faculty member is \$15,000, and the college gets \$15,000. Consider the same situation but the faculty recovers only \$30,000 of his/her base salary. The university gets the first \$20,000 and the maximum incentive to the faculty member is \$5,000. Those faculty who are appointed in a full-time research track and who are expected to generate 100% of their salary from grants are excluded from this incentive plan. Their salary cannot be supplemented by grant support.
 4. The salary support must be derived from competitively funded extramural grants or contracts. Funds from gifts and from direct federal appropriations will not apply.
 5. The grant must include F & A costs at the maximum rate allowed by the funding agency
 6. Faculty members may request to participate in the plan for all competitive grants or contracts that generate lapsed salary revenues, and to which applicable fringe benefits are charged, including research, service, and training grants and contracts. **Investigators' lapsed salary funded via direct appropriations from the U.S. Congress will be excluded from the Incentive Plan (FGIPP).**
 7. Prior to the payment of any incentive, the departmental chair, dean and Senior Vice President of Academic Affairs must certify that the faculty member has exhibited satisfactory performance in all assigned duties. Included are the responsibilities of providing good performance of teaching, service and administrative duties as assigned and good fiscal and administrative management of all extramural funds, completion of necessary reports in a timely and effective manner and the grant or contract account must be in good standing.
 8. The plan will not apply retroactively. Any salary charged to a grant or contract for work performed after the date the plan is implemented may be eligible for the plan. Salary charged to a grant or contract for work performed prior to the date the plan is implemented is not eligible for the plan.
 9. Full-time faculty, upon initial appointment to the University, will be eligible to participate in this plan in accordance with the terms of the FGIPP. However, in all cases, all eligibility criteria must be met and salary supplement can only be derived from funds accrued while employed at the University of South Alabama and payment of supplement is made only on funds accrued in the previous fiscal year.
 10. Faculty members who terminate employment at USA will be entitled to an incentive payment in accordance with all terms of the FGIPP accrued to the date of employment termination.

However, such payment will not be made until at least 90 days following termination of employment and certification of satisfactory performance in all assigned duties, as defined in # 7 above, is provided. Faculty members who die or who transfer within the University into a position that would not entail securing extramural research funding would be entitled to an incentive payment accrued to the date of death or transfer.

Other Policy Provisions

1. Salary supplements paid under authority of this plan constitute one-time-only income. Such payments will not affect the base salary of the participating faculty member. Base salary refers to the 9 month salary for all faculty members, except for those explicitly appointed to 12 month contracts, e.g. those in Health Sciences.
2. Salary supplements paid under authority of this plan are subject to federal and state tax withholding and Alabama Retirement Systems contribution requirements.
3. Any participating faculty member may elect to assign all, or a portion, of the incentive payment into an account to support professional development in lieu of a salary supplement. Such deposits into professional development accounts are not personal income, and therefore normally are not subject to tax withholding or required retirement system contributions. *Unobligated balances in professional development accounts are subject to review by the college at the end of each fiscal year and subject to withdrawal if plans for their use are not approved annually by the respective department chair and dean.*
4. Faculty members participating in this plan, who currently receive unfunded reassigned time from teaching to research, should not expect further reductions in teaching load until all such reassignments are funded via grants or contracts.
5. The grant incentive payment would be a supplement to the recipient's regular annual compensation and is not payment for additional work. The grant incentive payment would not affect a recipient's eligibility for merit or other salary increases.

5.2 Group Insurance Plans

Regular faculty who work half-time or more are eligible for coverage under the University's group insurance plans. The insurance becomes effective on the first of the month coincident with or following the hire date. The cost of health insurance is shared by the University and the faculty member; premiums for basic life insurance and disability insurance are paid by the University.

5.2.1 Group Health Program

A comprehensive health plan is made available to faculty and their eligible dependents with a 270 day waiting period before pre-existing conditions are covered. The faculty member's portion of the cost of insurance is paid by payroll deduction and may, upon request, be paid on a pre-tax basis reducing taxable income for federal, state, and social security taxes.

5.2.2 Group Life Insurance

The University's group life insurance plan offers basic and optional coverage. Premiums for basic coverage are paid by the University providing equal amounts of term insurance and accidental death and dismemberment coverage on the faculty member's life plus \$5,000 of term insurance coverage for spouse and eligible dependents. The amount of insurance purchased on the faculty member's life is determined by base pay to a maximum of \$100,000.

Optional coverage allows the faculty member to request additional term insurance equal to once, twice or three times the amount of basic term insurance purchased by the University. If the request is approved by the insurance company, premiums are paid by payroll deduction.

5.2.3 Long-Term Disability

The University pays the premium for long-term disability insurance coverage which pays a wage replacement benefit from the 91st day of continuous disability to employees who qualify. Benefits may be paid for total or partial disability. The wage replacement benefit for total disability is 66.67% of base pay reduced by income paid by social security, Teacher's Retirement System, other group disability, or salary continuation. The maximum partial disability benefit is 85% of base pay at the time the disability occurred. The maximum payment period is determined by age at the time the disability occurred.

5.3 Retirement Plans

5.3.1 Teachers' Retirement System of Alabama (Participation Required)

To receive retirement income benefits a faculty member must be vested (have ten years of full time service credit with Teachers' Retirement) and be 60 years old. If a member has 25 or more years of service credit, there is no age requirement to receive TRS retirement income benefits. There are employee and employer contributions to the retirement system. The employee contribution is 5% of University compensation; the current employer contribution is 6.31% of University compensation. Additional eligible service credit may be purchased in a lump sum paid by the member to Teachers' Retirement for military service and for service from another state retirement plan.

Military Service - Up to four years of active duty military service may be purchased provided the purchase is made within 12 months of enrollment in the Teachers' Retirement System. All service, up to 4 years, must be purchased in a lump sum.

If military service credit is not bought within the first year of membership, the next opportunity is after the member becomes vested by participation. The cost is the sum of the employee and employer contributions multiplied by current annual salary for each year of service purchased. Credit may be bought in one year increments.

Out-of-State-Service - Up to 10 years of previous service under another state plan may be purchased and applied to a member's record. Ten years of contributing service in the Teachers' Retirement System of Alabama is required to be eligible to make such a purchase. Credit may be bought in one year increments.

5.3.2 Social Security (Participation Required)

Social Security provides protection in the form of retirement benefits, disability income, survivor income and Medicare insurance. The employee contributes the amount required by the Social Security Program, and the University contributes a matching amount.

5.3.3 Tax-Sheltered Annuities (Participation Optional)

Faculty members may reduce their taxable income by making contributions to an approved tax shelter annuity program. Under certain eligibility conditions, faculty members may participate in the TIAA-CREF/University Matching Program. For more information contact the Office of Human Resources.

5.4 Leave Policies

5.4.1 Faculty Sick Leave

1. It is the policy of the University of South Alabama to grant reasonable time off to benefits-eligible faculty for sick leave. For certain instances of absences, for illness, the Family and Medical Leave Policy (FMLP) found in section 5.4.2 will be applicable. The Office of Human Resources is available to assist in such determinations. The intent of this policy is to provide faculty with sick leave benefits:

- When they are unable to perform work duties because of illness or injury.
- When they must obtain scheduled health related professional services.
- When they must be absent to care for a seriously ill member of the immediate family for a time not to exceed three days.

Immediate family, for sick leave purposes, is defined to include the following who live in the same household: spouse, son, daughter, mother, and father. However, if the absence requires additional leave and meets the requirements of the FMLP, the Family and Medical Leave Policy will apply.

- When they are a member of a household which has been quarantined by a physician or medical authority because of the presence of a contagious disease.
2. Sick leave is accrued when a faculty member is in active pay status. Active pay status is defined to include, but is not limited to:

Normal work hours
Sabbatical leave
Paid vacation
Paid sick leave
Paid jury duty
Other paid leave

- Beginning October 1, 1999, eligible faculty accrue sick leave benefits at the rate of one (1) day per month for a total of nine days per year for 9-month faculty and a total of twelve days per year for 12-month faculty. Unused sick leave will accumulate from year-to-year.
- Benefits-eligible faculty may convert accrued sick leave to membership service credit in the Teachers Retirement System of Alabama for the purpose of applying for service retirement.

- Faculty may receive credit for sick leave accrued while employed at another agency or institution which participates in the Retirement Systems of Alabama, provided that they resigned from that position to accept a position at the University of South Alabama. Requests for transfer (credit) may be made, in writing, to the Office of Human Resources, and should include a notarized statement from the previous institution's payroll/accounting department verifying the accrued sick leave balance.
 - In addition to the accumulating sick leave that will be provided prospectively under this policy, full-time faculty appointed prior to October 1, 1999, will have individual sick leave, based upon years of previous service, available for their personal use in the event of illness or injury. Such individual sick leave will be calculated at the rate of six (6) days per year of previous service for faculty on nine-month appointments and eight (8) days per year for faculty on 12-month appointments. Pursuant to state law and Teachers Retirement System regulations, such sick leave based upon previous service cannot be applied retroactively toward retirement credit but may be used for injury or illness prior to using accumulating sick leave.
3. Eligibility for Sick Leave Benefits:
 - All benefits-eligible faculty accrue sick leave benefits from their service date.
 - Part-time faculty are not eligible to accrue sick leave benefits.
 4. Faculty are to notify their department chair at the earliest time possible when they will be absent from work due to illness or injury.
 5. Department chairs have the responsibility to **guarantee** that sick leave is being used for its legitimate purpose and may request documentation as deemed appropriate.
 6. Abuse of sick leave benefits is grounds for disciplinary action.
 7. The department chair will record absences for sick leave on the faculty member's Monthly Employment Certification and Leave Accounting Report.
 8. Employees who resign, or who are terminated for any reason, do not receive payment for any unused sick leave.

Original policy effective date: 10/1/99

Revised to include interpretative guidelines: 04/1/02

5.4.2 Family and Medical Leave

The University recognizes that faculty members may find it necessary to take leave from their jobs for a limited period of time either to address certain family responsibilities as defined below or their own serious health conditions. The University formally establishes its family and medical leave policy for the benefit of eligible faculty members under the terms and conditions described hereinafter.

General

1. Covered Leave

The University will grant an eligible faculty member unpaid leave for up to 120 calendar days during the calendar year provided the procedures in this policy are followed and leave is requested for any of the following reasons:

- to care for a “family member” of the faculty member if that individual has a serious health condition;
- a serious health condition of the faculty member that renders the faculty member unable to perform the faculty member’s essential job functions; or
- the birth or adoption of a child, or the foster care placement of a child.

NOTE: Faculty members are limited to a maximum of 120 calendar days for family/medical leave for any of these purposes. If the leave is for birth, adoption, or foster care placement, the leave must be completed within 12 months of the date of birth or placement for adoption or foster care.

2. The 12-month Period

Available leave will be calculated by determining the amount of family/medical leave used by a faculty member during the current calendar year.

3. Spousal Exception

If a husband and wife both work for the University and are eligible for leave, they are entitled to a combined total of 120 calendar days of family/medical leave for birth, adoption, foster care, or to care for a parent. If the leave is requested for the faculty member’s own serious health condition, the care of the other spouse, or the care of a sick child, each spouse is entitled to 120 calendar days of leave.

Definitions

1. “Family Member”

“Family Member” is defined to include the faculty member’s spouse, son, daughter or parent. “Spouse” is defined in accordance with the law of the State of Alabama and may include common law marriages, if recognized by the State of Alabama at the time that the leave is requested. “Son” or “daughter” means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing “in loco parentis” for whom the faculty member has day-to-day responsibility and financially supports that child, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability. “Parent” is a biological parent or an individual who stands or stood “in loco parentis” to a faculty member when the faculty member was a child; that has assumed day-to-day care and financial responsibility for the faculty member when the faculty member was a child.

2. “Serious Health Condition”

“Serious Health Condition” is defined as an illness, injury, impairment or physical or mental condition that involves a period of incapacity or treatment following inpatient care in a hospital, hospice or residential medical care facility; a period of incapacity requiring more than three days

absence from work and continuing treatment by a health care provider; or continuing treatment by a health care provider for a chronic or long-term health condition that is so serious that, if not treated would likely result in incapacity of more than three days; or continuing treatment by or under the supervision of a health care provider of a chronic or long-term condition or disability that is incurable; or prenatal care.

3. **“Foster Care Placement”**

“Foster Care Placement” is defined as 24 hour care for children in substitution for, and away from their parents or guardian. Such placement is made by or with the agreement of the State as a result of a voluntary agreement between the parent or guardian that the child be removed from the home, or pursuant to a judicial determination of the necessity for foster care, and involves agreement between the State and foster family that the foster family will take care of the child. Although foster care may be with relatives of the child, State action is involved in the removal of the child from parental custody.

These definitions and definitions of other terms relevant under the Family Medical Leave Act, and as used in this policy, may change from time to time, based upon interpretations of the Family and Medical Leave Act (FMLA) and its regulations. Requests for further information or clarification with regard to any of these definitions herein, or to this policy, should be directed to the Office of Human Resources.

Eligibility

1. **Minimum Eligibility Requirement**

It has been determined that any faculty member who has at least 12 months prior service and has been employed full-time is eligible for family medical leave.

2. **Leave for Serious Health Conditions**

This policy and FMLA are only intended to cover serious health conditions - generally those which involve three or more days incapacity from work or school, or chronic, long-term, or incurable conditions. Faculty members who wish to take leave to care for family members with non-serious conditions are not covered by this policy.

Procedures for Requesting Family/Medical Leave

1. **Request for Leave**

- Procedure - All verbal or written requests for family/medical leave should be initiated by contacting the department chair.

It is the University’s responsibility to designate leave, whether paid or unpaid, as “FMLA qualifying”. That designation is based on information provided by the faculty member. If the Office of Human Resources has questions regarding the information provided, additional information may be required before classifying leave as FMLA qualifying.

- Foreseeable Leaves - If the need for family/medical leave is foreseeable, the faculty member must provide notice of not less than 30 days to the department chair. Leave will be denied unless there is a reasonable excuse for the delay. If leave is denied due to lack of notice, the faculty member may request leave to start 30 days after proper notice is given.

- **Unforeseeable Leaves** - If the need for family/medical leave is not foreseeable, notice must be given by the faculty member as soon as possible and practicable, ordinarily within one to two working days. If the faculty member is unable to do so, notice may be given by the faculty member's spouse or other family member.
- **Additional Information** - After receiving a request for family/medical leave, the Office of Human Resources will provide additional information regarding leave procedures, answer questions with regard to the effects of the Family and Medical Leave Act, and advise as to any additional documents that may be required to complete the request for family/medical leave.

2. Medical Certification

- **The University reserves the right to require proof of necessity for family/medical leave by a health care provider on the Certificate of Physician or Practitioner form. Certification should be submitted within 15 calendar days of the date the information is requested by the University.**
- **Second Opinions** - The University reserves the right to require a second medical opinion at its own expense. If the first and second opinions differ, the University, at its own expense, may require the binding opinion of a third health care provider, approved jointly by the University and the faculty member.
- **Recertification** - The University reserves the right to request periodic recertification after 30 days or even less frequently if the faculty member requests an extension of the leave, circumstances change during the illness or injury, or the University receives information that questions the continuing validity of the most recent certification.
- **Requests for additional information or questions relating to medical certification and its process should be directed to the Office of Human Resources.**
- **All medical certifications of serious health conditions are maintained on a confidential basis in the Office of Human Resources. Access is limited to department chairs on a need to know basis.**

3. Leave is Contingent on Eligibility

All faculty member requests for family/medical leave are contingent upon a determination by the University that the faculty member is eligible for family/medical leave and meets the provisions under Section 2. Leave is also contingent on second or third opinions that may be required as well as recertification.

Required Use of Accrued Leave

1. Paid Leave

If the purpose of the leave is a faculty member's own serious illness, he/she will be required to use any accrued sick leave, subject to the University's sick leave policy. Thereafter, the eligible faculty member may take accrued vacation (see section 5.4.4), if any. During maternity leave, up to six (6) weeks of accrued sick leave may be taken. However, sick leave may not be used to extend maternity leave beyond 120 calendar days. Paid sick leave will not normally exceed six (6) weeks during maternity leave. Thereafter, the eligible faculty member may take accrued

vacation (see section 5.4.4). Under no circumstances will paid leave extend beyond 90 calendar days or beyond the ending day of employment whichever is earliest.

If the purpose of the leave is to care for a seriously ill family member, in accordance with the University's sick leave policy, the faculty member may take up to 3 days paid sick leave per illness. Thereafter, the eligible faculty member may take accrued vacation (see section 5.4.4). If the purpose of the leave is the birth or adoption of a child, to care for a newborn child or the foster care placement of a child, the eligible faculty member may take accrued vacation (see section 5.4.4).

2. Unpaid Leave

Unless a faculty member has accrued sick leave or vacation, family/medical leave will be unpaid.

Faculty Member Benefits

1. Health Benefits

During an approved family/medical leave, the University will continue to pay the employer portion of the premium. While on paid family/medical leave, the faculty member's portion of health insurance premiums will be deducted from the faculty member's paycheck. To continue medical coverage without interruption, while on unpaid family/medical leave, direct payments should be made to the Payroll Office no later than the 25th of the month for the next month's coverage.

2. Life and Disability Insurance Premiums

During family/medical leave, the University will continue to pay the basic life and disability insurance premiums. While on paid family/medical leave, deductions for optional life insurance premiums will continue to be made through payroll deduction. To continue optional life insurance coverage during unpaid family/medical leave, a faculty member should pay the normal premium directly to the Payroll Office no later than the 25th of the month for the next month's coverage.

NOTE: While on unpaid family/medical leave, benefits coverage(s) will end if a faculty member fails to make the required payments within 30 days of the due date. Faculty members may prepay health insurance and optional life insurance premiums prior to commencement of family/medical leave.

3. Other Benefits

- If a faculty member takes family/medical leave, the faculty member will not receive a refund of TRS retirement contributions since a return to work is anticipated.
- A faculty member's anniversary date will not be affected as a result of family/medical leave.
- Length of service will continue to accumulate during family/medical leave, but will not be used when computing sick pay benefits, vacation benefits or Teachers' Retirement benefits.
- In accordance with the existing unpaid leave of absence policy, no additional vacation or sick leave accrues while a faculty member is on unpaid family/medical leave. Faculty members on unpaid family/medical leave are not eligible for holiday pay.

- Faculty members on family medical leave are only eligible for tuition reimbursement if they met the eligibility requirement at the time of registration.

Reinstatement

1. Reinstatement of Faculty Member Benefits

Upon return from family/medical leave, health insurance coverage that has been allowed to lapse will be reinstated with no new pre-existing conditions period; however, a faculty member will be required to serve the balance of the pre-existing conditions period, if any, that existed prior to commencement of family/medical leave. Reinstatement of optional life insurance may be requested; however, a faculty member may be required to provide proof of insurability.

2. Family Medical Leave and Impact on Time Counted Toward Service Time for Tenure and Promotion Consideration

Family/Medical leave time may affect time counted toward service time for consideration of tenure and promotion. A faculty member must submit a written request to his/her department chair for leave time to count toward service time for consideration of tenure and/or promotion. The faculty member's request, the department chair's recommendation, and the dean's recommendation will be forwarded to the Senior Vice President for Academic Affairs/Vice President for Medical Affairs who will decide. A written response from the Senior Vice President for Academic Affairs/Vice President for Medical Affairs will inform the faculty member of his/her decision.

3. Long-term Disability Benefits

When the serious health condition continues beyond 90 calendar days, the faculty member may apply for long-term disability (LTD) benefits under the Group Long-Term Disability Program. Regular full-time faculty will automatically be granted up to an additional nine months leave of unpaid absence and may return to former position, rank, and pay at any time during this time-period upon release by the attending physician provided the additional leave does not extend beyond the ending date of appointment of the faculty member. Upon return, the faculty member will receive an equal salary to that salary at the time leave was taken or may receive a greater salary in the event that a salary increase has occurred in the interim. However, for the faculty member to receive an increase, the usual review process would be followed.

4. Cobra

When a faculty member notifies the University that he/she is not returning from family/medical leave, the University shall terminate the faculty member's health benefits and he/she shall no longer have the right to reinstatement to the same or equivalent position. The faculty member shall be entitled to continuation of health benefits only in accordance with COBRA and the provisions of the USA Health Plan.

General Provisions

1. Administrator

The University is the sole administrator of this policy and, as such, is the exclusive interpreter of its terms. All provisions of this policy shall be interpreted consistent with the Family and Medical Leave Act of 1993.

2. Changes

The University reserves the right to modify or terminate this policy at any time. This policy may change from time to time due to changes in regulatory requirements and legal interpretations of the Family and Medical Leave Act of 1993.

3. Confidentiality

The University will take steps to ensure that the information obtained relating to family/medical leave remains confidential. This information will be used only to make decisions in regard to the provisions of this policy. This will be consistent with all other personnel policies relating to information that is provided by faculty members to the University on which the University would take action.

4. No Employment Rights

This policy does not create any employment rights to any individual other than specifically stated in this policy.

5. Limitations

Except as otherwise stated, this policy is not intended to create any rights greater than those conferred on faculty members by the Family and Medical Leave Act of 1993.

6. Rights and Obligations

The University and its faculty members have various rights and obligations under FMLA. For further information, please contact the Office of Human Resources.

5.4.3 Leaves of Absence Without Pay

Leaves of absence without pay may be granted for a period of one year or less and may be extended for an additional period *not to exceed 2 years*. All leaves and extensions of leaves must be cleared with the appropriate department chair and dean and approved by the Senior Vice President for Academic Affairs/Vice President for Medical Affairs and by the President.

5.4.4 Vacation Leave for 12-month Faculty in the Colleges of Allied Health Professions, Medicine, Nursing and University Libraries

Effective Date: October 1, 2000

1. Vacation annual leave will accrue at the rate of 1.67 days per month of service, a maximum of 20 days annually.
2. The maximum amount of reimbursable vacation that an eligible faculty member may accrue is two times the annual rate (40 days). Once two times the annual rate has been accrued, the employee may continue to accrue non-reimbursable annual leave which will be forfeited if not taken during the fiscal year in which accrued. On September 30 of each fiscal year, any accrued balance in excess of two times the annual accrual rate will be automatically deleted. Accrued annual leave in excess of two times the annual amount will not be reimbursed by the institution upon termination of employment.
3. Effective September 30, 2003 an employee with excess accrued vacation will have that excess accrual converted and then transferred to the employee's accrued sick leave balance.

4. Vacation time may not be borrowed in advance. Vacation during an official paid holiday will not be charged as a vacation day.
5. Because accrued paid sick leave may not exceed six weeks during maternity leave, except in the case of medical complications, accrued vacation may be used thereafter.
6. Prior authorization for vacation leave must be obtained through the normal supervisory channels, i.e., departmental chairs and deans using the form *Request for Professional Leave, Travel or Vacation*. Vacation may not be taken during times that conflict with teaching or clinical responsibilities.
7. Accurate reporting of vacation and/or sick leave utilization is the responsibility of both the employee and supervisor. It is important that timekeeping and/or leave utilization records be carefully reviewed and accurately reported for all employees.

5.4.5 Military Leave

If a regular employee of the University of South Alabama is an active member of the Alabama National Guard or naval militia, the Officer's Reserve Corp of the United States Army or the reserve components of the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, the employee is entitled to a military leave of absence. Said employees are entitled to a military leave of absence on all days when they are engaged in field, coastal defense, other training, or on other service ordered under the provisions of the laws of Alabama, the National Defense Act, or the federal laws governing the United States reserves. Employees will be paid for up to 21 calendar days per year for appropriate reasons inclusive of 14 days for training. Employees on extended active duty beyond 21 days will not earn pay, nor will they accrue sick leave or vacation. For purposes of this policy, weekend drills are not considered training and are not eligible for payment.

If the employee's military leave extends beyond 21 days, they must contact their supervisor within 31 days of completion of military service. A military leave day is eight (8) hours or less based on the employee's FTE. Employees will not be paid for any time in excess of the length of time for which they have been called to active duty for training or special active duty.

Should an employee be ordered to annual training or special active duty, the employee must provide a copy of their orders to their supervisor two (2) weeks in advance of the scheduled duty.

If a regular employee of the University of South Alabama is drafted into the military service of the United States or volunteers to join the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, the employee will be granted a military leave, as required by law, without pay. The employee must contact their supervisor within ninety (90) days of completion of military service.

The active duty period served by reinstated employees will be used in computing creditable service, longevity and seniority.

5.4.6 Professional Leave

Permission to be absent from campus or other approved work site for one-half day or more to engage in professional activity during regular periods of contracted employment, may be granted under professional leave.

5.5 Sabbatical Policy

The University of South Alabama encourages eligible faculty to apply for sabbatical leaves for the purposes of professional growth, development, or renewal. Such activities would include planned travel, study, foreign education, research, writing, or other professional experience that promises to enhance their professional skills and standing and, by extension, their usefulness to the University.

1. Eligibility

Full-time tenured faculty who have completed six or more years of continuous service at the University of South Alabama without having received leave with pay, or who have served for six years following the completion of a previous leave with pay, are eligible to apply for sabbatical leave. In exceptional cases, clinical or other non-tenure-track faculty with at least six years of continuous service may also apply for sabbatical leave, pending the approval of the appropriate chair and division head.

The University will endeavor to approve proposals by eligible faculty that are recommended by the chair, college committee and dean. Decisions must include consideration of the impact on the academic program and budgetary constraints in a given year.

2. Review and Approval

Proposals are submitted by the faculty member to the department chair. The chair will submit the proposal with his/her recommendation - either favorable or unfavorable - with accompanying rationale and impact statement on the teaching program to the dean. If more than one proposal is submitted from a particular department, the chair will rank the proposals prior to forwarding to the dean.

The dean will obtain a review and recommendation with rationales and rankings of proposals from the college committee. Similarly, the dean will submit recommendations - either favorable or unfavorable - with rationales, academic program impact statements, and rankings for all proposals to the Senior Vice President for Academic Affairs who will make recommendations to the President. The President will make recommendations to the board of trustees for a final decision.

3. Compensation

Sabbatical recipients may take a leave for one semester at full salary or for two semesters at half-salary. In extraordinary cases, leaves may be granted for less than a full semester with full pay, subject to the approval of the appropriate division head and the Senior Vice-President for Academic Affairs. Although external grants or other outside funding are permitted subject to standard University regulations that apply to all faculty, the compensation for the period of the leave should not be greater than the total University salary would have been, plus a reasonable

allowance for relocating and meeting the costs of living in the new location. The University is not responsible for providing travel or other living expenses incurred by the recipient.

4. Benefits and Credited Service

Faculty on sabbatical are eligible for salary increases and promotions as they would be were they not on sabbatical. They will receive credit for time in rank for promotion. All fringe benefits due the recipient will continue in full force during the leave.

5. Replacements and Deferrals

Sabbatical leaves normally will be financed through departmental and divisional budgets. The University will make every effort to insure that such leaves do not unduly burden the recipient's colleagues or affect course offerings or other instructional needs. To the extent that it is feasible to do so, the University encourages departments to replace faculty who choose to take a leave of two semesters at half-pay with qualified temporary appointments. Any salary relinquished by sabbatical recipients should be made available to compensate temporary replacements.

Sabbatical recipients may for legitimate reasons defer an approved sabbatical leave for up to one year subject to budgetary limitations in the following year. In the event that a sabbatical recipient is asked by his or her chair, division head, or the Senior Vice President for Academic Affairs to defer an approved leave, and does so, that leave will be honored by the University in the following year. In the event that a sabbatical recipient is asked by his or her chair, division head, or the Senior Vice President for Academic Affairs to defer an approved leave, the recipient will be eligible to apply for a subsequent award following five years of full-time service after the end of the leave, rather than six.

6. Responsibilities

Sabbatical recipients must return to the University for at least one academic year following the leave, or they must reimburse the University for all salary and benefits received from the University while on sabbatical. Recipients are to submit a report summarizing their activities and achievements during the sabbatical no later than the end of the first semester following their return from leave.

7. Schedule

May 1	Call for proposals (reiterated September 1)
September 15	- Deadline for submitting proposals to the department chair or division head - College or division sabbatical committees appointed
October 1	- Proposal with chair's comments due in dean's or director's office and submitted to the college or division sabbatical committee
October 15	College committee submits recommendations with rationales and rankings to the dean

November 1	College/division recommendations due in the Senior Vice President for Academic Affairs' office
November 15	Senior Vice President for Academic Affairs makes recommendation to the President
November 30	President makes recommendations to the Board of Trustees
December Board Mtg.	Trustees act on President's recommendations and applicants receive written notification

8. Proposal Guidelines

The sabbatical proposal should include the following:

- a brief curriculum vita
- an abstract
- a narrative statement (5-10 pages)
- supporting documents (e.g., references, letters from grant agencies)

The narrative should explain (in non-technical language) how the leave will be used, the nature of the proposed activity or project, previous work or preparation, and the expected outcome. It should address specifically how the activity or project will contribute to the professional development of the applicant.

9. Impact Statement

Chairs, deans and/or directors will submit a statement assessing the impact of each sabbatical leave requested and explaining the steps proposed to mitigate any perceived adverse impact on the teaching, research or service mission of the department, college or division. Normally, any lapsed salary of sabbatical recipients should remain within the college or division and be available to supplement the salary of temporary replacements for those who take a full year's leave.

10. Committees

College or division committees should be appointed by the appropriate dean or director by September 15 and convene in early October. Committees should consist of three or more tenured faculty members and should be broadly representative of the college or division as a whole. Committees should be composed in accordance with University regulations. Committee recommendations should be presented to the dean/director before OCTOBER 15. The dean/director should send his/her recommendations to the Senior Vice President for Academic Affairs by NOVEMBER 1.

11. Final Reports

The sabbatical recipient must submit a report detailing his or her activities and accomplishments during the sabbatical leave to his or her chair and dean, and to the Senior Vice President for Academic Affairs. The report should be submitted no later than the end of the first academic

term during which the recipient resumes his or her University duties. The report should be used in part or in whole as the basis of the faculty member's annual merit evaluation.

5.6 Tuition Reimbursement/Transcript Waiver

Regular full-time faculty and their eligible dependents may receive reimbursement for classes taken for academic credit granted by the University of South Alabama. Registration must occur after the faculty member has completed six months of employment.

The employee benefit is a refund of tuition on a maximum of 5 credit hours per semester plus registration fee, student center fee, health fee, and activity fee. The grade requirement is a 2.0 cumulative GPA for undergraduate work and a 3.0 cumulative GPA for graduate level work.

The spouse/dependent benefit is a refund of 50% of tuition upon successful course completion; no fees are refunded. Eligible dependents are spouse and unmarried dependent children under age 25.

Total cost is paid at registration and reimbursed upon request following successful completion. Reimbursement forms are available in the Office of Human Resources.

Full-time faculty may enroll in courses and waive the transcript requirement by completing the transcript waiver form and admission application with the \$25.00 processing fee to the Office of Admissions by the published deadlines.

5.7 Support Services

5.7.1 Bookstore Facilities

The University Bookstore is a modern and spacious facility located adjacent to the University Center to serve faculty, staff, and students of the University. The Bookstore serves as a central supply storeroom for the University and is the source for all expendable items at competitive prices. The Bookstore is equipped to make deliveries to all departments of the University.

5.7.2 Campus Mail and Email

A campus-wide mail system allows mail to be sent from one University facility to another without charge. The Mail Room is a full service post office. Email is available to all faculty and all students are assigned a University email address.

5.7.3 Clerical and Secretarial Support

Availability of clerical and secretarial support varies from department to department. Reasonable and necessary support is provided to assist faculty in their teaching effort. The workload of many departments may create the necessity for advance notice of the need for clerical support; it may be impossible to fulfill last minute requests. No formula exists in allocating secretarial help to the various departments. No set procedures are followed in allocating secretarial and/or clerical student assistants.

5.7.4 Computer Center

Faculty members may arrange for use of computer services by contacting the Assistant Vice President for University Computer Services.

5.7.5 Credit Union

All employees and their dependents are eligible for membership in the South Alabama Federal Credit Union located at 103 Hillcrest Road, Mobile, AL 36608, (251) 706-0255.

5.7.6 Duplicating Services

Duplicating equipment can be found in most facilities on campus. The Office of Publications provides duplicating and printing services to all areas of the University.

5.7.7 Food Service

The University operates a full cafeteria in the Student Center, as well as snack bars and vending machines located throughout campus.

5.7.8 Identification Cards

Faculty and staff identification cards are obtained from the Office of Human Resources (AD 286). Cards are renewable every two years. If an ID card is lost, a nominal replacement fee is charged.

5.7.9 Office Facilities

All faculty members will be provided adequate office space.

5.7.10 Parking Permits

Each employee of the University who uses a car on campus must have a visible parking permit on the car. Permits and parking regulations may be obtained for a nominal fee with a valid ID card from the Bursar's Office (AD 154). Designated blue-line parking areas are well-defined in each parking area of the campus for faculty and staff.

5.7.11 Recreational Facilities

The University Recreational Center is available for use by employees and students. A small fee is charged for family membership. Family members include spouse and children age 17-22 years. The facility offers a variety of exercise equipment, a track, and basketball and racquetball courts.

The University has a swimming pool on campus for use by University employees and their families. Employees and their families may use the Brookley Golf Course upon payment of appropriate fees. The Tennis Center at Municipal Park is open to the public; faculty and their family members may sign in at the Pro Shop for open courts.

Children's summer programs are available each summer. The University Intramural Sports Program invites faculty members to participate on the faculty basketball and softball teams, as well as in the

various sports tournaments in golf, tennis, bowling, table tennis, and badminton. The Department of HPELS sponsors a faculty-staff supervised sports and development program during lunch periods. Faculty members have locker rooms available for their convenience.

5.7.12 Telephone

University telephones are for official University business only. Use of University telephones for personal business is strictly prohibited.



6.0 ACADEMIC POLICY & PROCEDURES AND FACULTY INSTRUCTIONAL GUIDELINES

6.1 Advising, Office Hours, and Registration

6.1.1 Student Advising

A student is usually assigned to an advisor when first admitted to the department and/or college. Academic units provide procedures for assignment.

6.1.2 Office Hours

Faculty members will post and keep office hours each semester and, as a minimum, indicate six hours a week for conferences with interested students. With respect to evening classes (those scheduled after 4 p.m.) and weekend classes, faculty members teaching those courses will make suitable and adequate arrangements to carry out the advising function by scheduling office hours accordingly. A common practice is to state that, in addition to regularly scheduled office hours, appointments may be arranged at other times.

6.1.3 Registration Procedures

Web registration is available for all continuing and returning undergraduate and graduate students. New undergraduate students are required to register on campus. Final Registration and Drop/Add are held through the third day of classes. Students may not add or change a course after this date; however, withdrawal from a course is permitted several weeks into the semester. Official class rolls are posted online at PAWS. Any student attending a class whose name does not appear on the official roll should be referred to the Registrar's Office and should not attend class.

6.1.4 Auditing

Students may register to audit a class. Regular fees apply to courses taken for audit. Auditing is NOT an informal agreement established *ad hoc* between a faculty member and a student. The regular drop/add policies apply to courses taken for audit. A grade of AU (satisfactory audit) or UA (unsatisfactory audit) is assigned. Students may NOT attend classes for which they are not registered; registered students' names appear on the official class roll.

6.2 Class Definition, Scheduling, and Attendance

6.2.1 Definition of a Class

A "class" at the University of South Alabama is composed of the properly assigned faculty and those students who are properly registered for it. The instructor has no authority to turn over a class to another person, nor has the instructor any authority to permit any non-registered person to sit in the class or otherwise participate. The faculty cannot act individually to make teaching assignments or reassignments, they cannot act in the capacity of registrar, and they cannot give away instruction that is part of their assigned teaching load.

The State's resources cannot be alienated and the teaching assignment of an appointed faculty member is a resource of the State.

1. Minimum Class Size

The minimum routinely permissible class sizes are ten (10) students for freshman and sophomore courses, seven students for junior and senior courses, and five students for graduate courses. It will be the responsibility of the dean to show justification to the Office of Academic Affairs for any courses that are continued with enrollments of fewer than those specified.

2. Visitation by Colleagues

It should be emphasized that class visitation by professional colleagues does not constitute unauthorized presence in the classroom. Professional colleagues (other faculty or, in the case of non-faculty, any person who is invited to participate actively in the instructional process, e.g., a lay expert's lecture) may be present for such periods as the instructor may desire and engage in any activities not disruptive to the instructional process. The presence or participation of professional colleagues, as they are invited by the instructor, contributes to the general well-being of the University by enhancing the instructional process, when the visitor acts as temporary instructor, or in increasing knowledge and skills for subsequent use elsewhere, when the visitor acts as student. The University welcomes and encourages the visitation and participation of professional colleagues.

6.2.2 Class Scheduling

1. Day Classes

Generally departments offer day classes that meet three times a week (MWF) or two times a week (TR). The day class schedule is divided into class periods that range from 50 minutes in length (MWF) or 100 minutes in length (TR).

2. Evening Classes

Many departments offer night classes that meet two times a week (MW or TR). The night class schedule is divided into class periods that are 75 minutes in length. Some evening courses meet once a week for 150 minutes.

3. Weekend Courses

The same schedule calendar controls both this process and the assignment of regular weekday courses. However, weekend courses (usually offered in one four-hour block of time on Friday evening, Saturday morning, or Saturday afternoon) may be offered "on-load" or "off-load". To teach "on-load" means that the course is part of the faculty member's regular teaching load, and "off-load" means the faculty member teaches the weekend course in addition to a regular load, usually for additional compensation. Weekend courses are designed to accommodate students with heavy non-academic weekday commitments.

4. Changing Class Time or Place

The authority to permanently change either the time or the place of a scheduled class lies with the Senior Vice President for Academic Affairs, which authority may be delegated to the dean and the chair. If delegated, the department chair and the dean should effect change only when such a change is necessary to carry out the specific mission of the class.

6.2.3 Attendance

1. Faculty Attendance

Normally, all classes will meet at the time and place scheduled, and the instructor is expected to meet all assigned classes, which will begin and end at the time scheduled. However, if an instructor must be absent for any reason, e.g., for reasons of health or attendance at professional meetings, it is the responsibility of the instructor and the department chair to ensure that appropriate arrangements to continue the scheduled class(es) are made.

2. Student Attendance

Students are responsible for attending the classes in which they are officially enrolled. The quality of work will ordinarily suffer from excessive absences. At the beginning of classes, instructors must define their policy on absences, and all cases of illness and emergency shall be promptly reported and verified to the instructor. For absences of two or more consecutive class meetings due to illness, death in the family, or family emergency, students should contact the Vice President for Student Affairs. Absence notices will be sent to each instructor notifying him/her of the reason for the approximate length of absence. This notification does not constitute an excused absence.

No person under any circumstances is permitted to attend a class unless the instructor has that person's name on an official class listing, either for audit or for credit. The instructor is responsible for enforcing this policy.

6.2.4 Withdrawing from a Course

Students will not be permitted to withdraw from courses after the official withdrawal date, except in those rare instances in which mitigating circumstances are patently demonstrable to be beyond the control of the student or the withdrawal is clearly in the best interests of the University.

Authority to withdraw students after the official date will reside in the dean's or director's office of the academic unit in which the student is enrolled. Should this procedure involve a course being taught in another academic unit, the authorizing dean, before rendering a decision, is expected to consult with the counterpart in the other unit to provide an opportunity for further consultation with the appropriate faculty. Once a late withdrawal has been properly approved, the symbol "WD" will be entered for all courses affected.

Course withdrawals will routinely follow the same academic procedure whether the student is withdrawing from a single course or is withdrawing completely from the University. In the event of a procedural problem or if the official withdrawal date has passed, the student will also need to consult his/her academic dean. Students withdrawing completely from the University must additionally be cleared by the Library.

6.3 Course Description, Textbooks, and Sale of Academic Material

6.3.1 Course Description and Syllabi

Each instructor is required to furnish students in each credit class, in writing, the following information on the first day of class:

1. goals and objectives of the course
2. instructional material to be used with a syllabus including a brief course description and topical outline
3. office hours of the instructor or means of instructor availability for out-of-class consultation with students
4. class attendance policy
5. number and type of exams to be given during the semester
6. policy on make up examinations
7. course assignments, if any
8. penalty, if any, for late work
9. how final grade is determined
10. statement regarding students with disabilities:

In accordance with the Americans with Disabilities Act, students with bona fide disabilities will be afforded reasonable accommodation. The Office of Special Student Services will certify a disability and advise faculty members of reasonable accommodations. Note: the following is an example of a statement that should also be included in the course syllabus: "If you have a specific disability that qualifies you for academic accommodations, please notify me (the instructor/professor) and provide certification from Disability Services (Office of Special Student Services). The Office of Special Student Services is located in the Student Center, Room 270, Phone 460-7212."

11. statement regarding changes in course requirements:

Since all classes do not progress at the same rate, the instructor may wish to modify the above requirements or their timing as circumstances dictate. For example, the instructor may wish to change the number and frequency of exams, or the number and sequence of assignments. However, the students must be given adequate notification. Moreover, there may be non-typical classes for which these requirements are not strictly applicable in each instance and may need modification. If such modification is needed, it must be in writing and conform to the spirit of this policy statement.

6.3.2 Textbook Selection and Procurement

At the outset, it is important to understand that the selection of textbooks and the procurement of textbooks are two separate and distinct processes. The faculty, within the context of the academic departments, has the responsibility for textbook selection, and the Bookstore has the responsibility for textbook procurement. This policy statement addresses only the problems of textbook procurement. The following procedures should help alleviate those problems:

1. The selection of textbooks and other required course materials is the responsibility of each department. It is the responsibility of each department chair to administer the procurement of all course materials through the University Bookstore.
2. The University Bookstore will notify all academic departments of the responsible individuals to be contacted in the Bookstore.
3. Once adopted, textbooks will be used for at least two years. Should a new edition appear before the two-year period expires and the old edition becomes unavailable, the new edition may be

adopted. The department must ensure that the Bookstore is notified at least a semester in advance if a text is to be changed or its use discontinued.

4. Both the Bookstore and the students should be informed if a particular text is optional or recommended rather than required.

6.3.3 Sale of Academic Materials to Students

In order to comply with all federal copyright laws, State ethics laws and other State laws, the following policy was approved.

The sale of academic materials, including texts, supplementary texts, and other materials directly to students by either an individual faculty member or staff employee or by the academic department is prohibited. All academic materials as indicated above must be sold through the University Bookstore.

State law requires that outside college bookstore retailers be informed of required and optional textbooks and any other academic materials sold to students such as custom published and supplementary academic learning materials (course packets). The University Bookstore will be responsible for preparing a list of these and will make such lists available to off-campus retailers and/or their representatives no more than two (2) working days from the time they are established. Also, all off-campus retailers will be allowed to purchase the items on the list from the Bookstore at a discount, if a margin is added, or at cost if no margin is used, provided the copyright agreement legally covers such a sale.

6.4 Course Credit for Non-Collegiate, Off-Campus, Non-Credit Courses

The University participates in the Advanced Placement Program of the College Entrance Examination Board and gives advanced placement to qualified students. Decisions regarding credit are made after consultation with the chair of the department concerned and the academic dean

6.4.1 Academic Credit for Non-Collegiate Instruction

University procedures for granting academic credit for non-collegiate instruction are:

1. the University of South Alabama will grant academic credit for approved non-collegiate instruction;
2. the awarding of credit is processed by the Admissions Office for new students and by the Registrar's Office for students already enrolled at the University;
3. the Admissions Office and Registrar's Office are guided by the *The National Guide to Educational Credit for Training Programs*, produced by the American Council on Education in evaluating non-collegiate instruction for elective credit;
4. the appropriate college(s) decides if the awarded credits will be applied to the respective programs;

5. no more than 32 hours of credit may be awarded for CLEP, Military Service School Training and non-collegiate instruction collectively.

6.4.2 Off-Campus Instruction for Credit

1. The requests to offer off-campus courses or programs for credit will follow the normal channels (department chair, dean, Dean of Continuing Education and Special Programs, Senior Vice President for Academic Affairs). Since all off-campus courses or programs must be approved by Alabama Commission on Higher Education (ACHE), course and program proposals must be submitted to ACHE sixty (60) days prior to the proposed implementation.
2. For students enrolled for regular University credit courses there are a number of special fees assessed. Some of these fees (e.g., the athletic fee, the student activity fee, etc.) may be inappropriate for a short-term student. Under these circumstances, a waiver of these fees may be requested. It is noted in this regard that special conference fees, in addition to the registration fee and tuition, may be required for a given course.

With regard to other University fees for special courses held on the main campus a decision concerning these fees will be evaluated on a case-by-case basis.

3. Guidelines for off-campus courses are given in detail and are available in the college dean's office or in the Continuing Education Office.

6.4.3 Non-Credit Course Work

The School of Continuing Education and Special Programs is the administrative unit charged with administering non-credit programs at the University of South Alabama. A non-credit course is defined as a learning activity that meets the criteria established by the Southern Association of Colleges and Schools for the awarding of individual CEUs.

Proposed courses must meet the above criteria and must be approved in advance by the Office of the Dean of Continuing Education and Special Programs. The Senior Vice President for Academic Affairs will be informed of all non-credit courses prior to their being offered. Appropriate records of all non-credit courses, including individual CEU records of students, will be maintained by the Office of the Dean of Continuing Education and Special Programs.

Non-credit activities that do not meet the individual CEU criteria will be accounted for only in terms of institutional CEU's, as defined by the Southern Association of Colleges and Schools. It will be the responsibility of the colleges and divisions of the University to report institutional CEU activities to the Office of the Dean of the School of Continuing Education and Special Programs on a semester basis.

6.5 Course Assignments, Testing, and Final Examinations

6.5.1 Assignments and Testing

1. Scheduling and Number of Papers, Tests, etc.

The number of tests or papers in a course is not regulated by University policy. Colleges, divisions, and departments may develop policy on this matter. Informal observation suggests that faculty members usually give two or three tests within the semester. The assignment of papers will depend on the objectives of the course but is generally encouraged. Most instructors give at least one test or require one paper prior to the last drop date for the semester, as it is rare that a student is permitted to drop a course after the final drop date. Since the last day to drop a class is placed well into the semester, it does not require extraordinary effort to provide students with a graded item before that day.

2. Format of Testing

Unless specified by the department, format of testing is decided by the individual faculty member. Computerized grading (through scan sheets) is available for "objective" tests (true-false/multiple choice) where the student makes a selection of an answer from those provided, a format that rewards educated guesswork. "Constructive" tests, where the student is required to construct an answer to a question, require the student to organize and present knowledge employing powers of analysis and synthesis, as well as the skill of writing. For disabled students, a suitable adjustment of format may be appropriate (consult the Office of Special Student Services).

3. Format of Testing with Regard to Teaching Styles

Adjustment of testing to one's particular teaching style will take into account the student's experience in the course, and the testing will ask the student for a response, in form and content, for which the student is reasonably prepared by the course experience.

4. Students Making Up Missed Work

Instructors commonly allow for makeup of work missed for reasons deemed appropriate (illness, family problems, emergencies, weather, etc.). Excuses for approved university-related activities are approved by the Dean of the College of the student's major.

5. Proctoring Tests/Examinations

Faculty proctor tests and examinations in courses for which they are the instructor of record. When it is necessary for an instructor to be absent from a class in which testing is scheduled, the instructor, in consultation with the departmental chair, may arrange with another faculty member or appoint a non-faculty member (for example a graduate assistant) to proctor the examination.

6.5.2 Final Examination

University regulations require that a final examination in each course be given during the regularly scheduled final examination period at the specific time indicated in the final examination schedule. The examination will take place in the instructional space assigned to the particular class. Any deviation from the scheduled time and place for the final examination must have the prior approval of the appropriate dean's office.

The character of certain courses may justify exceptions to this requirement. In such cases, it shall be the responsibility of each department to ascertain which of its courses, if any, do not require a final examination and to obtain the appropriate dean's approval. Once the list has been approved, those courses will carry a continued exemption from the final exam requirements.

The normal expectation of the University is that final examinations will take written form and be course comprehensive in nature. At the same time, the University recognizes that situations may arise in which a faculty member may find some pedagogic reasons for employing alternate examining methods.

If a student has the problem of more than two finals on the same day, faculty must cooperate in an effort to reschedule one of the exams. This is a rare event but it does happen; directions on resolution of the problem are printed with the final Exam Schedule in the Class Schedule.

6.6 Records and Grades

6.6.1 Class Records

The instructor is responsible for maintaining a record of class attendance for each student, ensuring that only duly-registered students attend class. Students enrolled in a course who do not have the prerequisite(s) may be administratively dropped from the class roll.

6.6.2 Grading System

Students are graded on the basis of the following guidelines:

- A 4 grade points per semester hour - Excellent
- B 3 grade points per semester hour - Good
- C 2 grade points per semester hour - Satisfactory
- D 1 grade point per semester hour - Minimum Passing
- F Failure, no grade points
- S Satisfactory, no grade points
- U Unsatisfactory, no grade points
- F*/U* Student who earned an F or U and completely stopped attending class and completed none of the course requirements and did not officially withdraw.

Grades of record do not take into account pluses and minuses. If a faculty member's grading system in a course is calibrated to pluses and minuses, those grades will be adjusted to quality-point letter grades without pluses and minuses when posted on the student's permanent academic record.

1. The following symbols are substitutes for grades. They are not grades.

- I Incomplete (see below)
- X Absence from final examinations (see below)
- WD Withdrawal in good standing
- P Course in progress (see below)
- AU Audit
- N No grade or invalid grade (assigned only by the Registrar)

2. Use of Symbols "I", "X", and "P"

- The symbol "I" (Incomplete) is assigned when, for reasons beyond the student's control, the student is unable to fulfill all the normal course requirements. The situation warranting an "I" must be a medical condition, an equipment problem, or other mitigating circumstance that is patently demonstrable to be beyond the student's control. This symbol is not used to provide time for completion of extra work beyond the normal course requirements for improving the student's grade, nor is it assigned to permit the student to avoid probation, suspension, or dismissal.
- The symbol "X" (Absence from Final Examination) is assigned only in cases where illness or an unforeseen emergency precludes the student's appearance at the scheduled examination. All records of the symbol "I" or "X" must be cleared by the mid-term of the next semester; if they are not, grades of "F" will be recorded by the Registrar.
- The symbol "P" (In Progress) is assigned only in a limited number of approved courses that require more than one semester for completion. Unless the "P" is removed by the end of the second succeeding semester, a grade of "F" will be recorded.

NOTE: The symbols "I", "X", and "P" become final grades of "F" unless cleared by the official deadlines. This statement signifies to the instructor that these symbols, when not replaced by a grade prior to the appropriate deadline, will AUTOMATICALLY become grades of "F" with no further authorization.

- At present, extensions of the time available to students to complete the required work may be authorized only by the dean's office of the college or school in which the concerned course is taught.

6.6.3 Criterion-Referenced and Norm-Referenced Grading

A useful concept in developing a grading procedure is to distinguish the basis for the grading. To over-simplify the difference, criterion-referenced grading relies on an objective standard external to the performance of a particular student or class. Norm-referenced grading relies specifically on the performance of the class. For example, a numerical grade of 75 might be a "C" using the former basis but an "A" using the latter. Each method has its advantages and disadvantages. It is important to select one and apply it consistently.

6.6.4 Reporting Grades

Final course grades are due within two working days after the final examination has been given for each class. Grades are submitted through the PAWS system by the class instructor.

6.6.5 Posting Grades

The Buckley Amendment concerning the student's right to privacy prohibits the disclosure of certain types of student information, including the release of grades, without the student's consent. Therefore, posting grades is NOT an advisable practice, even when codes are used instead of names.

Grades are available to students through the PAWS system at the end of each term. **GRADES MUST NOT BE SENT TO STUDENTS VIA EMAIL.**

According to the Family Educational Rights and Privacy Act (FERPA), the public posting of grades by the name of the student, the institutional student identification number, or social security number is forbidden without the student's written permission. According to the AACRAO 2001 FERPA Guide (AACRAO = American Association of Collegiate Registrars and Admissions Officers), "Instructors and others who insist on posting grades should use a system that ensures that FERPA requirements are met. This can be accomplished either by obtaining the student's uncoerced written permission or by using code words or randomly assigned numbers that only the instructor and individual student know. The order of posting should not be alphabetic."

This rule applies to all postings of grades, including those appearing on a class or institutional website. It also applies to all classes, including on-line courses.

6.6.6 Grade Changes

The faculty are responsible for assigning grades to enrolled students at the end of each semester. Once a grade has been assigned, it constitutes an official academic record of the University and may be changed only through official University action. (Please note that this statement concerns grades only; it does not concern the symbols that substitute for grades.) The action necessary to change a grade will be grounded in the following policy stipulations:

1. Only the faculty may assign grades.
2. The accuracy and integrity of the University's official academic records are ultimately the responsibility of the Office of Academic Affairs.
3. The only legitimate grounds for changing an assigned grade is the presence of error in the original evaluation, computation, or recording of the grade, as determined by the faculty member. Grades may not be changed for any other reason.
4. Should an error be discovered, the faculty member concerned has the responsibility to request to change the officially recorded grade. The instructor has one year to change a final grade because of clerical error in recording the grade or in computing it.
5. Only the dean of the college has the authority to direct the Registrar to change an officially recorded grade. The delegation of this authority to the dean's level does not impede or restrict the right of the faculty to request and be granted approval to change a grade when it has been erroneously entered into the official academic records of the University.
6. In the event that a grade change is necessary, the faculty member will obtain the appropriate form from the Registrar's Office and follow the instructions on that form.

6.6.7 Final Grade Grievance Policy

Students who allege an unfair final grade have recourse through the Final Grade Grievance Policy (see section 8.1).

6.6.8 Academic Status Policy for Undergraduates (Approved 12-04-02)

Required Grade Point Average

All undergraduate students must meet the established standards designating appropriate academic progress. To stay in good academic standing with a Clear status, a student must maintain a grade point average of 2.0 or greater on University of South Alabama course work.

As discussed in the section, General Requirements of Bachelor Degrees, a student must earn a minimum cumulative USA grade point average of 2.0 to graduate.

Academic Probation

Students with a cumulative grade point average below 2.0 are having academic difficulties and are alerted to this fact by being placed on academic probation. Students on academic probation are restricted to taking not more than 13 credit hours per term, unless exempted from this regulation by the dean of their college. Students with grade point averages substantially below 2.0 are subject to academic suspension or dismissal as indicated below.

Academic Suspension

Academic suspension for one regular semester results if a student at the end of any semester does not have the minimum grade point average indicated in the suspension and dismissal table following. The minimum required grade point average varies with the total number of credit hours attempted at the University. No student will be suspended before they have attempted at least thirty credit hours at the University.

Academic Dismissal

Academic dismissal for one calendar year results if a student who has been reinstated following a previous academic suspension or dismissal fails to make satisfactory progress. Satisfactory progress is specified in the sections following titled Reinstatement Following Academic Suspension and Reinstatement Following Academic Dismissal.

Suspension and Dismissal Table

Hours	Minimum GPA
30-42	1.20
43-54	1.43
55-66	1.56
67-77	1.64
78-89	1.69
90-102	1.73
102-up	1.80

Reinstatement Following Academic Suspension

Students reinstated following one regular term (excludes summer term) of academic suspension are readmitted on academic probation. Students in this category are subject to academic dismissal if they do not make satisfactory progress. A student is considered to be making satisfactory progress as long as they maintain a USA grade point average for each semester of 2.25 or above until their cumulative USA grade point average is above the minimum required grade point average for dismissal as outlined in the table above. Once a student achieves a grade point average larger than the minimum required grade point average, he/she is subject to the requirement to maintain his/her grade point average above the minimum value as listed in the table. Returning students will remain on Probation until the cumulative USA grade point average is 2.0 or greater.

Students intending to seek readmission after suspension must first file a Readmission Form by the official deadline with the Office of the Registrar.

Reinstatement Following Academic Dismissal

Students academically dismissed from USA may be considered for readmission on academic probation after a period of one calendar year has passed. Readmission requires dean's office approval. Students readmitted after dismissal are subject to a second dismissal if they do not make satisfactory progress. A student is considered to be making satisfactory progress as long as they maintain a USA grade point average for each semester of 2.25 or above until their cumulative USA grade point average is above the minimum required grade point average for dismissal as outlined in the table above. Once a student achieves a grade point average larger than the minimum required grade point average, he/she is subject to the requirement to maintain his/her grade point average above the minimum value as listed in the table. Returning students will remain on Probation until the cumulative USA grade point average is 2.0 or greater.

Students intending to seek readmission after dismissal must first file a Readmission Form with the Office of the Registrar by the official deadline and consult with their academic dean.

Academic Bankruptcy

Undergraduate students readmitted after an absence of at least one or more calendar years may choose to count all or none of their University of South Alabama credits toward completion of degree requirements and the computation of their grade point average. Should the student elect to count none of the prior work, i.e. declare academic bankruptcy, the student is, in effect, allowed to start academic work at the University of South Alabama over. However, all course work will remain on the student's academic record. This determination must be made by the student during the term of re-entry, but preferably at the time of application for readmission. Academic bankruptcy requires dean's office approval. This election may be made only once during a student's USA career and is irrevocable. Such election also carries with it the stipulation that the student's choice of catalog is limited to those in effect from the time in which the student declares academic bankruptcy onward.

In determining academic honors at the University of South Alabama, only the course work taken after academic bankruptcy has been declared counts in the calculation of GPA.

The option of academic bankruptcy is not available to a student who has received a bachelor's degree.

6.7 Development of New Academic Programs

Proposals for new degree programs are subject to review and approval by the Alabama Commission on Higher Education (ACHE). The University is required to submit to the Commission each July a statement identifying and briefly describing new programs of instruction that may be proposed for approval during the following five years. Planned degree programs must be listed in the Annual Planning Statement before the Commission will accept proposals for review.

Proposals to add new degree programs to the University's Annual Planning Statement should be submitted through the department chair, dean, and the Senior Vice President for Academic Affairs.

Development of the full proposal for a new degree program may proceed when the proposed program is approved for inclusion in the University's Annual Planning Statement. The content and format of the program proposal are prescribed by ACHE. Copies of these procedures may be obtained from the Office of Academic Affairs or the Office of Institutional Research and Planning.

The Commission on Higher Education accepts degree program proposals at specific times during the year. Check with the Office of Academic Affairs for dates. A proposal should be completed at least three months in advance of the anticipated submission date to permit review by college or school committees, University councils, and the President.

The addition of new options, concentrations, tracks, or specializations within existing degree programs must be approved by ACHE. Mergers or consolidations of existing degree programs require Commission approval. Proposals for alterations or extensions of existing degree programs may be submitted to the Commission, through appropriate University channels, including Department, College/School Dean, and the Senior Vice President for Academic Affairs.

The University is required to notify ACHE of other actions affecting academic programs and units through “information items” submitted prior to implementation of the changes. These actions include changing program titles or degree designations, placing programs on inactive status, creating a new department, merging two or more departments, and initiating non-degree academic programs such as post-baccalaureate and post-master’s certificate programs.

6.8 Library Facilities

The University of South Alabama Libraries consist of the University Library and the Biomedical Library. The collections and services are designed to support specific clientele. The University Library consists of the campus site of the University Library, the University Archives, and the USA Baldwin County Library. Their primary clientele includes the faculty and students of Colleges of Arts and Sciences, Business, Education, Engineering, and the School of Computer and Information Sciences. The Biomedical Library consists of three sites: the Charles M. Baugh Biomedical Library campus site, the University Medical Center Biomedical Library site, and the Children’s and Women’s Biomedical Library site. Their primary clientele includes the students and faculty of Colleges of Allied Health Professions, Medicine, and Nursing. University faculty members have access to the collections of both libraries.

6.8.1 Circulation of Materials

All faculty members must present a current University identification card before borrowing materials. Faculty members with overdue books will be blocked from further borrowing.

Each academic term faculty or staff member may authorize a student assistant, staff member, or other agent to charge-out or renew materials for him/her by sending written authorization signed by him/her to the appropriate Circulation Department. (This authorization will be kept on file at the Circulation Desk.) The faculty member’s ID card must be presented for each transaction.

For further information consult the University of South Alabama Libraries for circulation policies.

6.8.2 Reserve Materials

Faculty members may place materials on reserve each academic term. For further information, contact the Reserve Department of the appropriate library.

6.8.3 Interlibrary Loan (ILL)

The Libraries will attempt to borrow materials that are not in their collections from other libraries via ILL. The material will be circulated under the regulations set forth by the lending libraries. For further information, contact the appropriate ILL Department.

6.8.4 On-Line Search Service

For more information, contact the appropriate Reference Department of the University Libraries.

6.8.5 Library Orientation/Bibliographic Instruction

The Libraries offer orientation/bibliographic instruction upon request. Contact the Head of Bibliographic Instruction or the Public Services Coordinator of the appropriate library for further information.

6.8.6 Instructional Media Center (IMC)

Arrangements should be made in advance by contacting the IMC.

6.9 Computer Use Policy

Purpose of this Policy

- To educate users about their responsibilities regarding acceptable use of University computers/networks
- To describe and prohibit unacceptable use of University computers/networks

6.9.1 Faculty and Staff

The University of South Alabama, through its Computer Services Center (CSC), provides an academic network and multi-user Unix systems to be used by faculty, staff and students for instructional and research activities. The CSC also houses the center of the University networks, including the main campus fiber networks and the wide-area links to the University Hospitals. Anyone using the campus network, mainframe systems or computer equipment owned by the University must be authorized to do so, and must adhere to all guidelines stated in the **University of South Alabama Computer Use Policy**.

The CSC also complies with the **Alabama Research and Education Network (AREN) Acceptable Use Policy**. The University's gateway to AREN (formerly the Alabama Supercomputer Network) and the Internet is located at the CSC. All users of University network facilities are obligated to adhere to the terms of this policy.

All University employees are required to adhere to the policies listed throughout this policy. However, these policies do not preclude individual departments from making more specific guidelines for their employees based on the nature of their work.

User Privileges and Responsibilities

1. Authorization

In general, University of South Alabama colleges and departments are responsible for the allocation of computer resources for their faculty and staff. **No one should use any University computer or network facility without authorization from the appropriate personnel in that office or department.** University computers and networks are to be used for University purposes, i.e., to further the educational programs of the University. Any attempt to disrupt, degrade or improperly gain access to University computer resources is prohibited. Unauthorized wiring, altering or damaging of University-owned computer equipment, including network hardware and software, is also prohibited.

2. IDs/Passwords

No one should give a computer password to an unauthorized person, nor obtain another person's password by any unauthorized means. Deliberately and inappropriately observing, recording, accessing, using or transmitting passwords, account numbers, email addresses, phone numbers or credit card numbers belonging to other people is strictly prohibited.

Administrative Devices: An "administrative device" refers to a terminal or microcomputer used to access administrative computer systems (e.g., Master Student File, Payroll, Financial Aid systems, etc.). Access to administrative devices is limited to individuals engaging in official University business. All persons given unique passwords and sign-ons are required to sign a Statement of Accountability, which states that this information is not to be shared with any other individual. Knowledge of sign-on codes, file access codes, and input transaction codes is also restricted to individuals engaged in official University business. (Authorized personnel should see **Information Systems Security Policy** for further details concerning use and misuse of administrative devices.)

3. Email

The University email systems are to be used for University business only – not for personal business or personal gain. Users have full responsibility for all messages they transmit through the University's computers, networks and systems. Consequently, all laws and rules against fraud, harassment, obscenity, etc., which govern all University communications also apply to email. Abuse of the email system may be grounds for disciplinary action, up to and including termination.

Personal Communication: As with the office telephone, it may be necessary at times for email to be used for personal communication. Care should be taken not to impede the business operations of the University with personal email. Excessive personal use would constitute abuse of the system and would be grounds for disciplinary action.

No Spam: "Spam", the practice of mass-broadcasting unsolicited email (e.g., commercial advertisements, chain mail, pornographic materials, political lobbying, hate speech, racial diatribes, and religious proselytizing), is strictly prohibited at the University of South Alabama.

Viruses: Users should exercise caution when downloading executable programs via email, as they might interject computer viruses into University computers and/or networks. It is illegal to knowingly replicate or transmit computer viruses, or otherwise deliberately damage the systems or files of other people.

Confidentiality and Security: No one without specific authorization may read, alter, or delete any other person's computer files or email, even if the equipment and software have that capability. No email system is completely secure. Consequently, email should not be used to transmit computer passwords, credit card numbers, or other confidential information about students or employees. Routine maintenance of the email systems may require or inadvertently lead to viewing some pieces. The CSC will respect the privacy of such mail, and will not reveal its contents to any other parties. However, if activities in violation of law or University regulations

are discovered through this procedure, the CSC may report such information to the appropriate authorities. Departments are advised that information subject to confidentiality regulations should not be transmitted via these electronic media without prior written approval from the appropriate administrative offices.

No "Hacking" or "Cracking": Deliberately invading the privacy of others by attempting to gain unauthorized access to any account or system is strictly prohibited.

4. Internet

All computer accounts provided to faculty/staff are intended for the University's work. Many University departments do encourage their employees to use the Internet to educate themselves, *provided* time and equipment are available. As a University employee, you are accountable for how you use your time on the job. In consideration of other network users, employees should limit bandwidth-intensive activities (e.g., playing or downloading network-based games, music or video) to those that are required as part of their employment. University employees are prohibited from using University equipment for private money-making enterprises. Due to the real danger of transmitting computer viruses, extreme care should be taken in downloading executable files from the Internet onto University computers. It is unacceptable to use University equipment or networks to view, download, post, print or send pornography, or other sexually explicit, profane, obscene, hostile, or blatantly offensive and intimidating material, including hate speech, threats, harassing communications (as defined by law), or information that violates any state or federal laws. Using University equipment/networks for the sale of weapons, drugs or illegal substances is strictly prohibited.

5. Web Pages

All web pages running on University-owned servers must adhere to the University of South Alabama's Web Policies, which can be viewed in their entirety from the USA Web Services web site (www.southalabama.edu/webservices). These policies govern the management of those electronic documents that represent the University and are accessible on the Internet. Individual University departments are responsible for the accuracy and integrity of the contents of their web pages, and have full responsibility for what they publish. The Web Services office periodically reviews USA web sites and links to ensure that the University is being represented appropriately and that all official symbols are being used correctly. Any objectionable content found in USA web sites or links will be subject to laws and rules against fraud, harassment, obscenity, etc.

6. Software Licensing (copyright laws)

All faculty/staff should be aware that uploading or downloading copyrighted material, violating the intellectual property rights of others, or illegally sharing trade secrets is strictly prohibited at the University of South Alabama. All reproduction and use of computer software on University equipment or by University employees or students in pursuit of University business or instruction must be in accordance with copyright law (as set forth in Title 17, United States Code) and the manufacturer's condition of sale. (See the **University of South Alabama Software Policy**, printed in its entirety at the end of this document.)

7. Violations/Consequences

In addition to all guidelines in the policies stated here, all University of South Alabama employees are subject to the policies and disciplinary procedures outlined in the *Staff Employee Handbook* and the *Faculty Handbook*. Violations of any University computer policies incur the same types of disciplinary measures as other University policies or state or federal laws (up to and including criminal prosecution).

6.9.2 Students

The University of South Alabama provides student access to computer resources through its departmental labs located throughout campus. Students using these labs must adhere to all University policies regarding the use of computers and computer networks, including the **University of South Alabama Student Computer Use Policy** and the **Alabama Research and Education Network (AREN) Acceptable Use Policy**. (Guidelines specific to students in medical fields are included in the **University of South Alabama Student Computer Use Policy**.)

Lab privileges can be denied to anyone using this equipment for illegal or unethical purposes. Any illegal behavior observed in the labs may be reported to appropriate University officials or law enforcement agencies. All students are required to adhere to the policies pertaining to them throughout this document. However, these policies do not preclude individual departments from making more specific guidelines for their students or facilities.

Computer Use

The University of South Alabama provides student access to computer resources through the email systems, Jaguar I systems, web servers, and departmental labs located throughout campus. Students using these resources must adhere to all policies of the University of South Alabama, as well as the Alabama Research and Education Network, regarding the use of computers and computer networks.

Lab privileges can be denied to anyone using University equipment for illegal or unethical purposes. Any illegal behavior observed in the labs will be reported to appropriate University officials or law enforcement agencies. Anyone using the lab computers in this way, or any other generally inconsiderate manner, will be subject to appropriate disciplinary action. Such behaviors/activities include, but are not necessarily limited to, the following:

1. Illegal Activity

- **Uploading or downloading copyrighted material**, violating the intellectual property rights of others, or illegally sharing trade secrets. (Please note that MP3 and other music files frequently fall into this category.) Accessing, downloading, or printing out articles solely for educational and research purposes, however, may be permissible under the fair use clause of the Copyright Law. See the **University of South Alabama Software Policy** for more specific guidelines on using copyrighted software.
- **Illegally sharing computer software** via Internet, the local network, personal disks or any other media.
- **Copying or transmitting material contained in copyrighted databases** such as Infotrac, without permission from the source.
- **Buying or selling weapons or illegal substances** via computer network.

- **Threatening or “stalking”** others via computer network.
- **Knowingly replicating or transmitting computer viruses**, or otherwise deliberately damaging the systems or files of other people.

2. Strictly Prohibited Behaviors/Activities

- **Trafficking in pornography** of any kind via computer network. Please note that *redistribution* of pornography, even through web page links, is often illegal.
- **Activity that violates state or federal law.** This may include viewing, downloading, posting, printing or sending pornography, or other sexually explicit, profane, obscene, hostile, or blatantly offensive and intimidating material, including hate speech, threats, harassing communications (as defined by law), or information that violates any state or federal laws.
- **“Spam”**, the practice of indiscriminately sending unsolicited email (e.g., commercial advertisements, chain mail, pornographic materials, political lobbying, hate speech, racial diatribes, and religious proselytizing) to persons who have not indicated interest in receiving such materials.
- **“Hacking” or “Cracking”**, i.e., deliberately invading the privacy of others by attempting to gain unauthorized access to any account or system.
- **Obtaining/distributing confidential information.** Deliberately and inappropriately observing, recording, accessing, using or transmitting passwords, account numbers, email addresses, phone numbers or credit card numbers belonging to other people is prohibited.
- **Downloading executable programs**, which might interject computer viruses into lab computers, is generally prohibited. Further guidance with regard to safe sites and appropriate downloads should be sought from the lab facilitator. (The University takes no responsibility for damage to your work or your own equipment resulting from viruses or files you might download via the Internet.)
- **Using University equipment, including the University’s Internet lines, servers or web pages, for commercial gain.**
- **Unauthorized wiring, altering or damaging of University-owned computer equipment, including hardware and software.**
- **Tampering with lab machine settings.**

3. Considerate Use

- **“Surfing the Net”** on lab machines for academic enrichment is permitted; however, precedence is always given to students needing access for assigned course work. Classes in the lab with a faculty member also have precedence. Otherwise, lab access is allocated on a first-come basis. Individuals who have been on a computer for more than two hours should yield if others are waiting.
- In consideration of other network users, students should **limit bandwidth-intensive activities** (e.g., playing or downloading games, music, video) to those required by their curriculum.

4. Violations/Consequences

In addition to all guidelines in the policies stated here, all USA students are subject to the rules outlined in the **Code of Student Conduct** and the **Student Academic Conduct Policy**, which are both published in *The Lowdown*. Violations of any University computer policies incur the

same types of disciplinary measures as other University policies or state or federal laws (up to and including criminal prosecution).

5. Additional Guidelines for Students

- **Sexually Explicit Material:** All students are expected to effectively discriminate between professional and unprofessional portrayals or nudity and sexuality. This is an important aspect of professional judgment in many fields of study. Dealing with nudity, the examination of the human body and the full range of human sexuality are relevant and appropriate to those in medical and other professions. A number of Internet sites (e.g., The National Library of Medicine and NIH) portray some such materials. Individuals working in medical school and nursing labs should expect to occasionally encounter nudity and professional portrayals of sexually explicit material.
- **Appropriate Activity:** While the full range of free speech is supported and encouraged, USA students should always be mindful of the fact that the computer labs are located in public areas. Materials on screens visible to others working in the lab, materials that are deliberately or inadvertently left behind on the hard drive, and materials posted to the Internet from this lab should reflect well on the professionalism of our programs. Imposing exposure to inappropriate sexual materials upon student or faculty colleagues working nearby (or using the lab at a later time) might be construed as sexual harassment. Those in doubt about appropriate activity should seek faculty advice.
- **Confidentiality:** Confidentiality is another issue affecting students using the labs. Under no circumstances should students leave, post or transmit confidential material such as research data, case reports or private notes about patients (or case studies) on these computers. The University takes no responsibility for student work left on lab machines, even if the lab facilitator gave permission for it to be on the machine. Any such work may, at any time, be erased accidentally or in routine clean-up activities. Students should not leave private work or communications on these computers, nor should they read any private information accidentally left by others. No material should be left on these computers without permission from the lab facilitator.
- **Reliability of Information:** Students should remember that material on the Internet may or may not be accurate and reliable. It is critical that any information found on the Internet is carefully evaluated, especially with regard to pharmacology and health information.

6.9.3 Alabama Research and Education Network Acceptable Use Policy

The Alabama Research and Education Network (AREN) and the CSC comply with the following Acceptable Use Policy. All users of University network facilities are obligated to adhere to its terms.

Overview

The Alabama Research and Education Network (AREN) is a statewide network administered by the Alabama Supercomputer Authority (ASA). The purpose of this policy is to provide a definition for acceptable use by authorized users of AREN and to indicate recommended action if the policy is violated.

In those cases when information is transmitted across regional networks or Internet, AREN users are advised that acceptable use policies of those networks apply and may limit access.

1. ASA Primary Goals

The Alabama Supercomputer Authority has been established to:

- enhance university research in Alabama
- attract and support high technology industry
- expand knowledge and use of computational science.

2. AREN Acceptable Use Policy

- All use of AREN must be consistent with ASA's primary goals.
- AREN is for the use of individuals legitimately affiliated with member organizations, to facilitate the exchange of information consistent with the academic, educational and research purposes of its member organizations.
- It is not acceptable to use AREN for illegal purposes.
- It is not acceptable to use AREN to transmit threatening, obscene, or harassing materials.
- Access to the Internet is provided through an ASA statewide contract with a regional network provider. The contract allows ASA to grant access to the Internet to any governmental, educational and industrial entity through AREN. Charges may be assessed by ASA to facilitate network connectivity. Reselling of the Internet connectivity and services is prohibited.
- It is not acceptable to use AREN to interfere with or disrupt network users, services or equipment. Disruptions include, but are not limited to, disruption by unsolicited advertising, propagation of computer worms or viruses, and using the network to make unauthorized entry to any other machine accessible via the network.
- Information and resources accessible through AREN are private to the individuals and organizations which own or hold rights to those resources and information unless specifically stated otherwise by the owners or holders of rights. It is therefore not acceptable for an individual to use AREN to access information or resources unless permission is granted by the owners or holders of rights to those resources or information.

3. Violation of Policy

All organizations authorized to access AREN are responsible for informing their users of this acceptable use policy. All users of AREN are required to follow the acceptable use guidelines, both in letter and spirit.

ASA reserves the right to monitor and review all traffic on AREN for potential violations of this policy. Violations of policy that are not promptly remedied by individuals and member institutions may result in termination of access to AREN.

Final authority for the determination of violation of the AREN Acceptable Use Policy and subsequent penalty rests with the ASA Board of Directors. It is the responsibility of member representatives to contact ASA, in writing, regarding questions of interpretation. Until such issues are resolved, questionable use should be considered "not acceptable".

6.9.4 Software

The following software policy was developed by a faculty committee and has been approved by the University Deans and President as a University policy.

The reproduction and use of computer software on University equipment or by University employees or students in pursuit of University business or instruction shall be in accordance with copyright law (as set forth in Title 17, United States Code) and the manufacturer's condition of sale. Specifically:

- no University employee or student shall reproduce or allow the reproduction of software in violation of copyright law or the conditions of sale
- no University employee or student shall accept or use software which is not known to be provided in accordance with copyright law or conditions of sale
- it is the individual responsibility of each user to determine that the use of software is in accord with this policy.

1. Guidelines

The policy stated above applies to:

- the use of copyrighted or licensed software by University departments and employees on University equipment
- the use of software purchased with University funds on non-University equipment
- the use of software for instructional purposes.

The University interprets the copyright laws and manufacturers' terms of sale as described below:

- **Back-up copies:** You may make as many back-up copies as are necessary to protect your software in the event your original fails. Such copies are NOT to be used simultaneously on another machine. The law permits you to **make** such back-up copies even if the manufacturer does not provide you a process to make one.
- **Multiple-loading or booting from one disk into multiple machines at the same time:** You may not simultaneously load one copy of a copyrighted program into a number of different machines, even if it is physically possible. Although you may use your legal copy in different machines at different times (so that you are only using one copy at a time), you may not permit multiple concurrent uses of the package. It would be legal to load and run it on one computer, turn that computer off, and then run it on another computer. For example, WordPerfect is sold for use on one computer, but it is possible to sequentially load it into a number of different computers and then run them at the same time. This is a clear violation of the law; you have caused the "proliferation of simultaneous users" (the legal term for this process). The fact that it is physically possible is irrelevant.
- **Networks:** The concept of "proliferation of simultaneous users" also applies to networks. Unless you purchased the software with an explicit "network license", downloading the program to multiple stations at the same time violates the copyright law. As in the preceding example, the fact that it is physically possible to download the software on your network is irrelevant.

2. Instructional Responsibilities

Academic departments and individual course instructors should take measures to ensure that students are informed of the legal and ethical issues regarding software copyrighting, as well as University policy on this matter. As a minimum, departments should:

- post the University policy regarding software copying in a conspicuous location adjacent to any departmental microcomputers which may be accessible to students
- include a statement of the University policy in syllabi for courses using microcomputers
- read and explain the University policy in any classes using microcomputers.

3. Use of Software in Course Work

Departments and individual faculty are responsible for insuring that any copyrighted software made accessible to students be done so in accordance with University policy and all legal requirements. Specifically, faculty shall be careful to respect the following points:

- Neither departments nor faculty shall impose requirements which would encourage students to copy software in violation of University policy. Instructors shall not make assignments without verifying that a sufficient quantity of legal copies of software will be readily accessible to students for the completion of course assignments.
- Difficulty or expense involved in acquiring sufficient copies does not constitute a reason for violating University policy.
- Any copyrighted software made accessible to students shall bear the following statement conspicuously placed on both documentation and physical media (University Computer Center will provide labels for this purpose on request):

This software is issued subject to University policy and may not be copied for any purpose whatsoever. Violation of this policy may lead to either disciplinary or legal action.

- Software placed on course reserve in the University libraries, computer laboratories, or other campus sites must be in compliance with University software policy. Forms to certify compliance are available at Library circulation units.

6.9.5 Summary

All persons using the University of South Alabama computing and telecommunication resources must comply with the Computer Use Policy.

The policy applies to all computer workstations, servers, network devices, software, databases, and related equipment accessed directly or indirectly through the Internet. The University encourages authorized users to make acceptable use of computer resources, consistent with its educational, research, and service-related mission. Users must also comply with all applicable federal and state laws and University regulations regarding intellectual property, including federal copyright law, and with all applicable licenses or contracts regarding the use of software.

In situations where access to computer resources is limited, priority use of these resources must be granted to educational and research-related activities. Recreational and personal use of University computer resources is permitted only to a limited extent and only when they are not needed for educational research activities.

Certain uses of University computer resources are never permitted. These include the following:

- interfering with the operation of the University's computer and telecommunications systems, including "hacking" or "cracking"
- altering or damaging computer hardware or software
- transmitting obscene communications
- using unauthorized passwords or circumventing system security
- broadcasting unsolicited messages ("spamming")
- invading the privacy of another person
- using University resources for personal, commercial or financial purposes, including the sales of lecture notes or the intellectual property of others
- intentionally viewing, downloading, printing or sending unlawful material, including pornography, threats, or harassing communications.

Users are responsible for the accuracy of all information posted on the Internet or on University-related home pages. In addition, any University web site must be consistent with the guidelines of the University's Department of Web Services, which can be found at <http://www.southalabama.edu/webservices/webpolicies.html>.

The foregoing is a summary of key points of the official University of South Alabama Computer Use Policy. The full text of that policy can be found at <http://www.southalabama.edu/csc/policies>, and users are expected to be familiar with it. Violation of the terms of the policy can result in denial of privileges, and other penalties as outlined in the policy. If there are any differences between this summary and the official policy, the terms of the policy shall supersede this summary.

7.0 FACULTY RESEARCH

7.1 Research Mission

The University of South Alabama is a comprehensive coeducational state-assisted institution that explicitly recognizes that the expansion of knowledge is central to the functioning of any university. The University of South Alabama encourages and supports basic and applied scholarship as well as instructional scholarship for the purposes of increasing knowledge, enhancing classroom instruction, and contributing to the personal and professional development of students, faculty, alumni, and the immediate and extended community served by the University. Scholarship is broadly defined to include all investigative efforts that lead to the origination, integration, application and transfer of knowledge pertinent to the various disciplines and expertise within the University community. A program of sustained scholarship is the responsibility of each faculty member. The University is responsible for using its resources and processes to encourage, support, and reward scholarship.

Basic scholarship includes both original and integrative research. Original research involves investigation that seeks to increase human knowledge and experience in the various disciplines and fields of expertise within the University. Integrative research seeks to combine and extend what is known in the various disciplines in new and useful ways by discovering linkages between known, causal, intervening, and outcome variables.

Applied scholarship includes research efforts seeking to find solutions to problems in society while simultaneously contributing to the improvement of practice within each discipline, and among disciplines in an interdisciplinary context. This will be accomplished by applying the results of original and integrative research to practical problems within and among the disciplines.

Instructional scholarship is research that enhances the educational value of instruction within and beyond the University through the integration of current basic and applied scholarship with classroom instruction. This may include, but is not limited to, peer-reviewed scholarly activities such as authoring textbooks. Although each faculty member has a primary responsibility for the design and conduct of scholarly activities, the University endeavors to encourage scholarly activity in a variety of ways including providing incentives, facilities, funding, and reassigned time to faculty. In addition, the University rewards scholarly activity on the part of the faculty through the systematic consideration of such scholarship within the context of tenure, promotion, and merit pay decisions.

Responsible Conduct in Research

The University of South Alabama promotes responsible research practices, including ongoing education for all research investigators, their staff, and students.

Education should include the following areas:

- Data acquisition, management, sharing, and ownership
- Mentor/trainee relationships
- Publication practices and responsible authorship
- Peer review
- Collaborative science
- Human subjects

- Research involving animals
- Research misconduct
- Conflict of interest and commitment

This policy is implemented through the Office of Research Compliance and Assurance.

The Office of Research Compliance
140 CSAB
Phone: 460-6625
sfriedl@usamail.usouthal.edu
<http://southmed.usouthal.edu/com/research/compliance.html>

7.2 Support for Research

7.2.1 Internal Research Support

The University encourages research performed or guided by the faculty by budgeting funds for research grants to faculty members each year. These funds are managed and their use monitored by a member of the University Research Council that serves as an advisory group to the Associate Vice President for Research who is an ex-officio member. The committee also may make recommendations on policy matters having to do with research. However, its principal concern is to administer the University program of grant support for faculty research.

Department chairs and deans concerned should be consulted in advance on all research commitments of any magnitude, and kept informed of research progress, achievements, and future plans. Encouragement will be given to projects considered consistent with the policies and plans of the department(s) of the college(s) in which the research will be conducted. The work would normally be expected to relate to the faculty member's usual university duties and contribute to the effectiveness of regular academic work.

Procedures for preparation, review, and operation of research projects have been established by the University Research Council. To encourage a wide range of well planned research projects by all qualified faculty, the Council accords individual evaluation to all applications. Proposals must include clear statements of objectives, techniques, and data to be used and evidence that the project will contribute to knowledge and that the investigator is fully qualified to undertake it. Compliance is required with Council instructions and regulations, which are accepted by researchers as part of the terms of the grants. Funds may be expended as approved by the Council for special equipment and materials, books, photographs, microfilms, reproductions, and manuscripts, statistical tabulations, computer time, research assistants, technical and stenographic services, communication costs, limited travel expense pertinent to data collections, expense of publication, and other purposes designated by researchers and approved by the Council as necessary for completion of a specified project.

The Council meets at least once a semester, and more often if necessary, for screening and approval, modification, or rejection of applications for research support and other business. Applicants are limited to full-time faculty; no support is given to preparation of dissertations.

Applications for funds for creative arts and applied research as well as pure research are considered.

Minutes of all meetings are kept and distributed to all faculty members and administrative officers. Projects in progress, correspondence, and reports on and findings of completed projects are maintained in the office of the chair. Individual project files are considered proprietary and, as such, are open only to the chair of the University Research Council and the pertinent researchers. Reports on, and findings of, completed projects growing out of the grants by the University Research Council are kept on file at the University Library.

The Council frequently assists in planning and revising proposals. In its review of proposals, it considers the feasibility, quality of planning, and originality of work proposed, and the qualifications of the investigator to carry it out. The Council monitors the quality, punctuality, and conformance to approved plans of work in progress, together with monthly reports of each project's financial status prepared by the University Business Office. The Council chair must authorize all expenditures of funds (subject to the approval of the Senior Vice President for Academic Affairs) allocated for research projects it has approved.

Besides funds, the University gives support to research projects through access to available library facilities, laboratories, technical and support personnel, and computer services; by help in arranging outside cooperation; and by efforts to arrange contract research. These matters are handled on an ad hoc basis at present, through the college deans, as opportunities occur.

7.2.2 External Research Support

U.S. governmental agencies, private foundations, and other organizations provide grant/contract funding to support research activities that meet their criteria. These criteria change from time to time as policies and interests of granting agencies shift. Investigators seeking funding may determine trends by consulting appropriate sources. The Office of Sponsored Programs (OSP) assists in locating funding sources, with grant/contract submission procedures, and also assists with proposal preparation, especially with regard to budget, compliance assurances, and other documents which may be required for the proposal. Comprehensive OSP resources for grant and/or contract preparation are located on the OSP website at <http://www.usouthal.edu/osp>. The Office of the Associate Vice President for Research has some resources to assist with proposal development and will assist faculty with securing matching or other University requirements.

7.3 External Funding

7.3.1 University Approvals

Approval by University officers for proposals requesting funds from sources outside the University is required and documented on the Transmittal Sheet for Proposals form available from the Office of Sponsored Programs. Such proposals should be discussed at an early stage with the department chairs and deans concerned, and, in final form, need approval and signature of University officers in the following order: department chair, academic dean, Assistant Vice President for Sponsored Programs, Senior Vice President for Academic Affairs, Associate Vice President for Research, Vice President for Financial Affairs and University Contract Officer. If clearance by the University Attorney or others is needed, this will be specified by one of the appropriate institutional officers.

7.3.2 External Requests for Research Assistance

The University of South Alabama is occasionally approached by public and private agencies and organizations for help in analyzing problems that confront them and in identifying and developing solutions. While the University's capacity for this sort of activity is increasing, its primary obligation remains with its students. In addition, a balance must be maintained between the kind of practically-oriented research most of these programs require and the basic, applied and instructional research described in Research Mission (see section 7.1). These factors impose limits on the resources that the University can devote to help other agencies with their problems.

In every case, no University commitment, implied or explicit, should be made, and no attitude of either approval/disapproval be taken, until at least a preliminary appraisal of the idea has been made by the Senior Vice President for Academic Affairs. It must be clear that preliminary development of the problem is informal and its only purpose is to permit properly informed evaluation of it by the University officers responsible. No encouragement should be given to obviously impractical ideas or to situations where the requesting agency is clearly unable to furnish necessary or desirable inputs to the project.

7.4 Grant and Contract Administration

7.4.1 Indirect Costs

All individual contracts with external organizations, or with individuals by academic personnel that involve personnel time or university facilities require indirect cost recovery. These rates can be obtained from the Office of Sponsored Programs, which should be consulted before the budget is prepared.

7.4.2 Compensation Under Externally Funded Grants and Contracts

Normally, additional compensation over and above current salary will not be provided for work performed under externally sponsored grants. For faculty members on twelve (12) month contracts, the time spent on research activities is normally treated as reassigned time with the University assuming responsibility for the total salary. The University will seek reimbursement for that portion of the faculty member's time devoted to externally funded grants and contracts. For faculty members on nine (9) month contracts, the same policy is followed for activities during the nine-month academic year. The rate of pay for full-time summer work, on externally funded grants and contracts for the faculty member on a nine-month contract will, in most cases, be the same as the regular summer salary at the University. Exceptions to this policy are specified by either the Bureau of Management and the Budget Circular A-21, or by specific funding agency regulations. All exceptions must be approved, in advance, by the funding agency.

When the University is awarded contracts/grants which provide for the use of consultants, university personnel may be used in such a capacity and be paid a consulting fee, if such a practice is approved in writing, in advance, by the funding agency. Consultation is defined as professional services undertaken for personal compensation beyond the payment of a nominal honorarium or reimbursement of expenses. It is expected that intra-university consultants will be employed only when: 1. they are considered to be the most available (time and place) experts in the field; 2. they

are drawn from disciplines other than that represented by the institute or project; and 3. their efforts are beyond their normal/usual university commitments. Compensation for such consultation will be based on a rate not to exceed the current base rate for that person. No person with the administrative title of chair or above may receive consulting fees from an on-campus activity without prior approval of the Senior Vice President for Academic Affairs, the Vice President for Medical Affairs, or other appropriate administrative officers. The Office of Sponsored Programs will insure that prior approval of all involved administrators is secured on cross disciplinary activities.

This policy is not designed to limit short-term teaching and/or speaking engagements of two days or less for which reassignment from normal duties is the norm.

7.4.3 Financial Conflict of Interest

Introduction

Faculty and staff (hereinafter referred to as "employees") of the University of South Alabama (hereinafter referred to as the "University") understand that their primary responsibility is to the University. At the same time, it is recognized that participation in activities of governmental entities, professional associations, industrial organizations, and other private institutions may serve the academic interests of the University. The experience and enhanced national status that such participation brings are shared indirectly by the University, and these outside activities often contribute to the richness and diversity of the academic community. However, commitment to serve an entity other than the University should be made only after giving serious consideration to the amount of time and effort that can be given to other pursuits while satisfying one's primary obligation to the University. Full-time employees must commit their full professional efforts to the University. Part-time employees owe a proportionate commitment. Employees of the University must not engage in any occupation, pursuit, or endeavor that interferes with their obligations to the University.

Over the past decade, the opportunities for employees to engage in financially rewarding external professional and entrepreneurial activities have increased markedly. At the same time, sensitivity to questions of professional ethics has grown. Federal agencies have developed regulations to avoid conflicts of interest in sponsored programs. If the University is to enjoy the levels of public support necessary to carry out its mission, all employees of the University must demonstrate that they subject themselves to high standards of ethical behavior.

The University of South Alabama adopted a policy on conflict of interest to prevent and resolve potential conflicts that may exist in relation to federally funded instruction, research, and service activities. This policy requires that a disclosure of external interests and activities by employees be provided with each proposal submitted to a federal agency and establishes procedures to review and resolve any potential conflicts.

Also, other parties that may interact with the University and its faculty and staff to seek federal research and educational activity monies must execute written assurance to document their compliance with the federal conflict of interest regulations.

There are other laws, rules, regulations, and policies that address other types of conflicts of interest. The State Ethics Law and interpretations of that, as well as other policies, may specifically define and

limit the ability of employees of the University to participate in certain activities. It is not the intent of this policy to review and define those areas of conflict of interest.

The Scope of the Policy

This Policy applies to all employees who apply for instruction, research or service support from federal agencies (currently PHS agencies and NSF) with the effective date of October 1, 1995.

Types of Conflict

A “conflict of interest” exists when the University’s Senior Vice President for Academic Affairs or the Vice President for Medical Affairs, or his/her designee reasonably determines that a significant financial interest could directly and significantly affect the design, conduct or reporting of federally-funded instruction, research, or service activities. A conflict of interest will arise under the following circumstances:

1. when an employee, his/her spouse, or his/her dependent children, has a significant financial interest that would reasonably appear to be affected by the employee’s sponsored research or service activities;
2. when an employee, his/her spouse, or his/her dependent children, has a significant financial interest in an entity whose financial interest would reasonably appear to be affected by the employee’s sponsored research or service activities.

A conflict of interest will not always arise in connection with the following activities, and this policy does not automatically prohibit activities such as:

- equity participation in a corporation;
- service as an officer in a corporation;
- service on a governing board;
- service on a scientific advisory board;
- receipt of funding from an external entity in which an employee has an interest;
- acceptance of publication royalties, or honoraria for papers and lectures; or
- services to outside educational, professional, scientific, artistic, cultural, civic, business or other organizations which enhance the value of the employee to the University and do not adversely affect the employee’s primary commitment to the University.

This policy does, however, require disclosure of all such interactions that involve a significant financial interest on the part of each individual investigator, his/her spouse, or his/her children so that potential conflicts may be managed, reduced, or eliminated.

Definition of Significant Financial Interest

The term "significant financial interest" means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights). This term does not include:

1. salary, royalties, or other remuneration from the University of South Alabama;
2. income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
3. income from service on advisory committees or review panels for public or nonprofit entities;
4. an equity interest that, when aggregated for the investigator and the investigator's spouse and dependent children, meets both the following tests: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest in any single entity; or
5. salary, royalties or other payments that, when aggregated for the investigator and the investigator's spouse and dependent children, are not expected to exceed \$10,000 during the next twelve-month period.

Investigator's Disclosure Statement of External Interests

"Investigator" means the principal investigator, co-principal investigators, or any other person at the University of South Alabama who is responsible for the design, conduct, or reporting of instructional, research or service activities funded or proposed for funding by a federal agency.

Each investigator must disclose all significant financial interests of the investigator (including those of the investigator's spouse and dependent children):

1. that would reasonably appear to be affected by the instructional, research, or service activities funded or proposed for funding by a federal agency; or
2. in entities whose financial interests would reasonably appear to be affected by such activities.

Submission of Disclosure Statement

The initial form, *Disclosure of Financial Conflict of Interest*, must be provided with each proposal submitted for federal funding. Should any investigator disclose a significant financial interest, the full disclosure form, *Disclosure of Relationships with External Entities* must be completed. Approval of the outside activities and financial interests (with conditions, if warranted) need not occur until the project is funded.

The forms, *Disclosure of Financial Conflicts of Interest*, *Disclosure of Relationships with External Entities*, *Financial Disclosure Worksheet*, and *Fact Sheet* are available in the Office of Sponsored

Programs. The disclosures must be updated during the period of the award as new reportable significant financial interests are obtained.

Administration of the Policy

The President has delegated the responsibility for administering this policy to the Offices of the Senior Vice President for Academic Affairs and the Vice President for Medical Affairs regarding proposals submitted by their respective faculty. The department head/ director/dean is responsible for reviewing the *Disclosure of Relationships with External Entities* form within his/her units. When disclosure of significant financial interest appears to constitute a conflict of interest, the matter will be referred to the appropriate Academic Affairs or Medical Affairs Vice President for action and possible referral to the University Conflict of Interest Committee.

The University Conflict of Interest Committee

A University Conflict of Interest Committee (UCIC) is appointed by the President, and serves as a University resource with respect to matters involving the general subject of conflict of interest and the identification and management, reduction or elimination of specific conflicts of interest. The UCIC shall be chaired by the Associate Vice President for Research or his/her designee, and shall include the Associate Vice President for Academic Affairs and the Senior Associate Dean for the College of Medicine. It shall also include no less than three faculty members with broad representation across the University. Appointed committee members shall serve three-year staggered terms.

Upon referral from the Senior Vice President for Academic Affairs or the Vice President for Medical Affairs, the UCIC shall review all material related to a possible conflict of interest. If the committee identifies a conflict, it will attempt to resolve the matter by management, reduction, or elimination of the conflict.

Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate conflicts of interest include, but are not limited to:

1. public disclosure of significant financial interests;
2. monitoring of instruction, research, or service by independent reviewers;
3. modification of the instruction, research, or service plan;
4. disqualification from participation in the portion of the federally funded activity that would be affected by the significant financial interests;
5. divestiture of significant financial interests; or
6. severance of relationships that create conflicts.

If the UCIC determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and

welfare, then some federal agencies may permit the UCIC to allow the research to go forward without imposing such conditions or restrictions. Review and approval or disapproval of the interests disclosed during the course of a research project must be accomplished within 60 working days.

Requirements for Federally-Funded Instruction, Research, or Service Activities

The submission of a proposal for sponsored instruction, research, or service to a federal agency (PHS agencies and NSF) requires the University and all subrecipients, through the University Contract Officer to certify that the University is in compliance with this policy and with applicable federal rules and regulations, including the following:

1. that there is in effect at the University of South Alabama and at all subrecipient institutions a written and enforced policy on conflict of interest consistent with federal requirements;
2. that to the best of their knowledge, all financial disclosures required by the conflict of interest policy have been made;
3. that all identified conflicts of interest will have been satisfactorily managed, reduced, or eliminated, in accordance with the University's conflict of interest policy, prior to the University's expenditure of any funds under the award, and, if required, that the sponsoring federal agency has been informed;
4. that conflicts which cannot be satisfactorily managed, reduced, or eliminated will be disclosed to the sponsoring federal agency;
5. that the University agrees to make information available, upon request, to the particular federal agency regarding all conflicting interests identified by the University and how those interests have been managed, reduced, or eliminated to protect the research from bias; and
6. that the University will otherwise comply with applicable federal agency rules and regulations for promoting objectivity in research.

Each individual investigator also must certify:

- that he/she has read and understood the University's conflict of interest policy;
- that to the best of his/her knowledge, all financial disclosures required by the University's policy were made; and
- that he/she will comply with all conditions or restrictions imposed by the UCIC to manage conflicts of interest or forfeit the award.

Records

All financial conflict of interest forms and all records of actions taken to resolve conflicts of interest will be maintained for a period of at least 3 years beyond the termination or completion of a sponsored award to which they relate or until the resolution of any action involving those records, whichever is longer.

Enforcement Mechanisms and Sanctions

The University of South Alabama will not submit instruction, research, or service proposals, or allow employees to submit instruction, research, or service proposals, to federal agencies if the *Disclosure of Financial Conflict of Interest* form required by this policy is not provided by the investigators.

Furthermore, if required to take such action by the federal agency involved, the University of South Alabama will not allow employees to expend instruction, research, or service award funds from federal agencies if the investigators do not accept and abide by all conditions or restrictions imposed by the UCIC should a substantiated conflict of interest be identified.

7.4.4 Lapsed Research Salaries

When faculty members purchase all or a portion of their salaries for research purposes using grant/contract monies, the lapsed salary money will be transferred into a three-ledger account in the dean's office of the respective college.

7.4.5 Equipment Ownership and Transfer

Unless specified otherwise in the contractual agreement, all equipment and apparatus acquired through grants-in-aid by individuals or programs of the University are the property of the University and are inventoried the same as other University properties. In the event that the user of any equipment or apparatus should sever relationships with the University, the property will be retained by the University.

Under certain conditions, equipment purchased under federal grants and contracts may be relocated. In all such cases, the grant or contract under which the equipment was purchased must be active and transferable. The University department and co-investigators must agree to the equipment release. In all cases, property may only be transferred between academic institutions. Under no circumstances will property be released to commercial firms or government laboratories or to individuals.

Equipment purchased through the University, regardless of the origin of funds, is automatically the property of the University, and, therefore, the State of Alabama. If the property cost exceeds two thousand dollars, it is automatically entered onto the University property inventory which is monitored by State auditors. The property inventory assigns each item of equipment to a department and specifies its location by building and room number. Each item is assigned a specific University property number.

The disposition of University/State property is governed by State laws and regulations which the University is obligated to follow. In brief, these regulations prohibit the University from giving State property to individuals. State property may be traded, under certain specified conditions, toward the purchase of new equipment. State property may also be sold under certain specified circumstances.

Equipment related to externally sponsored grants or research is subject to the same procedures and policies for transfer and disposal as all University owned moveable equipment, as outlined in the *Property Control Policies and Procedures Manual*, plus other more stringent control procedures approved in advance by the Office of Grants and Contracts. This applies to all equipment, both non-

inventoried equipment, which isn't assigned USA property identification tags, as well as inventoried equipment, which is assigned USA property identification tags.

For transfer or disposal of grant related equipment, both inventoried and non-inventoried, it must be listed on a USA Property Control Form 10, approved in advance by the Office of Grants and Contracts, and then sent to the Property Inventory Office for removal from inventory.

Please note, grant related equipment can only be approved for transfer to another educational institute, and not to an individual or private company.

This involves declaring the equipment surplus, publishing in the public media its availability, and if no other state agency has a need for the property, selling it to the highest bidder.

7.4.6 Post-Award Administration

"Research grants and contracts are awarded to institutions, not to faculty members. Faculty members are under the direction of regular academic authority in carrying on the research; but the agreement is with, and the award is to the institution, and the institution, not the faculty member, assumes full responsibility for it." Source: Van Dyke, George E. (Ed.). College and University Business Administration, Washington: American Council on Education, 1968.

Though the grant or contract document is awarded to the University of South Alabama, the principal investigator or project director assumes the full responsibility for the performance of the project and the management of the project budget. The award is made under the condition that the project director named in the document will administer the project and the agency must be notified immediately if the project director is unable to serve. The agency may permit the naming of a substitute but often the award is cancelled under those conditions.

The project director assumes those responsibilities when he/she prepares the proposal for the project.

When the award document is received, the award documents are submitted to the project director for his/her approval. It is his/her responsibility to check the document and assure that the document contains a statement of work to be performed that agrees with his/her original proposal. He/she should make a note of all limitations imposed by the awarding document or agency manual since those are the rules under which his/her project will have to operate.

If he/she finds any discrepancy in either the work statement or operating rulings which prevent the proper performance of the project, he/she should make his/her findings known to the Office of Sponsored Programs. Negotiations with the agency will be conducted, with the help of the project director, to amend the offending clauses prior to signature by the University Contract Officer.

The project director initiates the expenditures of funds and approves the reports of expenditure of effort. He/she should use the funds awarded within the guidelines described in the awarding document and/or the agency manual with deviations dependent upon the agency policies.

With the assistance of the Grants and Contracts Accounting office, he/she should remain familiar with the financial condition of his/her project and make decisions as to changes needed in the budget allowances of his/her project as the project proceeds. The project director should correspond with the

granting agency to request any budget changes which require agency approval. Any change in the budget must be checked and approved by the Grants and Contracts Accounting office.

Initiation of requests for extension of ending date, increase of award or renewal proposals are the responsibility of the project director. Copies should always be routed under a Transmittal Sheet for Proposals prior to submission.

He/she is also responsible for the preparation and timely submittal of the interim and final technical reports required by the agency. A copy of the covering letter must be submitted to the Grants and Contracts Accounting department so they have notice when proper billing can be submitted.

The final billing is always dependent on the submittal of the final technical report and the interim billings are often dependent on the interim technical reports.

The Grants and Contracts Accounting office is always available for full assistance in the implementation of the project but the project director should always inform that office of any anticipated changes in the project.

7.5 Research Involving Human Participants

All research conducted at the University of South Alabama involving human participants, their records, or materials from a human source must be reviewed and approved by the Institutional Review Board (IRB) prior to the commencement of the research activity. The proposal must comply with the University's Federalwide Assurance (an agreement on file with the U.S. Department of Health and Human Services (DHHS), in accordance with Federal Policy 45 CFR 46).

The IRB has oversight responsibility for the review of all University projects which involve human participants to ensure that the rights and welfare of the participants are adequately protected. In most cases, the IRB review involves approval of a clearly worded consent form which assures that the participant is fully informed of the risks inherent in participation and of the benefits which might be reasonably expected. The IRB's jurisdiction includes projects which involve the participation of University of South Alabama personnel, including members of the faculty, employees, students, hospital and clinic employees, as well as use of the facilities of the University of South Alabama and affiliated hospitals and clinics. Any project that is done in cooperation with an outside affiliate also requires IRB approval. All research is subject to audit by the Office of Research Compliance and Assurance and university, state and federal regulatory agencies.

Approved research must be renewed at least once annually, or more often as recommended by the IRB. No student or faculty research involving human subjects may proceed until it has been approved by the IRB or favorably screened by the IRB for exemption from such review. Any revisions or amendments to the approved research activity must be submitted to the IRB prior to implementing the new activity in order to determine the need for additional committee review.

The Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rule provides additional protection for protected health information (PHI), which is defined as "individually identifiable health information" including demographic information collected from an individual. Compliance with the Privacy and Security Rule requires that each institution "must train all members of its workforce on the policies and procedures with respect to protected health

information, as necessary and appropriate for the members of the workforce to carry out their function within the covered entity." This education requirement applies to investigators and research staff (research coordinators, research assistants and other key research personnel) who are conducting human subjects research that involves protected health information and falls within the covered entity. **USA is a hybrid entity; the Privacy and Security regulations are principally limited to covered entities to include: USA's hospitals, clinics, Cancer Research Institute, Psychology Clinic, Speech and Hearing Clinic, and the Diabetic Foot Care Clinic.** Individuals conducting human subjects research who fall within the covered entity must complete the online HIPAA research tutorial at: <http://www.southalabama.edu/com/research/humansubjects/hipaa.shtml>

Any unanticipated problem involving risks and/or complications to participants or others must be reported immediately by telephone to the IRB. A written report of such a problem must also be submitted promptly.

Additional information and appropriate institutional forms are available at:

The Office of the Institutional Review Board
138 CSAB
Phone: 460-6308
<http://www.southalabama.edu/com/research/humansubjects/index.shtml>

All investigators and their key personnel are required to complete education in research involving human participants prior to the start of the project. For information about this requirement contact:

The Office of Research Compliance
140 CSAB
Phone: 460-6625
<http://southalabamaedu/com/research/>

7.6 Care and Use of Animals in Research and Teaching

The University of South Alabama recognizes the importance of animals in research and teaching and the responsibility of the University in assuring their proper care and treatment. The University is committed to minimizing pain and distress in all animals used in research and teaching. The following general principles form the animal care and use policy of the University of South Alabama:

1. All procedures in which animals are used must be for the purpose of advancing knowledge.
2. High standards for comfortable housing, sanitary conditions, food, water, and gentle handling are to be applied to all animals housed at the University.
3. All experiments, teaching laboratories, housing and care of animals must be carried out in strict compliance with the Animal Welfare Act (7 U.S.C. *et seq.*), the *Guide for the Care and Use of Laboratory Animals* (revised 1996), and University policies regarding the use of animals.

4. All studies involving the use of animals must receive prior review and approval of the University's Institutional Animal Care and Use Committee (IACUC). All investigators using animals must comply with the decisions of the IACUC.
5. Alternatives to the use of living animals must be considered before animals are used.
6. All animals must be housed in vivarial facilities which have been approved by the Director of University Biological Resources. The IACUC must conduct semiannual inspections of all facilities and laboratories in which animals are housed or used.
7. Veterinary care is provided to all animals by the veterinary medical staff of the Department of Comparative Medicine. Ultimate authority regarding the use of anesthetics, analgesics, euthanasia and treatment of such animals resides with the attending veterinarian.
8. All animals must be acquired through the Department of Comparative Medicine. Vendors of animals purchased by the University must be licensed by the United States Department of Agriculture (USDA) and/or approved by the Director of University Biological Resources.
9. If an experiment requires the death of an animal, euthanasia must be carried out using a method approved by the IACUC. The IACUC has adopted the American Veterinary Medical Association's policy on euthanasia (2000)..
10. All surgical and other procedures expected to cause more than momentary pain must be accompanied by appropriate anesthetics or analgesics unless there are mitigating circumstances approved by the IACUC or the attending veterinarian. Paralyzing drugs, such as succinyl choline and tubocurarine, are not permitted unless accompanied by general anesthesia.
11. Principal investigators are responsible for making certain that everyone working within their project is experienced and competent to carry out the procedures involving animals. Training will be provided as necessary through the office of the Director of University Biological Resources at the request of the principal investigator.
12. Any instances of perceived improper use or care of animals must be reported immediately to the Chair of the IACUC and/or the Director of University Biological Resources.
13. Students who do not wish to participate in teaching laboratories and demonstrations involving the use of animals are not required to do so. It is the responsibility of the student wishing not to participate to obtain from his/her instructor an approved alternate assignment which may be substituted.
14. All faculty, staff, and students of the University of South Alabama are required to comply with the policy stated above. Anyone who does not comply with the policy of the University regarding the care and use of animals will be not be permitted to use animals.

7.7 Biosafety

The Institutional Biosafety Committee (IBC) is responsible for monitoring and ensuring compliance as well as review and approval of all research projects that involve infectious agents, recombinant DNA materials, including human gene therapy/gene transfer protocols. IBC's were established under the *NIH Guidelines for Research Involving Recombinant DNA Molecules* to provide local review and oversight of nearly all forms of research utilizing recombinant DNA. The University's IBC is charged with the responsibility of reviewing a variety of experimentation that involves biological materials (e.g., infectious agents) and other potentially hazardous agents (e.g., carcinogens). The University of South Alabama's biosafety policy mandates review of all potential biohazardous agents (including human blood/cell lines/tissues) and recombinant DNA research.

The frequency of IBC meetings is commensurate with the volume of protocols needing review, the nature and risks of the research, and the need for continuing oversight. USA's IBC is charged with the following responsibilities:

1. Review and approval of ALL research proposals to include all potential biological agents and recombinant DNA.
2. Approval of safety practices
3. Setting biosafety containment levels (Section III-D-2-b, III-D-5; NIH guidelines)
4. Conducting periodic review to ensure compliance – lab inspections are conducted on a annual basis
5. Oversee biosafety training practices
6. Reporting significant problems or violations of the NIH Guidelines
7. Performance of such other functions as deemed necessary by the institution (Section IV-B-2; NIH Guidelines)

7.8 Standards in the Conduct of Research

The University of South Alabama does not tolerate misconduct in any form of research or scholarly activity. The University of South Alabama has adopted the definition of misconduct as stated by the Office of Science and Technology Policy (OSTP) to include the following:

1. Fabrication, falsification, or plagiarism, in proposing, performing, or reviewing research, or in reporting research results. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research misconduct does not include honest error or differences of opinion.

2. A finding of research misconduct requires that there be a significant departure from accepted practices of the relevant research community; and the misconduct be committed intentionally, or knowingly, or recklessly; and the allegation be proven by a preponderance of evidence (65 FR 76260).

The University of South Alabama will undertake diligent efforts to protect the position and reputation of the complainant, protect the complainant's privacy to the maximum extent possible, and provide the complainant with those portions of the investigation report that address his or her role and opinions (42 CFR 50.103(d)(2) and (13) and 50.104(a)(2), respectively). In addition, the University will handle complaints of retaliation of any kind against a person who reported or provided information about suspected or alleged misconduct and who has not acted in bad faith (45 CFR Part 689 section 1 and the Office of Research Integrity (ORI) Guidelines for Institutions and Whistleblowers).

This policy applies to all research activities regardless of funding source. It is to be used by the University and its various schools and colleges conducting fundamental or applied research as well as other forms of scholarly activities. The following university-wide procedure for dealing with charges of misconduct applies to all students, faculty, staff, and employees of the University of South Alabama.

Reporting Misconduct

Issues of research misconduct involving University personnel engaged in activities outside the University must be directed to the Office of the President of the University. In the event of such allegations, the President shall immediately notify the Senior Vice President for Academic Affairs or the Vice President for Medical Affairs (as appropriate) and the dean of the involved school(s) or college(s).

This regulation does not deal with questions of Animal Welfare or the Protection of Human Subjects in Research. Questions of misconduct in these areas should be directed to the Office for Human Research Protection (OHRP) of the National Institutes of Health (NIH) through the corresponding University committees responsible for those activities. For issues concerning potential violations of Food and Drug Administration (FDA) regulated research, all questions should be referred to the FDA Office or Regulatory Affairs. (NOTE: The Vice President for Medical Affairs is the University signatory in these areas.)

For allegations of misconduct within the University, the accuser should report his/her concern to the department chair. The chair shall immediately notify both the faculty member(s) against whom the allegations have been made and the dean of the involved school or college. If the accuser feels substantial discomfort in first reporting to the chair of his/her department and feels he/she can substantiate this allegation, then the dean of his/her school or college may be contacted directly to report the allegation of misconduct. In this case, the dean will notify the department chair. In all cases, the dean must initiate the inquiries. So-called "hearsay evidence" (e.g., gossip, third-party report) alone is not adequate cause to warrant an inquiry.

Inquiry

Once the allegation has been made and the above parties have been notified, the dean will determine if further investigation is warranted. If so, an inquiry is initiated. At the outset of the inquiry, the accused parties shall be informed in writing by the dean of the complete allegations against him/her. The University of South Alabama and its schools and colleges shall protect the rights and reputation of all parties involved in allegations of research misconduct. Therefore, in all matters of inquiry of research misconduct, the dean shall attempt to afford maximum confidential treatment of all affected individuals, and shall see that a prompt and thorough examination occurs and that all affected parties have a reasonable opportunity to comment on all allegations and findings of the inquiry within the college and/or following investigation by the University Committee on Misconduct in Research. The accuser(s) should be informed that if the accusations have merit, and his/her testimony is required by either the ad hoc committee or the Committee on Standards in the Conduct of Research, his/her anonymity may not be protected any longer.

If the allegations appear to have merit and there is evidence of wrongdoing, the dean of the college will appoint an ad hoc committee of inquiry, composed of three persons who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the inquiry or investigation. Ad hoc committee members selected for the inquiry should not have published any manuscripts or scientific reports or made any joint research support applications with either the accuser or the accused. The ad hoc committee will be composed of full-time tenured members of the faculty or the administration. At least one of the ad hoc committee members must be a tenured full-time faculty member. If two or more colleges are involved, the respective deans of those colleges shall convene a joint ad hoc committee of inquiry. Other authors of multi-authored reports detailing investigation may share equally the responsibility for the veracity and authenticity of any reports or publications questioned as representing misconduct. The inquiry, including the report, shall be completed within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. If no grounds for misconduct are found by the inquiry, the dean, in consultation with the accused, shall act to protect the reputation of the accused as outlined herein.

Following the inquiry, a written report must be prepared by the ad hoc committee conducting the inquiry that lists any evidence of wrongdoing which the committee may have confirmed in its initial deliberations, names of the accused party(ies), a statement that this evidence has been reviewed, summarizing relevant interviews, and including the conclusions of the inquiry. The individual(s) accused shall receive a copy of the report immediately, and shall be invited to comment in writing. If the accused party (ies) comment(s) on that report, those comments may be a part of the record. If the inquiry takes longer than 60 calendar days to complete, the record shall include documentation of the reasons for exceeding the 60 calendar days.

In the case of federally funded research, the institution will take appropriate interim administrative actions to protect Federal funds and insure that the purpose of the Federal financial assistance are carried out.

If the inquiry committee determines that no formal investigation is required, the dean of the college shall maintain detailed records and documentation of the inquiry to permit later assessment of the reasons for determining that an investigation was not warranted. These records must be maintained for three years after termination of the inquiry in the dean's office.

These confidential records must be supplied to the Director of either the Office of Research Integrity (ORI) or Office of the Inspector General (OIG) of the National Science Foundation (NSF) upon formal request and receipt of a reasonable explanation. The accused party(ies) must be informed in writing by the dean of the reasons given by the ORI or the OIG for requesting these records.

Requirements for Reporting to ORI

a. Commencement of an investigation

The institution's decision to initiate an investigation will be reported by the Institutional Official in writing to the Director, ORI, on or before the date the investigation begins. At a minimum the notification should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation as it relates to the PHS definition of scientific misconduct, and the PHS applications or grant number(s) involved. Written notification will also be provided to PHS or NSF. ORI will be notified of the final outcome of the investigation and provided with a copy of the investigation report. PHS and NSF will be notified of the outcome of an inquiry involving funds from their agency only if the results include a recommendation to conduct a full investigation.

b. Early termination

If the University plans to terminate an inquiry/investigation for any reason without completing all relevant federal requirements under 50.103(d), a report of such planned termination, including a description of the reasons for such terminations, shall be made to the Office of Research Integrity. ORI will then decide whether to further investigation should be undertaken.

c. Written request for time extension

If the institution determines that it will not be able to complete the investigation in 120 days, the Institutional Official will submit the ORI a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes other necessary steps to be taken. If the request is granted, the Institutional Official will file periodic progress reports as requested by the ORI.

When PHS or NSF funding or applications for funding are involved and an admission of scientific misconduct is made, the Institutional Official will contact ORI for consultation and advice. Normally, the individual making the admission will be asked to sign a statement attesting to the occurrence and extent of misconduct. When the case involves PHS funds, the institution cannot accept an admission of scientific misconduct as a basis for closing a case or not undertaking an investigation without prior approval from ORI.

d. Interim reports

The institution will promptly advise ORI of any developments during the course of the investigation which disclose facts that may affect current or potential DHHS funding for

individual(s) under investigation or that the PHS needs to know to ensure appropriate use of Federal funds and otherwise protect the public interest.

e. Special notifications

The dean of the involved school or college is to advise the Institutional Official if any of the circumstances listed below are discovered. The Institutional Official will notify the ORI at any stage of the inquiry or investigation if the following are reported:

- an immediate health hazard
- an immediate need to protect federal or University funds or equipment
- an immediate need to protect those making the allegation, those accused or any of their associates
- likelihood that an alleged incident will be reported publicly
- the allegation involves a public health sensitive issue (e.g., clinical trial)
- a reasonable indication of a possibly criminal violation

If there is a reasonable indication of possible criminal violation, the ORI will be notified within 24 hours of obtaining that information.

f. Final outcome

The final report of the investigation should include a description of the policies and procedures under which the investigation was conducted, information obtained and the sources of such information, an accurate summary of the position of the individual under investigation, the findings of committee, including the bases for its findings, and the committee's recommendation to the Institutional Official concerning whether the evidence of scientific misconduct is sufficient to warrant discipline or dismissal under the applicable faculty or academic staff personnel rules. All documentation of the investigating committee and information comprising the record of the investigation, shall be transmitted to the Office of the President with the report, upon completion of the investigation.

Investigation

Formal investigation will be initiated if the ad hoc committee of the college finds cause as a result of the inquiry. All information will be provided by the dean to the Committee on Standards in the Conduct of Research. The Committee must be composed of full-time tenured faculty members who are experienced in research and who have no involvement in the research effort in question. Individuals will be appointed to the investigation committee who do not have real or apparent conflicts of interest in the case and are unbiased. At least one committee member must have knowledge in the field of study of the accused.

At this point, the dean will consult and review the matter with the University Attorney and either the Senior Vice President for Academic Affairs or the Vice President for Medical Affairs. The dean(s) of the school(s) or college(s) where charges have arisen shall be responsible to the Committee on Standards in the Conduct of Research and the Senior Vice-

President for Academic Affairs/Vice President for Medical Affairs for overall compliance with these procedures.

Either the University or the accused party may have legal counseling during the interviews with either the inquiry committee, the investigation committee, or the Committee on Standards in the Conduct of Research. All involved parties shall be notified if an attorney is to be present. The attorney can act as an advisor only and may not address the committee.

The dean(s) of the school(s) or college(s) involved shall notify any funding agency supporting this research if these agencies require notification in the event of an allegation of research misconduct.

If the research carried out by the accused is sponsored by the Public Health Service (PHS), the dean(s) of the school(s) or college(s) involved shall immediately notify the ORI following the procedures described in Section 493 of the PHS Act, Sub-part A to 42 CFR Part 50 dealing with "Responsibilities of Awardee and Applicant Institutions for Dealing With and Report of Possible Misconduct in Science".

If the research carried out by the accused is sponsored by the NSF, the dean(s) of the school(s) or college(s) involved shall notify at this time the OIG of the NSF following the procedures described in 45 CFR Part 689 section 3 dealing with "Misconduct in Science and Engineering".

The Committee on Standards in the Conduct of Research must undertake its investigation of the allegations revealed by the inquiry of the school or college within 30 calendar days after notification by the dean of the involved school or college that sufficient basis for an investigation is found. The investigation should be complete and report submitted to the ORI within 120 calendar days of initiation of investigation. The investigation should be completed in less than 120 working days. Such an investigation shall include examination of all documentation of misconduct, including but not limited to relevant research data, publications, correspondence, and memoranda of telephone calls. Whenever possible, interviews should be conducted with all individuals involved, either in making the allegations or against whom the allegations are made, as well as individuals who might have information regarding key aspects of the allegations. When deemed necessary by the dean(s) or by the Committee on Standards in the Conduct of Research, appropriate scientific review must be secured to carry out a thorough, authoritative and fair evaluation of the relevant evidence in any inquiry or investigation. Complete summaries of those interviews, dated and witnessed, should be prepared, provided to interviewed parties for comment or revisions, and included as a part of the investigation/inquiry file. All this information must be provided to the accused party(ies) in a timely manner.

If the subject research by the accused investigator is supported by federal funds through NSF or PHS, the OIG or the ORI, respectively, must be notified of the final outcome of the investigation and all documents made available to them. A permanent record of the committee's report, exhibits, records, minutes of investigational meetings, etc. should be kept in the Office of the Senior Vice President for Academic Affairs/Vice President for Medical Affairs.

The dean and the University's administration will undertake diligent efforts to restore the reputations of persons alleged to have engaged in research misconduct when allegations are not confirmed, and also to undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, have made the allegations.

The University shall impose sanctions on individuals when allegations of misconduct in research have been substantiated through the due process herein described. Sanctions shall include:

1. notification of the sponsoring agency;
2. a demand of withdrawal of all papers and abstracts emanating from the fraudulent research with appropriate notification of the involved journal editors and societies;
3. notification of institutions and sponsoring agencies with which the individual has had past research associations if there is any question about the authenticity or validity of that research activity as revealed in the inquiry or investigation; and
4. any sanction imposed by the President of the University through the faculty disciplinary process.

In order to protect the integrity of the University, institutional administrators, in consultation with legal counsel, shall consider release of information to the public to protect the University and the public interest.

Appeals of findings of misconduct in research should be directed in writing to the Senior Vice President for Academic Affairs/Vice President for Medical Affairs and copied to the appropriate dean(s) of the schools and college(s) within ten days after receiving notice of the findings. The Vice President will review the grounds for an appeal with the University Attorney. This review shall be limited to the adequacy of the procedures followed and to the appropriateness of the disciplinary action taken. All involved parties will be notified, in writing, of the appeal decision within ten days. The Vice President's decision is final and no further appeal is allowed.

It is noteworthy that in cases where the inquiry or investigation reveals substantive evidence of malicious intent by an accuser to cause harm to the reputation of the accused where no wrongdoing is in evidence, the University of South Alabama will not be able to prevent legal action brought by the accused against the accuser. In such matters, the University of South Alabama shall have no responsibility in the legal defense of the accuser or in abetting the legal actions brought by the accused.

7.9 Copyright Policy (Intellectual Property)

7.9.1 Introduction

" . . . To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

US Constitution, Article I, Section 8

Protection of intellectual property in the US through patents and copyrights arises from this single line in the Constitution. It declares the social and economic value of sharing new ideas and writings and, to encourage such sharing, reserves special rights for inventors and authors. The University of South Alabama supports full adherence to federal intellectual property law and recognizes the value of this system in furthering its mission of teaching, research and service.

The creation and dissemination of knowledge through all means of tangible expression advances the professional development of faculty, broadens educational opportunities for students, enhances the University's reputation and resources, and furthers the public good. Tangible expression of works by members of the University community results in copyright protection for those works.

This policy is designed to promote tangible creative expression of works, to preserve academic tradition regarding scholarly works, to provide for equitable distribution of rights, revenues and other benefits arising from copyrights, and to establish guidelines for the management of copyrightable works made by members of the University of South Alabama community.

7.9.2 Scope and Effective Date

1. This policy shall apply to all employees of the University. Each employee shall execute all documents as necessary to secure to the University appropriate ownership in and management of copyrights as established by this policy.
2. This policy shall be effective April 1, 2002 and shall apply to all copyrightable materials created by employees after that date.

7.9.3 Summary of Key Points

- Copyright consists of a bundle of rights which may be owned by one party but can be managed separately so that others have use of and access to a copyrighted work.
- In accord with academic custom, faculty will own and manage the copyright inherent in most traditional academic works (such as books, articles, lecture notes, class materials) regardless of how those works are tangibly expressed, and whenever possible will grant the University rights to use the work internally.
- The University will own and manage the copyright inherent in any work created using significant resources of the University and will grant the creator certain rights to that work.
- The University will own and manage the copyright inherent in works that are specifically commissioned by a University official, are subject to a grant or contract, are collaborative, or are made in the scope of employment (except for traditional academic works of faculty).

- Written agreements which specify the management of the copyrighted work and protect the interests of each party will be required in advance of the teaching of any on-line course and in certain other circumstances.

7.9.4 Copyright Basics

(US Code, Title 17 B Copyrights; specific sections indicated in parentheses)

- Copyright is a form of intellectual property which protects original works of authorship fixed in any tangible medium of expression which can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device (§102).
- Copyright does not protect facts, such as ideas, concepts, principles, processes, discoveries, etc.; it protects only the specific tangible expression of those facts (§102).
- Copyright gives authors the exclusive right to copy, distribute, display or perform their work, to make derivative works, and to license any of these rights to others (§106).
- Infringement of a copyright occurs when one or more of the exclusive rights reserved for the copyright owner is used without permission (§501).
- Registration of a copyright with the US Copyright Office is not required to establish rights but is necessary to enforce those rights against infringement (§411).
- Copyright protection typically lasts for the life of the author plus 70 years. However, if the work is a Work Made For Hire, copyright protection lasts 95 years from the date of first publication or 120 years from creation, whichever expires first (§302).
- Works eligible for copyright protection include the following (§102):
 - literary works;
 - musical works, including any accompanying words;
 - dramatic works, including any accompanying music;
 - pantomimes and choreographic works;
 - pictorial, graphic, and sculptural works;
 - motion pictures and other audiovisual works;
 - sound recordings; and
 - architectural works.

7.9.5 Fair Use of Copyrighted Materials

1. The limited use of a copyrighted work without permission from the owner may be allowable in some circumstances. This type of use is referred to as Fair Use, and includes use for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Fair Use of a copyrighted work exempts that use from charges of infringement.

2. In determining whether the use made of a work in any particular case is a Fair Use, federal law sets forth the guidelines which must be considered (*17 U.S.C. §107*):
 - the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; and
 - the nature of the copyrighted work to be used; and
 - the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - the effect of the use upon the potential market for or value of the copyrighted work as a whole.
3. Each specific use of a copyrighted work must be evaluated on a case-by-case basis to assess whether that use is subject to the Fair Use exemption from infringement. That evaluation must take into account, at a minimum, all four factors listed above. Fair Use exemptions do not apply in every circumstance. Any questions about Fair Use exemptions should be referred to the University Attorney.

7.9.6 Definitions

As used in this policy, these terms have the following meanings:

1. “University” is defined to mean all units of the University of South Alabama, including schools, colleges, hospitals, clinics, institutes, programs, centers, and any other components not otherwise listed.
2. “Employees” are defined to mean all persons receiving compensation from the University, including but not limited to faculty, staff, administrators, student employees, whether undergraduate or graduate, post-doctoral fellows, residents and visiting scholars, and all other persons aided by Significant Use of University Resources.
3. “Significant Use of University Resources” is defined to mean any use of University facilities, finances, equipment and/or support services that exceed ordinary or regular use in the daily course of job performance. Significant Use of University Resources does not arise through ordinary or regular use of basic office space, library resources, personal computers or computer networks.
4. “Author” is defined to mean the person(s) who creates an original work expressed in a tangible medium and who owns and controls the exclusive rights inherent in the copyright of that work. In the case of a “Work Made For Hire” or a specially commissioned work, the University is the Author.
5. “Work Made For Hire” is defined to mean (1) a work prepared by an employee within the scope of his/her employment; or (2) a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a sound recording, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire (*17 U.S.C. §101*). In keeping with academic tradition, the University

specifically disclaims any ownership of Regular Academic Works created by faculty in such instances that federal law would otherwise grant ownership of copyright in the work to the University as a Work Made For Hire.

6. "Regular Academic Work" is defined to mean an original work fixed in any form of tangible expression which has educational, scholarly, or artistic intent and purpose and which is developed without Significant Use of University Resources.
7. "Institutional Work" is defined to mean any one or more of the following:
 - University-Assisted Works, created by an Employee with Significant Use of University Resources; or
 - University-Assigned Works, specifically commissioned in writing by a University official; or
 - Collaborative Works, created by multiple simultaneous or sequential Employees in which no discrete creators can be determined; or
 - Sponsored Works, created under a grant, contract or other agreement with an external third party; or
 - Works Made For Hire, as defined in this policy.
8. "Student Work" is defined to mean an original work fixed in any form of tangible expression generated by undergraduate or graduate students in the normal course and scope of their educational activities, including papers, computer programs, theses, dissertations, artistic, musical or other original works, but specifically excluding class notes. Student Work does not include work done as an Employee of the University, as a Sponsored Work, or with Significant Use of University Resources; all such works shall be considered Institutional Works.
9. "External Use" is defined to mean use by a commercial entity, government agency, nonprofit organization or educational institution other than the University.
10. "Internal Use" is defined to mean use by any Employee or any component of the University for scholarly, instructional or other educational purposes.

7.9.7 Management of Copyrighted Works

1. Copyright in Regular Academic Works shall be owned by the Author. The Author shall, where practical, grant the University a royalty-free, non-exclusive, non-transferable license for Internal Use and shall have the option to assign the Regular Academic Work to the University for External Use. A signed written agreement shall define and govern specific rights transferred by the Author to the University for Internal Use or External Use of the Regular Academic Work. Authors shall create Regular Academic Works in a manner consistent with the University Conflict of Interest and Commitment Policy. Authors shall, where practical, manage the copyright in Regular Academic Works to preserve future rights for nonprofit educational use.

2. Copyright in Institutional Works shall be assigned to and owned by the University.

- For Institutional Works which are University-Assisted Works, the University shall, by written agreement, grant certain rights to the creator of the work. Such rights may include, but are not limited to, any or all of the following: rights for Internal Use, first refusal to teach, attribution, modification, production of derivative works, revision, transportation to another academic institution in case of job transfer, and sharing of net revenues generated through External Use of the Work.
- Any revenues generated through External Use of a University-Assisted Work shall first be applied to recover costs directly arising from Significant Use of University Resources in the creation of the Work, and then shall be shared with the creator as follows, on a cumulative basis:

\$0- \$10,000	70% creator 20% creator's School/College 10% University
\$10,001-\$50,000	50% creator 20% creator's School/College 30% University
Over \$50,000	30% creator 20% creator's School/College 50% University

Distribution of such net revenues to the respective parties shall occur at least once annually. The creator's share of such net revenues is personal income separate from regular University compensation, and he/she shall be responsible for the payment of any taxes due on that income. In any instance, a creator may voluntarily choose to dedicate any or all of his/her share of such net revenues to the department, the school, the college, and/or the University. Such dedication shall be confirmed in writing in advance of the first distribution of such net revenues. In the event that the creator ceases to be an Employee of the University, the share of net income dedicated to the creator shall remain the same as set forth herein, and shall be payable to him/her or to his/her heirs or estate for as long as such net revenue is received by the University.

The School/College share of such net revenues shall be allocated to the dean of the creator's School/College to be used for scholarly and educational purposes. The University share of such net revenues shall be used to further its research and educational mission as well as to support and encourage the development of intellectual property.

- For all Institutional Works other than University-Assisted Works, the University shall, where practical, grant the creators a royalty-free, non-exclusive, non-transferable license for Internal Use. The creators shall not be entitled to any further rights or revenue sharing unless negotiated on a case-by-case basis in advance of the creation of the Institutional Work. Any revenues generated by External Use of such Institutional

Works shall be distributed according to the revenue sharing plan above, except that the creator's share in that section shall be allocated entirely to the dean of the School/College of the creator to be used for scholarly and educational purposes.

3. In order to protect the University's copyright in Institutional Works, the following notice should be placed prominently on the Institutional Work:

Copyright 8 [year] University of South Alabama. All Rights Reserved.

The date in this notice should be the year the Institutional Work is first published or made publicly available. The appropriate departmental name and address for further inquiries regarding the work may be listed below the copyright notice.

4. Copyright in Student Works shall be owned by students unless assignment of certain rights to the University is a condition for participation in a course. Students shall, where practical, grant the University a royalty-free, non-exclusive, non-transferable license for Internal Use of Student Works, and shall in every case grant the University the right to make and distribute copies of theses and dissertations to the public. Students duly enrolled in a course may take class notes for personal use but may not take or disseminate such notes for commercial purposes unless the course instructor approves such activity in advance.
5. Computer software and related documentation, integrated circuits, databases or any other works which are not Regular Academic Works of faculty and which may be subject to protection under both copyright and patent laws shall be subject to the University Patent & Invention Policy.
6. Ownership of copyright in Sponsored Works shall be governed in accordance with the terms and conditions of the grant or contract under which the Sponsored Work was produced and applicable law or, in the event that such grant or contract is silent as to the ownership of copyright, shall be governed according to this policy.
7. Ownership of copyright in Institutional Works may be reconveyed from the University to the creator upon written request to the President or his/her designee. Such a request may be granted and such ownership reconveyed at the discretion of the President or his/her designee as long as it does not: (a) limit the University's Internal Use of the Institutional Work, (b) violate any legal or contractual obligations of or to the University, (c) create a conflict of interest for the creator, or (d) otherwise conflict with the University's mission.
8. Written agreements between Authors and/or creators and the University govern the management of copyrights and protect the interests of all parties. Such agreements preferably should be executed in advance of the initiation of a work of any type. Advance written agreements shall be required (a) if there is any question about the classification of the work as a Regular Academic Work or an Institutional Work, (b) when an Author grants rights to the University for Internal Use or External Use of a Regular Academic Work, (c) when Internal Use or External Use of a University-Assisted Work is anticipated, or (d) if a Collaborative Work is planned.

9. In all instances, Employees are expected to comply with all applicable copyright and privacy laws. It is the responsibility of Employees to obtain all permissions and releases necessary for the creation of Regular Academic Works and Institutional Works.

7.9.8 Policy Administration and Implementation

1. The President has delegated the responsibility for administering this policy to the Office of Technology Development. The Director of Technology Development (“Director” will implement such procedures and standard written agreements as are necessary to carry out the requirements of this policy and will mediate the negotiation of any special agreements or circumstances which may arise.
2. The University Intellectual Property Policy Committee is appointed by the President to serve as a University resource with respect to matters involving the general subject of intellectual property in patents, inventions and copyright. The Committee shall advise the Director on interpretations and applications of this policy, and shall periodically review this policy and recommend such changes to the President as the Committee deems desirable. The Committee shall hear appeals of decisions regarding whether a work is a Regular Academic Work or an Institutional Work, as well as consider any other special circumstances which may arise as a result of this policy.
3. In cases where the classification of a work as a Regular Academic Work or an Institutional Work is unclear, the Director shall, in consultation with the creator and the creator’s respective School/College dean, determine whether a work is to be considered a Regular Academic Work or an Institutional Work. Such determination may be appealed by the creator to the University Intellectual Property Policy Committee, whose decision shall be final.
4. The Director shall decide if and when to register with the U.S. Copyright Office the copyright in any Institutional Work. Authors shall be responsible for the registration with the U.S. Copyright Office of the copyright in any Regular Academic Work. The Director shall investigate allegations of copyright infringement of Institutional Works and recommend appropriate action to the University Attorney. If the University initiates copyright enforcement action, the University shall bear all costs of such action. Any proceeds in excess of such costs shall be shared according to the revenue sharing formula set out above in section 7.9.7.
5. The University shall assume responsibility for the defense of any action, and the satisfaction of any judgment thereon, alleging violation of personal or property rights in Institutional Works which have been created according to this policy by the University or its Employees. The Author of a Regular Academic Work shall assume responsibility for the defense of any action, and the satisfaction of any judgment thereon, alleging violation of personal or property rights in that Work.
6. The Director will oversee the licensing for External Use of Institutional Works and Regular Academic Works assigned to the University. Any net revenues generated by such licensing shall be distributed as outlined above in section 7.9.7.

7.10 USA Patent and Invention Policy

7.10.1 Introduction

"... To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

US Constitution, Article I, Section 8

Protection of intellectual property in the US through patents and copyrights arises from this single line in the Constitution. It declares the social and economic value of sharing new ideas and writings and, to encourage such sharing, reserves special rights for inventors and authors. The University of South Alabama recognizes the value of this system in furthering its mission of teaching, research and service.

The University advances its mission in part by generating knowledge through research. The development of inventions is not a necessary and final product or even a purpose of research but may be an important outcome with significant public benefit. The transfer of inventions to the private sector, and the securing of patents when appropriate, provides the means for disseminating these new discoveries to the general public through the free enterprise system.

This policy is designed to expand the research enterprise of the institution, encourage the practical application of inventions made through research, establish guidelines for the management of those inventions, provide equitable distribution to inventors of rights, revenues, and other benefits arising from the commercialization of inventions, increase opportunities for economic development and return to the public the fruits of university-based research.

7.10.2 Scope and Effective Date

7.10.2.1 This policy, as amended from time to time, shall apply to all University Affiliated Individuals, as defined herein, of the University of South Alabama.

7.10.2.2 This policy shall become a part of the conditions of employment or affiliation of every University Affiliated Individual and of the conditions of enrollment and attendance of every student, whether such person was employed, affiliated or enrolled, as the case may be, before or after adoption of this policy. An *Invention Agreement for University Personnel* will be signed at the time of employment or affiliation with the University, or if already employed or affiliated, prior to the use of any University facilities which might result in an invention or discovery. University Affiliated Individual shall be bound by this policy whether or not they have signed such agreement.

7.10.2.3 This patent and invention policy, effective August 15, 2005, supercedes all previous patent and invention policies and applies to all Inventions disclosed to the University on or after that date, regardless of when said Invention was developed. This policy shall not apply retroactively to any Invention disclosed to the University prior to this date unless otherwise agreed specifically in writing by an appropriate University official.

7.10.3 Definitions

- 7.10.3.1 “University” is defined to mean all units of the University of South Alabama, including schools, colleges, hospitals, clinics, institutes, programs, centers and any other components not otherwise listed.
- 7.10.3.2 “Department” is defined to mean the unit of primary academic appointment or research activity and includes multidisciplinary centers or institutes within the University.
- 7.10.3.3 “University Affiliated Individual” means:
- all persons receiving employment compensation from the University, including but not limited to faculty, staff, administrators, medical residents, and students, whether undergraduate or graduate, and
 - all persons affiliated with the University as students, post-doctoral fellows, medical residents or visiting scholars, and
 - all persons participating in sponsored research projects, and
 - all other persons using University time, facilities, staff, materials, funds, confidential information or other University resources in the conduct of research.
- 7.10.3.4 “Course of Employment or Affiliation” means any work or any activity consistent with the expectations, functions, field of expertise or duties and obligations of employment or affiliation with University, regardless of location or timing.
- 7.10.3.5 “Inventions” means all developments, discoveries, technological advances, tangible research materials, trademarks or know-how, whether patentable or not, which are made in the Course of Employment or Affiliation with the University. Computer software and related documentation, integrated circuits, maskworks, databases or other similar works which are not Regular Academic Works under the USA Copyright Policy and which may be subject to protection under both copyright and patent laws shall be considered Inventions according to this policy.
- 7.10.3.6 “Licensing Costs” means all direct expenses incurred by University to patent, protect, defend, market and/or license Inventions.
- 7.10.3.7 “Net Income” means the gross revenues actually received from the sale, assignment, license or other commercial development of Inventions (including royalties, licensing fees, milestone payments, equity shares in a company or other similar consideration but *excluding* any external research funding designated for support of research on Inventions or for support of other University research programs) less the deduction for Licensing Costs.

7.10.4 Management of Inventions

- 7.10.4.1 **Allocation of Rights.**
- 7.10.4.1.1 *Inventions Owned by University.* Inventions which are conceived or first actually reduced to practice in the Course of Employment or Affiliation with the University, or through participation in sponsored research made available by the University, or with the use of the funds, resources or facilities administered by the University, shall be the

property of the University. Such Inventions shall be assigned by the inventor(s) to the University, to an organization sponsoring the research or to an independent entity capable of and responsible for the management of patents and inventions, as determined by the University, in consideration for a share of Net Income generated by such Invention, in accord with Section 7.10.4.5 below.

7.10.4.1.2 *Inventions Owned by Inventor.* Inventions developed outside of the Course of Employment or Affiliation with the University and made without use of University funds, resources or facilities shall be the sole property of the inventor. The University shall have no claim to any rights in such Inventions. The inventor of such Inventions may choose to offer such Inventions to the University; if accepted by the University, said Inventions shall be treated in the same way and be subject to the same procedures outlined herein as any Invention owned by the University, unless otherwise agreed in advance by the inventor of such Inventions and the University.

7.10.4.1.3 *Inventions Owned by Research Sponsors.* It is not the usual practice of the University to grant automatic ownership of Inventions made in the course of research to the sponsors of such research. When an Invention is developed through an externally-sponsored grant or contract, any special provisions regarding Inventions contained in said grant or contract shall prevail. In the absence of such special provisions, this University policy applies.

7.10.4.2 **Responsibility to Disclose & Assign.** Inventions conceived or first reduced to practice by University Affiliated Individual in the Course of Employment or Affiliation shall be promptly disclosed in writing to the University Office of Technology Development. Inventors may not assign or license rights to such Inventions to third parties without the express written consent of the University. Inventors agree to assist and cooperate with the University in executing and delivering all assignments and other documents necessary to obtain and enforce patents within the United States or any other country.

7.10.4.3 **Designated Management Organizations.** In the event that an Invention may be deemed of actual or potential commercial value, the University reserves its rights to protect its interest in the Invention by patent application and to designate either the South Alabama Medical Science Foundation (SAMSF), if said Invention was made by University Affiliated Individual in the USA College of Medicine, or the USA Research & Technology Corporation (RTC), if said Invention was made by University Affiliated Individual in any unit other than the College of Medicine, to protect such interest. Upon such designation and/or assignment by the University of South Alabama, SAMSF or RTC, respectively, shall own all rights, title and interest in such Invention. SAMSF and RTC have the responsibility to administer and manage all patents assigned to them and to receive, account for, and properly distribute all monies received from any commercialization activity, according to this policy.

7.10.4.4 **Publication & Public Disclosure.** The University upholds the academic imperative to publish research, thereby advancing the scientific body of knowledge and fulfilling the University's public mission. The University also, however, encourages University Affiliated Individual to coordinate publication or presentation of Inventions with the Office of Technology Development in order to preserve all available intellectual

property rights since certain rights in Inventions may be lost through any public disclosure which occurs in advance of the filing of patent applications.

7.10.4.5 Distribution of Net Income

7.10.4.5.1 Any Net Income generated by an Invention shall be distributed as outlined below. The distribution of Net Income is based upon the total cumulative funds generated by an Invention without regard to the time in which the funds are accumulated. A revenue sharing agreement which specifies the exact distribution of Net Income for Inventions shall be executed between the University or designated invention management entity and the inventor(s) at or around the time of the first Invention disclosure. The revenue sharing agreement must be executed prior to the first distribution of any Net Income to the inventor(s).

7.10.4.5.2 The inventor's share of such Net Income is personal income separate from regular University compensation. The inventor shall be responsible for the payment of any taxes due on that income.

7.10.4.5.3 In the event that an inventor ceases to be a University Affiliated Individual, the share of Net Income dedicated to inventor shall remain the same as set forth herein, and shall be payable to him/her or to his/her heirs, successors, designees or estate for as long as such Net Income is received by the University or its designee.

7.10.4.5.4 In such instances where two or more people are inventors, the Net Income that is allocated as "Inventor Share" will be divided among all inventors according to an allocation that is agreed to in writing in the revenue sharing agreement referenced in 7.10.4.5.1.

7.10.4.5.5 The Department receiving Net Income under this distribution formula must reflect the primary Department in which the research which produced the Invention was performed. If more than one Department is involved, a reasonable division of Net Income for each Department must be agreed upon in writing before funds are dispersed. The Department share shall be used for scholarly and educational purposes. Departments are encouraged to allocate a significant portion of the Departmental share of Net Income, at the discretion of the chair, for the continued support of research by the inventors or other scholarly activities.

7.10.4.5.6 The University's share of Net Income will be allocated to the USA Innovation Investment Fund. This Fund has been established to further the University's research, education and economic development missions through the provision of small grants which support and encourage further research, inventions, proof of principle or other activities relevant to the generation of intellectual property at the University. Such "gap" or "seed" funding is often the missing link in the chain of moving inventions from concept to commerce, and the University has an interest in closing that gap whenever possible. Grants from the USA Innovation Investment Fund will be made available from time to time, upon application from University Affiliated Individual for specific projects, and will be awarded through a peer review evaluation process.

7.10.4.5.7 Net Income, other than equity shares in a company, generated by an Invention shall be distributed as follows:

From \$0- \$10,000	70%	Inventor
	20%	Inventor's Department
	10%	RTC (if non-COM) / SAMSF (if COM)
From \$10,001-\$50,000	50%	Inventor
	20%	Inventor's Department
	30%	RTC (if non-COM) / SAMSF (if COM)
Over \$50,000	30%	Inventor
	20%	Inventor's Department
	30%	RTC (if non-COM) / SAMSF (if COM)
	20%	USA Innovation Investment Fund

7.10.4.5.8 Distribution of Net Income to the respective parties shall occur at least once annually. However, in the event of any litigation, actual or imminent, or any other action necessary to protect patent rights, the University may withhold distribution of royalties until resolution of the matter.

7.10.4.6 Equity Policy

7.10.4.6.1 The University may accept a minority equity interest in a business entity in partial consideration for the licensing and commercialization of an Invention. Such acceptance of equity shall be based on principles of honesty, objectivity, and fairness and will be managed in accord with applicable statutes and the University policies on Conflict of Interest and Commitment. The University shall not exercise any management control of the business entity. For as long as the inventor remains a University Affiliated Individual, the inventor may not participate in the management of the business entity or serve on the Board of Directors.

7.10.4.6.2 Net income in the form of equity interest in a company shall be distributed according to the last tier of the revenue sharing formula in section 4.5.7 above. When the University accepts equity in a business entity, the inventor(s) shall receive 30% share of that equity and the University shall receive 70% of that equity. The inventor's 30% share of equity interests shall be issued by the company in the name of the inventor and distributed directly to the inventor at the time of the issuance of shares. Thereafter such inventor will be wholly responsible for any tax burden, benefit, and business judgment regarding the management of the shares as distributed. The University shall have no fiduciary responsibility to the inventor for shares of equity interests.

7.10.4.6.3 The University's 70% share of equity interests will be given separately, to be held and controlled by the South Alabama Medical Science Foundation (SAMSF) or the USA Research & Technology Corporation (RTC), as appropriate. Such stock will be managed in accord with the University investment policies.

- 7.10.4.6.4 University Affiliated Individual who generate Inventions that are licensed with equity as partial consideration may perform clinical trials or research & testing for the licensee ONLY upon the specific approval of the relevant University oversight committees (i.e. IRB, IACUC, etc.) after full disclosure of all pertinent interests and consideration of any real or perceived conflicts of interest in the pursuit of such activities.
- 7.10.4.7 **Waiver of Rights.** The University may, where it is free to do so and in its sole discretion, waive and release its ownership rights in an Invention to the inventor(s) if the University determines that said Invention is unlikely to be patentable or commercially viable. The University shall, in such case, execute all documents necessary to enable the inventor(s) to undertake protective measures and arrange for the commercial development and exploitation of the Invention. Any release of University ownership rights shall be made on the following terms:
- a. the inventor agrees to develop the Invention for the public benefit; and
 - b. the inventor agrees to comply with and fulfill any obligations that may exist to sponsors of the research leading to the Invention, particularly the federal government; and
 - c. the inventor agrees to report to the University, upon request, the status of licensing and/or commercial development of the Invention; and
 - d. the inventor agrees that the first income received from the licensing and/or commercial development of the Invention will be used to reimburse the University for any legal or licensing expenses related to that Invention incurred by the University prior to the date of release of ownership rights in the Invention to the inventor.
- 7.10.4.8 **Student Inventions.** Inventions made by students, (a) in the Course of Employment or Affiliation with the University, or (b) in the conduct of research in University laboratories as part of a post-baccalaureate or postdoctoral degree or non-degree program, or (c) resulting from work directly related to the student's employment or research responsibilities at the University, or (d) from work performed under a grant or other sponsorship, or faculty-directed research or work shall be the property of the University and shall be subject to this policy. In such instances, students will make assignment of the Invention to the University and will share in the distribution of royalties as set forth in this policy.
- 7.10.4.9 **Conflict of Interest Management Under State Law and University Policy** License and assignment agreements between the University and its University Affiliated Individual or between the University and a company in which University Affiliated Individual hold a financial or management interest may create a conflict of interest. When such a license or assignment agreement is entered into by the University, any continuing development of the Invention with the use of University funds, facilities, or funds administered by the University presents potential conflicts of interest, and may only proceed if managed through appropriate disclosure, review and approval under the processes set out in the University's Conflict of Interest Policy.
- 7.10.4.10 **Inventions & Intellectual Property in Consulting Agreements.** It is the responsibility of University Affiliated Individual to ensure that the terms of any consulting agreements with third parties do not conflict with their commitments to the University, particularly with respect to inventions and patents. Each individual should make the nature of his or her obligations to the University clear to any third party for whom he or she expects to consult. Specifically, the scope of the consulting services should be distinguished from

the scope of research commitments at the University. The University will not negotiate any consulting agreements on behalf of any faculty, student, or staff member; however, any questions regarding the University's policies relating to intellectual property may be directed to the Office of Technology Development.

7.10.5 Policy Administration and Implementation

- 7.10.5.1 The President has delegated the responsibility for administering this policy to the Office of Technology Development. The Director of Technology Development ("Director") will implement such procedures as are necessary to carry out the requirements of this policy. The Director will develop and maintain any standard written agreements required under this policy and will mediate the negotiation of any special agreements or circumstances which arise under this policy.
- 7.10.5.2 The University Intellectual Property Policy Committee is appointed by the President to serve as a University resource with respect to matters involving the general subject of intellectual property in patents, inventions and copyright. The Committee shall review individual exceptions to this policy, hear appeals regarding the University's ownership of a particular Invention, as well as consider any other special circumstances which may arise as a result of this policy.
- 7.10.5.3 It is the general policy of the University to encourage the development and marketing of Inventions resulting from University research to advance the public good. It is recognized that furtherance of such a policy may require various forms of agreements including the granting of exclusive licenses. The Director will manage the licensing of all Inventions. It is in the sole discretion of University as to whether or not to accept and develop any Invention disclosed to it. The University has no obligation to pursue or maintain patent protection, other than as required by federal law, for Inventions. The University has the final authority in all decisions regarding patent, licensing and commercial development of Inventions.
- 7.10.5.4 Any waiver of the provisions of this policy shall be granted only in extraordinary and compelling circumstances. A request for waiver shall be submitted in writing to the University Intellectual Property Policy Committee through the Director and shall explain the reasons justifying the request for waiver as well as a description of how a waiver would be consistent with the University's academic mission and the public interest.



8.0 STUDENT POLICIES

8.1 Final Grade Grievance Policy

A final grade grievance is defined as a student complaint regarding an academic action taken by instructional personnel in assigning a final grade for a course or graduate student qualifying or comprehensive exam. Typically, these are complaints about final course grades such as allegations of unfairness in grading, alleged violations of a written or oral agreement with a student (e.g., statements in a syllabus concerning course requirements), and alleged inconsistent application of grading policies by an instructor. In addition to complaints against a particular instructor, students may also file complaints against a committee concerning academic evaluations that adversely affect them (i.e., the grade given on a comprehensive examination or a thesis or dissertation final oral exam).

Students may not file a grade grievance related to an individual test, paper, or other assignment within a course. This procedure also may not be used to complain about an instructor's grading policy, assignments, the difficulty of a course or other comparable matters. Finally, students may not file a grievance about a final course grade that was assigned as the result of an academic misconduct procedure.

For a complaint about a final course grade or other academic evaluation to be considered, the complaint must be based on one or more of the following grounds and upon allegation that the ground(s) cited influenced the grade assignment to the student's detriment:

1. arithmetical or clerical error
2. arbitrary evaluation on the part of the instructor
3. substantial failure on the part of an instructor to follow his or her syllabus or other announced grading policies

Judgments on academic matters are most appropriately made by individuals with expertise in the particular academic discipline involved. For this reason, complaints by students on academic matters are the responsibility of the department and college involved. Normally, such complaints can be resolved quickly through discussions with the faculty member involved. In some situations, the matter cannot be satisfactorily resolved at that level. For such cases, a student may file a formal final grade grievance using the procedures specified below. (Note that while a grievance may be filed against a committee, the term "instructor" is used throughout the following description of procedure to refer to the person or entity against whom the grievance is brought.)

8.1.1 Meet With Instructor

As a prerequisite to filing a grievance and before the end of the fourth week of the succeeding semester (to include the summer term only if the student is enrolled), the student must attempt to resolve the matter with the instructor. In some cases, the student may make reasonable attempts to contact the instructor and be unsuccessful. This will not prevent the student from filing a grievance.

8.1.2 Filing the Grievance Form

A Final Grade Grievance Form must be filed by the student no later than the end of the fourth class week of the succeeding semester (including summer if enrolled). A blank Final Grade Grievance Form may be obtained from any departmental office, any college dean's office, or the Office of Student Affairs (SC 270). Page One of the Final Grade Grievance Form must be completely filled out and turned in to the chair of the department in which the course is taught or the academic evaluation took place. The form will be dated and signed by both the department chair and the student and a copy given to the student.

If the department chair is the party against whom the grievance is being brought, the student should submit the Final Grade Grievance Form to the dean of the college in which the course is taught or the academic evaluation took place.

In the event that the grievance is against the dean who is the instructor the student should submit the Final Grade Grievance Form to the Senior Vice President for Academic Affairs.

8.1.3 Grievance Facilitator

The department chair or his/her designee will facilitate the grievance process unless replaced as follows:

- If the department chair is the party against whom the grievance is being brought, the dean will then appoint a chair from another department to facilitate the grievance process.
- If the dean is the party against whom the grievance is being brought, the Senior Vice President for Academic Affairs will appoint an individual to facilitate the grievance process.

8.1.4 Initial Grievance Review

The facilitator will review the Final Grade Grievance Form and any supporting documentation. If the facilitator decides there may be a basis for the final grade grievance, the facilitator will arrange a conference with the student and other person(s) involved to attempt resolution of the grievance. If the facilitator determines that there is no basis for the final grade grievance (see Grounds 8.1 above), the complaint will be dismissed. Written notification of the decision will be sent to the student and the instructor (see section 8.1.7).

8.1.5 Grievance Conference

The facilitator will act expeditiously throughout this process and should schedule a conference within ten (10) University class days of receipt of the Final Grade Grievance Form. **Note: The term "class day" as used in this document means any weekday (Monday-Friday) during which the official University of South Alabama calendar indicates that classes are in session.**

Prior to the conference, the facilitator will assure that both the student and instructor involved have copies of the grievance procedure. The instructor will be given a copy of the Final Grade Grievance Form filed by the student and will be allowed to examine any supporting documentation. Both parties will be informed that they have the right to present any evidence, supporting witnesses, or

other relevant information during the conference. Legal representation at the conference is prohibited.

At the beginning of the conference, the facilitator will inform the student and instructor that the purpose of the meeting is to attempt to resolve the grievance informally. Both parties will be given the opportunity to present evidence, supporting witnesses, or other relevant information during the conference. The student may not, however, introduce new grounds for the grievance that were not specified on the original Final Grade Grievance Form.

8.1.6 Grievance Resolution

If a mutually satisfactory resolution is achieved during the conference, then the process will end and no further action will be taken.

If a successful resolution is not achieved at the conference, then the facilitator will conclude the conference. The facilitator will then review all materials related to the grievance and may request further information or conferences with the student, instructor, and witnesses as needed. After careful deliberation, the facilitator will render a decision about the grievance. The facilitator may uphold the grade given or academic action taken, or may find the grievance to be valid and decide that the grade will be changed or another appropriate outcome will be implemented (e.g., opportunity to retake an exam). The student and instructor will be notified in writing of the decision within ten (10) University class days of the conclusion of the conference.

8.1.7 Appeal

Either the student or the instructor may appeal the facilitator's decision to the dean (or designee) of the college in which the involved department is located. Such a request must be in writing and must be made within ten (10) University class days of notification of the decision. The dean will review the evidence presented by both parties, interview both parties, and make a decision concerning the decision of the facilitator. The student, the instructor, the facilitator, and the department chair will be notified, in writing, of the appeal decision within ten (10) class days following receipt of the appeal, or within ten (10) class days of completion of interviews, if conducted. The dean's decision is final and no further appeal is allowed.

In the event that the grievance is against the dean, the student should submit the appeal to the Senior Vice President for Academic Affairs. The Senior Vice President for Academic Affairs will review the evidence presented by both parties, interview both parties, and make a decision concerning the decision of the facilitator. The student, the instructor, the facilitator, the department chair, and the dean will be notified, in writing, of the appeal decision within ten (10) class days following receipt of the appeal, or within ten (10) class days of completion of interviews, if conducted. The decision of the Senior Vice President for Academic Affairs is final and no further appeal is allowed.

8.1.8 Implementation of Grievance Outcome

The department chair will implement the outcome(s) of the grievance conference or appeal, as required, at the conclusion of the grievance procedure.

8.1.9 Confidentiality

Throughout the entire procedure, from filing of a formal complaint to final resolution, all information related to the grievance must be kept confidential. Once a final decision has been made and implemented, the original copy of the completed Final Grade Grievance Form and related grievance documentation will be placed in the official, confidential Grievance File of the department or other academic unit in which the grievance was recorded, for a minimum of five (5) years.

8.1.10 Summary

The following summarizes the timeline and procedures for a Final Grade Grievance.

1. The student meets with the instructor to attempt resolution before the end of the fourth class week of the succeeding term. If there is no resolution, proceed to (2).
2. The Final Grade Grievance Form must be filed with the department chair by the last day of the fourth week of the succeeding term. The grievance facilitator (chair or designee) may find that there are no grounds for the grievance and the grievance process ends, or may agree to facilitate a grievance conference go to (3). The instructor and student are given written notification of the facilitator's decision.
3. A facilitated grievance conference with both the student and instructor present is conducted by the facilitator within 10 class days of receipt of the Final Grade Grievance Form.
4. Notification of the facilitator's decision is made within 10 class days of the grievance conference. The grievance ends or may be appealed by either party go to (5).
5. Appeal by the student or instructor to the dean is made within 2 weeks of the facilitator's decision. The dean determines if there is a basis for an appeal. The dean's decision not to hear an appeal is final and will be transmitted in writing to the student, the instructor, and the grievance facilitator. If the dean agrees to hear the appeal go to (8).
6. The dean interviews both parties and evaluates documentation.
7. The dean's written decision is made within 10 class days of the appeal interviews with all parties. The dean's decision is final.
8. The department chair implements the outcome of the grievance.

8.2 Student Academic Conduct Policy

As a community of students and scholars, the University strives to maintain the highest standards of academic integrity. All members of the community are expected to exhibit honesty and competence in academic work. This responsibility can be met only through earnest and continuing effort on the part of all students and faculty.

Any dishonesty related to academic work or records constitutes academic misconduct including, but not limited to, activities such as giving or receiving unauthorized aid in tests and examinations,

improperly obtaining a copy of an examination, plagiarism, misrepresentation of information, altering transcripts or university records. Academic misconduct is incompatible with the standards of the academic community. Such acts are viewed as moral and intellectual offenses and are subject to investigation and disciplinary action through appropriate University procedures. Penalties may range from the loss of credit for a particular assignment to dismissal from the University. Note that dismissal from any University of South Alabama college or school for reasons of academic misconduct will also result in permanent dismissal from the University. Faculty, students, and staff are responsible for acquainting themselves with, adhering to, and promoting policies governing academic conduct.

The Office of the Senior Vice President for Academic Affairs (SVPAA) will maintain a permanent record of all Academic Misconduct penalties involving Level I, Level II, and Level III cases that is known as the Academic Misconduct Penalty Record. The record will include the student's name and student number; course title, section and instructor (as appropriate); semester in which the misconduct occurred; type of misconduct; penalty imposed; and student's major(s) at the time the penalty was imposed.

Upon receipt and recording of information regarding penalties imposed as above, the SVPAA will determine if the student has been found guilty of any previous incident(s) of academic misconduct. If a previous instance of academic misconduct has occurred in Level I or Level II cases, the SVPAA will notify the Dean of the college of the student's major. The Dean will then determine whether an additional and higher level charge of Academic Misconduct is warranted and should be brought against the student. In Level III cases, the SVPAA will notify the chair of the University Academic Standards Committee to convene the committee to determine if a more severe penalty is warranted.

The Academic Misconduct Record will be used for the purpose of determination and evaluation of repetition of academic misconduct and if appropriate, for charging the student with an additional charge of Academic Misconduct. The information contained in the Academic Misconduct Record will not be available to the course instructor. College level and University level Academic Standards Committees and/or their members will not have access to information contained in the Academic Misconduct Record prior to the conclusion of the case, including completion of appeals, if any. The only circumstance in which an Academic Standards Committee and/or its members will have access to information in the Academic Misconduct Record is if the Committee(s) is/are charged by the Dean or SVPAA to consider whether a more severe penalty is warranted in cases where it has been determined that repetition of academic misconduct has occurred.

All matters related to academic misconduct are the responsibility of the academic units involved and the Office of the Senior Vice President for Academic Affairs. These matters will be resolved through procedures defined herein for both graduate and undergraduate students.

8.2.1 Definitions

The term "student" is used in this Policy to refer to one or more student(s) as appropriate to the case. The term "class day" refers to a weekday (Monday through Friday) excluding holidays, during which the offices of the University are open and the classes of the full term are in session, excluding final examination periods. The term "college" refers to colleges, schools, and academic divisions of the University.

8.2.2 Committees

1. Departmental Academic Standards Committee

Each department shall have a Departmental Undergraduate Academic Standards Committee.

Those departments offering graduate programs, or graduate course work, shall also have a Departmental Graduate Academic Standards Committee.

The Undergraduate/Graduate Committee(s) shall conduct all hearings requested by undergraduate/graduate students in academic misconduct cases within the department.

For the Undergraduate Academic Standards Committee, each department shall appoint four (4) full-time faculty members, plus one (1) full-time faculty member designated as an alternate, and two (2) non-voting, upper division student members. The Committee shall be constituted early in the Fall Semester of each year. In departments with fewer than five full-time faculty members, each eligible faculty member shall serve on the Committee, and the dean of the college shall appoint other members from a related department to complete the Committee.

For the Graduate Academic Standards Committee, each department shall appoint four (4) graduate faculty members, plus one (1) graduate faculty member designated as an alternate, and two (2) non-voting, graduate student members. The Committee shall be constituted early in the Fall Semester of each year. In departments with fewer than five (5) graduate faculty members, each eligible member shall serve on the Committee, and the dean of the college shall appoint other qualified graduate faculty members from a related department to complete the Committee.

2. College Academic Standards Committee

Each college shall have a Collegiate Undergraduate Academic Standards Committee. Those colleges offering graduate programs, or graduate course work, shall also have a Collegiate Graduate Academic Standards Committee.

For the Undergraduate Committee, each college shall appoint four (4) full-time faculty members, plus one (1) full-time faculty member designated as an alternate, and two (2) non-voting, upper-division student members. The Committee shall be constituted early in the Fall Semester of each year.

For the Graduate Committee, each college shall appoint four (4) graduate faculty members, plus one (1) graduate faculty member designated as an alternate, and two (2) non-voting, graduate student members. The Committee shall be constituted early in the Fall Semester of each year. Should a college have fewer than five (5) graduate faculty members, each eligible faculty member will serve on the Committee, and the SVPAA shall appoint additional qualified members from other colleges to complete the Committee.

3. University Academic Standards Committee

The University Academic Standards Committee shall be composed of five (5) faculty members and one (1) alternate, at least four of whom are graduate faculty, and two (2) non-voting students, one graduate and one upper-division undergraduate. The Committee shall be appointed each Fall Semester by the SVPAA.

4. Committee Authority

Committees may prescribe penalties, sustain penalties, reduce penalties including reduction to no penalty, or dismiss charges, as appropriate to the case. However, when acting on an appeal request, a committee may not increase the severity of the previously prescribed penalty.

8.2.3 Procedures

In cases of alleged academic misconduct, the committee will make every effort to maintain confidentiality of all parties during the process. Information regarding the case is generally not communicated to non-involved parties, and communications regarding the matter are on a need-to-know basis. If, however, informational material relative to the case is subpoenaed through a court process, or is required to be divulged in some other type of investigation, then it would not be deemed to be a breach of confidentiality and the requested material would be void of its confidentiality.

This policy recognizes three levels of academic misconduct (see the following identification of levels I, II, III). The college in which a Level I case is heard shall normally be the college in which the misconduct occurred, not necessarily the college of the student's major program. A Level II case will normally be heard in the college of the student's major program. A Level III case will normally be heard by the University Academic Standards Committee.

The committee chair will be elected by the committee. The chair shall maintain complete, confidential records of all proceedings, including minutes of all meetings held regarding the case.

Student members of the committee serve in an advisory capacity to provide the committee with a student perspective.

Neither the student nor the faculty member involved shall have legal representation during the presentation of the case or during the appeal process. However, legal assistance in preparing a defense or statement for presentation to the committee is permissible.

The committee will confirm their decision by vote. The chair of the committee will not vote except in case of a tie. After a decision is rendered, an appeal may be requested (see section under **Appeal**). Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student.

All penalties must be within the authority or purview of the involved unit. For example, an instructor may impose a penalty of failure in a course where cheating is involved, but the instructor may not dismiss the student from the program.

A student accused of alleged academic misconduct, or involved in the appeals process for alleged academic misconduct, will not be allowed to withdraw from a class (es) related to the charge of academic misconduct until the charges, penalties and/or appeals have been resolved through due process as described below. The student must be allowed to remain in or complete the class (es) until the case is resolved. The student may not withdraw from a class (es) in which a penalty is sustained (either by the student accepting the penalty or by an academic standards committee decision) for academic misconduct.

The three levels of misconduct consideration in this Policy are as follows:

Level I - Cases Limited to a Specific Class and/or Instructor

- When an instructor discovers an act of academic misconduct, the student involved shall be informed verbally or in writing of the alleged violation.
- If the instructor decides to impose a penalty, the instructor shall prepare a dated, written statement describing the alleged violation and the recommended penalty, along with a copy of the Student Academic Conduct Policy. The instructor shall either mail the statement, with attachment, by U.S. mail with Return Receipt Requested, or hand deliver the statement, with attachment, to the student and ask the student to sign for receipt of the statement. A copy of the written statement will be submitted to the department chair. The instructor will also request that the department chairperson immediately notify the registrar to block the student from withdrawing from the course. At any point in the process in which it is determined that the student is innocent of the charge of academic misconduct, the block will be removed.
- The student normally has five (5) class days from receipt of the written notification to submit a written response to the instructor. Failure of the student to respond in a timely manner (not to exceed ten (10) class days from receipt of the notification) will be considered as either subversion of the process, or agreement with the misconduct charge and acceptance of the imposed penalty. This information will be communicated as follows: The instructor will inform the student in writing of the penalty. If the student responds with denial of the charge, the department chair will be notified and a hearing shall be arranged. If the student does not respond in writing with denial of the charge, the instructor will submit a report of the penalty using the Standard Form: Academic Misconduct Penalty Record (AMPR) to the departmental chair who will in turn forward it through the dean of the college to the SVPAA.
- At any stage in the Level I process, the department chair or the Departmental Academic Standards Committee may decide that the alleged misconduct is of such a serious nature as to warrant inquiry beyond the Level I proceeding and to refer the case to the College Academic Standards Committee (Level II) for disposition.
- **Hearing** - Upon receipt of the written denial of charges, the following procedure applies (in the event the department chair is the accuser, the college dean shall perform the functions ascribed below to the chair):

The department chair shall notify the Departmental Academic Standards Committee to begin a hearing within ten (10) class days of the notification.

The hearing shall be conducted in the presence of the involved student and faculty member. The student and faculty member shall have opportunities to present all relevant information and witnesses before the Committee.

At the conclusion of the hearing, the Committee shall convene to review the evidence and decide whether or not the charge of academic misconduct is sustained. If the charge is sustained, the Committee may affirm the instructor's recommended penalty or may replace it with a lesser penalty, including no penalty. If the charge is not sustained, the Committee shall dismiss the

charge. If the Committee dismisses the charge, the departmental chairperson is responsible for taking necessary steps for removing any blocks on registration. The Committee's decision shall be submitted in writing to the department chair no more than five (5) class days after the conclusion of the hearing. The department chair shall provide the student with written notification within five (5) class days of receipt of the Committee's decision. The written notification will inform the student that if it is determined that previous incident(s) of academic misconduct have occurred that an additional or higher level charge may be brought. If the student does not file an appeal, the department chairperson will submit a report of the penalty (if any) using the Standard Form: Academic Misconduct Penalty Record (AMPR) through the Dean to the SVPAA.

- **Appeal** – Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student. If the student wishes to appeal the decision of the Departmental Academic Standards Committee, a written request for appeal must be filed with the dean of the college in which the class is taught within five (5) class days of receipt of the written notification from the department chair. The dean shall notify the College Academic Standards Committee of the College of the student's academic program or major in writing to begin a review within ten (10) class days of receipt of notification. The Committee will first determine if grounds exist for an appeal. If there is a decision to hear the appeal, the review shall be based upon the record developed in the hearing process, and the Committee may interview case principals as it deems appropriate. At the conclusion of the review, the Committee shall convene to review the evidence and determine whether or not the charge of academic misconduct is sustained or dismissed. In cases where the Committee sustains the charges, the Committee may affirm or reduce the previously imposed penalty. The Committee shall submit its decision to the dean in writing within five (5) class days of receipt of the conclusion of the hearing. The dean shall provide written notification of the Committee's decision to the student within five (5) class days of receipt of notification from the Committee. The decision of the College Academic Standards Committee shall be final. The dean will submit a report of any penalty imposed using the Standard Form: Academic Misconduct Penalty Record (AMPR) to the SVPAA. The dean is also responsible for removing or continuing registration holds as appropriate.

Level II - Cases Involving Action by a College or School

If the alleged academic misconduct is beyond the scope of a specific class and/or instructor, or is of such a serious nature as to warrant review of continued participation in an academic program, the procedures shall be as described below. Note that dismissal from a college or school for reasons of academic misconduct will result in permanent dismissal from the University. Because of the possible severity of the penalty, all allegations of academic misconduct at this level are heard by the College Academic Standards Committee of the College of the student's academic program or major, and the penalty will be determined by that Committee if the allegations are sustained.

- The instructor, department chair, or other involved party shall forward a written notification of the alleged violation(s) with evidence to the academic dean or equivalent administrator of the academic program or major of the student involved. A copy of the written notification will be given to the student.
- The college dean shall notify the College Academic Standards Committee in writing of the allegations, transmit any evidence to the Committee, and instruct the Committee to begin the hearing process within ten (10) class days of the notification (in the event that the college dean is

the accuser, the college assistant/associate dean or person appointed by the SVPAA shall perform the functions ascribed below to the dean).

- The hearing shall be conducted in the presence of the involved student, faculty member, and/or administrator, and witnesses. The student and faculty/ administrator(s) shall have opportunities to present all relevant information and witnesses.
- At the conclusion of the hearing, the Committee shall convene to review the evidence and determine whether or not the charge of academic misconduct is sustained. The Committee, in its best judgment, may sustain or dismiss the charges. In cases in which the Committee sustains the charges, the Committee may impose a penalty, including suspension from the University or permanent dismissal from the University. The Committee shall submit its decision to the dean in writing within five (5) class days of the conclusion of the hearing. The dean shall provide written notification of the Committee's decision to the student within five (5) class days of the receipt of notification from the Committee and the following actions shall be taken:
 1. If the Committee's decision is to dismiss the charges, the Dean is responsible for removing the registration blocks on the student, or
 2. If the Committee's decision is to sustain the charges, and if the case is not appealed,
 - a. The Chair of the College Committee on Academic Standard will submit a report to the SVPAA through the College Dean of the penalty imposed, if any, using the Standard Form: Academic Misconduct Penalty Record (AMPR), and
 - b. The Dean is responsible for notifying the Registrar to remove or continue registration blocks, and/or to take necessary actions such as suspension or dismissal as appropriate.
- **Appeal** – Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student. If the student wishes to appeal the decision of the Committee, a written request for appeal must be filed with the office of the SVPAA within five (5) class days of receipt of the written notification to the dean. The SVPAA shall notify the University Academic Standards Committee in writing to begin a review within ten (10) class days of receipt of notification. The Committee will first determine if grounds exist for an appeal based upon its review of the record developed in the hearing process. If there is a decision to hear the appeal, the appeal shall be based upon the record developed in the hearing process, and the Committee may interview case principals as it deems appropriate. At the conclusion of the hearing, the Committee shall review the evidence and determine whether or not the charge of academic misconduct is sustained or dismissed. In cases where the Committee sustains the charges, the Committee may sustain or reduce the previously imposed penalty. The Committee shall submit its decision to the SVPAA in writing within five (5) class days of receipt after the conclusion of the hearing. The decision of the University Academic Standards Committee related to the appeal shall be final. Also, at the conclusion of the appeal process, the Chair of the University Standards Committee will submit a report of the penalty imposed, if any, to the SVPAA using the Standard Form: Academic Misconduct Penalty Record (AMPR). The SVPAA shall provide written notification of the Committee's decision to the student within five (5) class days of receipt of notification from the Committee, and as appropriate, the written notification to the student will include notification of additional charges if previous incident(s) of academic misconduct have

occurred as indicated in the SVPAA review of the Academic Misconduct Penalty Record. The SVPAA will be responsible for informing the Registrar to remove or continue registration blocks on the student, and for taking necessary action(s) such as suspension or dismissal, as appropriate.

Level III - Cases Involving Action Beyond a College or School

If the academic misconduct warrants inquiry beyond a college or school, the procedure shall be as follows:

- The department, academic unit, or other party shall submit a written notification and statement of allegations to the SVPAA. A copy of the notification/statement of allegations shall be sent to the student.
- The SVPAA shall notify the University Academic Standards Committee in writing of the allegations, transmit any evidence to the Committee, and instruct the Committee to hold a review within ten (10) class days of the notification.
- The hearing shall be conducted in the presence of the student, witnesses, and other involved parties. All parties shall have opportunities to present all relevant information and witnesses.
- At the conclusion of the hearing, the Committee shall convene to review the evidence and determine whether or not the charge of academic misconduct is sustained or dismissed. For cases in which the Committee recommends a penalty, the penalty may range up to and including dismissal from the university. The Committee shall submit its decision in writing to the SVPAA within five (5) class days of the conclusion of the hearing. The SVPAA shall provide written notification of the Committee's decision to the student within five (5) class days after receipt of notification from the Committee.
- **Appeal** – Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student. If the student wishes to appeal the decision of the Committee, a written request for appeal must be submitted to the SVPAA within five (5) class days of the decision notification. The SVPAA will first determine if grounds exist for an appeal. If there is a decision to consider the appeal, the SVPAA shall conduct the appeal review beginning within ten (10) class days of receipt of the request. The review shall be based upon the study of the record developed through the hearing process. The SVPAA may interview case principals and conduct other reviews as deemed appropriate. The SVPAA shall notify the student promptly in writing of his/her decision. The decision of the SVPAA shall be final.

At the conclusion of the Level III process, including appeal, if any, the SVPAA will report the penalty imposed, if any, using the Standard Form: Academic Misconduct Penalty Record (AMPR). If previous incidents of academic misconduct have occurred, the Chair of the University Academic Standards Committee will convene the committee to determine if a more severe penalty is warranted. The SVPAA is responsible for notification of the Registrar to remove or continue registration blocks, and/or to take necessary actions such as suspension or dismissal, as appropriate.

8.3 Personnel Policy for Student Employees

The basic guidelines for student employees are:

1. As hourly employees, student assistants must be paid only for hours actually worked.
2. Student assistants are limited to a 20-hour week or up to 300 hours per semester.
3. The hourly pay rate should not normally exceed minimum wage by more than \$2.15 per hour.
4. Student assistants must be enrolled at least half-time, be a degree seeking student, and be at least 18 years of age.
5. Student assistants must meet Department of Labor and INS rules.
6. University policy and State laws regarding nepotism must be followed.
7. Any modification or deviation from these guidelines must be approved by the Assistant Vice President for Enrollment Services.
8. This policy must be reviewed with the student at the time of employment.
9. Student assistants may work (maximum 40/hour week) and not be enrolled for one semester each academic year (Fall-Summer).
10. Student assistants who are working and not enrolled at the University are not eligible to utilize the Student Health Services and are not exempt from FICA.
11. Students enrolled less than full-time are subject to FICA taxes.

(See Student *Lowdown* for entire policy.)

8.4 Student Health Center

The Student Health Center (SHC) located in the Health Services Building provides ambulatory care services by appointment to all students actively enrolled in the University. SHC is staffed Monday through Friday from 8:00 a.m. until 4:00 p.m. when school is in session. Routine lab work and supplies may be provided at a minimum charge with payment due at the time services are provided. A nurse is on call for urgent problems arising after regular hours and can be reached by calling the Student Health Center.

NOTE - Most of the student and academic policies in this handbook apply to undergraduate and graduate students. College of Medicine students enroll under policies/procedures contained in the student handbook.

8.5 Student Computer Use Policy

The University of South Alabama provides student access to computer resources through the email systems, Jaguar I systems, web servers, and departmental labs located throughout campus. Students using these resources must adhere to all policies of the University of South Alabama, as well as the Alabama Research and Education Network, regarding the use of computers and computer networks.

Lab privileges can be denied to anyone using University equipment for illegal or unethical purposes. Any illegal behavior observed in the labs will be reported to appropriate University officials or law enforcement agencies. Anyone using the lab computers in this way, or any other generally inconsiderate manner, will be subject to appropriate disciplinary action. Such behaviors/activities include, but are not necessarily limited to, the following:

1. Illegal Activity

- **Uploading or downloading copyrighted material**, violating the intellectual property rights of others, or illegally sharing trade secrets. (Please note that MP3 and other music files frequently fall into this category.) Accessing, downloading, or printing out articles solely for educational and research purposes, however, may be permissible under the fair use clause of the Copyright Law. See the **University of South Alabama Software Policy** for more specific guidelines on using copyrighted software.
- **Illegally sharing computer software** via Internet, the local network, personal disks or any other media.
- **Copying or transmitting material contained in copyrighted databases** such as Infotrac, without permission from the source.
- **Buying or selling weapons or illegal substances** via computer network.
- **Threatening or “stalking”** others via computer network.
- **Knowingly replicating or transmitting computer viruses**, or otherwise deliberately damaging the systems or files of other people.

2. Strictly Prohibited Behaviors/Activities

- **Trafficking in pornography** of any kind via computer network. Please note that *redistribution* of pornography, even through web page links, is often illegal.
- **Activity that violates state or federal law**. This may include viewing, downloading, posting, printing or sending pornography, or other sexually explicit, profane, obscene, hostile, or blatantly offensive and intimidating material, including hate speech, threats, harassing communications (as defined by law), or information that violates any state or federal laws.
- **“Spam”**, the practice of indiscriminately sending unsolicited email (e.g., commercial advertisements, chain mail, pornographic materials, political lobbying, hate speech, racial diatribes, and religious proselytizing) to persons who have not indicated interest in receiving

such materials.

- **“Hacking” or “Cracking”,** i.e., deliberately invading the privacy of others by attempting to gain unauthorized access to any account or system.
- **Obtaining/distributing confidential information.** Deliberately and inappropriately observing, recording, accessing, using or transmitting passwords, account numbers, email addresses, phone numbers or credit card numbers belonging to other people is prohibited.
- **Downloading executable programs,** which might interject computer viruses into lab computers, is generally prohibited. Further guidance with regard to safe sites and appropriate downloads should be sought from the lab facilitator. (The University takes no responsibility for damage to your work or your own equipment resulting from viruses or files you might download via the Internet.)
- **Using University equipment, including the University’s Internet lines, servers or web pages, for commercial gain.**
- **Unauthorized wiring, altering or damaging of University-owned computer equipment,** including hardware and software.
- **Tampering** with lab machine settings.

3. Considerate Use

- **“Surfing the Net”** on lab machines for academic enrichment is permitted; however, precedence is always given to students needing access for assigned course work. Classes in the lab with a faculty member also have precedence. Otherwise, lab access is allocated on a first-come basis. Individuals who have been on a computer for more than two hours should yield if others are waiting.
- In consideration of other network users, students should **limit bandwidth-intensive activities** (e.g., playing or downloading games, music, video) to those required by their curriculum.

4. Violations/Consequences

In addition to all guidelines in the policies stated here, all USA students are subject to the rules outlined in the **Code of Student Conduct** and the **Student Academic Conduct Policy**, which are both published in the *The Lowdown*. Violations of any University computer policies incur the same types of disciplinary measures as other University policies or state or federal laws (up to and including criminal prosecution).

5. Additional Guidelines for Students

- **Sexually Explicit Material:** All students are expected to effectively discriminate between professional and unprofessional portrayals or nudity and sexuality. This is an important aspect of professional judgment in many fields of study. Dealing with nudity, the examination of the human body and the full range of human sexuality are relevant and appropriate to those in medical and other professions. A number of Internet sites (e.g., The National Library of

Medicine and NIH) portray some such materials. Individuals working in medical school and nursing labs should expect to occasionally encounter nudity and professional portrayals of sexually explicit material.

- **Appropriate Activity:** While the full range of free speech is supported and encouraged, USA students should always be mindful of the fact that the computer labs are located in public areas. Materials on screens visible to others working in the lab, materials that are deliberately or inadvertently left behind on the hard drive, and materials posted to the Internet from this lab should reflect well on the professionalism of our programs. Imposing exposure to inappropriate sexual materials upon student or faculty colleagues working nearby (or using the lab at a later time) might be construed as sexual harassment. Those in doubt about appropriate activity should seek faculty advice.
- **Confidentiality:** Confidentiality is another issue affecting students using the labs. Under no circumstances should students leave, post or transmit confidential material such as research data, case reports or private notes about patients (or case studies) on these computers. The University takes no responsibility for student work left on lab machines, even if the lab facilitator gave permission for it to be on the machine. Any such work may, at any time, be erased accidentally or in routine clean-up activities. Students should not leave private work or communications on these computers, nor should they read any private information accidentally left by others. No material should be left on these computers without permission from the lab facilitator.
- **Reliability of Information:** Students should remember that material on the Internet may or may not be accurate and reliable. It is critical that any information found on the Internet is carefully evaluated, especially with regard to pharmacology and health information.



9.0 BUSINESS POLICIES

9.1 Travel Regulations

The University will reimburse employees who travel on authorized University business for in-state travel expenses according to the Alabama in-state travel law (Act #36-7-20). The University will reimburse employees who travel on authorized University business for actual and necessary expenses for out-of-state travel in accordance with the provisions of the Alabama out-of-state travel law (Act #36-7-21). Within the provisions of this law, the University limits meal expenses for out-of-state travel. Expenses not allowed for reimbursement include: valet services, laundry, alcoholic beverages, passports, etc. (not all inclusive).

Requests for authorization to travel should be submitted on official forms prior to travel. Foreign travel must be approved by the appropriate administrators and the President. Upon completion of the travel, all required receipts should be filed with the travel expense form to request reimbursement, including official airline ticket stubs.

9.2 Entertainment Regulations

Since many business and professional discussions, negotiations, and transactions take place during periods of entertainment, the University recognizes that business entertainment is important to its operation. By definition, business entertainment involves those expenses incurred in extending reasonable hospitality to University guests. No entertainment shall be incurred that is contrary to the State statutes and regulations.

9.2.1 General Guidelines

1. The principal character or purpose of the entertainment occasion must be University business. Direct benefit to the University should result from entertainment expenditures.
2. Entertainment expenditures must be reasonable and documented on a basis that will show the following information (wherever possible):
 - Identification of the person/group being entertained, and of the University personnel who officially represented the University; if a small group is being entertained, the names of all persons attending should be shown; for the larger groups, only the name/names of the honored guest(s) should be indicated along with the number of persons attending. In all cases official University representatives should be listed.
 - A brief statement as to the reason or the purpose of the entertainment and/or benefit to be gained by the University.
 - The place of entertainment.
 - Itemized receipts or invoices for entertainment are required. (Alcohol expense is not reimbursed.)

Entertainment may be authorized for the following categories if funds are available:

- **Prospective Faculty and Staff**
The University is recruiting in a highly competitive market for top faculty and staff. The University policy is to invite prospective faculty (or staff) to visit the campus as approved through administrative channels. Both prospect and spouse may be invited with **prior approval**, if deemed advantageous. Entertainment, on a reasonable basis, associated with a recruitment visit is recognized as a proper expenditure.
- **Official Guests of the University (or any of its divisions)**
Entertainment of guests is appropriate and is usually undertaken by administrative officials, deans, department heads, or designated faculty members, or by other individuals designated by administrative officials. However, the University will not reimburse guests for travel and related expenses except those traveling to the University on specific invitation previously approved.
- **Groups Attending Conferences, Workshops, Meetings, and Seminars**
Many conferences and workshops conducted by the University are supported by registration fees. In these instances all expenses will be covered including those for entertainment since no funding is required from University funds.

No entertainment expenses shall be incurred that are contrary to State statutes and applicable regulations. **Expenditures for alcoholic beverages, civic and other club dues, and lobbying efforts are specifically prohibited.** This does not preclude extending courtesies to legislators when they are on campus as guests of the institution. However, under no circumstances shall courtesy expenditures be made for legislators in Montgomery when the Legislature is in session.

9.3 **Purchasing Procedures**

The Purchasing Department is responsible for procuring all supplies, equipment, and services for the University. All purchases must be via purchase order or University Purchasing Card. To obtain a purchase order, it is necessary to generate a requisition to the Purchasing Department. Upon receipt of the requisition, the Purchasing Department prepares and mails the appropriate purchase order.

The USA Purchasing Card (USAPC) is available to all permanent faculty and staff with department head approval. The USAPC was established to streamline purchasing procedures for small dollar items less than \$1500.00. For more information contact Accounts Payable.

The Purchasing Department is also responsible for enforcing the State Bid Law. University policy requires all items of \$5,000 or more to be put out for public bid. It also provides that contracts for purchase of property or personal services shall be let for periods not greater than ten years.

Departments are encouraged to use the University Bookstore whenever possible rather than outside services for the purchase of supplies and other inventory items.

9.4 Campus Solicitation

The University campus offices are open to book sales and publishing representatives. Other solicitations must have prior approval of the appropriate University official.



10.0 APPENDICES

10.1 Mission/Philosophy of the Athletic Department

The mission of the Athletic Department of the University of South Alabama is to complement and supplement the total educational program of the institution. The Athletic Department must provide learning experiences for all students and give each individual the opportunity to share in personal and group success and provide for student involvement in activities that help develop unity by encouraging common quest for all students, alumni, faculty, staff and friends of the University. The Athletic Department is committed to enriching the mental and physical capabilities of its student-athletes while developing and building a respected program that is competitive on a national level in selected sports, at the same time operating a quality program in the other sports that will create a basis for pride among the varied constituencies of the University.

10.2 Bylaws of the Faculty Organization of the College of Medicine

Article I: Name

The names of the bodies constituted in this document shall be the Faculty Assembly and the Executive Council of The University of South Alabama College of Medicine, Mobile, Alabama.

Article II: Academic Affairs

It shall be the purpose and objective of the Assembly and the Executive Council to achieve and maintain levels of excellence in all aspects of medical education, research, and health service at the University of South Alabama College of Medicine. The Executive Council shall act as the principle policy-making and governing body of the medical school subject to the Rules and Regulations of the Board of Trustees of the University of South Alabama. The dean, as the administrative officer, is responsible for approval of and implementation of all policy decisions. The Assembly and the Executive Council shall, in accordance with the powers delegated to the faculty by the Board of Trustees of the University of South Alabama, be responsible for:

- all matters pertaining to the curriculum and academic achievements and deficiencies;
- the promotion of studies and approval of candidates for certification for graduation;
- the establishment and maintenance of the optimum environment and opportunities for faculty development; and
- the admission process; admission to the College of medicine is under the direction of the Committee on Admissions; this committee is considered to be an action committee charged with developing guidelines for admission based upon policies established by the Board of Trustees.

Section I. Administrative Affairs

The members of the Executive Council shall exhibit an active interest in the progress and future of the medical school and shall be responsible for active participation in major planning for the College of medicine and the campus as a whole. They shall accept responsibility for performing those functions essential to the maintenance and conduct of programs of excellence in all activities of the school. Therefore, within the limitations of the Rules and Regulations of the Board of Trustees of the University of South Alabama they must:

- be consulted by the dean on general administrative affairs of the medical school and on matters pertaining to the future development of the University of South Alabama College of Medicine;
- serve on school committees and accept other responsibilities as deemed necessary and appropriate; and
- have the privilege of reviewing (and challenging) the functions of all administrative services within the institution that affect directly the teaching, research, and service activities of the medical faculty.

Section II. Student Affairs

Since the medical school exists primarily as an education endeavor, the members of the Assembly and the Executive Council shall exhibit an active interest in student affairs.

1. The Assembly and Executive Council have responsibilities to establish and to maintain high standards of ethical, moral, and personal conduct by the student body.
2. Insofar as practical, and within the rules and regulations of the University and pertinent laws, the conduct and regulation of student activities, other than those relating to academic matters, shall be controlled by the students acting through their own established organization constitution and rules.
3. Consideration shall be given to appropriate student representation on committees and in various functions as defined by the faculty bodies.

Article III: Membership

Section I. Medical Faculty Assembly

The Assembly shall consist of all members of the active faculty of the Medical College holding the rank of Professor, Associate Professor, Assistant Professor and Instructor. Each member shall have one vote.

Section II. Council

The Executive Council shall consist of the dean, the associate deans, not to exceed three in number, all chairs of academic departments of the Medical College and three at-large members elected by the faculty assembly for a term of three years, each with one vote. Any voting member may send a departmental representative to vote in his/her absence. The assistant deans, the Administrator of the USA Hospitals and Clinics, the Director of the Graduate Program, the President of the Health Services Foundation, and the Chair of the Assembly shall be ex-officio members of the Council. Unless otherwise entitled, they may not vote or second motion.

Article IV: Officers

Section I. Executive Council and Faculty Assembly

1. Chair

The dean shall chair all sessions of the Executive Council. The Faculty Assembly shall elect its own chair as described under Article VIII and this person shall chair all its sessions.

2. Vice-Chair
 - There shall be a Vice-Chair of the Executive Council to be elected annually by the Executive Committee from its membership according to the rules of Article VIII.
 - There shall be a Vice-Chair of the Assembly to be elected annually by the Assembly from the membership according to the rules of Article VIII. It shall be the duty of that person to preside over meetings of the Assembly in the absence of the chair.
3. Secretary
 - There shall be a Secretary of the Executive Council to be elected annually by the Council from its membership according to the rules of Article VIII. It shall be the duty of that person to keep minutes of the meetings of the Assembly and to distribute notices of meetings and all necessary information for the Council to do its business.
 - There shall be a Secretary of the Assembly to be elected annually by the Assembly from its membership according to the rules of Article VIII. It shall be the duty of that person to keep minutes of the meetings of the Assembly and to distribute notice of meetings and all necessary information for the Assembly to do its business.

Article V: Committees

There shall be a Committee on Committees composed of a chair and four other members of the Assembly to be elected annually from its membership at the June meeting. Elected members of that committee shall serve two-year staggered terms. At no time shall there be more than one representative from a department on this committee. The function of this committee shall be to advise and consult with the dean on the membership of committees reporting to the dean as outlined in Section II. The dean will appoint members to the latter individual committees.

Section I. Standing Committees

1. There shall be the following standing action committees of the College of Medicine as described in Article V, Section I:

- Bear Committee
- Biomedical Library Advisory Committee
- Cancer Coordinating Committee (JOINT)
- Committee on Admissions
- Committee on Committees
- Committee on Standards in the Conduct of Research
- Continuing Medical Education Committee
- Curriculum Committee
- Distinguished Scientists Seminar Program Committee
- Executive Council
- Faculty Assembly
- Faculty Committee on Appointments, Promotions, and Evaluations
- Graduate Medical Education
- Institutional Animal Care and Use Committee
- Institutional Biosafety Committee
- Institutional Review Board

- Minority Affairs Advisory Committee
 - Patent Committee, College of Medicine
 - Radiation Safety Committee
 - Research Advisory Committee
 - Rostov - USA Medical Exchange Committee
 - Student Promotions and Evaluation Committee
 - Student Research Committee
 - University Faculty Grievance Committee
 - University Faculty Senate (Elected Representatives)
 - University Graduate Council
 - University Committee Assignments (COM Representatives)
2. There shall be representation on standing committees of the University.
 - Biohazards Committee
 - Radiation Safety Committee
 3. There shall be representation of the Faculty Senate of the University as specified by that body elected by the Assembly for three year terms.

Section II. Committee Membership

1. The members of the standing committees shall be appointed as described in Article V, Section I. Committee membership is restricted to members of the Assembly, regularly enrolled medical students and, in special cases, others who may be invited to serve.
2. The term of service by voting members of standing committees generally should not exceed three years.
3. If ad hoc committees are created, appointment shall be by the dean. The committees shall not exist beyond the academic year in which appointed unless specifically appointed for a longer period.
4. Committee chairs, on request, shall submit a written report to the chair of the Assembly.

Article VI: Jurisdiction

Section I. Jurisdiction

The Executive Council and the Assembly shall consider all matters that affect directly or indirectly the ability of the faculty to carry out their program of teaching, research, and patient care in the medical school. The Executive Council shall consider any matters referred to it by the Assembly, the dean and Vice President for Medical Affairs, the President or the Board of Trustees. It may submit recommendations on any matters affecting the interests of the medical school to the dean for action or transmittal to the President and the Board of Trustees.

Section II. Protests of Executive Council Action

After each monthly report of the Executive Council, members of the Assembly may submit individually signed protests concerning Council action. If such protests concerning any given item are received from at least twenty (20) percent of the Assembly, the chair must present the protested

item for reconsideration by the Council at the next regularly scheduled meeting.

Section III. Repeal of Executive Committee

In the event the protests of Council action by the members of the Assembly have lead to a reconsideration of the action by the Committee and in the event that further protests are made by fifty (50) percent or more members of the Assembly, the protested item must be presented by the chair at a special meeting of the Assembly. In this special case, it shall be the prerogative of the Assembly to affirm, modify, or rescind the previous Council action by a three-fourths vote of the entire Assembly membership.

Article VII: Meetings

Section I. Regular Meetings

1. A regular meeting of the Executive Council ordinarily will be held monthly. Council members may submit items for the agenda up to three days prior to the next meetings.
2. A regular meeting of the Assembly should be held twice yearly, fall and spring. Written notice with the agenda of the meeting of the Assembly shall be sent to the membership by the chair one week in advance of the meeting. Assembly members may submit items for the agenda up to two weeks prior to the meeting of the Assembly.

Section II. Special Meetings

1. A special meeting of the Executive Council may be called by the chair, or upon request in writing from four members of the Council of twenty-five percent of the Assembly. Written notice and agenda will be consistent with the urgency of the problem.
2. A special meeting of the Assembly shall be called:
 - at the discretion of the Executive Council
 - upon request from the dean
 - upon request of ten percent or more members of the Assembly

Written notice of such special meetings with agenda shall be sent to all members one week in advance of the meeting.

Section III. Quorum

A majority of the voting membership of the Executive Council shall constitute a quorum for the transaction of its business. Twenty-five percent of the listed membership of the Faculty Assembly shall constitute a quorum for the transaction of its business.

Section IV. Rules of Procedure

Robert's Rules of Order-Revised shall govern the conduct of all meetings. The secretary shall act as a Parliamentarian.

Section V. Records and Reports

A full set of minutes of each meeting of the Executive Council and Assembly shall be recorded and a copy sent to the dean of the medical school for permanent filing. A copy of the minutes of a meeting shall be made available to any Assembly member upon request.

Article VIII: Elections of Faculty Assembly Officers

The faculty Assembly officers (President, Vice President, and Secretary) shall be elected at the fall meeting for one-year terms (September 1 to August 31). A list of candidates will be formed by: nominating petition signed by five assembly members; nominations from the floor.

Election to office will require a majority of the members present and voting. Voting will be by secret ballot.

Article IX: Revision of the Bylaws

Revision of the bylaws shall require agreement by two-thirds majority of the entire Assembly

10.3 Bylaws of the Graduate Program in Basic Medical Sciences

Preamble

The faculty of the University of South Alabama Graduate Program in Basic Medical Sciences has adopted the following Bylaws to assist it in the orderly conduct of its affairs and to facilitate the performance of its duties and obligations in accordance with the policies of the Board of Trustees of the University of South Alabama.

These Bylaws and any amendments thereto are subject to the approval of the Graduate Faculty and Dean of the College of Medicine with the concurrence of the Dean of the Graduate School, the President of the University, and the Board of Trustees of the University of South Alabama.

Article I: Name, Object, and Purpose

Section I. Name

The name of the body shall be the Graduate Faculty of the University of South Alabama Graduate Program in Basic Medical Sciences.

Section II. Academic Affairs

The Graduate Faculty shall conduct and supervise graduate instruction in the basic medical sciences. To satisfy this obligation, both to the individual student and to the people of Alabama, it shall be the responsibility and the prerogative of the Graduate Faculty within the limitations set by the policies of the Board of Trustees of the University of South Alabama to make recommendations to the Dean of the Graduate School with regard to the following:

- the curriculum and the standards of acceptable academic performance within the Graduate Program in Basic Medical Sciences;
- standards for admission and admission of students to the Graduate Program in Basic Medical Sciences;
- standards for graduate instruction;
- measures to be taken in cases of academic deficiencies and/or failure.

Section III. Research

The Graduate Faculty shall encourage, support, and engage in research and other scholarly endeavors.

Section IV. Administrative Affairs

The Graduate Faculty shall continue an active interest in the progress and future of the Graduate Program in the Basic Medical Sciences. Therefore, within the policies of the Board of Trustees of the University of South Alabama and of the Graduate School, the Graduate Faculty shall:

- serve as consultants on general administrative affairs of the Graduate Program in the Basic Medical Sciences; and
- perform those tasks auxiliary to teaching and research; for example, serve upon faculty and administrative committees, attend to administrative and disciplinary duties, and promote diligence and scholarship in the student body.

Section V. Student Affairs

The teaching obligations, duties and responsibilities of the Graduate Faculty require that it shall have the authority and power to establish and maintain standards of honesty and integrity for students in the Graduate Program in Basic Medical Sciences.

The creation or establishment of any officially recognized student organization and the promulgation by it of any rules or procedures covering the conduct of students in the Graduate Program in Basic Medical Sciences shall require the prior approval of the Associate Dean for Basic Medical Sciences, Dean of the College of Medicine, Director of the Graduate Program in Basic Medical Sciences, Dean of the Graduate School, and President of the University.

Article II: Membership and Appointments

Section I. Membership

Membership in the graduate faculty requires that the applicant: 1) hold the rank of Assistant Professor or higher in a Basic Sciences department as a primary or joint appointment; 2) be actively engaged in research and teaching; and 3) meet all the general requirements of the Graduate School of the University of South Alabama.

Membership can be sought by an application sent to the Associate Dean of Basic Medical Sciences. The application form of the Graduate School should be completed with the addition of the following:

1. a written statement by the applicant expressing a desire to participate in the Graduate Program in Basic Medical Sciences;
2. an up-to-date curriculum vitae;
3. a supporting statement from the applicant's department chair.

Applications will be presented to the Graduate Executive Committee by the individual's department chair. A positive recommendation to the Graduate Dean for membership requires an affirmative vote by two thirds of the voting members of the Graduate Executive Committee. The President of the University is the appointing authority for Graduate Faculty membership. Once every five years, the membership of the graduate faculty will be reviewed by the Graduate Executive Committee. Retention in the graduate faculty will require continued demonstration of an active research program and graduate level teaching. A two-thirds affirmative vote of the Graduate Executive Committee is required for a positive recommendation to the Graduate Dean for continued membership in the graduate faculty. Appeal of the committees action can be made to the Associate Dean for Basic Medical Sciences within 15 days of the decision.

Section II. Appointments

Appointments in the Graduate Program in Basic Medical Sciences will be at the same rank as the one held by a member in the department of their qualifying academic appointment. A faculty member who is appointed to the Graduate Faculty does not acquire tenure in such appointment.

Section III. Rights of Members

Associate and Full Members of the graduate faculty shall be entitled to:

1. conduct either didactic or informally structured approved course work for graduate credit;
2. serve on dissertation committees;
3. serve as a dissertation advisor (Full Members only);
4. vote upon all business brought before the graduate faculty;
5. hold office and sit upon all standing and special committees of the Graduate Faculty;
6. serve on Graduate Council (Full Members only).

Section IV. Director of the Graduate Program in the Basic Medical Sciences

The Director of the Graduate Program is under the administrative authority of the Associate Dean for Basic Medical Sciences. The Director shall coordinate the general administration of the Basic Medical Sciences Graduate Program. Important roles of the Director are to assist the departments in recruitment and to instruct the students in their understanding of didactic tracks offered by Basic Science Departments. The Director should work closely with, and support the Basic Science Departments and Associate Dean in these endeavors.

Article III: The Administration of the Graduate Program in the Basic Medical Sciences

Section I. General

Administration of the Graduate Program in Basic Medical Sciences, insofar as it concerns the Graduate Faculty, shall be conducted by the Director of the Graduate Program. The Dean of the Graduate School of the University of South Alabama has general responsibilities for the direction of all graduate programs and, subject to approval by the President and the Board of Trustees, is the ultimate authority in their administration.

Section II. Director of the Graduate Program in Basic Medical Sciences

The Director of the Graduate Program shall be the Chair of the Graduate Faculty. The Associate Dean for Basic Medical Sciences may appoint a temporary Chair of the Graduate Faculty to serve during the absence of the permanent chair. The Director is a member of the Graduate Faculty and is ex officio, a member of all Standing and Special Committees.

Section III. Secretary

The Secretary of the Graduate Faculty shall be elected by the Graduate Faculty.

Section IV. Parliamentarian

A Parliamentarian shall be elected by the Graduate Faculty.

Article IV: Committees of the Graduate Faculty

Section I. General

The Director of the Graduate Program in Basic Medical Sciences shall appoint all committees except those which are to be elected by the Graduate Faculty or constituted in a particular manner as prescribed in these Bylaws.

Minutes shall be kept of all Standing Committee meetings to assist in preparation of the reports of the committee, but need not be circulated outside of the committee. The official report of a committee shall be adopted by a majority vote of the committee and presented at a regular meeting of the Graduate Faculty of the Basic Medical Sciences.

Section II. Standing Committees

1. **Graduate Executive Committee** - The faculty of the Graduate Program in the Basic Medical Sciences will exercise its legislative, planning and development functions through the Graduate Executive Committee. The Executive Committee is composed of each Basic Science Chair or their designee, and two at large members from the Graduate Faculty. The at large members will be elected at the Annual Meeting of the Graduate Faculty, and will serve staggered two-year terms. The Director of the Graduate Program in Basic Medical Sciences, the Associate Dean for Basic Medical Sciences and the Dean of the Graduate School will be non-voting ex officio members. Representatives from other components of the College of Medicine and the University may be invited to serve as nonvoting liaison members to the Executive Committee. The Director of the Graduate Program will chair the meetings of the Graduate Executive Committee.

The Executive Committee shall:

- meet regularly during the year at the meetings of the Basic Medical Science chairs, at the call of the Director of Graduate Studies, or on written petition of any three members;
 - formulate the general academic policies of the Graduate Program;
 - approve proposed areas of concentration within graduate programs, new graduate courses, modification of graduate curriculum, and all matters not designated to other standing or special committees of the Graduate Program;
 - approve applications for membership in the Graduate Faculty, and review all memberships every five years as described in Article II Section I of this document.
2. **Graduate Admissions Committee** - The committee shall be composed of one representative member appointed from within each Basic Science department. The Graduate Admissions Committee is authorized to recommend to the Graduate Dean the admission of students for the Ph.D. program subsequent to the applicant's approval by the department to which the student has applied. Non-affiliated applicants will be recommended to the Graduate Dean for admission by this committee with or without departmental consultation.
 3. **Other Standing Committees** - Additional Standing Committees may be created by the Graduate Faculty, or the Director of Graduate Studies, and shall function under the rules outlined in Section I of this Article.

Article V: Meetings, Rules, and Procedures

Section I. Regular Meetings

The Graduate Faculty shall meet a minimum of once per year at its Annual Meeting, to conduct the regular business of the Graduate Faculty.

Section II. Special Meetings

Special Meetings of the Graduate Faculty may be called by the written petition of twenty-five (25) Members of the Graduate Faculty. Every effort shall be made to send out a printed notice of the said meeting to the Graduate Faculty not less than one week in advance of the date of said Special meeting.

Section III. Rules of Order

All Regular, Special, and Committee meetings of the Graduate Faculty in the Basic Medical Sciences shall be conducted in accordance with *Roberts Rules of Order, Newly Revised* except as otherwise provided for in these Bylaws.

Section IV. Order of Business

At the Regular meetings of the Graduate Faculty, the order of business shall be:

1. Call to Order
2. Approval of the Minutes
3. Old and Unfinished Business
4. Reports
 - Standing Committees
 - Special Committees
5. New Business
 - Matters presented by the Director of Graduate Studies
 - Matters presented by Members
 - Other Matters
 - Adjournment

Section V. Minutes

Minutes of each meeting shall be published and made available to each Member of the Graduate Faculty by the Secretary of the Faculty.

Section VI. Quorum

A quorum of the Graduate Faculty shall be one more than half of the Members of the Graduate Faculty; however, unless a Call for a quorum is made by a Member of the Graduate Faculty, any number of members may conduct the business of the Graduate Faculty at any Regular or dully called Special Meeting of the Graduate Faculty.

Article VI: Adoption of Bylaws and Amendments

Section I. Adoption of Bylaws

These Bylaws, having been published in writing not less than fifteen (15) days prior to a Regular or Special meeting of the Graduate Faculty, shall be adopted by a simple majority vote of the Graduate Faculty Members present and voting at said meeting and shall take effect upon approval by the Dean of the College of Medicine with concurrence of the Dean of the Graduate School, the President of the University and the Board of Trustees of the University of South Alabama.

Section II. Repeal of Prior Rules

Adoption and approval of these Bylaws as provided in Article VI, Section I shall repeal and set aside all prior rules and regulations that shall have governed the conduct of the business and the organization of the Graduate Faculty in the College of Medicine.

Section III. Amendments to Bylaws

These Bylaws may be amended by a two-thirds vote of the members present and voting at any Regular or Special meeting of the Graduate Faculty provided that the amendment or amendments shall have been published and circulated to the Graduate Faculty not less than fifteen (15) days prior to the meeting at which the vote is to be taken. Amendments shall take effect upon adoption by the Graduate Faculty and approval by the Dean of the College of Medicine with concurrence of the Dean of the Graduate School, the President of the University and the Board of Trustees of the University of South Alabama.

