

**FACULTY HANDBOOK**  
**ARKANSAS TECH UNIVERSITY**  
**RUSSELLVILLE CAMPUS**



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August 1, 2014  
August 20, 2015  
August 1, 2016  
August 1, 2017  
August 1, 2018  
August 1, 2019

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## ACKNOWLEDGMENT

I understand that the *Faculty Handbook* (update 2019) located at <http://www.atu.edu/academics/facultyhandbook.php> constitutes the general policies and procedures of Arkansas Tech University for the Russellville campus, and I will familiarize myself with the information therein. All policies, procedures, and guidelines are subject to review, revision, and modification during any academic year.

I will also familiarize myself with the Sexual Misconduct Policy (Pages 79-110) and the [Clery Act](https://www.atu.edu/psafe/cleryreport.php) (<https://www.atu.edu/psafe/cleryreport.php>).

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Date)

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PLEASE SIGN AND RETURN THIS FORM TO THE ACADEMIC AFFAIRS OFFICE, ROOM 200, ADMINISTRATION BUILDING. THIS SIGNED FORM WILL BE RETAINED AS PART OF YOUR PERMANENT RECORD.

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# I

## GENERAL INFORMATION

\*Arkansas Tech University was created as a district agricultural school by an act of the Arkansas General Assembly in 1909. In 1925, the General Assembly changed the name from the Second District Agricultural School to Arkansas Polytechnic College, with power to grant degrees. Changing and increased demands for college education in Arkansas caused the Board of Trustees in 1948 to convert from a junior college to a four-year, degree-granting institution. A graduate program leading to the master of education degree was established in 1976. In accordance with an act of the Arkansas General Assembly and by the authority of the State Board of Higher Education, the name of Arkansas Polytechnic College was changed to Arkansas Tech University, effective July 9, 1976. The University has had continuous accreditation in the Higher Learning Commission of the North Central Association of Colleges and Schools since 1930.

Arkansas Tech University is a multi-purpose, state-supported institution of higher education whose primary objective is to provide strong undergraduate and graduate programs and activities, especially for the students and communities in the northwest quadrant of Arkansas, which will enable its graduates to make significant contributions to the economic, social, political, and cultural development of the region, state, nation, and world and to enable each student to pursue personal, professional, and occupational goals. The University is committed to providing high quality educational programs within its five broad areas of emphasis--modern business and industry, professional education, the liberal and fine arts, the physical and life sciences, and information technology and systems. A critical adjunct purpose is the University's obligations to community service and development.

## MISSION OF THE UNIVERSITY

The present mission of Arkansas Tech University is:

Arkansas Tech University is dedicated to student success, access, and excellence as a responsive campus community providing opportunities for progressive intellectual development and civic engagement. Embracing and expanding upon its technological traditions, Tech inspires and empowers members of the community to achieve their goals while striving for the betterment of Arkansas, the nation, and the world.

In carrying out its mission, Arkansas Tech University offers programs of study leading to the associate degree, baccalaureate degree, master's degree, educational specialist degree and doctorate degree.

The present vision of Arkansas Tech University is:

Arkansas Tech University: where students succeed, innovation thrives, and communities flourish.

\*Updated 8/1/18

## ROLE AND SCOPE OF THE UNIVERSITY

Arkansas Tech University was granted a change in role and scope by the Arkansas Higher Education Coordinating Board on July 25, 2014 to allow the institution to offer doctoral programs. The role and scope reads as follows:

### **1. Audiences**

Arkansas Tech University (ATU) is responsible for serving:

- Residents of the northwest quadrant of Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

### **2. Array of Programs and Services**

ATU serves these audiences by offering:

- Certificate and associate degree programs in applied technologies, nursing and allied health.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate and masters programs in the professional fields of communications, information technology, engineering, education, nursing and allied health, and business.
- Doctoral Degrees
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

### **3. Special Features**

- Engineering programs, including an associate degree in nuclear engineering, emergency administration and management, geology, and hospitality administration.
- Arkansas Tech University-Ozark campus provides education in associate and certificate programs.

## \*MANAGEMENT AND CONTROL OF THE UNIVERSITY

Management and control of Arkansas Tech University are vested by statute in the Board of Trustees as appointed by the Governor with the concurrence of the Arkansas Senate. The central administrative leadership for the University stems from the President, who is directly responsible to the Board of Trustees, one chancellor, and five vice presidents. Two campuses are located in Russellville and Ozark, respectively. Academically, the Russellville campus is organized into seven colleges consisting of twenty-three departments. Each college is administered by a dean and each department by a head. The role of faculty in governance participation is primarily expressed through the structures of the Faculty Senate, Graduate Council, and other standing committees; the will of the student body is reflected through the Student Government Association. Diagrams on pages 10-13 reflect the University's administrative and student government organization and the committee structure for policy determination. Up-to-date organizational Charts are maintained at the following link: <http://www.atu.edu/academics/docs/organizationalcharts.pdf>

Most of the information needed by faculty members is contained in this handbook and in these publications: *Undergraduate Catalog*, *Graduate Catalog*, *Student Handbook*, and *Financial Policies*.

\*Updated 8/1/18

**A H E C B Approved Degree Programs**  
Academic Year 2019

Status	Level	Award	CIP 2010	Degree Code	Credit Hours	Distance 50% +	Program Name	Approval Date
N	01	CP	13.1401	0130	21		Teaching English to Speakers of Other Languages	1/25/2019
N	01	CP	16.0103	1802	20		Spanish for Medical Interpretation	1/25/2019
A	01	CP	11.0103	0018	12		Computer Information Technology	1/26/2012
A	01	CP	11.0401	1185	12		Mobile Applications	7/28/2017
A	01	CP	12.0500	1121	15		Culinary Arts	1/26/2012
A	01	CP	15.0399	1153	15		Drafting & Design	1/26/2012
A	01	CP	15.0399	1504	16		Industrial Control Systems	10/31/2014
A	01	CP	43.0102	1431	9		Jail Standards	10/28/2016
A	01	CP	43.0103	0500	15	100%	Law Enforcement	1/26/2012
A	01	CP	43.0399	0471	9		Dispatcher Telecommunications	10/27/2017
A	01	CP	46.0415	1471	10		Construction Technology	1/26/2012
A	01	CP	47.0604	4255	16		Automotive Service	1/26/2012
A	01	CP	48.0501	1403	17		Machinist Operations	1/30/2015
A	01	CP	48.0508	4905	15		Welding	1/26/2012
A	01	CP	51.0713	4741	15		Medical Coding	7/28/2017
A	01	CP	51.0714	4740	12		Medical Billing	7/28/2017
A	01	CP	51.0716	4719	12		Medical Transcription	1/30/2015
A	01	CP	51.0716	4720	9		Health Sciences	1/26/2012
A	01	CP	51.0805	0220	15		Pharmacy Technician	10/27/2017
A	01	CP	51.0904	0015	7		Emergency Medical Technician	8/4/2006
A	01	CP	51.1009	4788	15		Phlebotomy	7/28/2017
A	01	CP	51.3902	4750	7		Nursing Assistant	8/4/2006
A	01	CP	52.0203	3622	12		Logistics Management	7/28/2017
A	01	CP	52.0213	4898	15	100%	Professional Leadership	1/27/2017
A	01	CP	52.0401	1524	15	100%	Office Support Specialist	1/30/2015
A	01	CP	52.0803	0055	12	100%	Banking Services	10/26/2018
A	02	TC	11.0103	4445	36		Computer Information Technology	4/25/2003
A	02	TC	12.0401	4420	40		Cosmetology	4/25/2003
A	02	TC	15.0303	4645	30		Industrial Electronic Technology	7/1/1997
A	02	TC	15.0399	4504	42		Industrial Control Systems	4/28/2006
A	02	TC	43.0103	0389	36	100%	Law Enforcement	4/27/2007
A	02	TC	47.0201	4310	36		Air Conditioning, Heating, & Refrigeration Technology	4/25/2003
A	02	TC	47.0603	4330	36		Collision Repair Technology	4/25/2003
A	02	TC	47.0604	4340	36		Automotive Service Technology	4/25/2003
A	02	TC	48.0508	4900	36		Welding Technology	4/25/2003
A	02	TC	51.0000	2710	28-33		Health Professions	10/27/2017
A	02	TC	51.0716	4729	36		Health Information Technology	4/25/2003
A	02	TC	51.0904	4520	45		Basic Emergency Medical Technician	4/25/2003
A	02	TC	51.3901	4660	48		Practical Nursing	4/25/2003
A	02	TC	52.0401	4285	36	100	Business Technology	4/25/2003
A	02	TC	52.0803	2508	36	100%	Banking Services	10/26/2018

**A H E C B Approved Degree Programs**  
Academic Year 2019

Status	Level	Award	CIP 2010	Degree Code	Credit Hours	Distance 50% +	Program Name	Approval Date
A	03	AS	05.0122	0103	60		Ozark & Ouachita Studies	4/27/2012
A	03	AAS	11.0103	0320	60		Information Technology	2/1/2001
A	03	AAS	11.0103	4450	60		Computer Information Technology	7/28/2017
A	03	AAS	11.1003	0151	60		Cybersecurity	4/21/2017
A	03	AAS	12.0401	0380	60		Cosmetic Science	7/27/2018
A	03	AAS	15.0612	3644	60		Automation Technology	4/22/2016
A	03	ASNT	15.1401	1150	60		Nuclear Technology	11/1/1990
A	03	AS	19.0706	1010	60	100%	Early Childhood Education	4/1/1990
A	03	AA	24.0102	0060	60	100%	General Education	1/1/1985
A	03	AGS	24.0102	0900	60		General Studies	4/27/2012
A	03	AAS	43.0103	0600	60	100%	Law Enforcement	7/28/2017
A	03	AS	43.0104	0030	60		Criminal Justice	2/6/2004
A	03	AAS	44.0000	3441	60		Human Services	7/27/2012
A	03	AAS	47.0201	4311	60		Air Conditioning and Refrigeration	10/28/2016
A	03	AAS	47.0603	3470	60		Collision Repair Technology	7/27/2018
A	03	AAS	47.0604	4341	60		Automotive Service Technology	10/28/2016
A	03	AAS	48.0508	4901	63		Welding Technology	10/28/2016
A	03	AAS	51.0716	3729	60		Health Information Technology	4/25/2014
A	03	AAS	51.0801	1120	60		Medical Assistant	1/1/1985
A	03	AAS	51.0803	3510	71		Occupational Therapy Assistant	2/4/2011
A	03	AAS	51.0806	0750	69		Physical Therapy Assistant	4/25/2008
A	03	AAS	51.0901	0971	70		Cardiovascular Technology	2/1/2013
A	03	AAS	51.0904	0470	60	75%	Paramedic/Emergency Medical Services	4/25/2014
A	03	AAS	51.3801	0711	67		Nursing	1/26/2012
A	03	AAS	51.3901	5660	63		Practical Nursing	4/25/2014
A	03	ABA	52.0201	0301	60	70%	Business Administration	4/20/2018
A	03	AAS	52.0203	3621	60	100%	Logistics Management	10/28/2016
A	03	AAS	52.0401	0307	60	100%	Business Technology	4/29/2005
A	03	AAS	52.0803	0255	60	100%	Banking Services	10/26/2018
A	04	AC	52.0201	0306	21		Human Resources Management	4/20/2018
A	05	BS	01.0102	2220	120-122		Agriculture Business	1/1/1985
A	05	BS	03.0104	2545	120		Environmental Science	1/29/2016
A	05	BS	03.0601	2590	120		Fisheries & Wildlife Biology	1/1/1985
A	05	BA	09.0101	1830	120		Communication	1/1/1985
A	05	BA	09.0401	1560	120		Journalism	1/1/1985
A	05	BS	11.0101	2410	120		Computer Science	1/1/1985
A	05	BS	11.0103	5285	120		Information Technology	2/3/2006
A	05	BS	11.0501	2797	120		Information Systems	4/19/2002
A	05	BS	11.1003	0152	120		Cybersecurity	4/21/2017
A	05	BS	13.1202	3771	121	45%	Elementary Education	7/25/2014
A	05	BS	13.1203	2910	120		Middle Level Education	2/1/1998

**A H E C B Approved Degree Programs**  
Academic Year 2019

Status	Level	Award	CIP 2010	Degree Code	Credit Hours	Distance 50% +	Program Name	Approval Date
A	05	BS	13.1301	3270	120		Agricultural Education	7/29/2011
A	05	BA	13.1302	1260	120		Art Education	1/1/1985
A	05	BS	13.1303	2340	120		Business Education	1/1/1985
A	05	BFA	13.1305	2040	120		Creative Writing	1/1/1985
A	05	BA	13.1305	9420	120		English	1/1/1985
A	05	BA	13.1306	1445	120		Foreign Languages Education	1/1/1985
A	05	BS	13.1311	9870	120		Mathematics	1/1/1985
A	05	BME	13.1312	1640	130		Music Education	1/1/1985
A	05	BS	13.1314	2680	120-123		Health & Physical Education	1/1/1985
A	05	BS	13.1316	9010	120		Physical Science & Earth Science	1/1/1985
A	05	BA	13.1318	1760	120		Social Studies	1/1/1985
A	05	BS	13.1321	1311	120		Computer Science Education	4/22/2016
A	05	BS	13.1322	9300	124-125		Life Science & Earth Science	1/1/1985
A	05	BS	13.1323	3720	120		Chemistry Education	1/29/2016
A	05	BS	13.1329	9030	120		Physics Education	1/29/2016
A	05	BA	13.1331	9830	120		Speech	1/1/1985
A	05	BSCmp E	14.0901	3650	120		Computer Engineering	1/26/2018
A	05	BSEE	14.1001	4140	120		Electrical Engineering	4/1/1998
A	05	BS	14.1201	2485	120		Engineering Physics	2/1/1998
A	05	BSME	14.1901	4230	120		Mechanical Engineering	4/1/1998
A	05	BA	16.0101	1440	120		Foreign Language	1/1/1985
A	05	BA	23.0101	1420	120		English	1/1/1985
A	05	BFA	23.1302	2030	120		Creative Writing	1/1/1985
A	05	BS	26.0101	2300	120		Biology	1/1/1985
A	05	BS	27.0101	2870	120		Mathematics	1/1/1985
A	05	BA	30.2001	1540	120		International Studies	10/1/1997
A	05	BPS	30.9999	1871	120	100%	Professional Studies	4/21/2017
A	05	BAS	30.9999	5877	120	100%	Applied Science	4/21/2017
A	05	BS	31.0301	2970	121-123		Recreation & Park Administration	1/1/1985
A	05	BS	40.0101	3010	120		Physical Science	1/1/1985
A	05	BS	40.0501	2350	120		Chemistry	1/1/1985
A	05	BS	40.0601	2660	120		Geology	1/1/1985
A	05	BS	40.0801	3040	120		Physics	7/29/2011
A	05	BS	40.0806	3060	120		Nuclear Physics	7/29/2011
A	05	BA	42.0101	1710	120		Psychology	1/1/1985
A	05	BA	43.0104	1360	120	100%	Criminal Justice and Criminology	1/26/2018
A	05	BS	43.0302	2490	120	100%	Emergency Administration & Management	5/1/1997
A	05	BA	45.0799	1468	120		Cultural and Geospatial Studies	5/1/2015
A	05	BA	45.1001	1690	120		Political Science	1/29/2010
A	05	BA	45.1101	1780	120		Sociology	1/1/1985
A	05	BFA	50.0409	2670	120		Graphic Design	4/20/2018

**A H E C B Approved Degree Programs**  
Academic Year 2019

Status	Level	Award	CIP 2010	Degree Code	Credit Hours	Distance 50% +	Program Name	Approval Date
A	05	BFA	50.0411	5500	120		Game and Interactive Media Design	4/20/2018
A	05	BA	50.0701	1251	120		Fine Arts	1/31/2014
A	05	BFA	50.0702	1250	120		Fine Arts	4/20/2018
A	05	BA	50.0901	1630	120		Music	1/1/1985
A	05	BS	51.0706	2700	120		Health Information Management	1/1/1985
A	05	BS	51.1005	2890	120		Medical Laboratory Science	1/1/1985
A	05	BA	51.2314	1740	120		Rehabilitation Science	1/1/1985
A	05	BSN	51.3801	4240	120		Nursing	1/1/1985
A	05	BSBA	52.0201	2320	120	100%	Management & Marketing	1/1/1985
A	05	BSBA	52.0201	3530	120		Management	4/20/2018
A	05	BSBA	52.0301	2200	120		Accounting	1/1/1985
A	05	BSBA	52.0601	2460	120		Economics & Finance	1/1/1985
A	05	BSBA	52.0801	2580	120		Finance	4/19/2019
A	05	BS	52.0901	2760	120		Hospitality Administration	1/1/1985
A	05	BSBA	52.1399	2321	120		Business Data Analytics	4/27/2012
A	05	BSBA	52.1401	3590	120		Marketing	4/20/2018
A	05	BA	54.0101	1510	120	100%	History	1/1/1985
A	05	BA	54.0105	5440	120		Public History	4/30/2010
A	06	GC	13.0501	5770	12	100%	Online Teaching	1/27/2017
A	06	GC	13.1102	5751	15	100%	Advising Certificate	1/27/2017
A	07	MS	03.0601	6225	30		Fisheries & Wildlife Science	2/1/2000
A	07	MA	09.0702	5395	30		Multi-Media Journalism	4/1/2000
A	07	MS	11.0103	6285	36		Information Technology	2/1/2000
A	07	MAT	13.0101	6740	36		Teaching	4/30/2010
A	07	MEd	13.0401	5665	34	100%	Educational Leadership	5/1/1997
A	07	MEd	13.0501	5675	36		Instructional Technology	1/1/1985
A	07	MEd	13.1001	5870	36	100%	Special Education K-12	1/29/2016
A	07	MEd	13.1101	6680	45	90%	School Counseling & Leadership	4/21/2017
A	07	MS	13.1102	5615	36	100%	College Student Personnel Services	4/19/2002
A	07	MEd	13.1315	5825	36	100%	K-12 Literacy	1/26/2018
A	07	MA	13.1401	1401	33	100%	Teaching English to Speakers of Other Languages	2/6/2004
A	07	MEd	13.9999	3975	38		Teaching, Learning, & Leadership	2/1/2001
A	07	MSE	14.0101	6520	36	90%	Engineering	4/21/2017
A	07	MSEE	14.1001	4235	36		Electrical Engineering	4/21/2017
A	07	MSME	14.1901	4236	36		Mechanical Engineering	4/21/2017
A	07	MA	23.0101	5310	30		English	4/1/2000
A	07	MLA	24.0101	5960	30		Liberal Arts	4/1/1990
A	07	MS	31.0599	6306	33		Strength & Conditioning Studies	1/31/2014
A	07	MS	42.0101	6180	30		Psychology	11/4/2005
A	07	MS	43.0302	6490	36	100%	Emergency Management & Homeland Security	11/4/2005
A	07	MS	45.1101	3190	30		Applied Sociology	1/31/2014



**A H E C B Approved Degree Programs**  
Academic Year 2019

Status	Level	Award	CIP 2010	Degree Code	Credit Hours	Distance 50% +	Program Name	Approval Date
A	07	MS	51.0706	2701	35	100%	Health Informatics	1/29/2010
A	07	MSN	51.3802	7080	30	100%	Nursing	4/21/2017
A	07	MBA	52.0201	5581	30	100%	Business Administration	1/27/2017
A	07	MA	54.0101	5360	30		History	2/1/2000
A	08	EdS	13.0401	5120	30	100%	Educational Leadership	10/1/2000
A	17	EdD	13.0401	4940	63		School Leadership	7/25/2014

Thursday, July 11, 2019

Status: A=Active;

N=Active Future

I = Inactive

Please refer to the AHECB website (<http://www.adhe.edu/students-parents/colleges-universites/degree-information/>) for the most up-to-date program listings.

**Arkansas Tech University  
Russellville Campus  
Organizational Units of Instruction, Research and Public Service**

College of Arts and Humanities

- Department of Art
- Department of Behavioral Sciences
- Department of Communication and Journalism
- Department of English and World Languages
  - English Language Institute
- Department of History and Political Science
- Department of Music

College of Business

- Department of Accounting, Finance, & Economics
- Department of Management and Marketing
- Arkansas Small Business and
  - Technology Development Center

College of Education

- Center for Leadership and Learning
- Department of College Student Personnel
- Department of Curriculum and Instruction
- Department of Health and Physical Education

College of Engineering and Applied Sciences

- Department of Agriculture
- Department of Computer and Information Science
- Department of Electrical Engineering
- Department of Emergency Management
- Department of Mechanical Engineering
- Department of Parks, Recreation, and
  - Hospitality Administration

College of eTech

- Department of Professional Studies

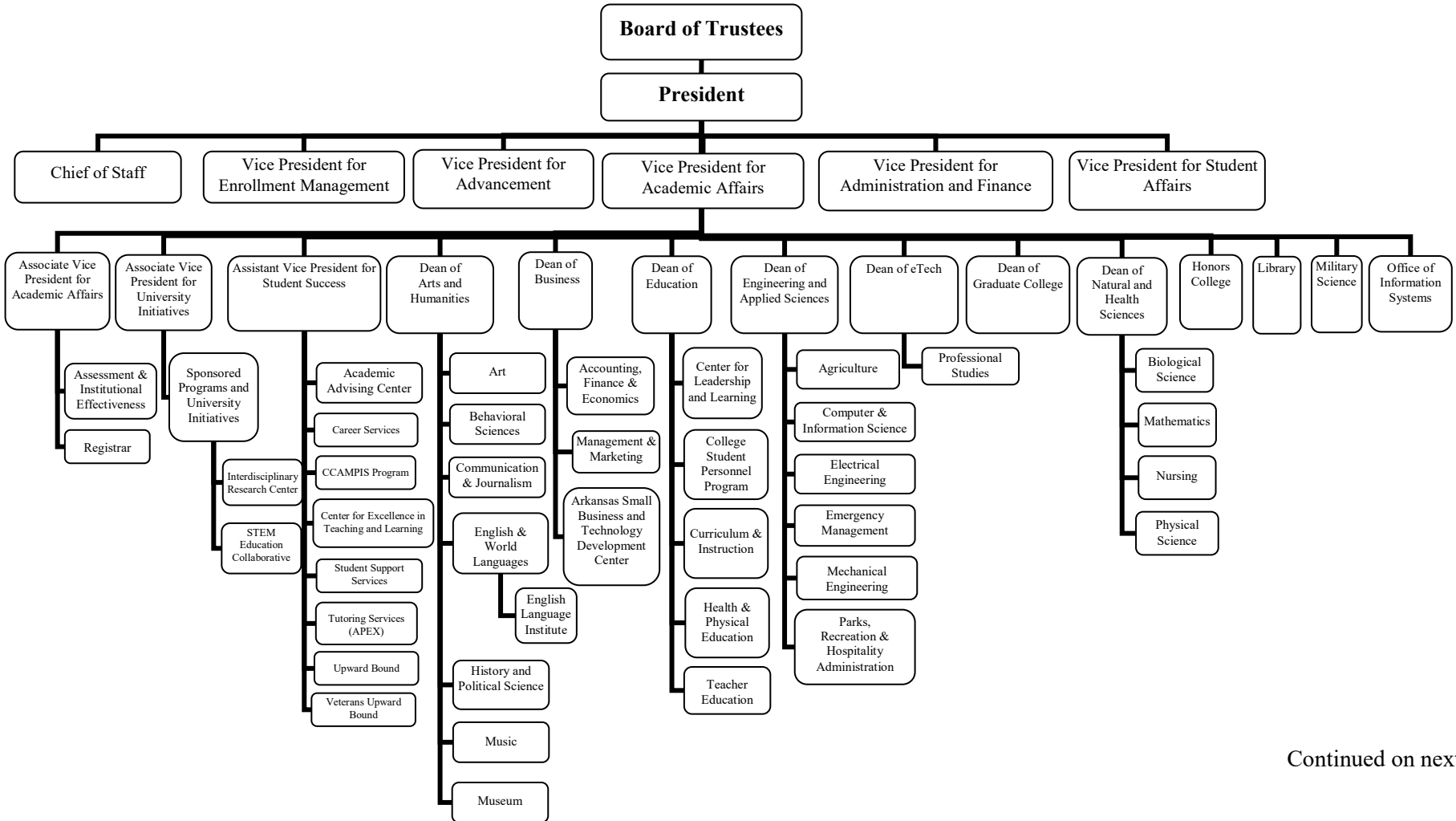
College of Natural and Health Sciences

- Department of Biological Sciences
- Department of Mathematics
- Department of Nursing
- Department of Physical Sciences

Graduate College

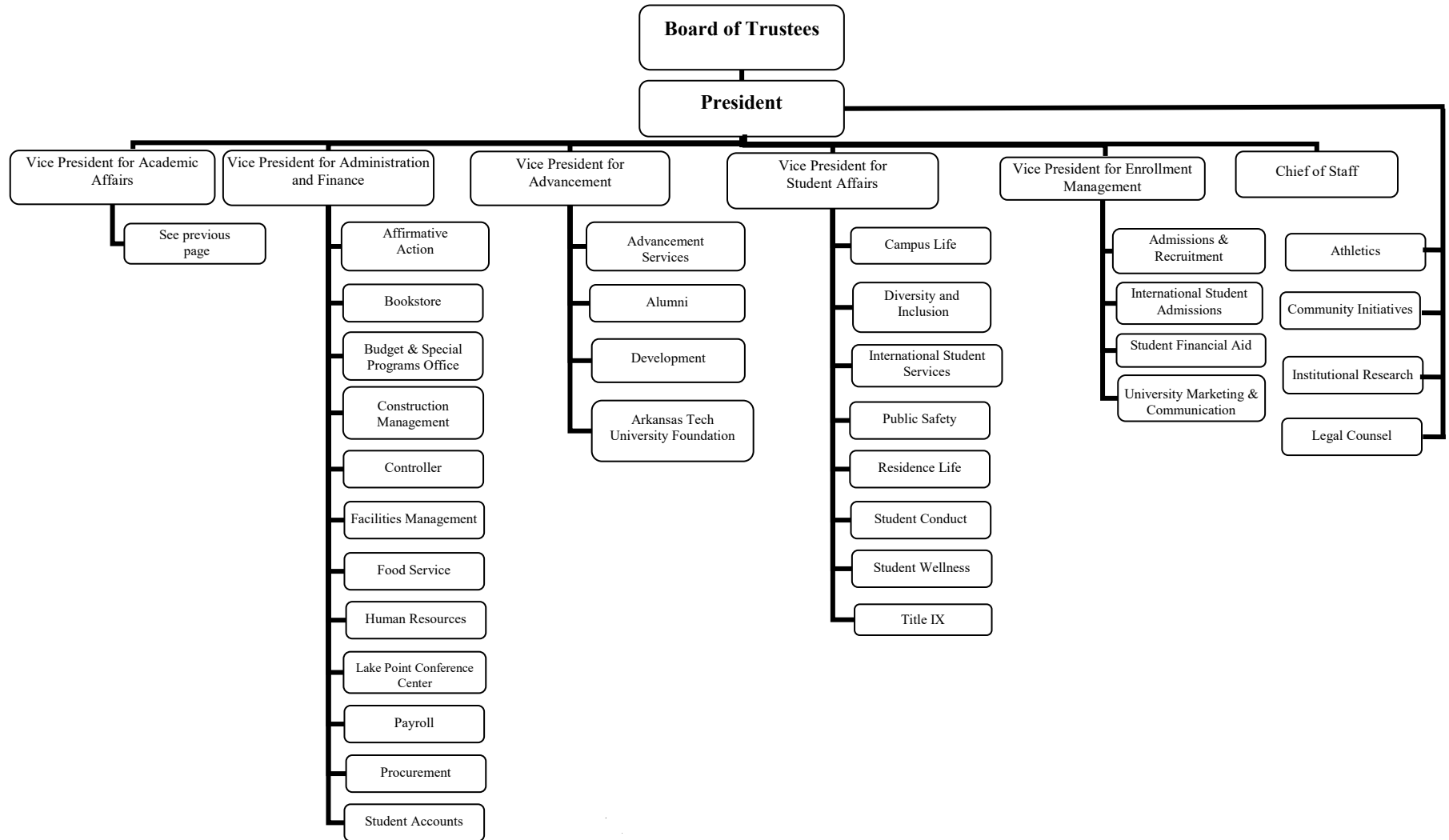
- Assessment and Institutional Effectiveness
- Center for Excellence in Teaching and Learning
- Crabaugh Communications Center
- Library and Technology Center
- Museum
- Sponsored Programs and University Initiatives
  - Interdisciplinary Research Center
  - STEM Education Collaborative
- Student Success

# ADMINISTRATIVE ORGANIZATIONAL CHART

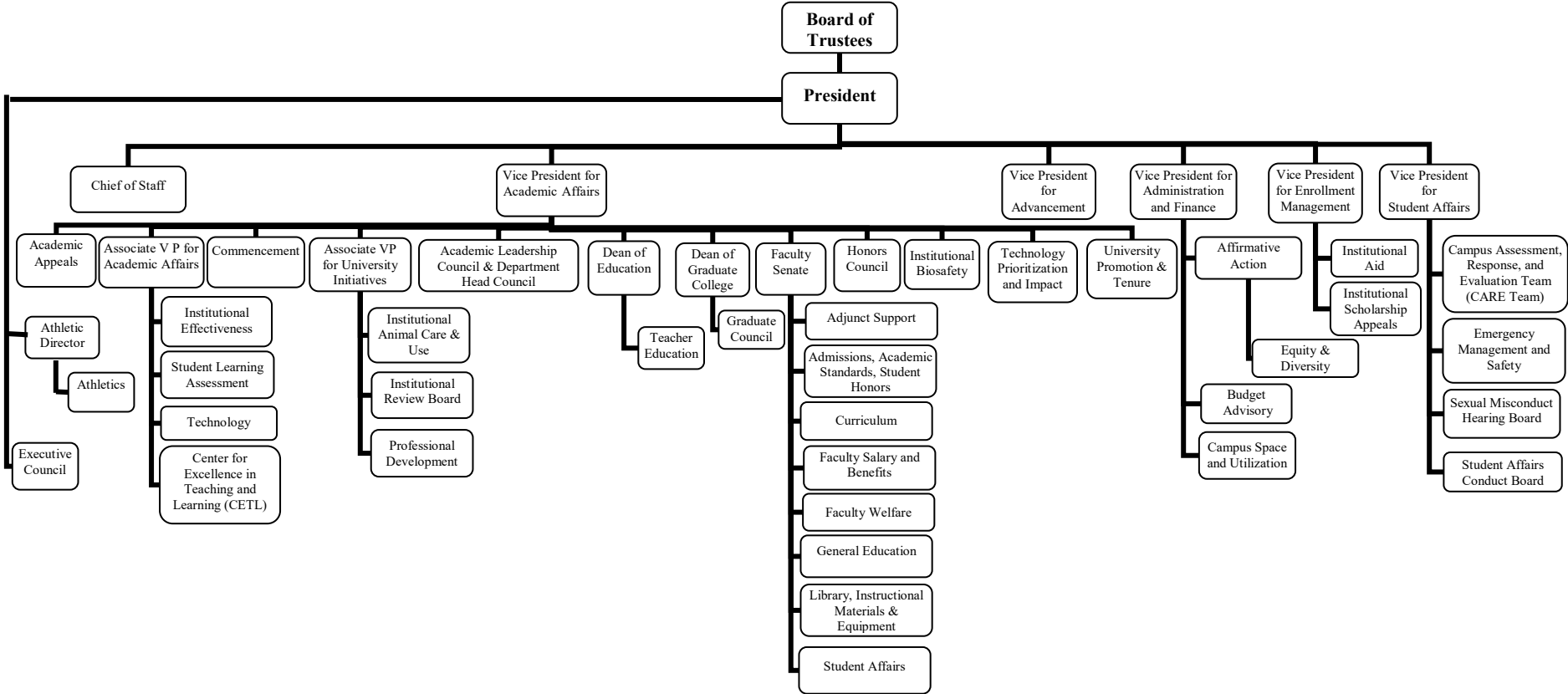


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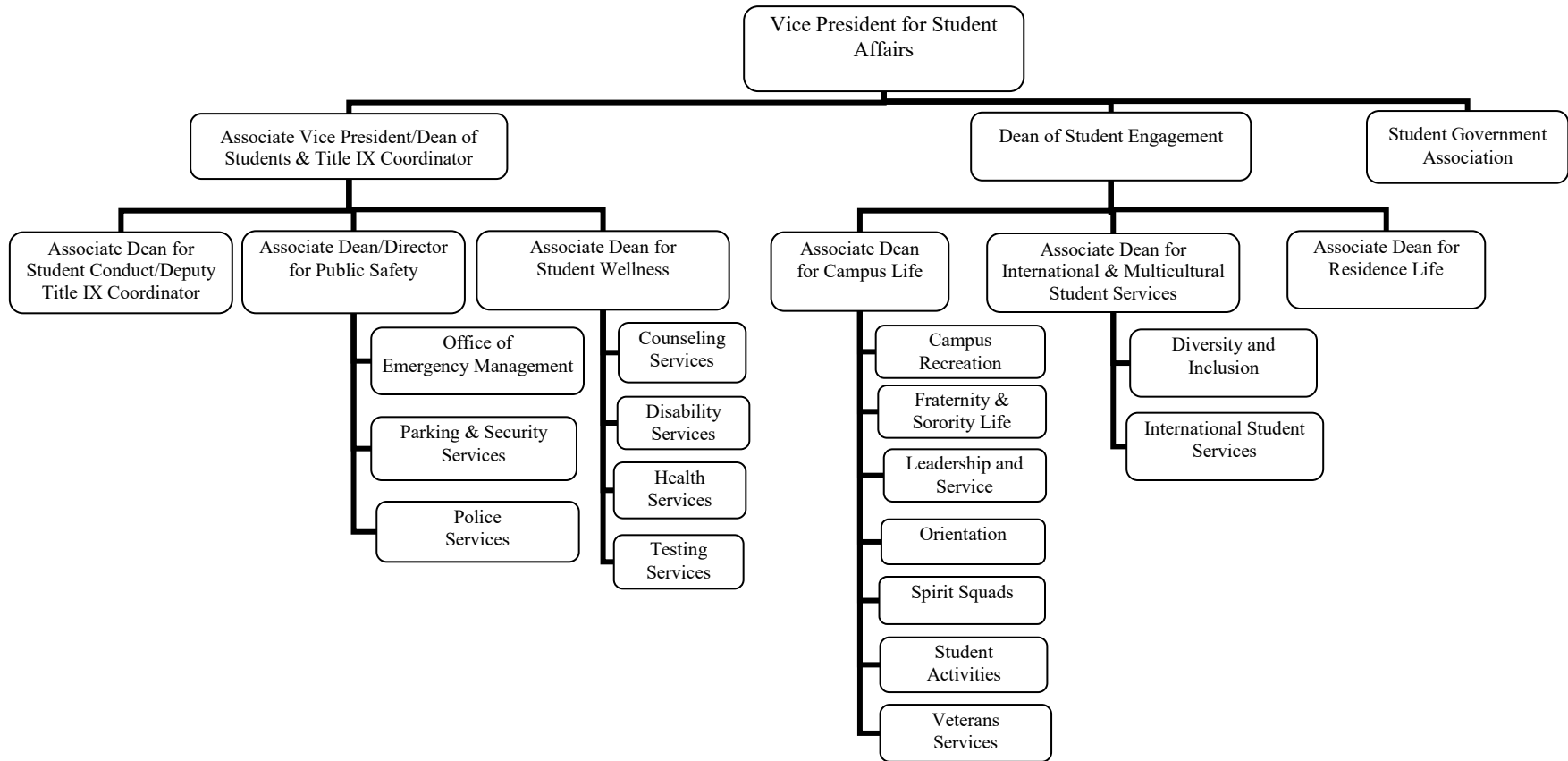
## ADMINISTRATIVE ORGANIZATIONAL CHART



# COMMITTEE STRUCTURE FOR POLICY DETERMINATION



## STUDENT SERVICES ORGANIZATION STRUCTURE



## II

### \*RELATION OF THE FACULTY MEMBER TO THE UNIVERSITY

#### A. FACULTY EMPLOYMENT

##### GUIDING PRINCIPLES

Institutions of higher education are established for the common good and the uninhibited search for truth and its exposition. This Faculty Handbook promotes the principles of academic freedom, shared governance, and tenure, and establishes policies and procedures that assure the common good and the uninhibited pursuit of truth at Arkansas Tech University.

The Faculty Handbook is a living document. Tenure, promotion, and annual evaluation policies outlined in the Faculty Handbook are subject to change over time. Officials evaluating faculty for tenure, promotion, and annual evaluation will take into account policy, procedure, and changes in standards that may have occurred over the course of the candidate's probationary period. Deliberations in all personnel matters should be kept confidential.

The policies and guidelines stated in the Faculty Handbook are intended to guide university processes but should not be construed to be a contract. The promotion, tenure, and evaluation procedures contained in this August 2018 revision of the Faculty Handbook shall apply to all full-time faculty whose Arkansas Tech University contract start date is on or after June 1, 2018. Full-time faculty whose contract start date was prior to June 1, 2018, will have the option of following the promotion, tenure and evaluation procedures in this Handbook (2018 update) should they so choose or the option to remain under the provisions of the 2017-18 Faculty Handbook; however, the full-time faculty members opting to follow the prior Handbook must indicate their desire to do so in writing per a letter to the Vice President for Academic Affairs that is received no later than September 15, 2018, and must apply for promotion and/or tenure by fall, 2022.

The guiding principles in this section are for the benefit of all who are involved with or affected by the policies and programs of the institution. A college or university is a meeting place of ideas. In the words of the United States Supreme Court: "Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die."

##### Faculty Membership

Academic appointments at Arkansas Tech University include all employees with full-time and part-time teaching assignments. Faculty membership is limited to all tenured, tenure-track, and instructor-track ranks. When speaking or writing as citizens, or when expressing views on professional matters, faculty members, as well as all those with academic appointments, should be free from institutional censorship or discipline. But, as members of the community, faculty members and those with academic appointments at Arkansas Tech University have certain special obligations. They should remember that the public may judge their profession or the institution by their utterances and make every effort to indicate when they do not serve as a voice for the institution.

The professional life of faculty members should reflect and be shaped by individual strengths and interests, curricular/program requirements of departments, and the mission of Arkansas Tech University. Full time appointments for non-tenure track, tenure-track, and tenured faculty carry expectations in the areas of teaching, scholarship, and service as appropriate to their contracted assignments. The determination of criteria for professional engagement and faculty evaluation will be a joint effort between department heads and the faculty in the department or program. Such criteria will be within the norms of the profession and subject to approval of the appropriate academic dean.

### Shared Governance

Arkansas Tech University subscribes, in policy and practice, to high standards of shared governance. The complex variety of tasks performed by institutions of higher learning require interdependence amongst the Board of Trustees, the administration, the faculty and students. The faculty has primary responsibility for advice and recommendations in such fundamental areas as curriculum, research, faculty status, and aspects of student life that relate to the educational process. Responsibility for faculty status includes making recommendations for appointments, promotions, tenure and termination. Advice and recommendations in these matters is made by faculty action through established procedures outlined in this Faculty Handbook.

### Academic Freedom

In keeping with the mission of the University and with the relevant aims of higher education in state-supported colleges and universities, Arkansas Tech University subscribes to the principles of academic freedom and academic tenure. Arkansas Tech University recognizes that academic freedom is integral and necessary to promote freedom of inquiry for its faculty in both teaching and research. A faculty member is entitled to freedom in research and the publication of results from research, subject to the adequate performance of other academic duties. A faculty member is entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.<sup>1</sup>

### Tenure

Tenure is a means to guarantee academic freedom in teaching and research. Academic freedom is indispensable to the success of an institution in fulfilling its obligations to its students and society.

Tenure also is intended to create an environment at the university that fosters continuity in its experienced faculty and in the academic functions for which faculty are responsible. Appointment to tenure recognizes a commitment by the faculty member to exemplify the highest professional and academic standards.

The award of tenure is made by the Arkansas Tech University Board of Trustees and entails special and important obligations. The tenured faculty and administration should create and sustain an intellectual environment where non-tenured colleagues can think, investigate, speak, write, and teach, secure in the knowledge that their intellectual vitality is both essential and welcome.

Tenured faculty must play a meaningful role in shaping the character of the faculty and in assuring its quality. Therefore, the duty to seek the best qualified persons for appointment weighs most heavily on the tenured faculty, who are also entrusted with responsibility for retention and promotion recommendations. The roles that tenured faculty play in department, college, and

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<sup>1</sup> The university's "Regulations on Academic Freedom and Tenure," (based on "Recommended Regulations on Academic Freedom and Tenure," AAUP Bulletin, December, 1972), were approved by the Board of Trustees on April 15, 1976.



university promotion and tenure decisions, in university-level appeals of those decisions, and in university-level appeals of termination for cause are carried out in committees specifically established in this Faculty Handbook for those purposes.

To meet its responsibilities in annual review, mid-term review, tenure and promotion, and long range planning, the tenured faculty in each academic department shall make its recommendations as the standing Department Promotion and Tenure Committee (DPTC). The committee shall communicate its recommendations in writing to department heads, deans, and, where appropriate, the administration of Arkansas Tech University.

### Collegiality

Faculty members at Arkansas Tech University are expected to be effective teachers, scholars in their disciplines, and to provide meaningful service to the university and community. Overarching expectations of all faculty include professionalism and collegiality in teaching, scholarship, and service. Collegiality is not a separate criterion upon which any faculty member is assessed, but is assumed to be an integral aspect of the faculty member's professional life. The absence of collegiality in all aspects of a faculty member's professional life is considered to be a deficiency. Collegiality among associates involves appreciation of and respect for differences in expertise, ideas, and background, as well as cooperation and collaboration in achieving department, college, and university goals. The concept of collegiality, however, should be distinguished from congeniality; to be congenial is parallel with sociability and agreeableness, while collegiality is a positive and productive association with colleagues. A faculty member need not be congenial to be collegial.

### Faculty Load

Arkansas Tech University is dedicated to student success. Although many factors play into college student success, faculty interaction is one of the essential experiences associated with college student academic achievement and persistence. Faculty workload directly impacts both formal (classroom) and informal (out-of-classroom) interaction with students. Maintaining appropriate faculty teaching loads (typically twelve credit hours per semester) will allow all Arkansas Tech University faculty to work with students and community members for the betterment of Arkansas, the nation, and the world.

## ACADEMIC APPOINTMENTS

The terms and conditions of every academic appointment and any subsequent extensions or modifications of an appointment, special understandings, and notices will be stated or confirmed in writing and delivered to the appointee. Untenured persons with academic appointments will be informed each year in writing of their appointment status and will receive annual evaluations reflecting their performance.

### Types of Academic Appointments

Academic appointments at Arkansas Tech University include tenured, tenure-track, instructor-track, and visiting:

#### 1. Tenured Appointments

Faculty contracted in tenured appointments include the ranks of assistant professor, associate professor, and professor. Tenured faculty members have completed their probationary period and have been granted tenure through the processes outlined in the Faculty Handbook. Primary duties of tenured faculty include teaching, scholarship, and service, which are evaluated annually by the department head and peer reviewed by the DPTC. Tenured faculty are also

expected to participate in activities such as retention, evaluation, and promotion of junior faculty to maintain academic quality in the university.

Tenured appointments serve as a commitment by the university to a sequence of annual appointments. These annual appointments are terminated only by resignation, retirement, removal for cause, financial exigency, or discontinuance of a program. While contracts are annual, tenure shall be considered an act of good faith on the part of the university to guarantee continued employment of tenured faculty members. A faculty member may be tenured only with respect to their academic rank and not with respect to any administrative titles or assignments.

Unless otherwise specified, tenured faculty are required to have terminal degrees from accredited institutions in their respective fields, as recommended by the department head, DPTC and dean<sup>2</sup>, and accepted by the Vice President for Academic Affairs.

## 2. Tenure-Track Appointments

Faculty members in tenure-track positions are eligible for tenure but have not completed their probationary period. Tenure-track faculty are typically required to have terminal degrees from accredited institutions in their respective fields, as recommended by the department head, DPTC and dean and accepted by the Vice President for Academic Affairs. Primary duties of tenure-track faculty members include teaching, scholarship, and service, which are evaluated annually by the department head and peer reviewed by the DPTC. Tenure-track faculty may hold the ranks of professor, associate professor, and assistant professor and must complete the tenure review processes outlined later in this Faculty Handbook to attain tenured status.

Unless otherwise specified in the faculty member's letter of appointment, tenure-track appointments include a probationary period with eligibility to apply for tenure and/or promotion in the academic year following five academic years of service at Arkansas Tech University. An academic year starts in the fall semester and includes both fall and spring semesters. The academic year ends with the conclusion of the spring commencement ceremony. The probationary period is six full academic years. For faculty members not beginning their employment at the start of the academic year, the first year of their probationary period will start in the following academic year. During their probationary period, tenure-track faculty members receive annual contracts with the possibility of non-renewal contingent upon violation of university policy or failure to meet departmental standards for teaching, scholarship, and service. A faculty member may generally serve in a tenure-track position without tenure for no more than six academic years, including any reduction of years awarded for prior professional activities in the initial contract. Final tenure decisions should be made in the candidate's sixth academic year, as specified by the tenure and promotion calendar set by the Vice President for Academic Affairs each academic year. In cases where tenure is offered at the time of hire, the DPTC will serve in an advisory role to the administration in making the tenure recommendation to the Board of Trustees.

At the time of initial appointment, faculty members will be advised of the guidelines and procedures generally employed in decisions affecting renewal and tenure. Any special guidelines adopted by the particular department or college will be brought to the faculty member's attention. Faculty members will be advised of the time when decisions affecting

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<sup>2</sup> Arkansas Tech University recognizes that within the university community, there is a valuable body of faculty who have been tenured and promoted without a terminal degree. These legacy faculty members are eligible for all privileges extended by the university to tenured faculty.

renewal or tenure are ordinarily made, and will be given the opportunity to submit material which they believe will be helpful to the adequate consideration of their application. Tenure-track faculty who do not receive tenure shall be given a timely notice of non-reappointment in accordance with standards set forth in the Faculty Handbook and will receive a terminal appointment for the following academic year.

When a recommendation or a decision not to renew a probationary appointment has first been reached, the faculty member involved will be informed of that recommendation or decision in writing by the body or individual making the recommendation or decision; and, the faculty member will be advised in writing of the reasons which contributed to that decision.

Regardless of the stated term or other provisions of any appointment, written notice that a probationary appointment is not to be renewed will be given to the faculty member in advance of the expiration of the appointment, as follows:

- (a) by January 15 before the expiration of an individual's first-year probationary appointment;
- (b) by October 15 before the expiration of an individual's second-year probationary appointment;
- (c) at least 12 months before the expiration of a probationary appointment of an individual who has had two or more years of service at the institution.

Insofar as the faculty member alleges that the decision against renewal was based on inadequate procedural consideration, the faculty member may request that the Faculty Welfare Committee (FWC) review his or her case in terms of the relevant procedural standards specified in this Faculty Handbook.

A tenure-track faculty member may receive approval for a leave of absence or an extension of the probationary period for extraordinary circumstances. The applicant requesting an extension must appeal in writing to the dean of the college. If the dean of the college determines that a leave of absence or extension of the probationary period is warranted, then a recommendation will be made to the Vice President for Academic Affairs. The Vice President for Academic Affairs will indicate in writing whether the probationary period has been extended and specify its length in time.

Prior professional experience at an accredited college or university or equivalent professional experience may be counted towards the probationary period of applicants. The dean, in consultation with the hiring committee and the department head, will recommend to the Vice President for Academic Affairs whether credit will be given to the faculty member. Departmental Promotion and Tenure Committees may recommend guidelines for providing credit towards tenure and promotion. Time credited to the faculty member for promotion and tenure must be included in the initial notification of appointment.

### 3. Instructor Track Appointments

While tenured and tenure-track appointments should make up the core of the university faculty, instructor-track positions may be established to fill specific and limited departmental needs. Instructor-track faculty are required to have at least a Master's degree in their respective fields. Primary duties of instructor-track faculty members may include teaching, scholarship, and/or service. These duties are evaluated according to assignment each year by the department head and peer reviewed by the Departmental Promotion and Tenure Committee. Faculty contracted in instructor-track appointments are eligible for promotion but are not eligible for tenure. The appointments of instructor-track faculty may be terminated for cause prior to the expiration of

the period of appointment. Instructor-track faculty may hold the ranks of instructor, senior instructor, and university instructor.

New instructor-track appointments will start at the instructor level. Unless otherwise specified in the faculty member's letter of appointment, faculty at the rank of instructor are eligible for promotion to senior instructor in their sixth year of service as an instructor at Arkansas Tech University. Senior instructors are eligible for promotion to university instructor in their sixth year of service as a senior instructor at Arkansas Tech University. Instructor-track appointments are renewed annually, contingent upon university need and satisfactory performance.

At the time of initial appointment, instructor-track faculty members will be advised of the guidelines and procedures generally employed in decisions affecting renewal. Any special guidelines adopted by the particular department or college will be brought to the faculty member's attention. Faculty members will be advised of the time when decisions affecting renewal are ordinarily made, and will be given the opportunity to submit material which they believe will be helpful to the adequate consideration of their appointment. Those not to be retained shall be given a timely notice of non-reappointment as discussed hereafter.

When a recommendation or a decision not to renew an instructor-track appointment has first been reached, the faculty member involved will be informed of that recommendation or decision in writing by the body or individual making the recommendation or decision; and, the faculty member will be advised in writing of the reasons which contributed to that decision.

Regardless of the stated term or other provisions of any appointments, written notice that an initial appointment is not to be renewed will be given to the faculty member in advance of the expiration of the appointment, as follows:

- (a) by January 15 before the expiration of an individual's first-year probationary appointment;
- (b) by October 15 before the expiration of an individual's second-year probationary appointment;
- (c) at least 12 months before the expiration of a probationary appointment of an individual who has had two or more years of service at the institution.

Insofar as the faculty member alleges that the decision against renewal was based on inadequate procedural consideration, the faculty member may request that the FWC review his or her case in terms of the relevant procedural standards specified in this Faculty Handbook.

#### 4. Visiting Appointments

Academic staff contracted in visiting positions of any rank are not eligible for tenure or promotion. Visiting academic staff are required to have at least a Master's degree in their respective fields. The primary responsibility for visiting faculty is teaching and related responsibilities (typical load 15 credits per semester). In some cases, responsibilities may include scholarship, and/or service. Visiting academic staff are evaluated according to assignment each year by the department head in consultation with the Department Promotion and Tenure Committee. Appointments of visiting academic staff are considered at will and may be terminated for cause prior to the expiration of the period of appointment.

The designation "visiting" is reserved for academic staff hired on a temporary basis to meet programmatic needs. The term of hire for a visiting faculty member is to be determined by department heads and deans. As special and temporary appointments, the maximum term of service for a visiting faculty member of any rank designation is three consecutive years. This maximum term does not apply to continuing appointments for visiting faculty whose contract start date was prior to June 1, 2018.

## 5. Administrative Appointments

The administrative functions, titles, and status of the president, vice presidents, deans, registrar, librarian, directors, department heads, and others with administrative responsibilities for academic or non-academic services shall be distinct and severable from their functions, titles, and status, if any, as academic faculty members.

### FACULTY EVALUATION, PROMOTION, AND TENURE POLICIES AND PROCEDURES

A complete credential file on each faculty member is maintained in the Academic Affairs Office. Each first-year faculty member will complete the "Faculty Record" and submit it to the Academic Affairs Office during the first week of the fall semester. The "Faculty Record" is housed in the Academic Affairs office and kept up-to-date by working with the faculty members and their department heads. Each faculty member will provide the Academic Affairs Office with up-to-date copies of all official college transcripts for inclusion in the individual's personnel file.

Portfolios for annual evaluation, mid-term review, promotion, and tenure may be submitted in hard copy or digital format per the timeline set by Academic Affairs. Digital format standards for portfolio submission will be established by the Faculty Senate in consultation with the Vice President for Academic Affairs.

#### Definition of Roles

##### 1. Faculty and Academic Staff

Faculty and academic staff fulfilling teaching, scholarship, or service expectations as part of their normally assigned duties are required to participate in the annual faculty evaluation process. Tenure-track faculty must be evaluated for tenure in the sixth academic year of their probationary period and undergo that review to continue employment at Arkansas Tech University. Any reduction in the time of a candidate's probationary period for tenure must be agreed upon at the time of employment and clearly stated in the faculty member's letter of appointment and annual contract. Tenured, tenure-track, and instructor-track faculty may be evaluated for promotion in or after the sixth academic year of their current rank. Any reduction in the time of a candidate's probationary period for promotion must be agreed upon at the time of employment and clearly stated in the faculty member's letter of appointment and annual contract.

##### 2. Departmental Promotion and Tenure Committee

The Departmental Promotion and Tenure Committee (DPTC) performs annual and mid-term peer review evaluations of faculty. Additionally, DPTC members vote to recommend or not recommend tenure and promotion for tenured, tenure-track and instructor-track probationary faculty as applicable. Within the first two weeks of the academic year, the department head will call a meeting of the members of the DPTC. The DPTC will elect a chair to organize meetings, collect portfolios, and serve as the primary point of contact for the DPTC.

The DPTC consists of all tenured faculty at the associate rank or above in the department, excluding the department head. Each DPTC must have a minimum of three members. If a department has fewer than three tenured faculty members at associate rank or higher, then that department should seek out additional membership from departments in a closely related field with comparable standards for evaluation, promotion, and tenure. The term of service for faculty members serving on an external DPTC shall be two years. Faculty members serving on

the DPTC of another department may be exempt from serving on the DPTC of their own department if they so choose and is approved by their academic dean. Departmental Promotion and Tenure Committees may create a peer review subcommittee of no fewer than three members to perform annual and mid-term faculty peer review; all members of the DPTC are expected to participate in mid-term, tenure, and/or promotion decisions. When considering the promotion of a non-tenure-track instructor to a higher rank, then, when possible, one instructor at a higher rank from within or outside of the department will be selected by the DPTC membership to serve as an ad hoc member of the DPTC for the evaluation of that specific instructor's application for promotion; instructors will not participate in tenure and/or promotion discussions or decisions for tenure-track or tenured faculty.

The DPTC shall provide a written formative peer assessment of each faculty member's performance in teaching, scholarship, and service for annual faculty peer review, and mid-term reviews. These formative evaluations will be submitted to both the faculty member and the department head. The DPTC will report the number of votes for and against each candidate's application for tenure and/or promotion along with any rationale, written explanation, or context for the vote that the committee wishes to provide. This report will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process. To avoid conflicts of interest, any member of the DPTC up for promotion review will be excused from the review and voting on their own materials, and the DPTC may include a qualified representative from a closely related field for that review and vote. DPTC members also shall recuse themselves or be excused by a majority vote of the DPTC in cases where other conflicts of interest may occur. A replacement may be appointed by the DPTC membership. Departmental Promotion and Tenure Committees with at least three members at the rank of full professor in the candidate's discipline will limit voting on promotion to full professor to those members with the rank of full professor in the candidate's discipline. In all other cases, DPTC voting on promotion to full professor will be limited to the three highest ranking members of the DPTC in the candidate's discipline or closely related field.

The DPTC is expected to work with the department head to establish guidelines for evaluation of all faculty of each type and rank, and these guidelines would be made available to the faculty members at the start of the evaluation period, giving the faculty member adequate time to meet expectations. Academic evaluation, conducted by learned peers within one's discipline, is an essential component of the promotion and tenure process.

### 3. Department Head

The department head is a faculty member that receives a reduction in teaching load each semester, negotiated with the dean of the college, to perform administrative duties in the department. As part of those administrative duties, the department head is required to perform annual faculty evaluations, mid-term reviews for tenure-track probationary faculty members, and promotion and tenure reviews for all tenured, tenure-track, and instructor-track faculty in the department, as applicable. As faculty members, department heads are required to undergo all DPTC evaluations required of other faculty members, including annual faculty evaluations and tenure or promotion reviews. Deans will evaluate the administrative duties of department heads as well as their teaching, scholarship, and service.

Department heads are expected to evaluate all departmental faculty members' and visiting academic staff's teaching, scholarship, and service, as applicable. They will offer routine, assessment of the faculty member's progress toward tenure, promotion and continued appointment, as applicable. Department head evaluations are expected to consider peer review recommendations and tenure and promotion votes made by the DPTC.

Department heads and the DPTCs work together with the deans to identify guidelines for evaluation of all faculty of each type and rank. These guidelines must be made available, at the

start of the evaluation period, to the faculty; hence giving faculty members adequate time to meet expectations.

#### 4. Dean of the College

The dean of the college (dean) serves as part of the administration of Arkansas Tech University. As such, the dean has numerous responsibilities including mid-term reviews for tenure-track probationary faculty members, and promotion and tenure reviews for all tenured, tenure-track, and instructor-track faculty in the department, as applicable. The dean is expected to offer honest assessment of the standing of any faculty member over the term of their employment, especially in terms of reviews leading to contract renewal and promotion and tenure decisions. This assessment is expected to consider recommendations made by the DPTC and department head. Given the dean's position as an administrator, his or her evaluation of faculty will be broader in scope by placing individual accomplishments and qualifications of faculty in a context of departmental, program, and college needs.

The dean is expected to communicate with department heads and DPTCs to ensure consistent standards for evaluation of all faculty of each type and rank across departments. The dean also must take into account the unique characteristics that may exist for each department in all of his/her promotion and tenure recommendations. The recommendation of the dean is included in the faculty member's portfolio as it progresses to the University Promotion and Tenure Committee and the Vice President for Academic Affairs.

#### 5. University Promotion and Tenure Committee

The University Promotion and Tenure Committee (UPTC) performs promotion and/or tenure reviews for all faculty applying for tenure and/or promotion at the university. The UPTC is tasked with recommending approval or disapproval of all applications submitted. The UPTC should carefully consider all recommendations made by the DPTC, department head, and dean, and is expected to take into account the unique characteristics that may exist for each department in all of its promotion and tenure recommendations. The committee is also expected to keep in mind that academic evaluation, conducted by learned peers within one's discipline is an essential component of the promotion and tenure process.

The UPTC will report the number of votes for and against each candidate's application for tenure and/or promotion along with any rationale, written explanation, or context for the vote that the committee wishes to provide. This report will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process.

The UPTC shall consist of one tenured faculty member at the associate rank or higher from each of the six colleges (i.e., Arts and Humanities, Business, Education, Engineering and Applied Sciences, Natural and Health Sciences, and eTech). Faculty serving as department heads or deans are not eligible for appointment to the UPTC. Persons applying for promotion may not serve on the UPTC. Any UPTC member with a conflict of interest relating to a particular application shall recuse themselves or be excused by this committee from reviewing that application.

Three of the six members of the UPTC shall be appointed by the chair of the Faculty Senate with the Faculty Senate's advice and consent, and three members shall be appointed by the Vice President for Academic Affairs. Appointments shall be for three years. The chair of the Faculty Senate and the Vice President for Academic Affairs shall each appoint one new member each year thereafter for a three-year term. The Faculty Senate chair shall have first choice in the appointment process. Members of the UPTC should not serve successive terms.

## 6. Vice President for Academic Affairs

The Vice President for Academic Affairs (VPAA) is the chief academic officer at Arkansas Tech University. As such, the VPAA has numerous duties and is primarily responsible for managing the internal academic operations of the university. One responsibility of the VPAA is to review the performance of faculty members as part of the promotion and/or tenure process. The review of the VPAA is expected to consider the recommendations made by the DPTC, department head, dean, and the UPTC. Given the VPAA's position as an administrator, his or her evaluation of faculty will be broader in scope by placing individual accomplishments and qualifications of faculty in a context of departmental, program, college, and university needs.

The VPAA may communicate with the department heads, DPTCs, deans and the UPTC to clarify the standards for evaluation of all faculty of each type and rank across departments. The VPAA is expected to take into account the unique characteristics that may be present across departments in all of its promotion and tenure recommendations, keeping in mind that academic evaluation, conducted by learned peers within one's discipline, is an essential component of the promotion and tenure process. The recommendation of the VPAA is included in the faculty member's portfolio as it progresses to the President and Board of Trustees.

## 7. President of the University

The President is the chief executive officer at Arkansas Tech University. As such, the President has numerous duties and responsibilities in managing both internal operations and external relationships for the university. As part of the tenure and promotion process, the review of the President is expected to consider the recommendations made by the DPTC, department head, dean, UPTC, and VPAA, keeping in mind that academic evaluation, conducted by learned peers within one's discipline, is an essential component of the promotion and tenure process. Given the President's position as an administrator, his or her evaluation of faculty will be broader in scope by placing individual accomplishments and qualifications of faculty in a context of departmental, program, college, and university needs. The President makes the final recommendation to the Board of Trustees on tenure and/or promotion for a faculty member.

## 8. Board of Trustees

The Board of Trustees (Board) is the final decision-making body for Arkansas Tech University. As such, the Board has final approval in all matters regarding faculty status, including promotion and/or tenure decisions.

### Portfolios, Workload, and Weighted Evaluations

For accurate evaluation, faculty members are required to maintain a portfolio (electronic or physical according to department and university standards) providing evidence of effective teaching, scholarship and service, as applicable. Written guidelines for annual evaluation of teaching, scholarship, and service in each department will be established and amended in consultation with the Departmental Promotion and Tenure Committee, department head and dean (see Appendix A for a guide on creating a portfolio).

Percentage weights assigned to teaching, scholarship, and service are for evaluation purposes and indicate the relative emphasis of these duties for each individual faculty member. The weights reflect an estimate of the time spent on each of these duties during contracted hours. Department heads should keep in mind that as a general principle each single, three credit hour course equates to 20% of a tenure-track faculty member's workload per semester. No less than 20% of the tenure-track faculty member's total workload should be allocated to scholarship and service. Where appropriate, instructor-track faculty and visiting academic staff may be contracted to teach a 100% workload (e.g. five three credit hour courses).



Weight adjustments in teaching, scholarship, and service in a given year will be agreed to by the faculty member and the department head and must be clearly justified in the written department head annual evaluation.

*It is the primary responsibility of each faculty member to ensure that adequate records are established, collected, maintained, and included in the portfolio for all forms of evaluation. Evidence should be current and related to the review period. Evaluations for promotion should consider accomplishments since promotion to the current rank.*

Those faculty members who are to be considered for annual evaluation, mid-term review, promotion and/or tenure are responsible for presenting evidence of their qualifications.

Faculty will be evaluated each year in the following three areas:

### 1. Teaching

Tenured and tenure-track faculty will dedicate no less than 60% of their workload to teaching unless contracted to a special assignment. Instructor-track faculty will dedicate no less than 80% of their workload to teaching unless contracted to a special assignment. Visiting academic staff assignments will vary according to need. Instructor-track faculty and visiting academic staff may be assigned to 100% teaching loads.

Teaching involves the transference of knowledge or skill to students. Teaching will be evaluated on the basis of:

- An annual peer review of the teaching portfolio conducted by the DPTC.
- An annual review of the teaching portfolio conducted by the department head.
- Other evidence of teaching effectiveness which may include but not limited to:
  - Objectives, syllabi, exams
  - Student learning outcomes (e.g., pre-test and post-test comparisons, objective mastery assignment results, etc.)
  - Course modification/improvement and teaching techniques
  - Advising and mentoring
  - Professional development in teaching
  - A university-wide, standard, student evaluation to measure effectiveness of classroom teaching.
  - In-class observation by faculty peers.

Faculty members are expected to remain current in their field through activities such as continuing education.

Note that student evaluations will be collected via an online system approved by the Faculty Senate and managed by the Office of Institutional Research. The Office of Institutional Research will collect and organize student evaluation data, as well as make results of student evaluation available to faculty members online or, if requested by the faculty member, in paper form. All courses will be evaluated each semester, and department heads may exempt courses from evaluation under extraordinary circumstances (e.g. when a single student is registered for a course and his or her anonymity is compromised, or when a teacher of record is replaced half way through the semester). By state law, all student evaluations will include a question on English fluency of the faculty member or graduate teaching assistant (ACA 6-63-104).

## 2. Scholarly/Creative Activity

Tenured and tenure-track faculty will dedicate no less than 10% of their workload to scholarship unless contracted to a special assignment. Instructor-track faculty and visiting academic staff assignments will vary according to need. Instructor-track faculty and visiting academic staff may be assigned to 100% teaching loads.

Scholarship has four overlapping areas of concentration: the scholarship of discovery, integration, application, and teaching. The scholarship of discovery is most easily defined as “traditional” research – original research that expands human knowledge: “What is to be known, what is yet to be found?”. The scholarship of integration focuses on finding the interconnections between ideas and disciplines, which includes multi- and inter-disciplinary work that asks “What do the findings mean?”, especially in larger, societal contexts. The scholarship of application deals with applying faculty expertise to meet societal service needs, as long as the traditional research rigor and accountability are an integral part of the service activity. Finally, the scholarship of teaching includes not only performing research on pedagogy, but also consistently seeking, understanding, implementing and evaluating new knowledge of one’s own discipline that is utilized in the classroom to the student’s benefit.<sup>3</sup> Scholarship in any discipline at Arkansas Tech University may fall under each of these broad headings. Examples are provided below of each category as a general reference, but this is not meant as an exhaustive list:

- Discovery
  - Original research, creative production and theory/method development (i.e., publication of articles in scholarly journals; proceedings; technical reports; presentations at professional meetings; museum exhibits; original musical or theatrical compositions, stage design, etc.).
  - Supervision of graduate and undergraduate research or capstone projects; serving on graduate thesis committees; advisor for graduate research project; reader of graduate research paper.
- Integration
  - Meta-analysis, literature reviews, multi- and inter-disciplinary collaborations, musical or theatrical performance-related activities.
  - Editing articles, journals, reports, grant applications, essays, monographs, music scores, plays, stories and other creative endeavors, as well as writing textbooks, newsletters, popular publications, newspapers, documents, other public forums.
- Application
  - Conducting workshops, short courses, in-service education programs, forums or seminars in addition to normal teaching load.
  - Preparation of grant proposals with emphasis placed upon successful solicitations.
  - Providing consulting services, or other service activities tied directly to one’s academic field.
- Teaching
  - Pedagogical research
  - Significant and innovative revisions of courses, programs or curricula including (but not limited to) production of publicly available teaching materials, manuals, workbooks, study guides, films, videos, computer software, etc.

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<sup>3</sup> See Ernest Boyer’s “Scholarship Reconsidered: Priorities for the Professoriate” (1990).

Although each of the examples cited above constitutes scholarly activity, emphasis should be placed on original, peer-reviewed contributions that are shared and disseminated.

### 3. Service

Tenured and tenure-track faculty will dedicate no less than 10% of their workload to service unless contracted to a special assignment. Instructor-track faculty and visiting academic staff assignments will vary according to need. Instructor-track faculty and visiting academic staff may be assigned to 100% teaching loads.

Service involves providing help or support to a community through a combination of impactful activities that includes, but is not limited to the following:

- Service to the institution
  - membership on university committees
  - membership on college or departmental committees
  - participation in self studies
  - participation in academic program development
  - sponsoring/advising student organizations
  - participation in student recruitment
  - serving as an official representative of the University
  - grant writing (non-research types of grants)
  - faculty level administrative duties (without release time)
  - teaching uncompensated overloads
  
- Service to the profession
  - membership in professional organizations
  - attendance at professional meetings
  - holding office in professional organizations
  - serving on committees of professional organizations
  - providing uncompensated consulting services (This may not be the sole component of the professional service area.)
  - organizing, conducting, or assisting with professional meetings
  - serving on committees for accreditation
  - service to public schools
  
- Service to the community
  - participating in community projects
  - holding public office
  - assisting public organizations
  - public activity in organizations
  - service to public schools

Individuals and committees evaluating portfolios for promotion or tenure should be aware of the diversity of disciplines; in many circumstances, professional expectations and practices will vary from discipline to discipline and that criteria for evaluating faculty on teaching, scholarship, and services may also vary from discipline to discipline.

#### Annual Review and Evaluation:

Arkansas code (ACA 6-63-104) states that “each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all

full-time faculty members. This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job tenure.”

Annual evaluation at Arkansas Tech University is intended to promote better teaching, scholarship, and service of the faculty. All individuals holding faculty appointments will undergo an annual evaluation of teaching, scholarship, and service by the DPTC and the department head. Annual evaluations will be used in reappointment, promotion, and tenure decisions. Criteria used by the department head in faculty evaluation must be determined in consultation with the DPTC and conform to general disciplinary standards.

Each tenured, tenure-track, and instructor-track faculty member’s portfolio will be peer reviewed annually by the DPTC and evaluated by the department head. Written departmental guidelines will be created by department heads in collaboration with the DPTC for annual evaluation of teaching, scholarship, and service. These guidelines will be made available for individual and committee reference in advance of the annual evaluation, giving the faculty member adequate time to meet expectations.

The types of annual review and evaluation are as follows:

1. DPTC Peer Review

The DPTC will review the portfolio with the intent of providing formative feedback on teaching, scholarship, and service for all faculty members. The reviews will be conducted by the DPTC on all full-time faculty members regardless of rank, tenure, or status. Classroom visitation may be included in the peer review process. Classroom visitations for the purposes of peer review must be scheduled at least three working days in advance of a visit.

The DPTC will provide written feedback that helps mentor and prepare the faculty member for mid-term review, promotion, and/or tenure. For tenured faculty not seeking promotion, the DPTC will provide feedback on teaching, scholarship, and service accomplishments for the previous year.

DPTC annual peer reviews are considered to be integral to the annual review process and will be included in the faculty member’s portfolio along with the department head’s annual evaluation.

2. Department Head Evaluation

Department heads will review each portfolio annually and provide written evaluation of teaching, scholarship, and service for all faculty members. The evaluation will be conducted by the department head on all full-time faculty members regardless of rank, tenure, or status. Classroom visitation may be included in the evaluation process. Classroom visitations for the purposes of evaluation must be scheduled at least three working days in advance of a visit. Written departmental guidelines on expectations in teaching, scholarship and service will be created by department heads in collaboration with the DPTC. These guidelines will be made available for individual and committee reference in advance of the annual evaluation, giving the faculty member adequate time to meet expectations.

The following five descriptive ratings will be used by department heads to rate faculty job performance in each of the three evaluation categories:

- Excellent
- Good
- Satisfactory
- Needs Improvement
- Unacceptable

For consistency across campus, department heads will use the descriptive terms above in evaluating teaching, scholarship, and service and will provide a written explanation of their evaluation in each category.

Copies of all DPTC reviews and department head evaluations will be forwarded to the dean of the college. The deans will provide to the Office of Academic Affairs copies of the DPTC reviews and department head evaluations along with a summary of all annual evaluations within their college.

### 3. Procedures for Tenured, Tenure-Track and Instructor-Track Faculty:

#### a. Portfolio

A portfolio (electronic or physical) of teaching, scholarship, and service will be prepared annually by each faculty member and submitted to his or her DPTC. The portfolio will include the faculty member's previous annual evaluations, annual peer reviews, annual student evaluations, evidence of scholarship and service and other documentation of the prior year's professional accomplishments (see Appendix A on Portfolio creation). Portfolio materials and self-improvement plans become part of the faculty maintained documentation for evaluation at each level of the promotion and tenure process.

Portfolios of faculty members with tenure must contain summary results of the university-wide student evaluation instrument in at least one section of each type or level of course the faculty member teaches each year (e.g., lower level, upper level, general education, online, graduate course). Tenure-track and instructor-track faculty must provide summary results of the university-wide student evaluation instrument for each course evaluated in each semester. Once submitted, no modifications or additions to the portfolio will be allowed.

#### b. DPTC

The DPTC will meet with each faculty member and provide an annual peer review of teaching, scholarship, and service. DPTCs may form a subcommittee of no fewer than three members to perform annual faculty peer review. The DPTC will produce a one to two page, written formative summary for each faculty member in terms of teaching, scholarship, and service, with recommendations for improvement. This document will be signed by the faculty member and submitted to the department head and dean prior to the department head's annual evaluation.

#### c. Department Head

The department head will annually evaluate the overall quality of teaching, scholarship, and service of each faculty member. The percentage weightings for teaching, scholarship, and service will be agreed to for the following year. Based on the weightings for the period under review, the department head will rate the faculty member as excellent, good, satisfactory, needs improvement, or unacceptable in each category. The department head will include a comprehensive summary of the three areas of evaluation for the faculty member with

recommendations for improvement. This document will be signed by the faculty member and the department head and submitted to the dean.

All faculty members should meet individually with the department head, review the evaluation results, and formulate a plan for professional improvement for the coming year. At this meeting, the department head will present to the faculty member the written evaluation of the faculty member's performance in teaching, scholarly/creative activities, and service.

At the annual evaluation meeting, or at any time during the academic year up to this point, the faculty member may present to the department head any additional information which he/she believes has relevance to the evaluation.

If the faculty member disagrees with any portion of the written annual review, he/she may attach a written statement citing the disagreement and the reasons for this disagreement, to the written evaluation.

#### 4. Procedures for Visiting Academic Staff

Visiting academic staff will be evaluated annually. Criteria and procedures for evaluation outside of teaching will be established by the academic staff member's supervisor according to assigned workload.

The following five descriptive ratings will be used by department supervisors to rate academic staff job performance in teaching and/or other assigned duties:

- Excellent
- Good
- Satisfactory
- Needs Improvement
- Unacceptable

For consistency across campus, department heads will use the descriptive terms above for each of the reviewed categories; that is, teaching, scholarship, and service.

Visiting academic staff must have each course evaluated in each semester using the university-wide student evaluation instrument. Department heads will use this instrument in evaluating visiting academic staff teaching performance and arrange for collection of additional evidence of performance in teaching or other assigned duty areas.

The department head's evaluation will be forwarded to the academic staff member and the department head may choose to arrange a meeting to discuss performance results.

#### Mid-term Review:

##### 1. Criteria

All tenure-track faculty and instructor-track faculty seeking promotion to senior instructor will be subject to a mid-term review. This review will take place during the third year of a full-time probationary appointment and at the conclusion of the fourth probationary year, considering the years of credit, for faculty receiving credit for prior service. Faculty will submit a mid-term portfolio summarizing their work to date at Arkansas Tech (see Appendix A for information on portfolio creation). Faculty at Arkansas Tech who receive credit toward tenure or promotion in their initial contracts will follow procedures for mid-term review, which will be established at the time of employment and stated in their letter of appointment. Portfolios should cover both

experience at Tech and experience at other institutions in the timeframe for which the faculty member is receiving credit toward tenure and/or promotion.

This mid-term review will proceed through both departmental and college level evaluation. At the department level, the DPTC and department head will provide formative reviews that will be forwarded to the Dean for additional comment. The DPTC, department head, and dean will review the portfolio in that order. Each will provide a written statement commenting on the faculty member's progress toward tenure and/or promotion. Reviews will address any deficiencies in the faculty member's performance to date and propose corrective courses of action. The mid-term review will be used for reference in tenure and/or promotion consideration.

## 2. Procedures

### a. Portfolio

Tenure-track faculty will prepare a mid-term portfolio of teaching, scholarship and service and submit it to his or her DPTC. Instructor-track faculty seeking promotion to senior instructor will prepare a mid-term portfolio of teaching and any other duties contracted and submit it to his or her DPTC. The portfolio will include the faculty member's previous annual reviews, annual peer reviews, student evaluations, and other documentation as evidence of professional accomplishments under the period of review (see Appendix A on Portfolio creation).

### b. DPTC

The DPTC will produce a one page, written formative peer review reflecting on the candidate's progress to date toward tenure or promotion. DPTC evaluations will address any deficiencies in the faculty member's progress and propose corrective courses of action. The faculty member will sign the mid-term review letter, acknowledging that the review has taken place. The DPTC will forward the signed letter to the department head and dean. Mid-term review letters will be included in tenure and promotion portfolios.

### c. Department Head

The department head will provide a written comprehensive assessment of the faculty member's progress toward tenure or promotion and meet with the faculty member to discuss corrective actions to address any deficiencies. The faculty member will sign the mid-term review letter acknowledging that the review has taken place. The signed review letter will be forwarded to the dean. Mid-term review letters will be included in tenure and promotion portfolios.

### d. Dean

The dean will provide a written comprehensive assessment of the faculty member's progress toward tenure or promotion. The mid-term review letter will be signed by the faculty member, acknowledging that the review has taken place. Mid-term review letters will be included in tenure and promotion portfolios.

## Tenure

Recommendations for tenure are based on overall professional attainment and expectation of further professional growth at Arkansas Tech University. Only tenure-track faculty at the rank of assistant professor, associate professor and professor are eligible for tenure. Three broad areas will be considered for tenure: teaching, scholarship, and service.

Unless otherwise specified in the letter of appointment, final tenure decisions will be made during the sixth year of the tenure-track faculty member's probationary period.

Those faculty members who are eligible and who wish to be considered for tenure are responsible for presenting evidence of their qualifications in a portfolio. Tenure requires a positive decision by the Board of Trustees after review by the DPTC, department head, dean, UPTC, Vice President for Academic Affairs, and President.

If at any step in the tenure procedure the applicant does not receive a favorable recommendation, he/she may submit a written response to the individual responsible for making a recommendation at the next level. No new evidence, not included in the portfolio as submitted, will be considered. The faculty shall submit the statement within ten working days of notification of an unfavorable recommendation. The faculty member may withdraw his/her application at any time.

If tenure is granted, the recipient will continue his or her appointment on a yearly basis under the conditions and restrictions for tenured faculty as outlined in the Faculty Handbook. If tenure is not granted during the final year of probation, the faculty member will receive a terminal appointment for the following academic year.

#### 1. Criteria

The university has established the following general criteria for tenure eligibility. Tenure requires a positive decision by the Board of Trustees after review by the DPTC, department head, dean, UPTC, Vice President for Academic Affairs, and President.

#### Tenure Eligibility Chart

Tenure-Track	Instructor-Track	Visiting
Eligible for Tenure	Not Eligible for Tenure	Not Eligible for Tenure

#### Minimum Criteria for Tenure

Unless otherwise stated in the faculty member’s contract, appointments for the first six years of employment shall be probationary and carry no implication of tenure. Whether and to what extent prior credit toward tenure will be included must be decided at the time of initial appointment in a mutually acceptable written agreement between the faculty member and Arkansas Tech University. The maximum time that may be credited toward tenure is three years.

The following criteria dealing with degree and judgment of performance should be considered *minimal*. Applicants should keep in mind that attainment of the minimal standard does not guarantee tenure.

- An earned terminal degree in the discipline or closely related field.
- Only tenure track faculty at the rank of assistant professor, associate professor and professor are eligible for tenure. Instructor-track and visiting faculty are not eligible for tenure. All other academic staff positions are not eligible for tenure.
- Classroom instruction must be judged by the department head as at least "satisfactory" in four of the last five annual evaluations.
- Scholarship and service must be judged by the department head as at least "satisfactory" in a majority of annual evaluations.

The department head and dean, in consultation with the DPTC and Vice President for Academic Affairs, will make determinations of what constitutes “closely related fields.”



Even though the performance of a faculty member may be judged insufficient by an evaluator, the application must be allowed to proceed through the system if the faculty member so desires.

All terminal degrees must be received from an accredited institution.

## 2. Procedures

Portfolios for tenure will be reviewed by the DPTC, department head, dean, UPTC, Vice President for Academic Affairs, and the President before the Board of Trustees final approval decision. At each level, faculty committees and relevant administrative reviewers are expected to communicate on matters related to criteria, standards, and all other matters relevant to the review of the faculty member's tenure application.

Evaluating committees and individuals should keep in mind that academic evaluations, conducted by learned peers within one's discipline, are an essential component of the tenure process.

Each academic year, the Office of the Vice President for Academic Affairs will establish a calendar, with appropriate deadlines, for the operation of the tenure process no later than September 1. Individual faculty members may apply for tenure at times and under circumstances consistent with the calendar and with the minimal criteria for tenure as stated above. It is the responsibility of the individual faculty member to assemble all of the materials necessary for consideration. In instances where the faculty member is eligible for promotion and tenure in the same year, she or he may submit a single portfolio for promotion and tenure. Decisions on promotion and tenure, however, are separately determined.

### a. Portfolio

Tenure-track faculty will prepare a tenure portfolio of teaching, scholarship and service. The portfolio will include the faculty member's previous annual reviews, annual peer reviews, student evaluations, and other documentation as evidence of professional accomplishment under the period of review (see Appendix A on Portfolio creation). Faculty will submit their tenure portfolios to their DPTC according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

### b. DPTC

DPTC members will individually vote to recommend or not recommend tenure. The DPTC will report the number of votes for and against each candidate's application for tenure along with a written explanation providing rationale or context for each recommendation not to grant tenure. This report will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure process, and the portfolio will be submitted to the department head according to the calendar deadlines established by the Office of the Vice President for Academic Affairs.

### c. Department Head

The department head will make a formal written recommendation to grant tenure or not to grant tenure for each applicant along with a written explanation providing rationale or context for each recommendation not to grant tenure. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure process, and the portfolio will be submitted to the dean according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

d. Dean

The dean will make a formal written recommendation to grant tenure or not to grant tenure for each applicant along with a written explanation providing rationale or context for each recommendation not to grant tenure. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure process, and the portfolio will be submitted to the UPTC according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

e. UPTC

UPTC members will individually vote to recommend or not recommend tenure. The UPTC will report the number of votes for and against each candidate's application for tenure along with a written explanation providing rationale or context for each recommendation not to grant tenure. This report will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure process, and the portfolio will be submitted to the Vice President for Academic Affairs according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

f. Vice President for Academic Affairs

The Vice President for Academic Affairs will make a formal written recommendation to grant tenure or not to grant tenure for each applicant along with a written explanation providing rationale or context for each recommendation not to grant tenure. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure process, and the portfolio will be submitted to the President according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

g. President

The President will provide a written recommendation to grant tenure or not to grant tenure for each applicant along with a written explanation providing rationale, or context for each recommendation not to grant tenure. Recommendations of the DPTC, department head, dean, UPTC, and Vice President for Academic Affairs shall be given deliberate and careful consideration on the question of tenure, but shall not be binding upon the President. The President's recommendations will be submitted to the board according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

h. Board of Trustees

The Board of Trustees will make its final decision on faculty tenure. Only the University Board of Trustees has the authority to grant tenure.

3. Extension of Tenure Probationary Appointment

A tenure-track faculty member may request an extension of a probationary appointment to accommodate exigencies or unexpected hardships. A written report outlining the basis for the request must be submitted to the dean and if recommended by the dean, to the Vice President for Academic Affairs for final approval. The request must be submitted prior to the end of the academic year preceding the final year of the faculty member's probationary period. The Vice President for Academic Affairs will indicate in writing, within 10 business days, whether the probationary period has been extended and specify the length in time of the extension.

#### 4. Tenure Appeals

Appeals of tenure decisions may be made to the FWC only under the following two conditions and prior to the deadline established for the President to act upon the recommendations:

- The faculty member's appeal is a claim that the tenure policy process for his/her tenure application was not followed at a specified level of review.
- The faculty member's appeal is a claim that his/her portfolio for tenure was not evaluated in accordance with the established policies and guidelines.

Appeals are limited to issues arising in the process from the time of the application forward. The FWC must review all appeals and issue a finding within 10 business days of the appeal. Appeals can be made in a memo format to the FWC Chair and copied to the Vice President for Academic Affairs. The FWC's findings will be referred to the Vice President for Academic Affairs for determination on the status of the candidate's application. The Vice President for Academic Affairs will inform the candidate for tenure of the outcome of his/her appeal. In no instance should the FWC substitute its judgment for the judgments made by the parties in the process.

#### Promotion

Recommendations for promotion are based on overall professional attainment and expectation of further professional growth at Arkansas Tech University. All tenured, tenure-track, and instructor-track faculty are eligible for promotion. For promotion, three broad areas, as appropriate to the candidate's appointment, are considered: teaching, scholarship, and service.

If at any step in the promotion procedure the applicant does not receive a favorable recommendation, he/she may submit a written response to the individual responsible for making a recommendation at the next level. No new evidence, not included in the portfolio as submitted, will be considered. The faculty shall submit the statement within ten working days of notification of an unfavorable recommendation. The faculty member may withdraw his/her application at any time.

#### 1. Criteria

Each faculty rank has its own distinctive requirements, but the University has established the following general criteria. All faculty members wishing to be considered for promotion are expected to meet the following criteria for the appropriate rank as well as the time-in-rank guidelines. All promotions require a positive decision by the Board of Trustees after review by a DPTC, department head, dean, UPTC, Vice President for Academic Affairs, and President.

#### **Promotion Eligibility Chart**

<b>Tenured or Tenure-Track</b>	<b>Instructor-Track</b>	<b>Visiting</b>
Assistant Professor to Associate Professor	Instructor to Senior Instructor	<i>Not Eligible for Promotion</i>
Associate Professor to Full Professor	Senior Instructor to University Instructor	

a. Minimum Criteria for Promotion - Assistant Professor to Associate Professor, Associate Professor to Professor

The following criteria dealing with degree, length of time in rank, and judgment of performance should be considered as the *minimal* standard to apply; applicants should keep in mind that attainment of the minimal standard does not guarantee promotion.

#### To Associate Professor

- An earned terminal degree in the discipline or closely related field.
- At least six years of experience as an assistant professor.
- Classroom instruction must be judged by the department head as at least "satisfactory" in four of the last five years of annual evaluations.
- Scholarship and service must be judged by the department head as at least "satisfactory" in a majority of annual evaluations.

#### To Professor

- An earned terminal degree in the discipline or closely related field.
- At least six years of experience as an associate professor.
- Classroom instruction must be judged by the department head as at least "good" in four of the last six years of annual evaluations, with no ratings below "satisfactory."
- Scholarship and service must be judged by the department head as at least "good" in four of the last six years in which the faculty member was evaluated.

Years of experience in rank means experience at Arkansas Tech University unless, at the time of initial contract, credit is given for previous experience. Whether and to what extent prior experience will be included must be decided at the time of initial appointment in a mutually acceptable written agreement between the faculty member and Arkansas Tech University. All prior years must come from an accredited institution of higher learning or equivalent professional experience to be considered for credit against probationary periods and years required for promotion.

The department head and dean, in consultation with the DPTC and Vice President for Academic Affairs, will make determinations of what constitutes "closely related fields."

Even though the performance of a faculty member may be judged insufficient by an evaluator, the application must be allowed to proceed through the system if the faculty member so desires.

All terminal degrees must be received from an accredited institution.

#### b. Minimum Criteria for Promotion - Instructor to Senior Instructor, Senior Instructor to University Instructor

The following criteria dealing with degree, length of time in rank, and judgment of performance should be considered *minimal*; applicants should keep in mind that attainment of the minimal standard does not guarantee promotion:

#### To Senior Instructor

- A master's degree in the discipline or closely related field.
- At least six years of experience as an instructor.
- Classroom instruction must be judged by the department head as at least "satisfactory" in four of the last five years of annual evaluations.

- Instructors receiving release time to engage in scholarship and service must be judged by the department head as at least “satisfactory” in majority of annual evaluations in these areas.

#### To University Instructor

- A master's degree in the discipline or closely related field.
- At least six years of experience as a senior instructor.
- Classroom instruction must be judged by the department head as at least "good" in four of the last six years of annual evaluations, with no ratings below "satisfactory."
- Instructors receiving release time to engage in scholarship and service must be judged by the department head as at least “good” in four of the last six years of annual evaluations in these areas.

Years of experience in rank means experience at Arkansas Tech University unless, at the time of initial contract, credit is given for previous experience. Whether and to what extent prior experience will be included must be decided at the time of initial appointment in a mutually acceptable written agreement between the faculty member and Arkansas Tech University. All prior years must come from an accredited institution of higher learning or equivalent professional experience to be considered for credit against probationary periods and years required for promotion.

The department head and dean, in consultation with the DPTC and Vice President for Academic Affairs will make determinations of what constitutes “closely related fields.”

Even though the performance of a faculty member may be judged insufficient by an evaluator, the application must be allowed to proceed through the system if the faculty member so desires.

Promotion in rank does not imply a change in the tenure eligibility of faculty contracted for instructor-track.

All degrees must be received from an accredited institution.

## 2. Procedures

Portfolios for promotion will be reviewed by the DPTC, department head, dean, UPTC, Vice President for Academic Affairs, and the President before the Board of Trustees final approval decision. At each level, the faculty committee and the administrative reviewer are expected to communicate on matters related to criteria, standards, and all other matters relevant to the review of the faculty member’s promotion application.

Evaluating committees and individuals should keep in mind that academic evaluations, conducted by learned peers within one’s discipline, are an essential component of the promotion and tenure process.

Each academic year the Office of the Vice President for Academic Affairs will establish a calendar, with appropriate deadlines, for the operation of the promotion no later than September 1. Faculty members may apply for promotion at times and under circumstances consistent with the calendar and with the minimal criteria for promotion as stated above. It is the responsibility of the individual faculty member to assemble all of the materials necessary for consideration. In instances where the faculty member is eligible for promotion and tenure in the same year, she or he may submit a single portfolio for promotion and tenure. Decisions on promotion and tenure, however, are separately determined.

a. Portfolio

Tenured and tenure-track faculty will prepare a promotion portfolio of teaching, scholarship and service. Instructor-track faculty seeking promotion to senior or university instructor will prepare a portfolio of teaching as well as any other duties contracted. The portfolio will include the faculty member's previous annual reviews, annual peer reviews, student evaluations, and other documentation as evidence of professional accomplishments under the period of review (see Appendix A on Portfolio creation). Faculty will submit their promotion portfolios to their DPTC according to calendar deadlines established by the Office of the Vice President for Academic Affairs

b. DPTC

DPTC members will individually vote to recommend or not recommend promotion for tenured, tenure-track and instructor-track probationary faculty. The DPTC will report the number of votes for and against each candidate's application for promotion along with a written explanation providing rationale or context for each recommendation not to grant promotion. This report will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process, and the portfolio will be submitted to the department head according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

c. Department Head

The department head will make a formal written recommendation to grant promotion or not to grant promotion for each applicant along with a written explanation providing rationale or context for each recommendation not to grant promotion. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process, and the portfolio will be submitted to the dean according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

d. Dean

The dean will make a formal written recommendation to grant promotion or not to grant promotion for each applicant along with a written explanation providing rationale or context for each recommendation not to grant promotion. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process, and the portfolio will be submitted to the UPTC according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

e. UPTC

UPTC members will individually vote to recommend or not recommend promotion for tenured, tenure-track and instructor-track probationary faculty. The UPTC will report the number of votes for and against each candidate's application for promotion along with a written explanation providing rationale or context for each recommendation not to grant promotion. This report will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process, and the portfolio will be submitted to the Vice President for Academic Affairs according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

f. Vice President for Academic Affairs

The Vice President for Academic Affairs will make a formal written recommendation to grant promotion or not to grant promotion for each applicant along with a written explanation

providing rationale or context for each recommendation not to grant promotion. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure and promotion process, and the portfolio will be submitted to the President according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

g. President

The President will make a formal written recommendation to grant promotion or not to grant promotion for each applicant along with a written explanation providing rationale or context for each recommendation not to grant promotion. Recommendations of the DPTC, department head, dean, UPTC, and Vice President for Academic Affairs shall be given deliberate and careful consideration on the question of promotion, but shall not be binding upon the President or the Arkansas Tech Board of Trustees. The President's recommendations will be submitted to the board according to calendar deadlines established by the Office of the Vice President for Academic Affairs.

h. Board of Trustees

The Board of Trustees will make the final decision on faculty promotion. Only the University Board of Trustees has the authority to grant tenure.

Even though an application may receive an unfavorable recommendation at one level of review, the application must be allowed to proceed to the next level, if that is the desire of the individual faculty member.

### 3. Promotion Appeals

Appeals of promotion decisions may be made to the FWC only under the following two conditions and prior to recommendations being acted upon by the President:

- The faculty member's appeal is a claim that the promotion policy process for his/her promotion application was not followed at a specified level of review.
- The faculty member's appeal is a claim that his/her portfolio for promotion was not evaluated in accordance with the established policies and guidelines.

Appeals are limited to issues arising in the process from the time of the application forward. The FWC must review all appeals and issue a finding within 10 business days of the appeal. Appeals can be made in a memo format to the FWC Chair and copied to the Vice President for Academic Affairs. The FWC's findings will be referred to the Vice President for Academic Affairs for determination on the status of the candidate's application. The Vice President for Academic Affairs will inform the candidate for promotion of the outcome of his/her appeal. In no instance should the FWC substitute its judgment for the judgments made by the parties in the process.

### 4. Emeritus Status

Emeritus status may be awarded to any retired member of the campus community who has held academic rank. Emeritus status is never automatic and reserved only for those who have given extraordinary and outstanding service to Arkansas Tech University over an extended period of years.

Eligibility is limited to those who have retired, and who have at least 15 years of consecutive service to Arkansas Tech University. Recommendations for emeritus status must be in writing, and may be made by any current member of the Arkansas Tech University community who holds faculty rank. Recommendations and all supporting documents will be reviewed by the University

Promotion and Tenure Committee, the Vice President for Academic Affairs, and the President in that order.

The sole consideration in the evaluation of these recommendations shall be the rendering of truly exceptional service to the university.

Recommendations and all supporting materials must be delivered to the Office of the Vice President for Academic Affairs by October 15 of the academic year in which the emeritus status is being sought. The review process will culminate with the candidate being considered by the UPTC, Vice President for Academic Affairs, President, and Board of Trustees in the spring semester of that academic year.

Authority to grant emeritus status rests with the Board of Trustees of Arkansas Tech University upon the recommendation of the President.

#### Tenure and Promotion of Administrators with Academic Rank

The administrative functions, titles, and status of the president, vice presidents, deans, registrar, plant engineer, librarian, directors, department heads, and others with administrative responsibilities for academic or non-academic services shall be distinct and severable from their functions, titles, and status, if any, as academic staff members.

Administrators holding academic rank (teaching, scholarship and service less than 50%) will not be eligible to apply for promotion or tenure while serving as administrators<sup>4</sup>.

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<sup>4</sup> Department Heads are considered faculty members not administrators and are eligible to apply for promotion and tenure.



## ACADEMIC TERMINATION POLICIES AND PROCEDURES

### 1. Termination of Appointment by the Faculty Member

A faculty member may terminate the appointment effective at the end of an academic year, provided that written notice is given at the earliest possible opportunity, but not later than thirty days after receiving notification of the terms of reappointment for the coming year. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where substantial professional advancement or other opportunity would be denied.

### 2. Termination of Appointment by the Institution

- a. Termination of an appointment with tenure, or of a special or probationary appointment before the end of the specified term, may be effected by the institution only for adequate cause.
- b. If such termination takes the form of a dismissal, it will be pursuant to the procedure specified in Item 3.
- c. Where termination of an appointment with tenure, or of a nontenured appointment before the end of the specified term, is based upon bona fide financial exigency or discontinuance of a program or department of instruction, Item 3 will not apply; but faculty members shall be able to have the issues reviewed by the Faculty Welfare Committee, with ultimate review of all controverted issues by the governing board of the institution. In every case of financial exigency or discontinuance of a program or department of instruction, the faculty member concerned will be given notice or severance salary not less than that prescribed in Item 6. Before terminating an appointment because of the abandonment of a program or department of instruction, the institution will make every effort to place affected faculty members in other suitable positions within the University. If an appointment is terminated before the end of the period of appointment, because of financial exigency, or because of the discontinuance of a program of instruction, the released faculty member's place will not be filled by a replacement within a period of two years in the case of financial exigency, or four years for the discontinuance of a program, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.
- d. Termination of a tenured appointment, or of a nontenured or special appointment before the end of the period of appointment, for medical reasons, will be based upon clear and convincing medical evidence. The decision to terminate will be reached only after there has been appropriate consultation and the faculty member or his/her representative has been advised of the basis of the proposed action, and has been afforded an opportunity to present his/her position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Faculty Welfare Committee before a final decision is made by the governing board on the recommendation of the President of the institution.

### 3. Dismissal Procedures

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

- b. Dismissal of a faculty member with tenure, or with a special or probationary appointment before the end of the specified term, will be preceded by these steps in order:
  - i. Discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement.
  - ii. Informal inquiry by the duly elected Faculty Welfare Committee which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the President.
  - iii. A statement of charges, framed by the President or the President's delegate.
- c. A dismissal, as defined in Item 3-a, will be preceded by a statement of reasons, and the individual concerned will have the right to be heard by the elected Faculty Welfare Committee. Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative. Each party will have a maximum of two challenges without stated cause.
  - i. Pending a final decision by the Faculty Welfare Committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to himself/herself or to others is threatened by the faculty member's continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Faculty Welfare Committee concerning the propriety, the length, and the other conditions of the suspension. Salary will continue during the period of the suspension.
  - ii. With the consent of the parties concerned, the Faculty Welfare Committee may hold joint pre-hearing meetings with the parties in order to perform the following:
    - (a) Simplify the issues;
    - (b) Effect stipulations of facts;
    - (c) Provide for the exchange of documentary or other information;
    - (d) Achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.
  - iii. Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the Faculty Welfare Committee will evaluate all available evidence and rest its recommendation upon the evidence in the record.
  - iv. The Faculty Welfare Committee, in consultation with the President and the faculty member, will exercise its judgment as to whether the hearing should be public or private.
  - v. During the proceedings the faculty member will be permitted to have an academic advisor and other counsel of his/her own choice.

- vi. At the request of either party or the Faculty Welfare Committee, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer.
- vii. At the faculty member's request, a verbatim record of the hearing or hearings will be taken and a copy will be made available to the faculty member without cost.
- viii. The burden of proof that adequate cause exists rests with the institution and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
- ix. The Faculty Welfare Committee will grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.
- x. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the Faculty Welfare Committee in securing witnesses and making available documentary and other evidence.
- xi. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and if possible provide for interrogatories.
- xii. In the hearings of charges of incompetence, the testimony shall include that of faculty members from this and other institutions of higher education.
- xiii. The Faculty Welfare Committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- xiv. The findings of fact and the decision will be based solely on the hearing record.
- xv. Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the governing board of the institution. The President and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.
- xvi. If the Faculty Welfare Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President rejects the report, he/she will state the reasons for doing so, in writing, to the Faculty Welfare Committee and to the faculty member, and provide an opportunity for response before transmitting the case to the governing board. If the Faculty Welfare Committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

4. Action by the Governing Board

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

5. Procedures for Imposition of Sanctions other than Dismissal

a. If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, such as suspension from service for a stated period, the administration may institute a proceeding to impose such a severe sanction; the procedures outlined in Item 3 shall govern such a proceeding.

b. If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, such as a reprimand, it shall notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed. A faculty member who believes that a major sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may, pursuant to Item 9, petition the Faculty Welfare Committee for such action as may be appropriate.

6. Terminal Salary or Notice

If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: at least three months, if the final decision is reached by March 1 of the first year of probationary service; at least six months, if the decision is reached by December 15 of the second year of probationary service; at least one year, following the expiration of the current contract, if the decision is reached after eighteen months of probationary service or if the faculty member has tenure. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude. On the recommendation of the Faculty Welfare Committee or the President, the governing board, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

7. Reappointment of Nontenured Faculty

If a faculty member on probationary or other non-tenured appointment alleges that a decision for non-reappointment was based significantly on considerations violative of academic freedom or governing policies on making appointments without prejudice with respect to race, sex, religion, or national origin, the allegation will be given preliminary consideration by the Faculty Welfare Committee, which will seek to settle the matter by informal methods. The allegation shall be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the Faculty Welfare Committee, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Items 3 and 4, except that the faculty

member making the complaint is responsible for stating the grounds upon which the allegations are based, and the burden of proof shall rest with the faculty member. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision for non-reappointment to come forward with evidence in support of their decision.

#### 8. Political Activities of Faculty Members

Faculty members, as citizens, are free to engage in political activities. Where necessary, leaves of absence may be given for the duration of an election campaign or a term of office, on timely application, and for a reasonable period of time. The terms of such leave of absence shall be set forth in writing, and the leave will not affect unfavorably the tenure status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.

#### 9. Grievance Procedures

Any faculty member who feels that there is cause for grievance in any matter not covered by the procedures described in this document may petition the elected Faculty Welfare Committee for a hearing. The petition shall set forth in detail the nature of the grievance and shall state against whom the grievance is directed. It shall contain any factual or other data which the petitioner deems pertinent to the case. The committee will have the right to decide whether or not the facts merit a detailed investigation. If it is deemed appropriate, the Faculty Welfare Committee will appoint from its body an ad hoc grievance committee to investigate and recommend. Submission of a petition will not automatically end in investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the Faculty Welfare Committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner and to the appropriate administrative officer or officers and appropriate faculty, and the petitioner will, upon request, be provided an opportunity to present the case to them.

#### 10. Interpretation

The Faculty Welfare Committee shall decide any controversies arising from disputed interpretation of this document.

## LIBRARIAN PROMOTION POLICIES AND PROCEDURES

### Librarian Ranks, Promotion Policies, and Procedures

There are three defined ranks for librarians at Arkansas Tech University. All librarian ranks are assumed to have at least a master's degree accredited by the American Library Association (the profession's recognized terminal degree) or expected completion within three years if an exception is granted and stipulated by the institution in the employee's contract. Characteristics of the individual ranks are as follows:

- Assistant Librarian – an entry level position at the institution, usually with little or no professional experience.
- Associate Librarian – an experienced academic librarian; evidence of competency in a specialty area of professional librarianship (e.g. reference, acquisitions, cataloging, instruction, etc.); a record of participation in departmental or institutional governance; active membership in professional library organizations and associations.
- Librarian – an academic librarian with substantial experience; evidence of mastery of a specialty area of professional librarianship; significant participation and leadership in departmental or institutional governance; a record of contributions to librarianship through participation in professional organizations and associations.

### Criteria for the Appointment or Promotion of Professional Librarians

There are four criteria used in evaluating librarians applying for initial appointment to a University position or for promotion to a higher rank. These are in the areas of education, experience, performance, and service. These criteria should be considered minimums for eligibility and meeting them will not guarantee promotion. General definitions for these criteria are as follows:

- Education – includes both necessary and relevant preparation such as degrees, certifications, training, workshops, etc.; documentation is required in order to be considered.
- Experience – includes all relevant work experience, both professional and non-professional; weighting of the various levels and types of experience will be the responsibility of the search or promotion committee; librarians must serve six years in a rank before being eligible for promotion (an exception may be granted by the Director of Library with approval of the Vice President for Academic Affairs).
- Performance – includes qualitative evaluations of the performance of primary duties by the librarian's supervisor(s); performance is the most important criteria for promotion decisions.
- Service – may include contributions or service to the library, the institution, the community, or the profession.

### Guidelines for Applying the Criteria to the Ranks of Professional Librarians

#### Assistant Librarian

- Employment is by appointment following a national search.
  - Each criterion is defined, weighted, and applied according to the needs of a particular search and at the discretion of the search committee.

#### Associate Librarian

- Maintains the level of relevant skills and knowledge necessary to the position's functional responsibilities; demonstrates professional growth and shares knowledge gained;
- Six years of relevant academic library experience;
- Performs all duties with competence and a measure of independence;
- Is aware of and active in current issues and trends in librarianship; contributes to the profession

or to the academic community (e.g. presentations or programs, participation or leadership in organizational or institutional governance).

### Librarian

- Maintains a high level of relevant skills and knowledge necessary to the position's functional responsibilities; demonstrates continuous professional growth over a significant period as a professional and shares knowledge gained;
- Twelve years of relevant experience in an academic library;
- Performs all duties with a high level of competence and independence;
- Demonstrates awareness of and activities in current issues and trends in librarianship throughout a professional career; contributes significantly to the profession or to the academic community (e.g. presentations or programs, participation or leadership in organizational or institutional governance).

### Procedures for Promotion

The steps are as follows:

1. Each academic year the Office of the Vice President for Academic Affairs will establish a calendar, with appropriate deadlines, for the operation of the promotion process. To the extent that it is feasible, the Promotion Process for Librarians will parallel this calendar.
2. Librarians may apply for promotion at times and under circumstances consistent with the calendar and with the criteria for promotion as stated above. It is the responsibility of the individual librarian to assemble all of the materials necessary for consideration under these criteria.
3. The application for promotion is delivered to the Director of Library. From that point forward the Director of Library, Librarian Promotion Committee, Vice President for Academic Affairs, and President will be responsible for timely forwarding to the next level of review and consideration.
4. The Director of Library, Librarian Promotion Committee, Vice President for Academic Affairs, and President will review all applications for promotion and in that order. Each will make a formal written recommendation to grant promotion or not to grant promotion.
5. Even though an application may receive an unfavorable recommendation at one level of review, the application must be allowed to proceed to the next level, if that is the desire of the individual librarian.
6. The President of the University will forward his/her recommendation for promotion to the Board of Trustees of the University.

### Librarian Promotion Committee

#### Membership

- The Librarian Promotion Committee (LPC) shall include all librarians, excluding the Director, who are not being considered for promotion; the membership of the LPC shall be at least three.
- In the event that there are fewer than three librarians who are not being considered for promotion, the balance of the LPC shall be filled first by the librarian at the ATU-Ozark campus and then (if necessary) by appointment from the University's Library, Instructional Materials & Equipment Committee by the Vice President for Academic Affairs in consultation with the Director of Library.
- The chair of the LPC shall be the highest ranking librarian member, with institutional seniority being the determining factor between librarians of equal rank.
- The LPC shall recommend (to the Vice President for Academic Affairs) approval or disapproval of all applications submitted.
- The LPC may meet with the Vice President for Academic Affairs (at his/her request) to discuss

the Committee's recommendations and justifications.

- The LPC shall submit a written statement to each applicant indicating the disposition of the application.
- If at any step in the promotion procedure the applicant does not receive a favorable recommendation, he/she may submit an appeal statement to the individual responsible for making a recommendation at the next level. The applicant shall submit the statement within ten working days of notification of an unfavorable recommendation. The applicant may withdraw his/her application at any time.

#### Granting of Promotion

The final decision on librarian promotion shall rest with the Board of Trustees.

### MERIT PAY

In the event that merit salary funding is established in a given fiscal year, the following guidelines will apply.

#### Definition:

Merit pay is defined as a salary increase to base pay for meritorious performance of professional duties and activities within a given year of service. By definition, merit pay is intended to exclude the concept of one-time bonuses. It is not intended that everyone evaluated for merit will receive a merit salary increase.

#### Eligibility

1. The full-time tenure track faculty of Arkansas Tech University shall be eligible for merit pay consideration.
2. Merit pools will be allocated to each College within the University. Deans will work with Department Heads in allocating the funds to the various departments.
3. Eligibility for consideration for merit pay will be based on the annual performance review of the faculty, already established in the Arkansas Tech University *Faculty Handbook*. Department Heads will reduce the areas of teaching, research, and service to one evaluation number for merit pay consideration. No faculty member will be considered for merit pay with a lower overall number than 4, and lower than a 4 in the area of teaching.

#### Salary Distribution:

Salary increments for merit are recommended by the Department Head, forwarded to the Dean of the College for review and further recommendation, and then forwarded to the Vice President for Academic Affairs.



## GUIDELINES FOR EVALUATION OF ACADEMIC ADMINISTRATORS BY FACULTY

Academic Deans shall be reviewed at least every two years. Department heads and other associated staff will be reviewed every year. Exceptions may be made in the event that there is a change in dean or department head. The Office of Academic Affairs will be responsible for implementing, monitoring, and enforcing the policy and its procedures.

The goals of the review are to provide feedback to academic administrators and serve as a basis for a dialogue between academic administrators, to provide information and status of ongoing programs and initiatives, and to assist in planning for future initiatives. The review will cover the following areas: (1) Leadership; (2) Administration; (3) Faculty and Program Development; and (4) Communication.

\*The evaluation process is outlined as follows:

### A. Procedure:

The Office of Academic Affairs sends out the survey form to each full-time faculty member utilizing an online format. The software collects the responses and tabulates the results. The results are forwarded to the dean and a copy will be maintained by the Office of Academic Affairs.

### B. Evaluators:

#### Deans

Faculty, tenured and non-tenured, and department heads will be asked to participate in the survey. The dean will also be asked to provide a self-evaluation.

The Vice President for Academic Affairs will use the results of the review process and a separate set of criteria to evaluate the dean. The Academic Vice President will evaluate the deans on a yearly basis.

#### Department Heads and Associated Staff

Faculty, tenured and non-tenured, will be asked to participate in the survey. The department head will also be asked to provide a self-evaluation.

The Dean will use the results of the review process and a separate set of criteria (including teaching) to evaluate the department head.

### C. Deadlines

Forms are sent out to all eligible faculty by email in early October. The deadline for completion of the survey instrument is approximately two weeks. Responses are tabulated and results sent to the academic administrator and the Vice President for Academic Affairs by mid November. The Vice President for Academic Affairs evaluates academic deans by April 15.

\*Updated 8/1/16

## HONORARY DEGREE POLICY

Honorary degrees are only awarded to persons of acknowledged eminence in the arts, letters or sciences, in the professions, or in public service whose contributions are so significant that benefits are recognized and acknowledged on a state, national, or international level.

As a general policy, honorary degrees shall not be awarded to active members of the University faculty or staff, or to retired faculty members for career distinction achieved solely at Arkansas Tech University.

Arkansas Tech University will grant no more than one honorary degree to an individual. Names of previous honorary degree recipients, along with any other consideration, are on file in the Office of Academic Affairs.

The authority to award honorary degrees rests with the Board of Trustees.

### **General Guidelines:**

1. Faculty members and academic administrators holding regular faculty rank may submit names of persons considered worthy for an honorary degree from Arkansas Tech University to a committee made up of the Promotion and Tenure Committee, three representatives from the Dean's Council, and the Vice President for Academic Affairs.
2. Those wishing to nominate a candidate should submit the following:
  - a. Letter of nomination citing the field in which the nominee has achieved eminence and describing the significance of the nominee's contribution to the field and, if appropriate, to Arkansas Tech University.
  - b. In cases where the candidate is not as well known outside his or her discipline as within it, at least three letters by eminent persons in the same field endorsing the candidate's nomination.
  - c. Any other information illustrating the candidate's eminence and contribution to Arkansas Tech University.
3. After preparing its recommendations the Committee shall present them to the President by February 1 for spring commencement. The President will forward the names of the nominees to the Board of Trustees for final approval.
4. After final action by the Board of Trustees, the President informs the nominees.

Prior to public announcement by the President and the Board of Trustees, all matters relating to honorary degrees are treated as confidential.

Any honorary degree shall not be awarded in absentia unless specifically recommended by the Committee and approved by the Vice President for Academic Affairs, the President, and the Board of Trustees.

## EMPLOYMENT AND RETIREMENT POLICIES

### **Salaries**

The University does not have a fixed salary schedule; however, acting within the limitations of the budget and in response to definite needs and demands, it does undertake to maintain a well-defined pattern in establishing salaries. This salary pattern represents the considerations given to education, experience, special needs, and the relative value of the individual to the University.

### **Payroll Information**

Immediately upon arrival on the campus, new faculty members will need to schedule a formal orientation with the Human Resources Office. The orientation process will include completion of personnel data information, employee insurance and retirement election.

### **Summer Teaching Appointments**

Summer teaching assignments are separate from academic year appointments and are based on curricular need. Employment during the academic year does not imply an obligation for teachers to accept summer teaching assignments unless they so desire. If in any department curricular needs and the number of available qualified teachers do not coincide, the priority of assignments is, first, to teachers who have accepted appointment for the ensuing year (this priority may extend to teaching both summer terms if the need exists), and second, to teachers who have chosen not to accept reappointment. Existing faculty with regular appointments will receive priority consideration for summer teaching assignments; however, as a means of providing for the instructional needs in graduate, continuing education, or other special programs, adjunct, part-time, visiting, and consultant faculty may be employed.

### **\*External Employment Policy**

External employment is defined as any paid activity for any non-university entity or person, whether or not such work is performed on campus, and also includes self-employment such as, but not necessarily limited to, consulting, advising, workshops, seminars, conferences, or similar work performed in addition to the official responsibilities of a full-time employee.

Arkansas Tech University employees are expected to fulfill their duties and responsibilities assigned to their particular position or job. External employment should not interfere with university employment. External employment must not create or result in a conflict of interest.

External employment is subject to the following expectations:

1. To avoid any conflict of interest, notification of external employment must be provided to the appropriate Vice President or Athletic Director.
2. The external employment may not interfere with the obligations of the employee to the university or create any conflicts of interest;
3. For employees who accrue annual leave, annual leave must be taken if the external employment would overlap with regularly scheduled work hours of the employee;
4. As a general rule, university resources (including facilities, supplies, and equipment) shall not be used for personal gain. However, in certain projects which accrue to the mutual benefit of the university and the individual faculty member, a [Memorandum of Understanding](#) for reimbursement to the university may be entered into in order to provide access to university resources.

\*Approved Board of Trustees 8/16/18

5. Employees performing external employment are solely responsible for work performed in the course of external employment, and the university is not responsible for such work;
6. All external work is performed in the employee's individual capacity;
7. Employees engaged in external employment do not officially represent the university, will not receive legal representation from the university, and are not an agent of the university when acting in that capacity; and
8. The view, thoughts, and expressions of the employee during the external employment do not represent the views or position of the university.

### **Resignations**

A teacher who does not wish to return for the ensuing school year should so inform the head of the department and should submit a formal letter of resignation to the Vice President for Academic Affairs for future protection in the event inquiries are made as to the reasons for leaving. After receiving a notice of appointment, a teacher who decides not to accept the appointment should return the unsigned employment notice on or before the date indicated. In this case, the above resignation procedures shall be followed. After employment has been accepted and the agreement signed, teachers should consider themselves bound by the code of ethics of the teaching profession to fulfill the commitment.

For further information concerning resignation policies, please refer to Section C of the "Regulations on Academic Freedom and Tenure."

### **Retirement Policies**

Arkansas Tech University complies with the Federal Age Discrimination in Employment Amendments of 1986 which prohibit the mandatory retirement of any employee. All exemptions applying to higher education were repealed as of December 31, 1993, eliminating compulsory retirement for all faculty.

### **\*Human Resources Termination Procedures**

Before an employee's final paycheck will be issued, the following must be completed:

- a. Exit interview packet of termination materials completed and returned to the Office of Human Resources.
- b. Clearance from the Library, Procurement and Risk Management Services, Facilities Management, Travel/Budget Office and Student Accounts offices.
- c. Return of Keys and/or University property
- d. Exit Interview with the Office of Human Resources

Questions concerning leave (when applicable), conversion of insurance, or retirement will be addressed during the exit interview.

After clearance from Human Resources, the employee may pick up the final paycheck from the Payroll Office, unless otherwise arranged. Automatic bank deposit is not allowed for a final paycheck. Additionally, the final paycheck will include all salary due the employee at the time of termination.

\*Revised 8/1/15

## **Criminal Background Check Policy**

Arkansas Tech University is committed to providing a safe environment by protecting the health, welfare and safety of all students, employees and visitors to our campus. As such, it shall be the policy of the University to conduct pre-employment criminal background checks for all applicants selected for new employment. This policy shall apply, without limitation, to all individuals selected during the hiring process for full and part-time faculty, classified and non-classified employees, staff, extra labor, and graduate assistants. An applicant who refuses to provide information necessary to conduct the criminal background check, or who provides false or misleading information, will not be considered for the position for which he or she has applied.

Criminal background checks are performed once a preferred candidate has been selected for employment. All offers of employment will be contingent upon successful completion of a criminal background investigation. Specifics on those subject to criminal background checks and the procedures for conducting such investigations are detailed in the Pre-Employment Screening Procedure available in the Office of Human Resources.

In accordance with federal and/or state law, a previous conviction will not automatically disqualify an applicant from consideration for employment. Each applicant identified with a criminal conviction will be evaluated on a case-by-case basis by the Criminal Background Check Committee which is composed of a representative from Human Resources, Academic Affairs, Administration and Finance, and Student Affairs. University Counsel will be available for advisory purposes only. The following factors will be considered for those applicants with a criminal conviction history in determining whether to extend an offer of employment:

1. The nature or gravity of the offense(s); and
2. The time since the conviction and/or completion of sentence; and
3. The nature of the job held or sought.

Should Arkansas Tech University consider an adverse decision on the applicant based on the criminal background check information, the applicant must:

- Be notified of the potential adverse decision based on the criminal background information;
- Be provided a copy of the criminal background report; and
- Be given the opportunity to provide to the Criminal Background Check Committee additional written information to dispute within five business days the accuracy of the criminal background report.

A final employment decision shall not be made until the applicant's additional information has been considered or such time that the applicant fails to respond as required.

## **FACULTY BENEFITS AND PRIVILEGES**

Detailed descriptions of the following benefits are available from the Human Resources Office located in Brown Hall Suite 434.

### **Arkansas State Employees Association**

ASEA is an independent, non-profit organization which works to make conditions better for state employees. The association works with the legislature, agencies and institutions of state government, and employees of the state. Information is available in the Payroll Office. Dues can be payroll deducted.

### **\*Bookstore Discounts**

Full-time faculty members making purchases at the Bookstore are entitled to discounts on purchases of \$2.00 or more (excluding regalia and convenience items such as snacks, drinks, medicines, etc.). The discount allowed on new and used textbooks is ten percent.

### **Business Discounts**

Occasionally, all employees and members of the immediate family are eligible to receive discounts from area businesses. Information may be obtained in the Human Resources Office.

### **Credit Union**

Employees may participate in the Priority Federal Credit Union and/or the Arkansas Federal Credit Union through payroll deduction. Additional information is available in the Human Resources Office.

### **Faculty Identification Card**

Each faculty member may obtain without charge from the Student Accounts Office a photo-identification card. If a replacement card is needed, a \$25 fee will be charged.

TechFit may be utilized upon presentation of employee ID card. The employee's account will be charged \$25 per semester upon first visit.

Employee ID cards are necessary to access most campus buildings after regular business hours.

Library materials may also be checked out upon presentation of the employee I.D. Card.

### **Faculty/Staff Aid for On-Campus Study**

#### **\*ATU Tuition Benefit Policy**

##### **I. Eligibility**

All full-time, active ATU employees, their spouses, and their dependents (as defined by the Internal Revenue Service Qualifying Child Test: <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/qualifying-child-rules>) are eligible. Employees on workers' compensation, military or family medical leave are eligible. Employees on leave without pay are not eligible.

Tuition Waiver requests must be submitted by the first day of class (fall, spring, summer, condensed classes) in order for the waiver to be considered.

For the employee's waiver and/or the dependent's waiver to be valid the employee must be an active employee on the first day of class (fall, spring, summer, condensed classes).

\*Revised 8/1/19

## II. Extent of Benefit

### a. Employee

- i. For employees hired after July 1, 2018 and for current employees on June 30, 2018 who earn hours after July 1, 2018, employees may take up to a lifetime total of 144 undergraduate and/or 40 graduate master's level, semester credit hours at ATU with a 100% tuition and fee waiver benefit (excluding course specific fees). For purposes of clarity, hours already earned by existing employees on June 30, 2018 will not count against the lifetime total caps that begin on July 1, 2018.
- ii. Employees must have the permission of their immediate supervisor and appropriate dean or vice president to take courses. Employees may not take classes during regular duty hours without permission from their supervisor. The sole exception to this is that with their supervisor's permission, an employee may take a course in lieu of their lunch hour.
- iii. Employees' semester credit hours may not exceed 18 hours total in any fiscal year (July 1 through June 30) unless approved by the Vice President for the employee's specific unit.
- iv. Tuition and fee waiver will cover audited courses provided the employee initially registers to audit the course.

### b. Dependents

- i. Employee's spouses and dependents may take up to a lifetime total of 144 undergraduate<sup>1</sup> and/or 40 graduate master's level, semester credit hours at ATU with a 50% tuition only waiver benefit. Dependents may receive a full discount of tuition for three semester credit hours or 50% of total tuition for the semester, whichever is greater. Reduced tuition for dependents applies only to tuition not otherwise covered by scholarships and the total should not exceed the total tuition charged for the semester. The maximum graduate course discount is equivalent to three semester credit hours per term.
- ii. Tuition waiver benefit does not cover audited courses for dependents.

## III. Failure and Withdrawal guidelines

### a. Failure

- i. Employees who receive failing grades, F in undergraduate level courses and D or F in graduate level courses, must repay 100% of the total tuition and fee benefit for each course in which they receive a failing grade.

### b. Withdrawal

- i. Employees and dependents who withdraw or change the status of their course(s) to audit after the last day to withdraw with a full reduction of tuition and fees and before the last day to withdraw with an 80% reduction of tuition only (as indicated by the Academic Calendar) will be required to repay the University benefit by 20% of tuition and all fees.
- ii. Employees and dependents who withdraw or change the status of their course(s) to audit after the final day for an 80% reduction in tuition (as indicated by the Academic Calendar) will be required to repay the University 100% of the total waiver benefit.

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<sup>1</sup>Total number of undergraduate hours equals the maximum number of hours for which students may receive federal aid.

#### IV. Financial Obligation

##### a. Failure to Pay

- i. Employees and/or dependents who do not complete their financial obligation to the University due to III, a., i. or III b., i, ii; will be billed for the amount owed. If not paid, the University has the right to forward the account outstanding to a collections processor or the use the State's Set-Off Fund.

#### **Faculty/Staff Tickets for Athletic Events**

Faculty/staff members, their immediate family, and one guest will be admitted to most athletic events on the presentation of the identification (ID) card.

#### **\*Group Insurance**

Arkansas Tech University provides full time faculty/staff an opportunity to participate in medical, dental, vision, life insurance, disability products, hospitalization, accidental injury, and major medical insurance on an elective basis. Changes can only be made during the year due to a qualifying life event, otherwise any additional changes cannot be made until Open Enrollment for the next plan year.

The University participates in some cost of the medical, dental, and group term life insurance, please reach out to a member of Human Resources for the specific amounts.

#### **Retirement Benefits**

State law requires that all full-time faculty participate in an approved retirement system. The systems available are the Arkansas Public Employees Retirement System (APERS), the Teachers' Insurance and Annuity Association (TIAA-CREF), and the Arkansas Teacher Retirement System (ATRS). To participate in the ATRS, faculty and department heads must be fully vested with the retirement system. Basic information on these plans will be furnished in faculty orientation sessions.

Benefits specific to retirees include the following:

1. Retirees are issued an Arkansas Tech University identification card free of charge.
2. Retirees are admitted free to most conference athletic events by showing the Tech identification card.
3. Discounts at the Tech Bookstore are given to retirees.
4. The Tech identification card allows retirees the use of the Library when it is open.
5. Retirees may use Tucker Coliseum for exercising.
6. Retirees are invited to special social events on the campus which are for the purpose of entertaining faculty and staff.
7. Retirees with official campus business may request one complimentary automobile decal with additional decals issued at the regular price.

\*Revised 8/1/18



### **\*Retirement Policy**

Employees who are age 60 or above and have completed ten (10) years of service at Arkansas Tech University may retire and be eligible to receive the same health insurance benefit options as current employees until the retiree reaches Medicare eligibility age. All employer contributions will then cease. Also a partial premium is paid for life insurance. All other family insurance coverage is the responsibility of the retiree.

As is the case with all other benefits, this is subject to continuing approval by the Board of Trustees. Arkansas Tech University specifically reserves the right to amend, revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion.

### **Sick Leave**

The following policies concerning sick leave were approved by the Board of Trustees on February 21, 1980:

Academic personnel, including faculty, deans, directors, and librarians, are provided sick-leave protection up to ninety calendar days per academic year for illness or disability. The University is able to provide this liberal sick-leave policy through the cooperation of fellow faculty members who, to the extent possible, assume the instructional responsibilities of those on sick leave.

For those who have long-term disability insurance, the ninety-day provision enables continuous compensation until the insurance becomes effective.

Maternity leave shall be treated as any other leave for sickness or disability. Additional leave without pay, up to one year, may be granted if requested by the employee.

Part-time faculty may participate in sick-leave benefits in the same proportion as their teaching assignment is to a full teaching load on a nine-month basis.

Faculty may utilize sick leave for absences due to illness, injury, emergency dental or doctor appointments, or death or serious illness in the employee's immediate family.

### **Social Security**

The University pays the maximum as specified by law.

\*Revised Board of Trustees 10/19/16

## **Vacation with Pay**

The following policies on vacation with pay were approved by the Board of Trustees on February 21, 1980:

Academic employees on a nine-month basis will not be granted separate vacation periods with pay due to the academic breaks at Thanksgiving, Christmas, and Spring holidays.

Academic administrators, including deans, directors, librarians, and heads of departments on twelve-month contracts, are provided vacation leave in accordance with the Uniform Attendance and Leave Policy Act, State of Arkansas (Act 567 of 1975, as amended), with additional provisions as approved by the Arkansas Tech University Board of Trustees on December 20, 1979.

## **Workers' Compensation Insurance**

All employees are insured under the Worker's Compensation Insurance program without cost to the individual. This program provides benefits in connection with injuries received on the job. Injuries should be reported to the Human Resources Office within twenty-four hours. Faculty members who are injured while acting within the scope of their employment will be eligible to file for Workers' Compensation insurance.

## **PROFESSIONAL GROWTH AND DEVELOPMENT**

At Arkansas Tech University professional growth and development are critical individual and instructional concerns. A major component of the University's efforts is to maintain and improve the quality and scope of the instructional program.

Each academic department encourages professional growth and development through the expenditure of its regular budget for such activities as professional travel and participation in professional societies and through supporting faculty in obtaining external funding sources. Additionally, faculty development funds administered through the offices of the college deans and Vice President for Academic Affairs support sabbatical leaves, research grants, advanced graduate study, and special growth/development opportunities. The Faculty Salary and Benefits Committee and the Professional Development Committee assist the academic administrators with professional development funding by encouraging faculty to submit proposals, evaluating the proposals, and recommending in priority order those which show particular developmental promise.

The following programs have been established at Arkansas Tech University to enhance individual and departmental efforts for professional growth and development. Additional information on these programs is available at <http://research.atu.edu>.

### **ATU Faculty Research Fund**

Each year the University allocates funds to stimulate activity in research through mini-grants for small or pilot research projects. The amount of \$2,000 has been designated as the maximum amount per project. Applications must describe the project in detail, identifying the problem and purpose of the study and specifying separately the amounts requested for equipment, travel, materials, clerical or laboratory assistance, and, when applicable, reduction of teaching load, with an explanation of each item of expenditure. Plans for dissemination of the results are to be included. Applications may be submitted at any time, but a project proposing relief from teaching duties for a semester or more must be submitted in time for committee action, at least six months in advance of the effective date.

\*Applications should be submitted to the Office of Sponsored Programs and University Initiatives for subsequent transmittal to the Professional Development Committee. The committee reviews all applications and submits to the Vice President for Academic Affairs those it recommends for approval in whole or in part. Expenditure of funds is processed through the Business Office according to established purchasing and accounting procedures. All equipment purchased through a faculty research allocation becomes the property of the University for instructional use by the faculty member's department upon completion of the project. The terminal report, including findings and data, is to be submitted within twelve months of project completion or upon termination of employment.

Guidelines describing proposal development and evaluation procedures are available on the ATU website at <http://research.atu.edu>. Click on the Faculty Research link.

### **Sponsored Programs and Projects**

Sponsored research projects and grants are coordinated through the academic units. Information to assist in the research process is available at <http://research.atu.edu>. To establish an orderly procedure for handling the increasing number of University projects financed in part or in whole by outside agencies, the Board of Trustees has approved the following policies:

All projects for institutes, workshops, or research contracts and grants, financed in part or in whole by funds from outside agencies, shall be cleared through normal administrative channels prior to the initiation of a proposal. In general, those projects are encouraged which have their inception in the interests of individual faculty members or groups of faculty members working within the framework of the overall instructional purposes of their department or college.

The preparation of a proposal, after preliminary institutional approval of the project, is the responsibility of the staff member or members initiating the project. Normally, the individual with primary responsibility for drafting the proposal will be the person designated as supervisor or director of the project if the grant should be obtained. Resources to assist in preparing a grant proposal are available at <http://www.atu.edu/research/grantsmanship.php>.

When a proposal is in final form, it will be submitted for review and final approval by the appropriate Department Head, College Dean, and Vice President for Academic Affairs. The proposal is submitted to the contracting officer for the University (Vice President for Administration and Finance) for approval of the budget. After approval by the Vice President for Administration and Finance, the proposal is forwarded to the Vice President for Academic Affairs and the President for approval. Appropriate forms for securing signatures are available in the Office of Academic Affairs.

\*Revised 8/1/18

In proportion to the amount of an individual's time to be devoted to a contract involving outside funds, the staff member is to be relieved of other duties during any period of obligated full time service to the University. Compensation for contracts or grants must be approved by the Board of Trustees. If, however, a part or all of the individual's duties under a project are to be performed during any part of the summer, when a teaching contract is optional, the University will execute a separate contract for his/her services at an appropriate salary. A staff member under a twelve month contract may receive additional compensation only for any part of the services which may fall within his/her normal vacation time.

Any deviation from the above policies shall require the specific approval of the Board of Trustees.

### **Faculty Development Grants**

Each year the University allocates funds for faculty development activities in each college budgets. These funds are coordinated through the various academic units. Applications for faculty development grants should include information on how the proposal correlates to institutional goals, priorities, and constituencies. Some of the items eligible for funding include (but are not limited to):

- Travel to professional conferences for the purpose of making a presentation or serving in a significant official capacity.
- Travel to professional conferences for the purpose of updating discipline-specific knowledge or other similar activity.

Applications, along with supporting documentation, should be submitted by the faculty member to his or her department head for initial review. The department head reviews the proposal and forwards the request, along with the recommendation, to the dean. The dean convenes the College Faculty Development Grant Committee to evaluate all proposals and make a recommendation to the dean. The dean informs the department head of the decision.

More detailed guidelines describing the Faculty Development Grant request procedure as well as the evaluation criteria and grant limitations are available in college/departmental offices.

### **Student Interdisciplinary Research Grant**

Arkansas Tech University awards up to three Student Interdisciplinary Research Grants to enhance efforts among departments and students for professional growth and development. These grants support faculty and student initiatives across all disciplines. Please see the link at <http://research.atu.edu> and click on "Student Interdisciplinary Research Grants."

### **Professional Development Grants**

The University has established a fund to provide additional faculty development opportunities beyond those provided by the colleges. The Professional Development Grant funds are administered by the Professional Development Committee. Please see the link at <http://research.atu.edu> and click on "Professional Development."

### **Professional Societies**

The University supports membership in professional organizations. Each college is allocated funds to pay for transportation, lodging, meals, and registration fees of faculty members to attend national, state, and regional professional meetings. College Deans are responsible for the authorization of travel allocated to their college.

## **Undergraduate Research**

To promote collaborative faculty and student research activities, the University has established the Undergraduate Research fund. Please see additional information at <http://research.atu.edu> and click on “Undergraduate Research”.

## **Leave**

The sabbatical assignment, leave with pay, or leave without pay are benefits available to faculty members.

1. A faculty member granted a sabbatical assignment, leave with pay, or leave without pay must be given a written statement, signed by the proper administrators, specifying whether or not Arkansas Tech University is committed to employ the faculty member at the end of the leave period.
2. A faculty member returning to the University from a sabbatical assignment, leave with pay, or leave without pay will be given the same consideration for a salary raise, promotion, or tenure that he/she would receive if not on leave.
3. A faculty member's fringe benefits will continue while he/she is on sabbatical assignment, leave with pay, or leave without pay.
4. Recipients of sabbatical assignment or leave with pay are obligated to return to their duties at the University for at least one academic year or refund sabbatical or leave pay to the University, unless mutual agreement is reached otherwise.
5. Recipients of sabbatical assignments or leave with pay are under contract to the University and may not accept any other employment, unless prior written approval has been granted by the University.
6. Recipients of leave with pay and sabbatical assignments will be required to submit a final report of activities within the first semester upon their return to the respective Department Head and the Vice President for Academic Affairs.

### **A. Sabbatical Assignment**

The sabbatical assignment is a benefit available to outstanding, tenured professors at Arkansas Tech University, to support their ability to engage in research, scholarship, artistic and creative pursuits. The purpose of the sabbatical assignment is to promote professional growth of faculty members, better teaching, and the overall intellectual environment of the University. Sabbatical assignments are not for the purpose of obtaining additional course work or a terminal degree.

1. Sabbatical assignments may be awarded for:
  - a. the fall semester, the spring semester, the summer term, or any combination thereof, not to exceed one academic year;
  - b. with full pay, if supporting documentation warrants it, not to exceed one academic year;
  - c. with partial pay, not to exceed one academic year.
2. Any tenured faculty member employed by the University for a period of six years or more will be eligible for a sabbatical assignment.

3. Any faculty member on sabbatical assignment will be paid at the agreed upon rate regardless of paid income from other sources.
4. A faculty member who receives a sabbatical assignment shall be given the same consideration for salary raise and promotion which he/she would receive if not on assignment.
5. The Faculty Salary and Benefits Committee is the Sabbatical Committee.
6. Sabbatical assignment will be awarded according to merit, on a university-wide competitive basis. Faculty members requesting sabbatical assignments must follow a formal application process.

Each faculty member will:

- a. Submit a plan of the proposed activities and a salary request, along with a rationale for the salary request, to the Department Head and the Dean of the College for approval.
  - b. Submit a detailed proposal to the Sabbatical Committee which shall include:
    - (1) supporting letters from the Department Head and the Dean of the College;
    - (2) an abstract of the proposal activities;
    - (3) a rationale for the requested salary level, including a budget;
    - (4) a detailed plan, including a time table, of the sabbatical activities;
    - (5) a plan for dissemination.
  - c. The Sabbatical Committee will consider proposals submitted by September 15. Proposals may be considered up to one year in advance.
  - d. The Sabbatical Committee will meet within seven days after the deadline, consider all proposals and recommend the most meritorious proposal(s) to the Academic Vice President and to the President of the University for approval.
7. Specific instructions on making application for sabbatical leave are available on the ATU website at <http://research.atu.edu>. Click on the sabbaticals link.

#### B. Sabbatical Replacement Cost Fund

In order to support the professional development of faculty on sabbatical assignment, Arkansas Tech University should maintain a sabbatical replacement cost fund.

1. The sabbatical replacement cost fund should cover the costs incurred by a department replacing a faculty member on sabbatical assignment.
2. The sabbatical replacement cost fund shall be part of the budget of the Vice President for Academic Affairs.
3. The sabbatical replacement cost fund should be maintained at one full-time faculty position per year.

#### C. Leave with Pay

Leave with pay is a benefit available to tenured and untenured faculty members to assist them in obtaining additional training, advanced course work, a terminal degree, scholarship and research.

1. Leave of absence with pay may be granted to faculty members who have a minimum of three years of service to the University.
2. Generally, remunerations will be one-half pay for one semester or one-fourth pay for two semesters.
3. Exceptions may be made in minimum years of service and rate of remuneration when leave is taken at the request of the University. An example would be a leave of absence granted for advanced study as agreed to during the hiring process.
4. A faculty member applying for leave with pay should submit a plan of the proposed activities to be undertaken during the leave for approval to his/her Department Head, the Dean of the College, the Vice President for Academic Affairs, and the President of the University.

#### D. Leave without Pay

All faculty members, tenured or untenured, are eligible for a leave of absence without pay. Requests for leave without pay should follow the same procedure as requests for leave with pay.

#### **Summer Faculty Fellowships**

As an aid in the professional growth of the faculty, the Board of Trustees has authorized the annual award of a limited number of faculty fellowships for summer study and for other faculty development activities, as recommended by appropriate academic administrators, that would enhance the effectiveness of the faculty member. Generally, the amount for each fellowship will be equivalent to the salary which the grantee would have received for teaching one summer term. The fellowship award becomes an integral part of the faculty member's contractual agreement with the University.

Applications are to be submitted in letter form by February 1 through the Department Head and Dean of the College to the Vice President for Academic Affairs. The application is expected to outline the applicant's summer plans and, in instances where the activity is other than summer study, should include a statement of how such activity is expected to benefit the University and enhance the requester's effectiveness as a faculty member. Applications for summer study should include the institution to be attended, the dates of enrollment, nature of the projected summer courses or other studies, and the relationship of this study to the applicant's teaching and graduate program. The Department Head and College Dean, in their endorsements, will submit their recommendations and add any pertinent information, including the effect upon staffing the University's summer session.

The Vice President for Academic Affairs will submit applications to the Faculty Salary and Benefits Committee for its recommendations and endorsements prior to making final recommendations to the President. The President will submit his/her nominations, with the appropriate amount of each grant, to the Board of Trustees for final approval.

#### **On-Campus Study**

Faculty members may enroll for credit or for audit, at no cost, in undergraduate and graduate courses. Procedures for utilizing this aid for on-campus study are listed in the "Faculty Benefits and Privileges" section of this handbook. A faculty member may participate in the learning activities of classes offered through class visitation, upon approval of the class instructor.

## **Other Opportunities for Professional Growth and Development**

Requests of funding for developmental activities not listed in this section and for activities requiring support in excess of that available through departmental budgets should be made in consultation with the Department Head/Dean to determine the appropriate method of application.

### FACULTY RECOGNITION

#### **Faculty Excellence Awards**

The Faculty Excellence Awards were established in spring, 1996, by the Arkansas Tech University Board of Trustees as part of an effort to continually promote and recognize distinguished service. Full-time faculty, who are tenured and hold the rank of either associate professor or professor, are nominated by their peers for awards in the areas of teaching, scholarly activity, and service. The nominees are given the opportunity to submit portfolios for review by an Excellence Award Committee; after evaluation of the portfolios submitted, the committee selects a faculty member to be recognized for each category. The recipients are awarded a stipend of \$2,000 and a plaque in recognition of their accomplishments during the spring commencement ceremonies. The Excellence Award Committee is composed of seven faculty members: three faculty selected by the Vice President for Academic Affairs who traditionally selects the previous year's three recipients of the excellence awards (the recipient of the teaching award serves as chair); three faculty selected by the Faculty Senate chair; and the Chair of the Faculty Senate.

#### **Publication of Scholarly Works**

During spring, 2004, the Deans Council voted to recognize the scholarly accomplishments of faculty by publishing these activities once each calendar year. Faculty are asked to submit information concerning certain scholarly works each fall semester to their department heads and deans. The information is sent to Academic Affairs by mid-December for compilation and publication each spring semester. Scholarly activities to be recognized generally include the following: publications; presentations at a professional meeting; artistic compositions, performances and exhibitions; grants and other sponsored projects; professional awards and recognition; and faculty excellence awards.



## PRIVATE GIFTS FOR ARKANSAS TECH UNIVERSITY

\*\*\*Securing private gifts for Arkansas Tech University is a team effort. Faculty, staff, and administrative personnel are considered impactful members of the fundraising efforts at Arkansas Tech University. The contacts and communication each employee at Tech has with the students throughout their college careers, and afterwards, is an important first step in developing alumni who care enough about their alma mater to contribute to its support. The Arkansas Tech University Foundation serves as a channel for all private gifts which benefit Arkansas Tech University. All Arkansas Tech University fundraising activities must be approved in advance of the activity through the Advancement Office, Administration Building, Room 209.

### **\*Purpose**

The Foundation partners with Arkansas Tech to strengthen and further the University's mission. The Arkansas Tech University Foundation is recognized by Arkansas Tech's Board of Trustees as a private partner, tax exempt, and an independent organization to receive and manage private gifts. The Arkansas Tech University Foundation maintains accounts for many of the academic departments and collegiate programs, as well as scholarship accounts. These accounts receive contributions from donors who direct that their gifts be used by a particular department, or to support the Alumni Association, Green and Gold, or any of the other programs on campus. The appropriate dean, department head, or other program advisor may request expenditures from these funds, to support travel, professional meetings, luncheons, general supplies, or other discretionary spending needs.

### **\*\*Management**

The Foundation is governed by the ATU Foundation Board of Directors. Designation of membership is coordinated by the Nominations Committee and approved by the full board. The volunteer members of the Foundation Board provide prudent and sound investment management. They also work closely with the Advancement Division to raise funds from corporations, foundations, and individuals.

### **\*Faculty and Staff Payroll Deductions**

Through a program of payroll deductions, faculty and staff members may authorize a contribution withheld from their monthly paycheck, to be used specifically by the academic department or program of their choice. Because the Foundation is a separate, non-profit organization, all contributions received are qualified tax deductible charitable contributions. Necessary forms can be obtained from the Advancement Division in Administration 209, by phone at 968-0400, or by E-mail [givetotech@atu.edu](mailto:givetotech@atu.edu)

### **\*A Strong Partnership for Leadership**

The strong partnership between Arkansas Tech University and the Arkansas Tech University Foundation has enhanced private giving through the years. This partnership will also serve as the catalyst that will allow Arkansas Tech to strengthen its educational leadership and academic excellence into the future.

\*Revised 8/1/17  
\*\*Revised 8/1/18  
\*\*\*Revised 8/1/19

## PORTFOLIO PREPARATION

**IT IS THE PRIMARY RESPONSIBILITY OF EACH FACULTY MEMBER TO ENSURE THAT ADEQUATE RECORDS ARE ESTABLISHED, COLLECTED, MAINTAINED, AND FORWARDED FOR DECISIONS ON REAPPOINTMENT, PROMOTION, AND TENURE.**

The following suggestions are general guidelines for the preparation of a portfolio for annual evaluation, mid-term review, and applications relating to tenure and/or promotion. Faculty are expected to also incorporate departmental guidelines in the development of their portfolios.

### **General Guidelines**

All portfolios will be developed and maintained electronically using the latest Adobe Pro software supported by Arkansas Tech University. The purpose of the portfolio is to provide evidence of effective teaching, scholarship, and service, as applicable. To facilitate an efficient evaluation system portfolios will fall into one of two tracks; one track for non-tenured or those seeking promotion and a second track for tenured professors and those not seeking promotion.

### **Portfolio Guidelines for Tenure-Track or Faculty Seeking Promotion**

Portfolios should consist of one electronic file containing two folders indexed with tabs (for easy navigation). The first folder will contain a concise summary of the faculty members' work. The second folder will contain the supporting documents.

#### **1. Summary Folder Contents**

- A. Memo: Identifying the faculty member's request (annual evaluation, mid-term review, tenure, and/or promotion)
- B. Vita: Current and comprehensive vita detailing teaching, scholarship, and service efforts
- C. Argument: Narrative, not to exceed ten pages, summarizing the work done by the faculty member that supports their request

#### **2. Supporting Documents Folder Contents**

(Faculty should determine what evidence best supports their argument - the following are offered as **examples** of evidence that might be provided. Please see the Portfolios, Workload and Weighted Evaluations section of the *Faculty Evaluation, Promotion and Tenure Policies and Procedures* for a more complete listing of materials that could be included. All materials should be in reverse chronological order by section.)

\*Approved Board of Trustees 8/15/19

When applying for tenure and/or promotion include annual and mid-term evaluations.

- A. Evidence of Effective Teaching
  - 1. Student evaluation summaries
  - 2. Student learning assessment results
  - 3. Teaching modifications
  - 4. Awards and recognition
  - 5. Examples of course materials
- B. Evidence of Scholarship
  - 1. Publications
  - 2. Presentations
  - 3. Creative activities
  - 4. Editorial service for academic journals
  - 5. Program review for conferences
  
- C. Evidence of Service
  - 1. Service to the profession
  - 2. Service to the community
  - 3. Service to the university
  - 4. Service to the college
  - 5. Service to the department

### **Portfolio Guidelines for Tenured Professors or Tenured Faculty Not Seeking Promotion**

Portfolios should consist of an electronic file containing one folder indexed with tabs (for easy navigation).

#### **1. Folder Contents**

- A. Memo: Identifying the faculty member's request for annual review
- B. Vita: Current and comprehensive vita detailing teaching, scholarship, and service efforts
- C. Summaries of student teaching evaluations

Any change in digital format standards for portfolio submission will be established by the Office of the Vice President for Academic Affairs and will be conveyed to faculty in a timely manner.

## Appendix B

### PROCEDURES AND GUIDELINES FOR ANNUAL PEER REVIEW

#### The Concept of Annual Peer Review

1. Purpose. The primary purpose of peer review is to assist faculty members in improving their teaching, scholarship, and service effectiveness.
2. Historical perspective. The peer review process features collegial determinations by persons who, on the basis of their own achievements, have the competence to make such judgments. Senior faculty who are knowledgeable in the instructor's field and experienced in the classroom are generally qualified judges of teaching, scholarship, and service effectiveness. [David A. Dilts, Lawrence J. Haber, Donna Bialik, An Introduction to Academic Performance Appraisal in Higher Education. (Greenwood, 1994).]
3. Supervisory responsibilities. Since the primary role of the peer review is to improve a faculty member's teaching, scholarship, and service effectiveness, peer review does not include supervisory or managerial responsibilities over individuals being reviewed.
  - (c) Duties. The DPTC will review the portfolios of each faculty member and will provide to the departmental head written comments regarding the teaching, scholarship, and service effectiveness of each faculty member and suggestions for improvement. The committee will meet with each faculty member.
  - (d) Comments. The DPTC shall prepare written comments on each full-time faculty member. The comments will be added to the faculty member's portfolio. The comments should include the below listed criteria on the teaching, scholarship, and service effectiveness of the faculty member:
    1. the pertinent data and an assessment of the data,
    2. an overall assessment of the faculty member's teaching, scholarship, and service effectiveness, and
    3. any suggestions to improve the faculty member's teaching, scholarship, and service effectiveness.
  - (e) Classroom visitation. Peer review classroom visitations must be scheduled at least three working days in advance of a visit.

## Appendix C

### SAMPLE PEER REVIEW of Dr. James B. Goodfile

Date

The Peer Review Committee for the Department of Behavioral Sciences has reviewed the portfolio of Dr. James B. Goodfile for the calendar year \_\_\_\_\_. The comments below are submitted.

1. Pertinent data and an assessment of the data.

Dr. Goodfile's portfolio contains representative samples of his course syllabi, final examinations, class handouts, and student evaluations. In addition, the committee met with Dr. Goodfile and discussed the contents of his portfolio with him. Dr. Goodfile has been at TECH for four years. His average teaching load is 12 credit hours per semester. He has averaged two new teaching preparations each semester.

The student reviews indicated that the students have a high opinion of Dr. Goodfile's teaching effectiveness. The student evaluations indicate no significant areas of concern that need to be improved. It is noted that his student evaluation scores have improved in the last three semesters. It is also noted that in his first two semesters at Tech, several students commented on their lack of understanding of the course assignments. Apparently, he has taken steps to alleviate this perceived problem since the comments have not been repeated in the last six semesters. His examinations are keyed to the objectives of the course, are prepared with care and forethought, and are sufficiently objective, reliable, and numerous in terms of numbers of items and content sampling to provide the basis for fair and valid grading. Dr. Goodfile's texts and materials are current, appropriate and well integrated with his lectures. His course syllabi, however, tend to be brief and without much explanation regarding the course goals, expectations, and course requirements. Dr. Goodfile has developed a new course in victimology. The course appears to be particularly well developed, comprehensive, and well organized (see the sample material contained in his portfolio).

2. An overall assessment of the faculty member's teaching effectiveness.

Dr. Goodfile appears to be extremely meticulous and conscientious in his teaching duties. His instructional procedures appear to be based on a thorough, systematic, and complete set of behavioral objectives.

3. Suggestions to improve faculty member's teaching effectiveness.

The course syllabi indicates that on the first day of class, Dr. Goodfile provides an orientation of the course requirements, goals, and expectations. In view of the fact that some students are not present the first day because of absence or late registrations, it is recommended that Dr. Goodfile include a more detailed explanation of his requirements, goals, and expectations in his syllabi.

Peer Review Committee Members:

Dr. Jerry Forever  
Dr. Jane Senior  
Dr. Harry Barr  
Dr. Mary Teacher

## Appendix D

### SAMPLE ANNUAL EVALUATION GUIDELINES

(The following is meant only as an example. DPTCs in consultation with department heads and deans, will set rating guidelines for each department.)

#### Departmental Guidelines for Faculty Annual Evaluations

Department of \_\_\_\_\_

Calendar Year \_\_\_\_\_

Evaluation Period \_\_\_\_\_

The following are general guidelines to help clarify departmental expectations for annual faculty evaluations for the \_\_\_\_\_ evaluation period. They do not constitute a complete list of criteria considered by department heads in annual evaluations.

#### Teaching

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Above average student evaluations; evidence of success in improving course content and delivery; leadership in teaching innovation and initiative; evidence of success in improving course content and delivery; leadership in teaching innovation and initiative

#### Scholarship

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Long form or multiple short form published and/or distributed peer reviewed work (ex. book)

#### Service

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Leadership roles and/or committee work in all categories: university, college, department, professional

**Appendix E**

SAMPLE

DEPARTMENT HEAD ANNUAL EVALUATION OF FACULTY

Department \_\_\_\_\_  
Calendar Year \_\_\_\_\_  
Evaluation Period \_\_\_\_\_

Dr. X, Assistant Professor of Y

Teaching (Weight: 80%) *Summary Statement:* Dr. X's student evaluations . . . .  
Rating: (*Excellent*)

Scholarship (Weight: 10%) *Summary Statement:* Dr. X published . . . .  
Rating: (*Good*)

Service (Weight: 10%) *Summary Statement:* Dr. X served . . . .  
Rating: (*Satisfactory*)

COMMENTS AND SUMMARY

Dr. X is a valuable member of the department. . . .  
This evaluation and a copy were provided to Dr. X and reviewed by him.

Dr. X  
Department Head

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

## Appendix F

### SAMPLE Department Head and Dean Mid-term Review Letter

Date

The \_\_\_\_\_ Department has completed its mid-term tenure and promotion review for Dr. X. Dr. X's portfolio suggests that he is making progress toward achieving both tenure and promotion. Dr. X's teaching evaluations are generally good and occasionally excellent. His student evaluation averages are typically near both departmental and college averages. He is a dedicated teacher and carries an overload every semester. Several students have complained about starting class late and missing office hours. Dr. X will need to show improvement in meeting at scheduled class times and office hours. Dr. X has also provided significant service to the department and the community. His work with departmental assessment is especially noteworthy. Dr. X has not yet served on a university committee or provided any service to his profession. Dr. X needs to pursue a university committee assignment and become active in a professional organization. Dr. X has yet to reach his potential in terms of scholarship. Publication opportunities in the next few years should greatly improve his resume. Dr. X is a valuable and well respected member of the department.

Sincerely,

Evaluator Name



## Appendix G

### SAMPLE ANNUAL EVALUATION OF DEPARTMENT HEADS

(The following is meant only as an example. DPTCs in consultation with department heads and deans will set rating guidelines for each department for teaching, scholarship, and service. Immediate supervisors will set rating guidelines for administration.)

#### Guidelines for Annual Evaluation of Administrators with Academic Rank

College of \_\_\_\_\_  
Calendar Year \_\_\_\_\_  
Evaluation Period \_\_\_\_\_

The following are general guidelines to help clarify expectations for annual evaluations of administrators with academic rank for the \_\_\_\_\_ evaluation period. They do not constitute a complete list of criteria used in annual evaluations.

#### Teaching

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Above average student evaluations; evidence of success in improving course content and delivery; leadership in teaching innovation and initiative

#### Scholarship

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Long form or multiple short form published and/or distributed peer reviewed work (ex. book)

#### Service

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Leadership roles and/or committee work in all categories: university, college, department, professional

#### Administrative Duties

##### Leadership

Rating: (Unacceptable) . . . .

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*)

Rating: 5 (*Excellent*) Unusual display of leadership

##### Administration

Rating: (Unacceptable)

Rating: (Needs Improvement) . . . .

Rating: (Satisfactory) . . . .

Rating: (*Good*) Administration Survey questions 6-11 average of at least 4.0  
Rating: (*Excellent*) Significant improvements in department policies or procedures

#### Faculty and Program Development

Rating: (*Unacceptable*) . . . .

Rating: (*Needs Improvement*) . . . .

Rating: (*Satisfactory*) . . . .

Rating: (*Good*) . . . .

Rating: (*Excellent*) Administration Survey questions 12-14 average above university average and among highest in the college; significant improvements made in multiple areas (ex. Budget, Personnel, Assessment, Curriculum, Physical Facilities, Online Facilities, Student Relations, Community Outreach)

#### Communication

Rating: (*Unacceptable*) . . . .

Rating: (*Needs Improvement*) . . . .

Rating: (*Satisfactory*) . . . .

Rating: (*Good*) Administration Survey questions 15-18 average of at least 4.0

Rating: 5 (*Excellent*) No complaints from faculty involving communication; effectively communicated standards for annual evaluation and tenure and promotion

## II

### RELATION OF THE FACULTY MEMBER TO THE UNIVERSITY

#### B. AFFIRMATIVE ACTION AND TITLE IX

##### AFFIRMATIVE ACTION

Arkansas Tech University will provide equal opportunity in employment to all persons. This applies to all phases of the personnel process, including recruitment, hiring, placement, promotion, demotion, separation, transfer, training, compensation, discipline, and all other employment terms, conditions, and benefits. Arkansas Tech University prohibits discrimination based on race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, genetic information, or veteran status.

Arkansas Tech University will provide a copy of this policy to all applicants for employment. All faculty and staff will be notified annually of the policy. Further, Arkansas Tech University will consider through a designated grievance procedure, the complaints of any person who feels that he or she has been discriminated against on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, genetic information, or veteran status.

Arkansas Tech University will have an Affirmative Action Plan that contains a set of specific and result-oriented procedures to apply every good faith effort to achieve prompt and full utilization of minorities, women, those with disabilities or veterans at all levels and all segments of its workforce where deficiencies exist. Additionally, Arkansas Tech University will continually monitor and evaluate its employment practices to ensure that they are free of bias or discrimination based upon race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, genetic information, or veteran status.

A copy of the Affirmative Action Plan, including specific responsibilities and provisions for implementation and compliance will be made available upon request.

\*Responsibility for implementation and compliance with this Affirmative Action policy has been delegated to the Director of Human Resources and Affirmative Action officer, Mr. Robert Freeman who can be reached by emailing [rfreeman18@atu.edu](mailto:rfreeman18@atu.edu) or [affirmative.action@atu.edu](mailto:affirmative.action@atu.edu) or by calling 479-968-0241.

\*Updated 8/1/18

## \*POLICY ON SEXUAL HARASSMENT

It is the policy of Tech to maintain the University community as a place of work and study for staff, faculty, and students free of harassment, including sexual and gender harassment and all forms of sexual intimidation and exploitation. All students, staff, and faculty should be aware both that the University is concerned and prepared to take action to prevent and correct such behavior.

Sexual harassment by any faculty, staff, or student is a violation of both law and University policy and will not be tolerated at Tech. The University considers sexual harassment to be a very serious issue and shall subject the offender to dismissal or other sanctions following the University's investigation and substantiation of the complaint and compliance with due process requirements.

The determination of what constitutes sexual harassment will vary with the particular circumstances, but it may be generally described as repeated and unwanted sexual behavior, such as physical contact and verbal comments or suggestions that adversely affect the working or learning environments of others.

EEOC Guidelines define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly made a condition of an individual's employment with the University or a factor in the educational program of a student; and/or
2. Submission to or a rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting such individuals; and/or
3. Such conduct has the purpose or effect of substantially interfering with an individual's right to achieve an educational objective or to work in an environment free of intimidation, hostility, or threats stemming from acts or language of a sexual nature.

Although sexual harassment most frequently occurs when there is an authority differential between the persons involved (faculty member and student, supervisor and staff member), it may also occur between persons of the same status (e.g. faculty-faculty, staff-staff, student-student). Both men and women may be victims of sexual harassment, and sexual harassment may occur between individuals of the same gender.

Because of the unique situations which exist between students, faculty, supervisors, and staff, relationships in the workplace and on campus should at all times remain professional. In particular, due to the professional power differential between faculty and students, faculty members are encouraged to remain professional in all relationships with students. As teachers, professors encourage the free pursuit of learning by their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

Sexual harassment may create a hostile, abusive, demeaning, offensive, or intimidating environment. It is manifested by verbal or physical actions, including gestures and other symbolic conduct. Sexual harassment is not always obvious and overt; it can also be subtle and covert. A person who is subject to sexual advances may nevertheless be a victim of sexual harassment if those advances were unwelcome.

\*Revised 8/1/18

If a professor's speech or conduct takes place in the teaching context, it must also be persistent, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

Examples of sexual harassment may include, but are not limited to, the following:

- Verbal abuse of a sexual nature, which is considered to include, but is not limited to epithets, derogatory comments, sexual advances, invitations, propositions, comments, or requests for sexual favors;
- Intimate unwelcome physical contact;
- Repeated unwanted discussions of sexual matters;
- Use of sexual jokes, stories, analogies, or images which are not related to the subject of the class or work situation;
- Ogling, leering, or prolonged staring at another person's body;
- Display or use of sexual graffiti or sexually-explicit pictures or objects;
- Sexually suggestive jokes, comments, e-mails, or other written or oral communications;
- Condition, explicitly or implicitly, academic or employment decisions upon an individual's submission to requests for sexual favors or conduct.

Individuals who are aware of or have been subjected to sexual harassment are encouraged to promptly contact the Title IX Coordinator, Amy Pennington, Associate Vice President for Student Affairs/Dean of Students and Title IX Coordinator, Doc Bryan Student Services Center, Suite 233, (479) 968-0407, [apennington@atu.edu](mailto:apennington@atu.edu).

### **Resolution Options**

The University provides two options for reporting and resolving matters involving sexual harassment: an informal resolution process and a formal complaint process. An individual who believes that he or she has been subjected to sexual harassment and seeks to take action may use the informal resolution process, the formal complaint process, or both. First use of the informal resolution process will, in most cases, be consistent with fairness and correcting an undesired circumstance with a minimum of emotional and professional damage. The informal resolution process and formal complaint resolution process are not mutually exclusive and neither is required as a pre-condition for choosing the other; however, they cannot both be used at the same time.

### **Informal Resolution**

An individual who believes that he or she has been subjected to sexual harassment should contact the Title IX Coordinator who will review the facts presented. The individual, if they are a faculty member, may additionally contact the Faculty Welfare Committee representative. No person shall be subject to restraints, interference, or reprisal for action taken in good faith to report or to seek advice in matters of sexual harassment.

Informal resolution may be appropriate when the conduct complained of is not of a serious or repetitive nature and disciplinary action is not required to remedy the situation. As there is no formal investigation involved in the informal resolution process, there is no imposition of discipline. University methods for resolving complaints informally include, but are not limited to:

- Mediating between the victim and the individual who is engaging in the offensive conduct;
- Aiding in the modification of the situation in which the offensive conduct occurred;
- Assisting a department or division with the resolution of a real or perceived problem; or

- Arranging for a documented meeting between the person allegedly engaged in the offensive conduct and a University official that involves, at a minimum, a discussion of the requirements of the Sexual Harassment policy.

The University will document any informal resolution. The documentation will be retained by the Title IX Coordinator and, if a faculty member is involved, and so requests, the Faculty Welfare Committee representative. The documentation will be kept confidential to the extent permitted by law. If a complaint is filed in a faculty or staff's permanent record, the faculty or staff member must be notified. An informal resolution meeting is not a precondition for filing a formal written complaint.

### **Formal Complaint**

An individual who believes that he or she has been subjected to sexual harassment may submit a written formal complaint setting forth all pertinent facts to the Title IX Coordinator who will assign a Title IX investigator to review the facts presented. The individual, if they are a faculty member, may also request that a copy of the complaint be sent to the Faculty Welfare Committee representative. No person shall be subject to restraints, interference, or reprisal for action taken in good faith to report or to seek advice in matters of sexual harassment.

### **Investigation**

A formal investigation will be initiated if the complaint articulates sufficient specific facts which, if determined to be true, would support a finding that the University's policy was violated. The Title IX Coordinator, or designated Title IX investigator, will give the alleged offender a copy of the complaint. The alleged offender is also provided with an opportunity to respond to it within five (5) business days (ten business days if school is not in session) of receipt by the alleged offender. The letter will include a statement advising the alleged offender that retaliation against the individual who filed the complaint is prohibited and will subject the alleged offender to appropriate disciplinary action if retaliation occurs.

Both the individual submitting the complaint and the alleged offender will be individually interviewed as a part of the official investigation as will any witnesses or persons who have information related to the complaint. Documents relevant to the complaint will also be examined. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual. In the course of a complaint investigation, the University will attempt to maintain confidentiality for all parties involved. However, there can be no guarantee of confidentiality and anonymity based upon the course and scope of the complaint investigation.

Findings will be based on the totality of the circumstances surrounding the conduct complained of, including, but not limited to:

- the context of the conduct;
- the severity;
- the frequency; or
- whether the conduct was physically threatening, humiliating, or was simply offensive in nature.

### **Representation**

During the complaint process, the individual making the complaint and the alleged offender may designate and thereafter be accompanied by an advisor of his or her choosing at meetings and interviews at which he or she is present; however, no representative may examine witnesses or otherwise actively participate in a meeting or interview.

## **Report of Findings and Recommendation-Complaints Against Non-Students**

The Title IX Coordinator, or designated Title IX investigator, will provide a proposed statement of findings, copies of relevant documents, and any physical evidence considered to the appropriate vice president within ten (10) business days (twenty business days if school is not in session) of receipt of the statement from the person whose conduct was complained about.

The appropriate vice president will promptly notify the individual bringing the complaint and the alleged offender that the investigation has been completed and attach a copy of the proposed statement of findings. A student's identifiable information, if any, which is confidential by law, will be redacted. Within five (5) business days (ten business days if school is not in session) from the date of notification, the individual bringing the complaint and the alleged offender may each submit, for consideration by the appropriate vice president, such comments and corrections as they may have. Within ten (10) business days (twenty business days if school is not in session) from the date of notification, the vice president shall take one of the following actions:

- Dismiss the complaint if the result of the completed investigation is inconclusive or there is insufficient reasonable, credible evidence to support the allegation(s); or
- Find that the Sexual Harassment policy was violated.

If the Vice President determines that this policy was violated, he or she shall determine a disciplinary action that is appropriate for the severity of the conduct. The Vice President shall inform the individual bringing the complaint, the accused individual, and the appropriate dean or department head of his or her decision, and shall attach a copy of the final statement of findings. Copies of the vice president's letter, the attached statement of findings, and relevant documents shall also be sent to the Title IX Coordinator.

Disciplinary action may be appealed by the employee who is disciplined. Appeals for faculty shall be made, pursuant to the Faculty Handbook, to the Faculty Welfare Committee. Appeals for non-faculty shall be made, pursuant to the Classified Employee Handbook, in the form of a formal grievance hearing.

## **Report of Findings and Recommendation - Complaints Against Students**

The Title IX Coordinator, or designated Title IX investigator, will provide a proposed statement of findings, copies of relevant documents, and any physical evidence considered to the Vice President for Student Affairs for a determination pursuant to Article III of the Arkansas Tech University Student Code of Conduct.

### **Filing of a False Complaint**

Individuals whose complaint is found to be both false and have been made with malicious intent will be subject to disciplinary action, which may include, but is not limited to, demotion, transfer, suspension, expulsion, or termination of employment.

## \*SEXUAL MISCONDUCT POLICY AND PROCEDURES

### **Options For Immediate Assistance**

If you or someone you know may have been a victim of Sexual Assault, you are strongly encouraged to seek immediate assistance.

### **Law Enforcement Assistance**

#### **On Campus - Russellville**

Assistance can be obtained 24 hours a day, 7 days a week, from the Arkansas Tech University Department of Public Safety located at 716 N. El Paso Avenue and available by telephone at (479) 968-0222.

#### **Off Campus - Russellville**

Assistance can be obtained 24 hours a day, 7 days a week, from the Russellville Police Department by dialing 911.

#### **On Campus - Ozark**

Assistance can be obtained from 8 a.m. to 5 p.m., Monday through Friday by contacting Officer David Spicer, Public Safety Officer, located at the Collegiate Career Center, Room 100C, 1700 Helberg Lane or by telephone at (479) 508-3359.

#### **Off Campus – Ozark**

Assistance can be obtained 24 hours a day, 7 days a week, from the Ozark Police Department by dialing 911.

### **Medical Assistance**

#### **Russellville**

St. Mary's Regional Medical Center  
1808 W. Main Street  
Russellville, AR 72801

#### **Ozark**

Mercy Hospital Ozark  
801 W. River  
Ozark, AR 72949

Medical assistance can be requested by dialing 911 or going directly to the hospital. Nurses on staff in the emergency room are trained and equipped with the supplies necessary to perform a rape kit to preserve evidence. Treatment of injuries, preventative treatment for sexually transmitted diseases, and other health services are provided.

During business hours (8 a.m. to 5 p.m., Monday through Friday), you are also strongly encouraged to contact Amy Pennington, Arkansas Tech University's Title IX Coordinator by telephone at (479) 968-0407, by email at [apennington@atu.edu](mailto:apennington@atu.edu), or in person at the Doc Bryan Student Services Center, Suite 233, 1605 Coliseum Drive in Russellville, Arkansas, or Will Cooper, Deputy Title IX Coordinator, at (479) 968-0334, by email at [wcooper@atu.edu](mailto:wcooper@atu.edu), or in person at the Doc Bryan Student Services Center, Suite 233, 1605 Coliseum Drive, Russellville, Arkansas, or Susie Nicholson, Deputy Title IX Coordinator, at (479) 964-3230, by email at [snicholson@atu.edu](mailto:snicholson@atu.edu), or in person at Tucker Coliseum, 1604 Coliseum Drive, Russellville, Arkansas, or Stacy Galbo, Deputy Title IX Coordinator, at (479) 964-0583 ext. 4717, by email at [sgalbo2@atu.edu](mailto:sgalbo2@atu.edu), or in person at the Doc Bryan Student Services Center, Suite 233, 1605 Coliseum Drive, Russellville, Arkansas, or Mitzi Reano, Deputy Title IX Coordinator for the Ozark Campus, at (479) 667-2117 ext. 6540, by email at [mreano@atu.edu](mailto:mreano@atu.edu), or in person at the Technology and Academic Support Building, Room 154, Ozark, Arkansas.

\*Updated 8/1/19



For additional information about seeking medical assistance and emotional support, as well as important contact information, including local law enforcement agencies and St. Mary's Hospital in Russellville and Mercy Hospital in Ozark, see Appendix "A" attached to this policy.

### **Options For Ongoing Assistance**

If you believe you have been involved in an incident of sexual misconduct, you have the right to pursue action through the University conduct system and/or the appropriate law enforcement authorities. Options for reporting sexual misconduct are provided below. Assistance is available upon request for individuals wishing to review these reporting options regardless of whether a formal complaint is filed with the Title IX Coordinator, or Deputy Title IX Coordinators, or to law enforcement officials.

#### **On Campus Resources**

The University encourages victims of sexual misconduct to talk to somebody about what happened so that victims can get the support they need, and so that the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality. Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." At Arkansas Tech, these employees are the licensed counselors staffed in the Health and Wellness Center (<https://www.atu.edu/cs/center/>):

- Kristy Davis, [kdavis51@atu.edu](mailto:kdavis51@atu.edu), (479) 968-0329
- Craig Witcher, [cwitcher@atu.edu](mailto:cwitcher@atu.edu), (479) 968-0329
- Janis Taylor, [jtaylor78@atu.edu](mailto:jtaylor78@atu.edu), (479) 968-0329
- Nikki Templeton, [nearles@atu.edu](mailto:nearles@atu.edu), (479) 968-0329
- Josh Root, [jroot4@atu.edu](mailto:jroot4@atu.edu), (479) 968-0329
- Leann Watson, [lwatson12@atu.edu](mailto:lwatson12@atu.edu), (479) 968-0329

In addition, academic accommodations and interim measures may be provided to victims of sexual misconduct. That information is found in Article IV.

#### **Off Campus Resources**

##### **Victim Assistance Outreach Program**

The 5th Judicial District Prosecuting Attorney's Office's Victim Assistance Outreach Program provides assistance with:

- Orders of Protection
- Contacting Law Enforcement Agencies
- VINE (Victim Identification and Notification Everyday)
- Arkansas Crime Victims Reparations Program (assists with financial compensation, counseling, lost wages, and funeral expenses)
- Referrals to other community services such as the Ozark Rape Crisis Center, River Valley Shelter, and Crisis Intervention Center
- Information on the criminal court process

The Arkansas Victim Assistance Coordinator for Pope County, Melissa Vandever, can be reached at (479) 968-8600 and the coordinator for Johnson and Franklin County, Patricia Andrade, can be reached at (479) 705-0579.

### **Arkansas Coalition Against Sexual Assault**

The Arkansas Coalition Against Sexual Assault provides a 24 hour Sexual Assault Crisis Response Hotline. The hotline telephone number is (800) 656-4673 and the website can be located at <https://acasa.us>. Additional services include:

- Free and confidential assistance for all victims of sexual violence
- Compassionate accompaniment for victims needing medical help
- Comfort and support for victims going through the criminal justice system
- Crisis counseling and support groups for victims and families
- Information and referrals to available community resources
- Community public education on sexual violence issues
- Training for volunteers and other professions serving victims.

### **Ozark Rape Crisis Center**

The Ozark Rape Crisis Center, located in Clarksville, Arkansas, is a non-profit organization concerned with the serious problem of sexual violence. The mission of ORCC is to work toward the elimination of sexual violence through service, advocacy, and education. The Ozark Rape Crisis Center provides 24 hour crisis intervention along with many other services. The hotline telephone number is (800) 818-1189 and the website is <http://www.ozarkrapecrisis.com/>.

## **ARTICLE I. INTRODUCTION**

### **A. Notice of Nondiscrimination.**

As a recipient of federal funds, Arkansas Tech University is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. §1681 et seq. (“Title IX”), which prohibits discrimination on the basis of sex in educational programs or activities, admission, and employment. Under certain circumstances, Sexual Misconduct (defined below) constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to Arkansas Tech University’s Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights. Arkansas Tech University’s Title IX Coordinator is Amy Pennington, whose office is in Suite 233 of the Doc Bryan Student Services Center located at 1605 Coliseum Drive in Russellville, Arkansas. Amy Pennington may be contacted by telephone at (479) 968-0407 or by email at [apennington@atu.edu](mailto:apennington@atu.edu).

### **B. Overview of this Policy.**

Arkansas Tech University (“the University”) is committed to providing programs, activities, and an educational environment free from sex discrimination.

**Sexual misconduct, as that term is used in this policy, is any sexual act which violates the criminal laws of the State of Arkansas or laws of the United States including, but not limited to, sexual assault (non-consensual sexual contact or intercourse), domestic violence, dating violence, stalking, and sexual exploitation.**<sup>5</sup> Sexual misconduct can occur between strangers or acquaintances, and even people involved in intimate or sexual relationships. Sexual misconduct can be committed by men or women and can occur between individuals of the same or different gender.

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<sup>5</sup> *Sexual misconduct also constitutes sexual harassment. The Sexual Misconduct Policy shall govern cases involving sexual assault, domestic violence, dating violence, stalking, and sexual exploitation. The University’s Sexual Harassment policy shall be applicable in all other sexual harassment cases not involving sexual misconduct.*

Any sexual activity which is entered into without consent of both or all persons involved is a violation of this policy.

The University is committed to fostering a community that promotes prompt reporting of all types of Sexual Misconduct and timely and fair resolution of Sexual Misconduct Complaints, and in furtherance of that commitment, this Policy sets forth available resources (Appendix A), describes prohibited conduct (Article II), and establishes procedures for responding to Complaints of Sexual Misconduct (Articles III-VI).

The University will make this Policy and information about recognizing and preventing Sexual Misconduct readily available to all students and other members of the University community.

**C. Applicability of this Policy.**

This Policy applies to any allegation of Sexual Misconduct made by or against a student or an employee of the University or a third party, regardless of where the alleged Sexual Misconduct occurred, if the conduct giving rise to the Complaint is related to the University's academic, educational, athletic, or extracurricular programs or activities. The University's disciplinary authority, however, may not extend to third parties who are not students or employees of the University. Additionally, while there is no geographical limitation to invoking this Policy, Sexual Misconduct that is alleged to have occurred at a significant distance from the University and/or outside of University property may be more difficult for the University to investigate. This policy applies to all students, employees, and third parties, regardless of sexual orientation or gender identity.

In the case of allegations of Sexual Misconduct, this Policy supersedes all other procedures and policies set forth in other University documents.

**D. Period of Limitations.**

A Complaint of Sexual Misconduct may be filed at any time, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the Complaint. However, the University strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in filing a Complaint may compromise the subsequent investigation, particularly if neither the Complainant nor the Respondent is employed by the University or enrolled as a student at the time.

**E. Definitions Applicable to this Policy.**

The definitions applicable to this Policy are set forth in Appendix B.

**ARTICLE II. STATEMENTS OF POLICY**

**(a) Prohibition on Sexual Misconduct.**

This Policy is designed to protect the rights and needs of alleged victims, Complainants (if not the alleged victim), and Respondents. Creating a safe environment is the responsibility of all members of the University community.

The University strongly encourages accurate and prompt reporting of all types of Sexual Misconduct and is committed to fostering a community that promotes a prompt, fair, and impartial resolution of Sexual Misconduct cases.

**(b) Prohibition on Retaliation.**

Retaliation against any person for filing, supporting, providing information in good faith, or otherwise participating in the investigative and/or disciplinary process in connection with a Complaint of Sexual Misconduct is strictly prohibited. Violations of this prohibition will be addressed through this Policy and/or other University disciplinary procedures and will result in strong responsive action by the University. Any person who feels that he or she has been subject to retaliation should notify the Title IX Coordinator, Amy Pennington, or the Deputy Title IX Coordinators, Will Cooper, Susie Nicholson, Stacy Galbo, or the Deputy Title IX Coordinator for the Ozark Campus.

**(c) Prohibition on Providing False Information.**

Any individual who knowingly files a false Complaint under this Policy, or knowingly provides false information to University officials, or who intentionally misleads University officials who are involved in the investigation or resolution of a Complaint may be subject to disciplinary action.

**(d) Confidentiality.**

Generally, a person may report an incident of Sexual Misconduct confidentially to the professional counselors located in the Arkansas Tech University Health and Wellness Center.

Reports of Sexual Misconduct made to “responsible employees” are not confidential.

For more detailed information on whom a victim can and cannot speak to confidentially, please see the full discussion of confidentiality found in attached “Appendix C.”

If an alleged victim’s request for confidentiality limits the school’s ability to investigate a particular matter, the University may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the alleged victim. Examples include: providing increased monitoring, supervision, or security at locations or activities where the misconduct was alleged to have occurred; providing training and education materials for students and employees; revising and publicizing the University’s policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

**(e) Related Misconduct and Limited Immunity/Amnesty.**

The University considers the reporting and adjudication of Sexual Misconduct cases on campus to be of paramount importance. The University does not condone illegal drug use, underage drinking, or other violations of the Student Code of Conduct. However, the University may extend limited immunity from punitive sanctioning in the case of illegal alcohol or drug use to victims, witnesses, and those reporting incidents and/or assisting the victims of Sexual Misconduct, provided that they are acting in good faith in such capacity. Stated another way, the University wishes to encourage all persons to report incidents of Sexual Misconduct, and therefore reserves the right to waive disciplinary charges against victims, witnesses, and those reporting incidents and/or assisting the victims of Sexual Misconduct, for certain circumstances surrounding the incident. For example, an underage victim who had been drinking alcohol would not typically face charges for violating alcohol policies.

**(f) Individuals with Disabilities.**

The University will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy. Requests for accommodations must be made to the Disability Services Office (located in Doc Bryan Student Services Center) and available by telephone at (479) 968-0302.

**(g) Standard of Evidence.**

In a Formal Resolution on a Complaint alleging Sexual Misconduct, the standard of evidence that will be used by the Hearing Board to determine if the Sexual Misconduct Policy has been violated will be the preponderance of the evidence.

**(h) Educational Programming.**

Arkansas Tech University requires educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. This educational campaign shall also be for on-going prevention and awareness. These education programs shall include primary prevention and awareness programs for all incoming students and new employees which shall include: 1) the statement that the University prohibits domestic violence, dating violence, sexual assault, and stalking; 2) the definitions of domestic violence, dating violence, sexual assault, and stalking as well as the definition of “consent” in reference to sexual activity; 3) Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene in cases of a risk of domestic violence, dating violence, sexual assault, or stalking; 4) Information on risk reduction and how to recognize warning signs of

abusive behavior and how to avoid potential attacks; and 5) ongoing prevention and awareness campaigns for students and faculty on all of the items above.

Educational programming and training is provided to faculty, staff, and students in an effort to create a University community free of sexual harassment, sexual assault (non-consensual sexual contact or intercourse), domestic violence, dating violence, stalking, and sexual exploitation or any other type of sexual misconduct. The Jerry Cares campaign promotes shared responsibility by all members of the University community in an effort to reduce the risk of sexual violence and to equip members with the tools, training, and resources necessary to take action in stopping sexual misconduct. This includes prevention programs and educational training in risk reduction and bystander intervention, equipping members of the University community to play a role in preventing and interrupting incidents of sexual misconduct. Training on campus resources and step-by-step procedures on how to report incidents of Sexual Misconduct is also provided. For more detailed information, please visit the Jerry Cares website at <http://www.atu.edu/jerrycares/>.

**(i) Sexual Misconduct Policy.**

This Sexual Misconduct Policy: 1) sets out the procedures that a victim of Sexual Misconduct should follow; 2) sets out the procedure for University disciplinary action; and 3) provides equal opportunity for both the alleged victim and the Respondent on their choice of advisor at the Formal Resolution hearing.

**(j) Annual Training.**

Training for employees conducting investigations and formal resolution hearings will be conducted at least annually.

**(k) VAWA/Campus SaVE Act.**

Arkansas Tech University acknowledges that the Violence Against Women Act and the Campus SaVE Act add domestic violence, dating violence, and stalking to “sexual assault” as reportable events in the Annual Security Report required by the Clery Act.

**(l) Duty to Report.**

All employees (except those employees statutorily barred from sharing such information, ex. licensed counselors, medical professionals) have a duty to immediately report to the Title IX Coordinator or the Deputy Title IX Coordinators information related to Sexual Misconduct.

**ARTICLE III. HOW AND WHERE TO FILE A COMPLAINT ALLEGING SEXUAL MISCONDUCT**

For information regarding seeking medical assistance and emotional support, as well as important contact information for local law enforcement agencies and hospitals, see “Appendix A” attached to this Policy.

Because Sexual Misconduct may in some instances constitute both a violation of University policy and criminal activity, and because the University grievance process is not a substitute for instituting legal action, the University encourages individuals to report alleged Sexual Misconduct promptly to campus officials and to law enforcement authorities, where appropriate.

**Individuals may, however, choose not to report alleged Sexual Misconduct to such campus officials and/or law enforcement authorities.** The University respects and supports the individual's decision with respect to reporting; nevertheless, the University may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations at issue.

Individuals may file a Complaint at any time, but the University strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding.

**A. Filing a Complaint with Local Law Enforcement:**

Individuals may file a complaint directly with local law enforcement agencies by dialing 911. Individuals may contact any of the following for assistance in filing a complaint with local law enforcement:

- i. The Arkansas Tech University Department of Public Safety, 24 hours a day, 7 days a week (available by telephone at (479) 968-0222 and located at 716 N. El Paso Avenue on the Russellville campus.
- ii. Arkansas Tech University's Title IX Coordinator, Amy Pennington, from 8 a.m. to 5 p.m., Monday through Friday available by telephone at (479) 968-0407 or by e-mail at [apennington@atu.edu](mailto:apennington@atu.edu), or in Suite 233 of the Doc Bryan Student Services Center, located at 1605 Coliseum Drive, Russellville, AR, 72801.
- iii. Arkansas Tech University's Deputy Title IX Coordinator, Will Cooper, from 8 a.m. to 5 p.m., Monday through Friday available by telephone at (479) 968-0334 or by email at [wcooper@atu.edu](mailto:wcooper@atu.edu), or in Suite 233 of the Doc Bryan Student Services Center, located at 1605 Coliseum Drive, Russellville, AR, 72801.
- iv. Arkansas Tech University's Deputy Title IX Coordinator, Stacy Galbo, from 8 a.m. to 5 p.m., Monday through Friday available by telephone at (479) 964-0583 ext. 4714 or by email at [sgalbo2@atu.edu](mailto:sgalbo2@atu.edu), or in Suite 233 of the Doc Bryan Student Services Center, located at 1605 Coliseum Drive, Russellville, AR, 72801.
- v. Arkansas Tech University's Deputy Title IX Coordinator, Susie Nicholson, from 8 a.m. to 5 p.m., Monday through Friday available by telephone at (479) 964-3230 or by email at [snicholson@atu.edu](mailto:snicholson@atu.edu), or in Tucker Coliseum, 1604 Coliseum Drive, Russellville, Arkansas.
- vi. Arkansas Tech University's Deputy Title IX Coordinator for the Ozark Campus, Mitzi Reano, from 8:00 a.m. to 5 p.m., Monday through Friday available by telephone at (479) 667-2117 ext. 6540 or by email at [mreano@atu.edu](mailto:mreano@atu.edu), or in the Technology and Academic Support Building, Room 154, Ozark, Arkansas.

Individuals may inform law enforcement authorities about Sexual Misconduct and discuss the matter with a law enforcement officer without making a formal criminal complaint (or a University Complaint). Individuals who make a criminal complaint may also choose to pursue a University Complaint simultaneously.

A criminal investigation into the matter does not preclude the University from conducting its own investigation (nor is a criminal investigation determinative of whether Sexual Misconduct, for purposes of this Policy, has occurred). However, the University's fact-finding aspect of the investigation may be delayed temporarily while the criminal investigators are gathering evidence. The University will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. In the event of such a delay, the University may take interim measures when necessary to protect the alleged victim and/or the University community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate the matter is determinative of whether Sexual Misconduct, for the purposes of this Policy, has occurred.

## **B. Filing a Complaint with the University:**

Individuals may choose not to report alleged Sexual Misconduct to campus officials. The University respects and supports the individual's decision with respect to reporting; however, if information about Sexual Misconduct comes to the attention of the University, the University may (1) start an investigation even in the absence of a filed Complaint and/or (2) notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware.

Anyone wishing to make a Complaint under this policy should contact one of the following individuals or offices:

i. **Title IX Coordinator.** Arkansas Tech University's Title IX Coordinator is Amy Pennington, whose office is in Suite 233 of the Doc Bryan Student Services Center. Ms. Pennington may be contacted during business hours (8 a.m. to 5 p.m., Monday through Friday) by telephone at (479) 968-0407 or by email at [apennington@atu.edu](mailto:apennington@atu.edu). As the Title IX Coordinator for Arkansas Tech University, Ms. Pennington receives, investigates, and supervises investigators reviewing reports of discrimination, including sexual misconduct. The Title IX Coordinator has ultimate oversight responsibility for handling Title IX-related complaints and for identifying and addressing any patterns or systematic problems involving Sexual Misconduct. The Title IX Coordinator is available to meet with individuals who are involved with or concerned about issues or University processes, incidents, patterns, or problems related to Sexual Misconduct on campus or in University programs. All allegations involving Sexual Misconduct should be directed to the Title IX Coordinator or other designated University individuals or offices as outlined herein. More information about the investigation process can be found in Article IV below. The Title IX Coordinator may designate the Deputy Title IX Coordinator to serve in her stead for any requirements contained in this policy.

ii. **Deputy Title IX Coordinators.** Arkansas Tech University's Deputy Title IX Coordinators are Will Cooper, whose telephone number is (479) 968-0334, his email address is [wcooper@atu.edu](mailto:wcooper@atu.edu), or he may be contacted in person at Suite 233 in the Doc Bryan Student Services Center, 1605 Coliseum Drive, Russellville, Arkansas, Susie Nicholson, whose telephone number is (479) 964-3230, her email address is [snicholson@atu.edu](mailto:snicholson@atu.edu) or she may be contacted in person at Tucker Coliseum, 1604 Coliseum Drive, Russellville, Arkansas, and Stacy Galbo, whose telephone number is (479) 964-0583 ext. 4714, her email address is [sgalbo2@atu.edu](mailto:sgalbo2@atu.edu) or she may be contacted in person at Suite 233 in the Doc Bryan Student Services Center, 1605 Coliseum Drive, Russellville, Arkansas.

iii. **Deputy Title IX Coordinator-Ozark Campus.** Arkansas Tech University Ozark Campus' Deputy Title IX Coordinator is Mitzi Reano, whose telephone number is (479) 667-2117 ext. 6540, her email address is [mreano@atu.edu](mailto:mreano@atu.edu), or she may be contacted in person at Room 154 of the Technology & Academic Support Building, 1700 Helberg Lane, Ozark, Arkansas.

iv. **Public Safety.** The Arkansas Tech University Public Safety Department is located at 716 N. El Paso Avenue on the Russellville campus. The Public Safety Department is also available by telephone at (479) 968-0222. Public Safety officers are available 24 hours a day, 7 days a week.

v. **Public Safety – Ozark Campus.** The Arkansas Tech University Public Safety Department for the Ozark Campus is located at 1700 Helberg Lane, Collegiate Center, Room 100C. The Public Safety Officer is David Spicer, available by telephone at (479) 508-3359, Monday through Friday, 8 a.m. to 5 p.m.

vi. **Human Resources Office.** The Human Resources Office is located in Brown Hall, Suite 434. The Human Resources Office is available during business hours (8 a.m. to 5 p.m., Monday through Friday) by telephone at (479) 968-0396.

*If one of the parties designated above is the Respondent or is otherwise at issue in a Complaint, or if an individual is otherwise uncomfortable making a complaint to one of the parties listed above, the individual may report alleged Sexual Misconduct to any other party or office in the above list.*

If an employee of the University Public Safety Department or the Human Resources Office receives a report of alleged Sexual Misconduct, that employee must notify the University's Title IX Coordinator.

**Confidential Disclosure.** The University encourages victims of sexual misconduct to talk to somebody about what happened so that victims can get the support they need, and so that the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality. Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." At Arkansas Tech, the following employees are the licensed counselors staffed in the Health and Wellness Center (<https://www.atu.edu/cscenter/>) located in Doc Bryan Student Services Center, Suite 119:

**Kristy Davis**, [kdavis51@atu.edu](mailto:kdavis51@atu.edu), (479) 968-0329

**Craig Witcher**, [cwitcher@atu.edu](mailto:cwitcher@atu.edu), (479) 968-0329

**Janis Taylor**, [jtaylor78@atu.edu](mailto:jtaylor78@atu.edu), (479) 968-0329

**Nikki Templeton**, [nearles@atu.edu](mailto:nearles@atu.edu), (479) 968-0329

**Josh Root**, [jroot4@atu.edu](mailto:jroot4@atu.edu), (479) 968-0329

**Leann Watson**, [lwatson12@atu.edu](mailto:lwatson12@atu.edu), (479) 968-0329

Disclosures made to the counseling staff at the Health and Wellness Center will be held in strict confidence and will not serve as notice to the Title IX Coordinator requiring an initiation of a review of the disclosed conduct. Please note that all University employees, except for the counseling staff and the medical professionals, serve as mandatory reporters who are required to share immediately all reports of sexual misconduct that they receive with the Title IX Coordinator or the Deputy Title IX Coordinators.

If the counseling staff member determines that the alleged perpetrator(s) pose a serious and immediate threat to the University community, the Department of Public Safety may be called upon to issue a timely warning via the ATU Alert system. Any such warning will not include any information that identifies the victim.

**All other University employees who are not barred by statute have a duty to immediately report all the details of an incident of Sexual Misconduct** (including the identities of both the victim and alleged perpetrator, any witnesses, and other relevant facts, including date, time, and specific location of alleged incident) to the Title IX Coordinator or the Deputy Title IX Coordinators. A report to these employees constitutes a report to the University and generally obligates the University to investigate the incident and take appropriate steps to address the situation. When a victim reports an incident of Sexual Misconduct, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

To the extent possible, information reported to an employee will be shared only with people responsible for handling the University's response to the report and will not be shared with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement. If the victim requests confidentiality, the employee will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will inform the Title IX Coordinator of the victim's request for confidentiality.



An individual may report alleged Sexual Misconduct to a faculty or staff member other than those referenced above. No member of the University community may discourage an individual from reporting alleged incidents of Sexual Misconduct. A faculty or staff member with any knowledge (including firsthand observation) about a known or suspected incident of Sexual Misconduct (other than health-care professionals and others who are statutorily barred from reporting) must immediately report the incident to the Arkansas Tech University Public Safety Department or the University's Title IX Coordinator. No employee is authorized to investigate or resolve Complaints without the involvement of the University's Title IX Coordinator or Deputy Title IX Coordinators.

**Anonymous Reporting.** Although the University encourages victims to talk to someone, Arkansas Tech provides an online form for anonymous reporting. The system will notify the user that entering personally identifying information may serve as notice to the University for the purpose of triggering an investigation. The form can be found at this link: <https://www.atu.edu/psafe/crime-report-form.php>. Individuals who choose to file anonymous reports are advised that it may be very difficult for the University to follow up or take action on anonymous reports, where corroborating information is limited. Anonymous reports may be used for Clery Act data collection purposes.

## ARTICLE IV. PROCEDURES APPLICABLE TO COMPLAINTS OF SEXUAL MISCONDUCT

### A. Overview

- i. **Oversight.** The Title IX Coordinator and/or deputy Title IX Coordinators or Title IX Investigators will be responsible for conducting the prompt, fair, and impartial investigation of Complaints filed with the University.
- ii. **Conflicts.** If any administrator or employee that is designated by this Policy to participate in the investigation or resolution of a Complaint is the Respondent (including, but not limited to, the Title IX Coordinator), then the President will appoint another University administrator to perform such person's duties under this Policy.
- iii. **Timing.** The University will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. The University's investigation and resolution of a Complaint (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Hearings, if any, will take place after the conclusion of the investigation. If hearings have taken place, both the Complainant and the Respondent generally will receive a Final Outcome Letter within seven (7) business days of the conclusion of the hearings.

Any party may request an extension of any deadline by providing the Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator may modify any deadlines contained in this Policy as necessary and for good cause. Both parties will be notified if and when a modification is made with a brief explanation of the need for the modification.

- iv. **Request Not to Pursue Complaint.** A Complainant (or alleged victim, if not the Complainant) may determine after filing a Complaint that he or she does not wish to pursue resolution of the Complaint through the University. The University takes such requests seriously. However, such individuals are advised that such requests may limit the University's ability to take action in response to a Complaint. Title IX requires the University to evaluate the request(s) that a Complaint not be adjudicated in the context of the University's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator, or designee, may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the request(s) against the following factors:

1. The seriousness of the alleged Sexual Misconduct;
2. The Complainant's and/or alleged victim's age;

3. Whether there have been other Complaints of Sexual Misconduct against the Respondent;
4. The Respondent's right to receive information about the allegations if the information is maintained by the University as an "education record" under FERPA, and;
5. The applicability of any laws mandating disclosure.

Even when the University is in receipt of a request not to pursue an investigation, Title IX requires the University to take reasonable action in response to the information known to it; thus, the University may take such measures and impose such discipline as are deemed necessary by the Title IX Coordinator. The Complaint may also be used as an anonymous report for data collection purposes under the Clery Act.

**v. Interim Measures.** If at any point during the complaint, investigative or disciplinary processes, the Title IX Coordinator reasonably believes that a Respondent who is a member of the University community poses a substantial threat of harm to any member of the campus community; threatens or endangers University property; or disrupts the stability and continuance of normal University operations and functions, the Title IX Coordinator may take actions such as the following:

- a. For student Respondents:
  - a. summarily suspend the Respondent from campus housing on an interim basis and/or restrict his or her movement on campus; or
  - b. suspend the Respondent from campus.
- b. For employee Respondents' request that the individual authorized to make personnel decisions regarding the employee at issue:
  - a. take such steps as are reasonable, appropriate, and necessary to restrict the Respondent's movement on campus; or
  - b. reassign the Respondent or place him or her on administrative leave.

These actions may be appealed by student Respondents to the Vice President for Student Affairs and by employees to the respective Vice President or Athletic Director over their division.

**B. Initial Meetings with the Title IX Coordinator or Deputy Title IX Coordinator.**

**i. Complainant's Initial Meeting with the Title IX Coordinator or Deputy Title IX Coordinator.** As soon as is practicable after receiving notice of a Complaint, the Title IX Coordinator or Deputy Title IX Coordinator will contact the Complainant to schedule an initial meeting. If the Complainant is not the alleged victim, the Title IX Coordinator or Deputy Title IX Coordinator also will contact the alleged victim as soon as possible to schedule an initial meeting and will discuss item number 5 listed below with the alleged victim rather than the Complainant. All mentions of the "Complainant" in items 1-9 of this subsection also apply to the alleged victim if the Complainant is not the alleged victim. At this initial meeting (or these initial meetings, in the case of a Complainant who is not the alleged victim), the Title IX Coordinator or Deputy Title IX Coordinator will, as applicable:

- A. Provide the Complainant a copy of this Policy;
- B. Provide the Complainant with a Sexual Misconduct Complaint Form (a copy of which is attached as Appendix D) on which the Complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location, and general nature of the alleged Sexual Misconduct (the Complainant may either complete the form him or herself or

he or she may choose to dictate the information to the Title IX Coordinator or Deputy Title IX Coordinator, who will confirm the accuracy of his or her documentation with the Complainant);

- C. Explain avenues for formal resolution and informal resolution (mediation) of the Complaint;
- D. Explain the steps involved in a Sexual Misconduct investigation;
- E. Discuss confidentiality standards and concerns with the Complainant;
- F. Determine whether the Complainant wishes to pursue a resolution (formal or informal) through the University, or no resolution of any kind;
- G. Refer the Complainant to the Counseling Center or other resources, as appropriate; and
- H. Discuss with the Complainant, as appropriate, possible interim measures that can be provided to the Complainant, at no cost, during the pendency of the investigative and resolution processes. The University may implement such measures if requested, appropriate, and reasonably available, whether a formal Complaint has been filed (with either the Title IX Coordinator or law enforcement agencies) or whether an investigation has commenced (by either the Title IX Coordinator or law enforcement agencies). Interim measures may include, but are not limited to:
  - a. issuing no-contact orders to prevent any contact between the Complainant, the Respondent, witnesses and/or third parties;
  - b. providing the Complainant an escort to ensure that he or she can move safely between classes, work, and/or activities;
  - c. changing a Complainant's or a Respondent's on-campus housing or dining, if any, to a different on-campus location and providing assistance from University support staff in completing the relocation;
  - d. arranging to dissolve a campus housing contract and offering a pro-rated refund;
  - e. changing work arrangements;
  - f. rescheduling class work, assignments, and examinations without penalty;
  - g. arranging for the Complainant to take an incomplete in a class; or
  - h. moving the Complainant or the Respondent from one class section to another without penalty;
  - i. permitting a temporary withdrawal from the University;
  - j. providing alternative course completion options without penalty;
  - k. providing counseling services;
  - l. suspension of Respondent's social privileges;
  - m. taking disciplinary action against the Respondent before resolution of the Complaint;
  - n. providing academic support services such as tutoring.
- I. A Complainant will receive written notification of the availability of the interim measures set forth in section 8 above whether or not the Complainant chooses to report the incident to the University Public Safety Department or local law enforcement.

Following the initial meeting with the Complainant (and the alleged victim, if not the Complainant), the Title IX Coordinator, will, if applicable, promptly determine the interim measures to be provided to the Complainant (and to the alleged victim, if not the Complainant). Such determination will be promptly communicated to the Complainant and/or alleged victim, as applicable (and no later than the point at which it is communicated to the Respondent) and the Respondent.

- ii. Respondent’s Initial Meeting with the Title IX Coordinator or Deputy Title IX Coordinator.** If the alleged victim wishes to pursue a formal or informal resolution through the University or if the University otherwise deems that a further investigation is warranted, as soon as is reasonably practicable after the Title IX Coordinators or Deputy Title IX Coordinator’s initial meeting with the Complainant (and if applicable, the alleged victim), the Title IX Coordinator or Deputy Title IX Coordinator will schedule an initial meeting with the Respondent.

During the initial meeting with the Respondent, the Title IX Coordinator or Deputy Title IX Coordinator will, as applicable:

1. Provide Respondent with a copy of the Complaint;
2. Provide Respondent with a copy of this policy;
3. Explain the University’s procedures for formal resolution and informal resolution (mediation) of the Complaint;
4. Explain the steps involved in a Sexual Misconduct investigation;
5. Discuss confidentiality standards and concerns with the Respondent;
6. Discuss non-retaliation requirements with the Respondent;
7. Inform the Respondent of any interim measures already determined and being provided to the Complainant and/or the alleged victim (if not the Complainant) that directly affect the Respondent (e.g. changing his or her class schedule, or moving him or her to an alternate residence hall);
8. Refer the Respondent to the Counseling Center or other resources, as appropriate; and;
9. Discuss with the Respondent, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes. The University may implement such measures if requested, appropriate, and reasonably available, whether a formal Complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced.

**C. The Investigation.**

- i. Upon receipt of the Complaint, the Title IX Investigator will promptly begin his or her investigation, taking steps such as:
1. Conducting interviews with the Complainant, the alleged victim (if not the Complaint), the Respondent, and third-party witnesses and summarizing such interviews in written form;
  2. Visiting, inspecting, and taking photographs at relevant sites; and
  3. Where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal complaints, this step may be coordinated with law enforcement agencies pursuant to a Memorandum of Understanding).

Through the investigation, the Title IX Investigator will remain neutral. The Title IX Coordinator, Deputy Title IX Coordinators, and Title IX Investigators will receive annual training on issues related to sexual harassment, sexual assault, intimate partner violence, and stalking.

The Title IX Coordinator, Deputy Title IX Coordinators, and Title IX Investigators should obtain, where applicable, and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any Personally Identifiable Information contained in the Complaint, the Investigative Report, and/or any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of this Complaint.<sup>6</sup>

The Title IX Investigator will complete a written investigative report that includes items such as summaries of all interviews conducted, photographs, and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question (“the

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<sup>6</sup> *If the Title IX Investigator is unable to obtain the consent of such third-party witnesses, he or she will redact the Investigative Report to the extent necessary to avoid inappropriate disclosure of such witness’s personally identifiable information, while ensuring that such redaction does not prevent resolution of the Complaint.*

Investigative Report”). The Title IX Investigator will provide the Investigative Report to the Title IX Coordinator. The Title IX Coordinator will provide the Investigative Report to the Deputy Title IX Coordinator who will distribute the Investigative Report, concurrently, to the alleged victim and the Respondent. The Deputy Title IX Coordinator will serve as the Chair of the Hearing Board. All parties to whom the Investigative Report is distributed pursuant to this Policy must maintain it in confidence; the Investigative Report may only be disclosed as contemplated by this Policy.

#### **D. Formal Versus Informal Resolution.**

At any time before the Chair of the Hearing Board provides the Notice of Appointment in accordance with Section V(b)(ii)(2), the alleged victim may elect to resolve his or her Complaint through the informal resolution (mediation) process in accordance with Article VI of this Policy, provided that:

- i. The Respondent agrees to such resolution;
- ii. The alleged victim and the Respondent are both students or are both employees of the University;
- iii. The Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving the complaint; and;
- iv. The Complaint does not involve Sexual Assault.

Otherwise, a Complaint will proceed to formal resolution in accordance with Article V of this Policy.

### **ARTICLE V. FORMAL RESOLUTION**

#### **A. Respondent’s Acknowledgment of Responsibility Prior to Hearing.**

At any time prior to the date of his or her designated hearing, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Title IX Coordinator will propose sanction(s). If the victim and the Respondent agree to such proposed sanction(s), then the Complaint will be resolved without a hearing and without any further rights of appeal by any party. If either the victim or the Respondent objects to such proposed sanction(s), then the Sexual Misconduct Hearing Board will convene for the exclusive purpose of determining a sanction, which determination may be subject to appeal pursuant to Section V(b)(v) of this Policy.

#### **B. The Formal Resolution Process.**

In the case of formal resolution, the Sexual Misconduct Hearing Board will conduct a hearing in which it will question the Complainant, the alleged victim (if not the Complainant), the Respondent, and any witnesses or other third parties whose testimony the hearing board deems relevant. The Sexual Misconduct Hearing Board will determine whether there has been a violation of the Sexual Misconduct Policy, and if there has been, will determine the sanction to be imposed on the Respondent.

- i. **The Sexual Misconduct Hearing Board.** The Sexual Misconduct Hearing Board shall have three members. The composition of the Hearing Board will be two faculty/staff members and will be chaired by the Deputy Title IX Coordinator. By August 15th of each year, the President of the University shall appoint faculty and staff members to serve as Sexual Misconduct Hearing Board members for a period of one year. Each member of the Hearing Board will receive training annually.
- ii. **Notice of Appointment.** Upon receipt of the Investigative Report from the Title IX Coordinator, the Deputy Title IX Coordinator will appoint two faculty/staff members from the group of Sexual Misconduct Hearing Board members. Promptly after appointing the members of the Hearing Board, the Deputy Title IX Coordinator will provide concurrent written Notice of Appointment of the Hearing Board to the alleged victim and the Respondent, setting forth the names of the individuals selected to serve on and chair the Sexual Misconduct Hearing Board, as well as the alleged policy violation along with information related to the formal conduct hearing.

The parties may challenge the participation of any member of the Hearing Board by submitting a written objection to the Title IX Coordinator within three (3) business days of receipt of the Notice of Appointment. Such objection must state the specific reason(s) for the objection. The Title IX Coordinator will evaluate the objection and determine whether to alter the composition of the Hearing Board. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition of the Hearing Board. Any changes in the composition of the Hearing Board will be provided in writing to both parties prior to the date of the hearing.

iii. **Hearing Policies and Procedures.**

1. **Submission of Written Material by the Parties.** Within five (5) business days of receipt of the Notice of Appointment of the Hearing Board, the alleged victim and the Respondent may provide the Chair of the Hearing Board with (1) a list of witnesses, if any, that they propose that the Hearing Board call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, (2) a written statement of position, and (3) copies of all documents to be presented at the hearing. Failure to provide this information in a timely manner may result in the loss of the ability to provide this information. The Title IX Investigator will present the Investigative Report at the hearing.
2. **Notice of Hearing.** Not less than five (5) business days but not more than ten (10) business days after delivery of Notice of Appointment of the Hearing Board to the parties, the Hearing Board will provide a separate notice to the alleged victim, the Respondent, and any witnesses or other third parties whose testimony the Hearing Board deems relevant, requesting such individuals to appear before the Hearing Board. The notice should set forth, as applicable, the date, time, and location of the hearing. In this Notice of Hearing, the Hearing Board will provide the names of witnesses or other third parties that the Hearing Board plans to call.
3. **Failure to Appear.** If the alleged victim or the Respondent fails to appear before the Hearing Board if requested to do so, and such party was provided with proper notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Board will proceed to determine the resolution of the Complaint.
4. **Support Persons.** The alleged victim and the Respondent each have the right to be assisted by one advisor of their choice, and at their expense. The alleged victim and the Respondent are each responsible for presenting his or her own information. An Advisor may communicate with his or her advisee privately, but he or she may not address the Hearing Board, cross-examine witnesses, or have any other speaking role. The alleged victim and the Respondent must notify the Chair of the Hearing Board who they are bringing at least two (2) business days prior to the hearing. Failure to meet this deadline may result in the loss of the ability to have the advisor present. The alleged victim and Respondent should select an advisor whose schedule allows attendance at the schedule date and time of the hearing; delays will not normally be allowed due to the scheduling conflicts of an advisor. The advisor must maintain confidentiality regarding any and all communications exchanged pursuant to this Policy.
5. **Other Advisors.** Absent accommodation for disability and except as set forth in this Section V(b)(iii)(4), the parties may not be accompanied by any other individual during the hearing process.
6. **Evidentiary Matters.** The alleged victim and the Respondent will have an equal opportunity to present evidence during their respective hearings. Formal rules of evidence will not be observed during the hearings.

Evidence of past sexual histories of the alleged victim or the Respondent will not be permitted at the hearing, with the following exception:

- a. The alleged victim's prior sexual conduct with the Respondent.

The Hearing Board shall clarify that evidence of a prior consensual dating or sexual relationship between the parties does not imply consent or preclude a finding of sexual misconduct in the instant case.

7. **Conduct of the Hearings.**

- a. **Generally.** The hearings will be conducted in an inquisitorial manner, which means that the Hearing Board will be responsible for asking questions of the parties and the witnesses and developing evidence through testimony. The Deputy Title IX Coordinator, as Chair of the Hearing Board, will resolve any questions concerning procedure or the admission of evidence or testimony (including the relevancy and reliability of the evidence and testimony). Members of the University community are expected to provide truthful testimony. Any falsification of information or false testimony by any party or witness may subject that party or witness to disciplinary action.
- b. **Testimony of the Respondent.** The Respondent may choose not to testify or appear before the Hearing Board; however, his or her exercise of that option will not preclude the Hearing Board from making a determination regarding the Complaint filed against the Respondent.
- c. **Private.** Hearing shall normally be conducted in private. In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearings (including the Complaint, the Investigative Report, the notices of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearings may not be disclosed outside the hearing proceedings, except as may be required or authorized by law.
- d. **Separate Hearings.** In hearings involving more than one respondent, the Deputy Title IX Coordinator, as Chair of the Hearing Board, may at his or her discretion, permit the hearings concerning each Respondent to be conducted separately or jointly.
- e. **Cross examination.** The alleged victim and Respondent will not be allowed to directly cross-examine each other or witnesses.
- f. **Witnesses.** Witnesses other than the alleged victim and Respondent will be excluded from the hearing except during their specific witness testimony.
- g. **Record.** There shall be a single verbatim record, such as a digital recording, of all hearings before the Hearing Board, not including deliberations. The recording shall be the property of the University.
- h. **Separation of parties.** The Hearing Board may accommodate concerns for the personal safety, wellbeing, retaliation, and/or fears of the confrontation of the alleged victim, Respondent, and/or other witnesses during the hearing by providing a visual screen, or permitting participation by telephone, video conferencing, or by other means.

iv. **Outcome.**

1. **The Decision of the Hearing Board.** Following the conclusion of the hearing, the Hearing Board will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties written statements, if any, the evidence presented at the hearings, and the testimony of the parties and witnesses) establishes that it is more likely than not<sup>7</sup> that the

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<sup>7</sup> In other words, the standard of proof will be "the preponderance of the evidence" standard.

Respondent violated the Sexual Misconduct Policy. The deliberation portion of the hearing is closed to all but the Hearing Board members.

2. **Sanctions.**

a. **Generally.** Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct. Sanctions may include, without limitation, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, compensation adjustments, expulsion or suspension from the University, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions deemed appropriate by the Hearing Board. A full list of possible sanctions for students is attached as “Appendix E.”

The Hearing Board will determine sanctions, giving consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the discriminatory effects of the violation of the Complainant, and if applicable, the University community at large.

b. **Implementation of Sanctions.** Sanctions imposed are not effective until the resolution of any timely appeal pursuant to Article V(B)(v), below. However, if it is advisable that in order to protect the welfare of the victim or the University Community, the Hearing Board may recommend that any sanctions be effective immediately and continue in effect until such time as the appeal process is exhausted.

3. **Final Outcome Letter.** Within seven (7) business days following the conclusion of the hearing, the Hearing Board will issue a written decision letter (the “Final Outcome Letter”) concurrently to the Respondent, the Complainant and the alleged victim (if not the Complainant), the Title IX Coordinator, the Vice President for Student Affairs if the Respondent is a student, and the appropriate Vice President or Athletic Director if the Respondent is an employee. The Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible, if any; (3) rationale for decision, (4) sanctions imposed on the Respondent, if any; and (5) the option to appeal by either party. The University will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the proceeding.

v. **Appeals.**

1. **Respondent is a student or non-faculty employee.** The alleged victim or the Respondent may appeal, in writing, the decision of the Hearing Board and/or the sanction imposed on the Respondent within seven (7) business days from the date of the Final Outcome Letter. The decision of the Hearing Board and the sanction imposed on the Respondent may, if desired, be appealed simultaneously. The only basis for appeal shall be:

a. Alleged failure of the Hearing Board to follow the procedures set forth in the Sexual Misconduct Policy; or

b. Consideration of new evidence that was not reasonably available at the time of the hearing before the Hearing Board.

Students should appeal to Dr. Keegan Nichols, Vice President for Student Affairs, located in the Student Affairs, Doc Bryan Student Services Center, Suite 202, (479) 968-0238, [knichols@atu.edu](mailto:knichols@atu.edu). Employees should appeal to the appropriate Vice President or Athletic Director. Typically a decision on the appeal will be issued within seven (7) business days of receipt of the appeal.

2. **Respondent is a faculty member.** The alleged victim may appeal following the process set forth in Section 1 above. If the Respondent is a faculty member with tenure



or with a special or probationary appointment and the sanction issued by the Hearing Board is dismissal before the end of a specified term, the procedures set forth Chapter II, Section E of the Faculty Handbook shall govern the Respondent's appeal. If the Hearing Board issues a sanction which imposes a penalty other than dismissal, the procedures set forth in Chapter II, Section G of the Faculty Handbook shall govern the Respondent's appeal.

## **ARTICLE VI. INFORMAL RESOLUTION (MEDIATION)**

Informal resolution is only appropriate if (1) the alleged victim requests it, (2) the Respondent agrees to such resolution, (3) the alleged victim and the Respondent are both students or are both employees of the University, (4) the Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving the Complaint, and (5) the Complaint does not involve sexual assault. Informal Resolution is not a prerequisite to pursuit of a formal resolution.

Informal resolution may not be selected for less than all of the misconduct alleged in the Complaint (for example the parties may not choose to resolve a claim of Sexual Assault according to the formal resolution process but mediate all other claims). If the parties agree to informal resolution (and informal resolution is appropriate for all of the claims at issue), then all of the claims must be resolved according to the informal resolution process.

The alleged victim has the right to terminate the informal resolution process at any time and proceed with formal resolution. Furthermore, the Title IX Coordinator may, where appropriate, terminate or decline to initiate informal resolution, and proceed with formal resolution instead. In such cases, statements or disclosure made by the parties in the course of the informal resolution process may be considered in the subsequent formal resolution proceeding.

### **A. Respondent's Acknowledgment of Responsibility.**

At any time prior to the imposition of sanctions, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Title IX Coordinator will propose sanction(s) for the Respondent. If both the alleged victim and the Respondent agree to such proposed sanction(s), then the Complaint will be resolved without any further rights of appeal by either party.

If either the alleged victim or the Respondent objects to the proposed sanction(s), then the Hearing Board will convene for the exclusive purpose of determining sanctions, which determination may be subject to appeal by either party pursuant to Section V(b)(v) of this Policy. For purposes of this sanction hearing, all of the other provisions of this Policy relating to the imposition of a sanction for Sexual Misconduct shall apply.

### **B. The Informal Resolution Process.**

- i. **The Mediation.** The Presiding Officer. When the Complaint is to be resolved according to the informal resolution process, there will be a mediation overseen by the Title IX Coordinator or a Deputy Title IX Coordinator.
- ii. **Notice of the Mediation.** The Title IX Coordinator, or Deputy Title IX Coordinator, will provide concurrent written notice to the alleged victim and the Respondent, setting forth the date, time, and location of the mediation.
- iii. **No Contact Prior to Mediation.** The parties may not contact each other outside of the mediation, even to discuss the mediation.
- iv. **Attendance.** Both the alleged victim and the Respondent are expected to attend the mediation. If either party fails to appear at the mediation, and such party was provided proper notice of the mediation as set forth above, then absent extenuating circumstances, the Title IX Coordinator, or Deputy Title IX Coordinator, may either direct that resolution of the Complaint be determined according to the formal resolution process set forth above, or if the alleged victim fails to appear without good cause, dismiss the Complaint.

- v. **The Mediation.**
  - 1. **The Alleged Victim's Rights.** During the mediation, the alleged victim may:
    - a. Confront the Respondent in the presence of, and facilitated by, the Presiding Officer.
    - b. Communicate his or her feelings and perceptions regarding the incident and the impact of the incident (either by communicating directly with the Respondent or by communicating indirectly with the Respondent through the Presiding Officer), and/or;
    - c. Relay his or her wishes and expectations regarding protection in the future.
  - 2. **Resolution.** During the mediation, the Presiding Officer will attempt to facilitate the parties' resolution of the Complaint. If the mediation results in a resolution between the parties and the Title IX Coordinator finds the resolution to be appropriate under the circumstances (giving consideration to the extent to which the resolution will protect the safety of the alleged victim and the entire University community), the informal disciplinary procedure will be concluded and the Complaint will be closed. If the parties are unable to reach a resolution, the formal resolution process outlined in Article V of this Policy will promptly commence.
  
- vi. **Privacy and Disclosure.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the informal resolution process is not open to the general public. Accordingly, documents prepared in anticipation of the mediation (including the Investigative Report and the Notice of Mediation) and other information introduced at the mediation may not be disclosed outside of the mediation, except as may be required or authorized by law.

## Appendix A to SEXUAL MISCONDUCT POLICY AND PROCEDURES

### Suggested Actions for Victims of Sexual Assault

While all types of Sexual Misconduct are inappropriate and taken seriously by the University, actions involving Sexual Assault (as defined in Appendix B) are particularly concerning. Thus, if you are the victim of a Sexual Assault, the University's first priority is to help you take steps to address your safety, medical needs, and emotional well-being. You are encouraged to take the following actions, as applicable, regardless of whether you have made a decision about whether to pursue criminal or University disciplinary charges.

1. **Ensure Your Physical Safety.** You may seek help from local **law enforcement agencies** or by contacting the **Arkansas Tech University Department of Public Safety**. The Department of Public Safety can assist you and are on duty at the University Police Department 24 hours a day, 7 days a week.
2. **Seek Medical Assistance and Treatment.** Local options for medical care include the **ATU Health and Wellness Center** on the Russellville campus, **Saint Mary's Regional Medical Center** in Russellville, and **Mercy Hospital** in Ozark. It is crucial that you obtain medical attention as soon as possible after a Sexual Assault to determine the possibilities of physical injury and to prevent or treat sexually transmitted diseases. Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

Employees at the ATU Health and Wellness Center can help you contact a support person, such as a family member, a friend, or roommate.

If you choose to have an evidence collection kit (or "rape kit") completed, it is important to do so within 72 hours. Even if you have not decided to file charges, it is advisable to have the evidence collection kit completed so that you can preserve the options of obtaining a protective order and/or filing criminal charges at a later date. Saint Mary's Regional Medical Center administers evidence collection kits. Individuals in Russellville may go directly to Saint Mary's Regional Medical Center or may be referred to the hospital by the ATU Health and Wellness Center. Those in Ozark may go directly to Mercy Hospital Ozark.

In order to best preserve evidence for an evidence collection kit, it may be advisable to avoid showering, bathing, going to the bathroom, or brushing your teeth before the kit is collected. You should also wear (or take with you in a paper, not plastic, bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

3. **Obtain Emotional Support.** The **Arkansas Tech University Health and Wellness Center** can help victims sort through their feelings and begin the recovery process. The professionals at Counseling Services are trained to provide crisis intervention on short term and emergency issues. Counseling Services can also provide referral services for outside providers and law enforcement. Counseling is free of charge to all students. In some instances, the law may require the disclosure of information shared by students with counselors. However, absent a legal mandate to the contrary, counseling services are strictly confidential, are not part of students' University records, and will not be reported to other University personnel.
4. **Obtain Information/Report Misconduct.** You are encouraged to report incidents of Sexual Assault to the University's Title IX Coordinator or other designated University individuals or offices as outlined in the Sexual Misconduct Policy and Procedures (even if you have filed a report directly with law enforcement). Further information about how to report Sexual Assault is provided in the body of the Arkansas Tech University Sexual Misconduct Policy and Procedures. University personnel can help you access resources and can provide you with support and information, including information on the University's procedures for investigating and addressing instances of Sexual Assault.

## IMPORTANT CONTACT INFORMATION

### University Resources

Arkansas Tech University's **Title IX Coordinator** is Amy Pennington, whose office is located in Suite 233 of the Doc Bryan Student Services Center. Ms. Pennington may be contacted from 8 a.m. to 5 p.m., Monday through Friday by telephone at (479) 968-0407 or by email at [apennington@atu.edu](mailto:apennington@atu.edu).

Arkansas Tech University's **Deputy Title IX Coordinators** are Will Cooper, Susie Nicholson, and Stacy Galbo. Mr. Cooper may be contacted from 8 a.m. to 5 p.m., Monday through Friday by telephone at (479) 968-0334 or by email at [wcooper@atu.edu](mailto:wcooper@atu.edu). Ms. Nicholson may be contacted from 8 a.m. to 5 p.m., Monday through Friday by telephone at (479) 964-3230 or by email at [snicholson@atu.edu](mailto:snicholson@atu.edu). Ms. Galbo may be contacted from 8 a.m. to 5 p.m., Monday through Friday by telephone at (479) 964-0583 ext. 4714 or by email at [sgalbo2@atu.edu](mailto:sgalbo2@atu.edu).

Arkansas Tech University's **Deputy Title IX Coordinator for the Ozark Campus** is Mitzi Reano, whose office is located in the Technology and Academic Support Building, Room 154. Ms. Reano may be contacted from 8 a.m. to 5 p.m., Monday through Friday by telephone at (479) 667-2117 ext. 6540 or by email at [mreano@atu.edu](mailto:mreano@atu.edu).

The **Arkansas Tech University Department of Public Safety** is located at 716 N. El Paso Avenue on the campus in Russellville, Arkansas, and is available by telephone at (479) 968-0222. University Police Officers are available 24/7.

The **Arkansas Tech University Department of Public Safety for the Ozark Campus** is located in the Collegiate Center, Room 100C on the Ozark Campus, and is available by telephone at (479) 508-3359, Monday through Friday from 8 a.m. to 5 p.m. or by email to Officer David Spicer at [dspicer1@atu.edu](mailto:dspicer1@atu.edu).

The **Office of Human Resources** is located in Brown Hall, Suite 434, and is available by telephone at (479) 968-0396. The office is staffed from 8 a.m. to 5 p.m. Monday through Friday.

The **Arkansas Tech University Health and Wellness Center** is located in Doc Bryan Student Services Center, Suite 119, and is available by telephone at (479) 968-0329. The Center is staffed from 8 a.m. to 5 p.m. Monday through Friday, <http://www.atu.edu/hwc/index.php>

### Community Resources

**Russellville Police Department** and the **Ozark Police Department** can be reached by calling 911.

**Saint Mary's Regional Medical Center** is located at 1808 West Main Street, Russellville, Arkansas. The Emergency Department can be reached at (479) 968-6211.

**Mercy Hospital** in Ozark is located at 801 W. River, Ozark Arkansas, 72949 and can be reached at (479) 667-4138.

**Ozark Rape Crisis Center** is located at 715 W. Main Street, Clarksville, AR, 72830 and can be reached at (479) 754-6869. More information can be found at <http://www.ozarkrapecrisis.com/>.

5th Judicial District Prosecuting Attorney's Office's **Victim Assistance Outreach Program** can be reached at (479) 705-0579 or (479) 968-8600.

**Arkansas Coalition Against Sexual Assault** can be reached at (501) 246-3276. More information can be found at [www.acasa.us](http://www.acasa.us).

## Appendix B to SEXUAL MISCONDUCT POLICY AND PROCEDURES

### Definitions

**Clery Act.** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“the Clery Act”) is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 F.R. 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses as well as to give timely warning of dangers on campus.

**Complainant.** A “Complainant” is an individual who reports or files a Complaint. A Complainant may be someone other than the person who may have been subjected to the Sexual Misconduct.

**Complaint.** A “Complaint” is an allegation of Sexual Misconduct asserted against another party and reported to or filed with the University.

**Consent.** “Consent” is informed, freely and actively given and mutually understandable words or actions that indicate a willingness to participate in a mutually agreed-upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

Consent cannot be inferred from:

1. Silence, passivity, or lack of resistance alone;
2. A current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else);
3. Attire;
4. The buying of dinner or the spending of money on a date; or
5. Consent previously given (i.e. consenting to one sexual act does not imply consent to another sexual act.)

Consent is not effective if it is obtained through the use of physical force, violence, duress, intimidation, coercion, or the threat, expressed or implied, of bodily injury. Whether a party used intimidation or coercion to obtain consent will be determined by reference to the perception of a reasonable person found in the same or similar circumstances.

Consent may never be given by:

1. A person in Arkansas under the age of 14.
2. A mentally disabled person, if their disability was reasonably knowable to a sexual partner who is not mentally disabled.
3. Persons who are incapacitated (whether as a result of drugs, alcohol, or otherwise), unconscious, asleep, or otherwise physically helpless or mentally or physically unable to make informed, rational judgments. The use of alcohol or drugs does not excuse conduct that constitutes Sexual Misconduct under this Policy.

**Dating Violence.** “Dating Violence” means violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. The length of the relationship,
  - b. The type of relationship, and;
  - c. The frequency of interaction between the persons involved in the relationship.

**Domestic Violence.** “Domestic Violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a

child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Arkansas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Arkansas.

**FERPA.** The Family Educational Rights and Privacy Act ("FERPA") is a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 CFR Part 99. FERPA protects the privacy of student education records. FERPA grants to parents or eligible students the right to access, inspect, and review education records, the right to challenge the content of education records, and the right to consent to the disclosure of education records.

**Rape.** "Rape" is the act of sexual intercourse or penetration (anal, oral, or vaginal), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without Consent, including vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact).

**Respondent.** A "Respondent" is an individual who has been accused of committing Sexual Misconduct by the report or filing of a formal or informal Complaint.

**Retaliation.** "Retaliation" means any adverse action threatened or taken against a person because he or she has filed, supported, or provided information in connection with a Complaint of Sexual Misconduct, including, but not limited to, direct and indirect intimidation, threats, and harassment.

**Sexual Assault.** "Sexual Assault" means any actual, attempted, or threatened sexual act with another person without that person's Consent. Sexual Assault includes, but is not limited to:

1. Rape and attempted Rape;
2. Intentional and unwelcome sexual touching (including disrobing or exposure), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without effective Consent, or a person's breasts, buttocks, groin, or genitals (or clothing covering such areas), or coercing, forcing, or attempting to coerce or force another to touch you, themselves, or a third party with any of these body parts or areas when such touching would be reasonably and objectively offensive.
3. Any sexual act in which there is force, violence, or use of duress or deception upon the victim;
4. Any sexual act perpetrated when the victim is unable to give Consent; and
5. Sexual intimidation, which includes, but is not limited to:
  - a. Threatening, expressly or impliedly, to commit a sexual act upon another person without his or her Consent,
  - b. Stalking or cyber-stalking, and/or;
  - c. Engaging in indecent exposure.

**Sexual Exploitation.** "Sexual Exploitation" means any act of taking non-Consensual, unjust, or abusive sexual advantage of another person for one's own advantage or benefit or to benefit or advantage anyone other than the person being exploited. Sexual Exploitation includes, but is not limited to:

1. Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person;
2. Prostituting another person (i.e. personally gaining money, privilege or power from the sexual activities of another);
3. Non-Consensual videotaping, photographing, or audio-taping of sexual activity and/or distribution of these materials via media such as, but not limited to, the Internet;
4. Exceeding the boundaries of Consent (e.g., allowing another person to observe Consensual sex without the knowledge of or Consent from all participants);
5. Voyeurism; and/or;

6. Knowingly or recklessly transmitting a sexually transmitted disease (including HIV) to another individual.

**Sexual Harassment.** “Sexual Harassment” is defined as unwelcome conduct that is severe and pervasive, which substantially interferes with the learning, working, or living environment, and which would detrimentally affect a reasonable person under the circumstances. Harassment is extreme, outrageous or persistent acts or communications that are intended or reasonably likely to harass, intimidate or humiliate another. Whether the alleged conduct constitutes prohibited harassment depends on the entire circumstances, including the nature, frequency, type, and duration of the conduct. Examples of sexual harassment may include, but are not limited to, the following:

- i. Verbal abuse of a sexual nature, which is considered to include, but is not limited to, epithets, derogatory comments, sexual advances, invitations, propositions, comments, or requests for sexual favors;
- ii. Intimate unwelcome physical contact;
- iii. Repeated unwanted discussions of sexual matters;
- iv. Use of sexual jokes, stories, analogies, or images which are not related to the subject of the class or work situation;
- v. Ogling, leering, or prolonged staring at another person’s body;
- vi. Display or use of sexual graffiti or sexually-explicit pictures or objects;
- vii. Sexually suggestive jokes, comments, e-mails, or other written or oral communications;
- viii. Condition, explicitly or implicitly, academic or employment decisions upon an individual’s submission to requests for sexual favors or conduct.

Sexual harassment by any faculty, staff, or student is a violation of both federal regulatory law and University policy and will not be tolerated at Tech. The University considers sexual harassment to be a very serious issue and shall subject the offender to dismissal or other sanctions following the University’s investigation and substantiation of the complaint and compliance with due process requirements.

The determination of what constitutes sexual harassment will vary with the particular circumstances, but it may be generally described as repeated and unwanted sexual behavior, such as physical contact and verbal comments or suggestions that adversely affect the working or learning environments of others.

EEOC Guidelines define sexual harassment as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is either explicitly or implicitly made a condition of an individual’s employment with the University or a factor in the educational program of a student, and/or;
- b. Submission to or a rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting such individuals, and/or;
- c. Such conduct has the purpose or effect of substantially interfering with an individual’s right to achieve an educational objective or to work in an environment free of intimidation, hostility, or threats stemming from acts or language of a sexual nature.

Although sexual harassment most frequently occurs when there is an authority differential between the persons involved (faculty member and student, supervisor and staff member), it may also occur between persons of the same status (e.g. faculty-faculty, staff-staff, student-student). Both men and women may be victims of sexual harassment, and sexual harassment may occur between individuals of the same gender.

Because of the unique situations which exist between students, faculty, supervisors, and staff, relationships in the workplace and on campus should at all times remain professional. In particular, due to the professional power differential between faculty and students, faculty members are encouraged to remain professional in all relationships with students. As teachers, professors encourage the free pursuit of learning by their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere

to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

Sexual harassment may create a hostile, abusive, demeaning, offensive, or intimidating environment. It is manifested by verbal or physical actions, including gestures and other symbolic conduct. Sexual harassment is not always obvious and overt; it can also be subtle and covert. A person who is subject to sexual advances may nevertheless be a victim of sexual harassment if those advances were unwelcome.

If a professor's speech or conduct takes place in the teaching context, it must also be persistent, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

**Sexual Misconduct.** "Sexual Misconduct" means any unwelcome conduct of a sexual nature, including any conduct or act of a sexual nature perpetrated against an individual without Consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. The University encourages reporting of all Sexual Misconduct. Sexual Misconduct includes, but is not limited to:

1. Dating violence;
2. Domestic violence;
3. Non-forcible sex acts, which are unlawful sexual acts where Consent is not relevant, such as sexual contact with an individual under the statutory age of Consent, as defined by State law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.
4. Sexual Assault;
5. Sexual Exploitation;
6. Sexual Harassment; and
7. Stalking.

**Stalking.** "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress.

**Student.** A "student" is any student who is registered at the University or enrolled at the University (a) at the time of the alleged Sexual Misconduct and (b) at the time a Complaint is filed.



## Appendix C to SEXUAL MISCONDUCT POLICIES AND PROCEDURES

### Reporting and Confidentially Disclosing Sexual Violence:

#### Know the Options

Arkansas Tech University encourages victims of sexual violence to talk to somebody about what happened - so victims can get the support they need, and so the University can respond appropriately.

Different employees on campus have different abilities to maintain a victim's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a victim in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a University investigation into an incident against the victim's wishes.
- Thirdly, some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees (called "responsible employees") constitutes a report to the University - and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them - so they can make informed choices about where to turn should they become a victim of sexual violence. The University encourages victims to talk to someone identified in one or more of these groups.

#### The Options

##### A. Privileged and Confidential Communications.

###### Professional Counselors

Professional, licensed counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are generally not required to report any information about an incident to the Title IX Coordinator without a victim's permission.

The following is the contact information for these individuals who are all located in the Health and Wellness Center (<https://www.atu.edu/cs/center/>) in Doc Bryan Student Services Center, Suite 119:

**Kristy Davis**, [kdavis51@atu.edu](mailto:kdavis51@atu.edu), (479) 968-0329

**Craig Witcher**, [cwitcher@atu.edu](mailto:cwitcher@atu.edu), (479) 968-0329

**Janis Taylor**, [jtaylor78@atu.edu](mailto:jtaylor78@atu.edu), (479) 968-0329

**Nikki Templeton**, [nearles@atu.edu](mailto:nearles@atu.edu), (479) 968-0329

**Josh Root**, [jroot4@atu.edu](mailto:jroot4@atu.edu), (479) 968-0329

**Leann Watson**, [lwatson12@atu.edu](mailto:lwatson12@atu.edu), (479) 968-0329

A victim who speaks to a professional counselor must understand that, if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working, or course schedules.

A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors will provide the victim with assistance if the victim wishes to do so.

## Medical Professionals

The medical professionals who work in the campus health center can generally talk to a victim without revealing any personally identifying information about an incident to the University. A victim can seek assistance and support from these individuals without triggering a University investigation that could reveal the victim's identity or that the victim has disclosed the incident.

While maintaining a victim's confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report, which includes no information that would directly or indirectly identify the victim, helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator.

Following is contact information for these Medical Professionals:

**Brandye Bisek**, Advanced Practice Registered Nurse, [bbisek@atu.edu](mailto:bbisek@atu.edu)

**Robin Koontz**, Advanced Practice Registered Nurse, [rkoontz@atu.edu](mailto:rkoontz@atu.edu)

**Kyle Wewers**, Advanced Practice Registered Nurse, [kwewers@atu.edu](mailto:kwewers@atu.edu)

**Heather Stout**, Registered Nurse, [hstout1@atu.edu](mailto:hstout1@atu.edu)

**Cori Poore**, Registered nurse, [cpoore1@atu.edu](mailto:cpoore1@atu.edu)

**Health and Wellness Center**, Doc Bryan Student Services Center, Suite 119, (<http://www.atu.edu/hwc/index.php>), (479) 968-0329

**NOTE:** While the professional counselors and medical professionals may maintain a victim's confidentiality vis-a-vis the University, they may have reporting or other obligations under state law. For example, mandatory reporting to law enforcement in case of minors; instances of imminent harm to self or to others; or being subpoenaed to testify in a criminal case

**ALSO NOTE:** If the University determines that the alleged perpetrator(s) pose a serious and immediate threat to the University community, those individuals who serve as Campus Security Authorities under the Cleary Act may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

### **B. Reporting to "Responsible Employees."**

A "responsible employee" is a University employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee **must report** to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim and that the University will need to determine what happened, including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time, and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report. A responsible employee should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

The following employees (or categories of employees) are the University's responsible employees: **Resident Directors, Resident Assistants, Area Coordinators, Associate Deans, Dean of Students, President, Chancellor, Vice Presidents, Vice Chancellors, Assistant Vice Presidents, Academic Department Heads, Academic Deans, Athletic Director, Assistant Coaches, Head Coaches, Faculty Advisors for Student Groups, employees in the Department of Public Safety.**

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

### **Requesting Confidentiality From the University: How the University Will Weigh the Request and Respond.**

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If the University honors the request for confidentiality, a victim must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when the University may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

The University has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

#### **Amy Pennington, Title IX Coordinator**

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
  - whether there have been other sexual violence complaints about the same alleged perpetrator;
  - whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
  - whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
  - whether the sexual violence was committed by multiple perpetrators;
  - whether the sexual violence was perpetrated with a weapon;
  - whether the victim is a minor;
  - whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
  - whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the victim's request for confidentiality.

**If the University determines that it cannot maintain a victim's confidentiality,** the University will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or University employees, will not be tolerated. The University will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the victim of the right to report a crime to campus or local law enforcement - and provide the victim with assistance if the victim wishes to do so.

The University may not require a victim to participate in any investigation or disciplinary proceeding. Because the University is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the University to consider broader remedial action, such as increased monitoring, supervision, or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

If the University determines that it can respect a victim's request for confidentiality, the University will also take immediate action as necessary to protect and assist the victim.

#### **Miscellaneous**

##### **Take Back the Night and other public awareness events**

Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs", or other forums in which students disclose incidents of sexual violence, are not considered notice to the University of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students' Title IX rights at these events.

##### **Anonymous Reporting**

Although the University encourages victims to talk to someone, the University provides an online system for anonymous reporting. The system will notify the user (before s/he enters information) that entering personally identifying information may serve as notice to the University for the purpose of triggering an investigation. The website is: <https://www.atu.edu/psafe/crime-report-form.php>.

##### **Off-campus Counselors and Advocates**

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the University unless the victim requests the disclosure and signs a consent or waiver form.

Following is contact information for these off-campus resources:

##### **Victim Assistance Outreach Program**

The 5th Judicial District Prosecuting Attorney's Office has a "Victim Assistance Outreach Program" which provides assistance with:

- Orders of Protection
- Contacting Law Enforcement Agencies
- VINE (Victim Identification and Notification Everyday)
- Arkansas Crime Victims Reparations Program (assists with financial compensation, counseling, lost wages, and funeral expenses).

- Referrals to other community services such as the Ozark Rape Crisis Center, River Valley Shelter, and Crisis Intervention Center.
- Information on the criminal court process.

The contact person for this program is Patricia Andrade. Her telephone number is (479) 705-0579.

**Ozark Rape Crisis Center**

Located in Clarksville, Arkansas, this entity provides 24 hour crisis intervention. The hotline telephone number is (800) 818- 1189 and the website is: <http://www.ozarkrapecrisis.com/>

**Arkansas Coalition Against Sexual Assault**

The Arkansas Coalition Against Sexual Assault provides a 24 hour Sexual Assault Crisis Response Hotline. The hotline telephone number is (800) 977-5776. Additional services include: Free and confidential assistance for all victims of sexual violence; Compassionate accompaniment for victims needing medical help; Comfort and support for victims going through the criminal justice system; Crisis counseling and support groups for victims and families; Information and referrals to available community resources; Community public education on sexual violence issues; Training for volunteers and other professions serving victims.

**NOTE:** While these off-campus counselors and advocates may maintain a victim's confidentiality vis-a-vis the University, they may have reporting or other obligations under state law in instances such as mandatory reporting to law enforcement in case of minors; imminent harm to self or others; requirement to testify if subpoenaed in a criminal case.

Appendix D to SEXUAL MISCONDUCT POLICY AND PROCEDURES

Arkansas Tech University Complaint Form

By submitting this form, I acknowledge that I am filing a formal complaint and have read and understand the Arkansas Tech University Sexual Misconduct Policy. I also certify that the information given is true and complete to the best of my knowledge.

Report submitted By: [ ] Define Other: [ ] Date: \_\_\_\_\_  
Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Detailed Information:** (Completion of every field is not required, but please provide as much information as possible)

**Victim Information:**  Employee  Student  Other Define Other: [ ]  
Name: \_\_\_\_\_ Tech I.D. Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

**Respondent/Accused Information:**  Employee  Student  Other Define Other: [ ]

(If there is more than one respondent, please check other. In the Define Other box please put "multiple" and list all individuals in the box provided on the following page.)

Name: \_\_\_\_\_ Tech I.D. Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

**Witness Information:** (additional witness information may be provided at a later date)

<input type="checkbox"/> Employee <input type="checkbox"/> Student <input type="checkbox"/> Other Define Other: [ ] Name: _____ Phone: _____ Email: _____	<input type="checkbox"/> Employee <input type="checkbox"/> Student <input type="checkbox"/> Other Define Other: [ ] Name: _____ Phone: _____ Email: _____
<input type="checkbox"/> Employee <input type="checkbox"/> Student <input type="checkbox"/> Other Define Other: [ ] Name: _____ Phone: _____ Email: _____	<input type="checkbox"/> Employee <input type="checkbox"/> Student <input type="checkbox"/> Other Define Other: [ ] Name: _____ Phone: _____ Email: _____

**Interim Requests:** (During the investigation and prior to the determination of a policy violation, you may request a temporary remedy)

No Contact Order  Relocation (work/residence hall)  Schedule Change (class/work shift)  Other  
Define Other: [ ]

On the following page please provide detailed information regarding the events that occurred. Remember to include important details, such as, **dates and times of all incidents, locations, witnesses present, etc.** Please attach additional pages if you would like to provide more information than the space will allow.

[Large empty rectangular box for content]

Desired Outcomes:

[Empty rectangular box for Desired Outcomes]

Signature: \_\_\_\_\_ *(if submitted by email, signature may be obtained at the first meeting)*

## Appendix E to SEXUAL MISCONDUCT POLICY AND PROCEDURES

The following sanctions may be imposed singularly or in combination upon any student found to have violated the Student Code of Conduct:

- A. **Warning.** A notice in writing to the student that the student has violated institutional regulations.
- B. **Probation.** A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- C. **Loss of Privileges.** Suspension or denial of rights and privileges for a designated period of time, including participation in athletic or extracurricular activities.
- D. **Monetary Fines.** A penalty imposed by the conduct body involving the collection of fees from the student.
- E. **Restitution.** Compensation for loss, injury, damage to or misappropriation of University property. This may take the form of appropriate service and/or monetary or material replacement.
- F. **Educational Sanctions.** The conduct body may also impose educational sanctions that promote learning and understanding. These sanctions may be developed as necessary by a conduct body including, but not limited to:
  - 1. Sponsorship of an education program;
  - 2. Attendance at educational programs;
  - 3. Requirement of members to complete the TIPS for the University training program or other educational training programs;
  - 4. Attendance in conflict management training;
  - 5. Educational service hours;
  - 6. Attendance in ethics workshop/training;
  - 7. Reflective exercises.
- G. **Discretionary Sanctions.** Work assignments, service to the University, or other related sanctions. Students who violate the alcohol/drug policies may be subject to completion of alcohol and other drug education programs.
- H. **Holds.** Withholding of grades, right to register for classes, official transcript, and/or degree.
- I. **Denial of degree.** University degree may be denied, revoked, and/or a diploma may be withdrawn.
- J. **Loss of Scholarship.** Scholarships awarded by the University or University-related programs may be partially or fully revoked.
- K. **Housing Suspension.** Separation of the student from University housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- L. **Housing Expulsion.** Permanent separation of the student from University housing.
- M. **University Suspension.** Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- N. **University Expulsion.** Permanent separation of the student from the University.
- O. **Revocation of Admission and/or Degree.** Admission to or a degree awarded from Tech may be revoked for fraud, misrepresentation, or violations of the Student Code of Conduct committed by a student prior to graduation.



Arkansas Tech may withhold awarding a degree otherwise earned until the completion of the process set forth in this policy, including the completion of all sanctions imposed, if any.

A disciplinary sanction may become part of the student's permanent academic record. A student's permanent academic record includes any disciplinary sanction that comprises:

1. Expulsion
2. Any revocation of degree

## POLICY ON CONSENSUAL RELATIONS

Sexual relations between employees and those with whom they also have an academic evaluative or supervisory relationship are fraught with the potential for exploitation. The respect and trust accorded a professor or staff member by a student, as well as the power exercised by the professor, or other staff member, in an academic or evaluative role, make voluntary consent by the subordinate suspect. Even when both parties have previously consented, circumstances could change and conduct that was once welcome could become unwelcome and the development of a sexual relationship renders both the employee and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between individuals in unequal positions.

In their relationships with students, members of the faculty, as well as employees whose position may be perceived as one of authority, are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias. When a sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision takes place.

An employee, whether faculty or staff, should not develop a dating or sexual relationship with a student whenever the employee is in a “position of authority”, real or perceived, over that student. An employee is in a “position of authority” whenever he or she is that student’s teacher, or when the employee is either evaluating or supervising the student. This includes resident assistants and students over whom they have direct responsibility. The “position of authority” may also include formally advising the student or when that student is a major in the employee’s department or college.

A supervisor, whether faculty or staff, should also not develop a dating or sexual relationship with an employee when the supervisor has a “position of authority”, real or perceived, with respect to the employee.

Should a dating or sexual relationship develop or exist, the person with the greater position of authority must consult with an appropriate supervisor immediately. Failure to self-report such relationships may result in disciplinary action. The supervisor, with advice from University Counsel, shall develop a mechanism to ensure that objective evaluation is achieved, that conflicts of interest are avoided, and that the interest of the other individual and University are fully protected. This will likely result in the removal of the employee from the supervisory or evaluative responsibility, or shift the individual out of being supervised or evaluated by someone with whom they have a consensual relationship.

## CONFLICTS OF INTEREST

All members of the Arkansas Tech University community, including faculty, staff and members of the Board of Trustees, should remain free from conflicts of interest. The following describe areas of possible conflict of interest:

- Using or attempting to use their official position to secure special privileges or exemptions for themselves or their spouses, children, parents, or other persons standing in the first degree of relationship, or for those with whom they have a substantial financial relationship that are not available to others except as may be otherwise provided by law.
- Accepting employment or engaging in public or professional activity while serving as public officials and in which they might reasonably expect would require or induce to them to disclose any information acquired by them by reason of their official positions that is declared by law or regulation to be confidential.
- Disclosing or using information gained by reason of their position for their personal gain or benefit.
- Receiving gifts for the performance of the duties and responsibilities of their position. This does not apply to gifts from friends, professional associates and relatives that are not work related or to awards recognizing achievement. Nominal gifts (having a value of \$100 or less) among faculty, staff and students are also excluded.

### \*NON-DISCRIMINATION POLICY

Arkansas Tech University does not discriminate on the basis of color, sex, sexual orientation, gender identity, race, age, national origin, religion, veteran status, genetic information, or disability in any of its practices, policies, or procedures. This includes, but is not limited to, employment, admissions, educational services, programs or activities which it operates, or financial aid.

Arkansas Tech University complies with all applicable state and federal laws including, but not limited to, Title VI and Title VII of the Civil Rights Act of 1964 as amended, Title IX of the Educational Amendments of 1972, Section 503 of the Rehabilitation Act of 1973, Section 504 of the Rehabilitation Act Amendments of 1974, Age Discrimination Act, Vietnam Era Veterans Readjustment Assistance Act, Uniformed Services Employment and Reemployment Act, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991. Responsibility for implementation and compliance with this Non-Discrimination Policy has been delegated to Bob Freeman, Director of Human Resources and Affirmative Action officer who can be reached by emailing [rfreeman18@atu.edu](mailto:rfreeman18@atu.edu) or calling 479-968-0396.

\*Updated 8/1/18

## \*ETHICS POLICY

### **Introduction**

This ethics policy serves (1) to emphasize the University's commitment to ethical conduct and compliance with the law; (2) to set forth basic standards of ethical behavior; (3) to provide reporting mechanisms for known or suspected ethical violations; (4) to help prevent and detect wrongdoing.

Given the variety and complexity of ethical questions that may arise in the course of carrying out the University's business, this Code can serve only as a general guide. Confronted with ethically ambiguous situations, employees should keep in mind the University's commitment to the highest ethical standards and seek advice from appropriate levels of University administration so as to ensure that this commitment is honored at all times.

This ethics policy has been adopted by the Board of Trustees and is to be administered at the direction of the President. A campus, department, or area may implement more specific associational or professional policies that supplement this policy, but each must be approved by the President and each must have a higher (and not lower) ethical requirement than this policy. In the event of a conflict between this policy and those of a campus, unit, or area, this policy will control.

This ethics policy applies to all Arkansas Tech University employees. This policy may be amended or supplemented from time to time by the Board of Trustees.

Public employment is a public trust. It is the policy of Arkansas Tech University to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by the university. The policy is implemented by prescribing essential restrictions against conflict of interest without creating unnecessary obstacles to entering public service.

The institution and its employees shall conduct themselves in a manner that strengthens the public's trust and confidence by adhering to the following principles:

- Conduct that is beyond reproach and integrity of the highest caliber;
- Act with honesty and fairness in good faith and professionalism;
- Accountability, transparency and commitment to compliance with statutory requirements; and
- Being proactive in pursuing ethical conduct in future years.

### **Definitions**

1. "Confidential information" means any information which is available to an employee only because of the employee's status as an employee of this state and is not a matter of public knowledge or available to the public on request.
2. "Employee" means an individual drawing a salary from the university and any non-salaried individual performing personal services for the university.
3. "Gift" is defined for purposes of this policy using the definition of the Arkansas Ethics Commission rule §300(b), which is set forth in its entirety in [attachment "A"](#).
4. "Gratuity" means a payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is received.
5. "Immediate family" means a spouse, children, parents, brother and sisters, and grandparents.
6. "Personal gain" means a benefit or advantage that relates to a particular person rather than to a business, group or organization.

\*Approved Board of Trustees 5/16/19

## **General standards of ethical conduct**

1. Any attempt to realize personal gain through public employment by conduct inconsistent with the proper discharge of the employee's duties is a breach of a public trust.
2. Employee Conflict of Interest.
  - a. It shall be a breach of ethical standards for any employee to participate directly or indirectly in any proceeding or application, in any request for ruling or other determination, in any claim or controversy, or in any other particular matter pertaining to any contract or subcontract, and any solicitation or proposal therefore, in which to the employee's knowledge;
    - (i) The employee or any member of the employee's immediate family has a financial interest;
    - (ii) A business or organization has a financial interest, in which business or organization the employee, or any member of the employee's immediate family, has a financial interest; or
    - (iii) Any other person, business, or organization with whom the employee or any member of the employee's immediately family is negotiating or has an arrangement concerning prospective employment is a party.
  - b. "Direct or indirect participation" shall include, but not be limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, including the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.
3. Gratuities and kickbacks
  - A. It is a breach of ethical standards for any person to offer, give, or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, including the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim, or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal therefor.
  - B. It is a breach of ethical standards for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontract or order. Meals provided as part of a conference are excluded from this provision.
4. Use of confidential information
  - A. It shall be a breach of ethical standards for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain or for the actual or anticipated personal gain of any other person.
5. Non-employees
  - A. Any effort to influence any public employee to breach the standards of ethical conduct set forth herein is also a breach of ethical standards.

6. Violations

Violations of this policy may constitute violations of law as set forth in A.C.A. §19-11-701 et. seq.

7. Reporting suspected violations

Employees wishing to report a suspected violation of this ethics policy may report it anonymously to the Human Resources department or the Office of University Counsel.

[Submit a suspected violation.](#)

(<https://www.atu.edu/standingcommittees/ethics-form.php>)

8. Guidance

All employees must work together to ensure prompt and consistent enforcement of this Ethics Policy. In some situations, it may be difficult to know if a violation has occurred. Because it is impossible to anticipate every situation that will arise, it is important to approach a new question or problem with confidence. Employees having questions about their obligations under this Code should consult the University's administration and/or the University Counsel.

### III

#### RELATION OF THE FACULTY MEMBER TO ACADEMIC GOVERNANCE

Faculty committees facilitate the orderly functioning of the institution by employing the many talents of the faculty, students, and administration working together. There are two general types--the elected standing committees which deal with areas which require recurrent study or action and appointed standing committees which are appointed through administrative channels for specific institutional tasks or research or to develop special projects.

\*Membership on elected committees is achieved through election by the entire faculty, and representation of each of the colleges is assured. The normal tenure is one academic year except on the Faculty Senate; Admissions, Academic Standards, and Student Honors Committee; Committee on Adjunct Support; Curriculum Committee; Faculty Salary and Benefits Committee; Faculty Welfare Committee; General Education Committee; Graduate Council; Honors Council; Institutional Review Board; Professional Development Committee; and Student Learning Assessment Committee where longer, staggered positions are provided.

Many of the major committees have student representation, a procedure which the University considers valuable not only because of the formal opportunity to obtain student views, but also because of the values that these assignments may have for the type of students selected for these responsibilities.

Each elected standing committee shall meet at least once per semester. The President of the Faculty Senate will assure that the committees meet and that a chairperson and secretary are elected from the faculty serving on the committee.

Chairpersons and secretaries of all standing committees are responsible for keeping minutes of each meeting. After each meeting, copies of the minutes from elected standing committees are to be sent to the President of the Faculty Senate who will in turn distribute copies to the appropriate administrative officers and others as directed by the Faculty Senate. Appointed standing committees will distribute copies of their minutes to the appropriate administrative officer and to the President of the Faculty Senate.

In the fall of 1989 the Faculty Senate adopted Roberts' Rules of Order as a method of disciplinary action against a committee member, subject to review by the Senate. Additionally, the Senate approved the following statements as an addendum to Roberts' Rules of Order for dismissal of a committee member and to serve as guidelines for the review process:

Removal of a committee member is an extreme measure. The process denies a college or, in the case of appointed members, an administrator, representation on the committee taking such action. If a committee votes to remove a member, the decision will be considered a recommendation for action. Under such circumstances the Faculty Senate, as the committee on committees, will review pertinent data and consider if two conditions have been met: due process was followed and the action had merit. If the Senate concurs via a two-thirds (2/3) majority of the full Senate, a special election for that specific committee member's position will be called. In the case of an appointed member, the appropriate administrator will be asked to appoint a new member.

\*Updated 8/1/16

## STANDING COMMITTEES

\*\*\*In the event that sufficient tenured *or* regular faculty are not available to fill positions on committees as defined below, the appropriate Dean will proceed with elections to fill those committee vacancies with available faculty. The supernumerary voting block includes librarians and any academic unit with less than fifteen full-time faculty.

### **Faculty Senate (Committee on Committees)**

\*\**Membership:* Membership of the Faculty Senate will be established according to Article II, Section I of the Constitution of the Faculty Senate of Arkansas Tech University. For elected members, a term equals three years, and no senator may serve more than two consecutive terms.

\*\**Function:* Serve as a committee on committees that include elected faculty members and shall act for the faculty in all curricular matters other than those involving changes in general academic policies, and for the faculty or the administration on matters referred to it for action; serve as an advisory body to the faculty on matters involving academic policies and to the administration or the faculty, as appropriate, on any other matter of general concern to the University.

### **Academic Appeals Committee**

\* *Membership:* Two elected faculty members from each college including the supernumerary voting block, and six students appointed by the Student Government Association. The faculty on the committee will elect a chair.

*Function:* Formed each year as a pool of qualified faculty and students to hear student academic honesty and misconduct appeals.

### **Admissions, Academic Standards, and Student Honors Committee**

*Membership:* One faculty member elected from each college including the supernumerary voting block, to serve staggered, two-year terms. Additional members are the Registrar, Director of Admissions, and two students selected by the Student Government Association.

*Function:* Recommend policy concerning the admission and retention of students, including standards for probation, suspension, and re-admission of students whose academic performance falls below the required level; recommend policy concerning advanced placement and award of academic honors; study and propose methods for improvement of instruction.

### **Athletics Committee**

\**Membership:* Three faculty members elected at large, two faculty members and the Great American Conference representative appointed by the President, one student selected from the Student-Athlete Advisory Committee, and one students selected by the Student Government Association. The two appointed faculty members should serve no more than three successive terms as at large members. The Great American Conference representative may serve up to six consecutive terms. A term equals one year.

\*Revised Board of Trustees 3/17/16  
\*\*Revised Board of Trustees 5/19/16  
\*\*\*Revised Board of Trustees 8/17/17



*\*Function:* Promote and foster the athletics interests of Arkansas Tech University in a manner that is consistent with the educational standards of the institution, help provide additional oversight of the institution's intercollegiate athletics program, and serve as an advisory body for the faculty on matters concerning the intercollegiate athletics program. Student athlete appeals of violations relating to NCAA guidelines and appeals of loss of scholarships will be heard by the Athletics Committee faculty members. The GAC representative (i.e., Faculty Athletics Representative) will contact the President's Office to initiate a meeting with the President at least once each fall, spring, and summer session.

### **Budget Advisory Committee**

*\*Membership:* President of the University who serves as chairperson, vice presidents, Chancellor of the Ozark Campus, chief officers of the Ozark Campus (i.e., Academics, Finance, and Student Services) academic deans, Athletic Director, Director of Library, Chairperson of Faculty Senate or his/her designated representative, Chairperson of Staff Senate or his/her designated representative, Chairperson of Student Government Association or his/her designated representative, Director of the Arkansas Tech Career Center, and a faculty member elected at large. The Chief of Staff to the President, Director of Budget, Assistant to the Vice President for Academic Affairs, and Director of Institutional Research serve as ex officio members.

*Function:* Recommend policies relating to the development and administration of budget, the submission of appropriation requests, and the determination of fee structure.

### **\*\*Campus Assessment, Response, and Evaluation Team (CARE Team)**

*Membership:* Dean of Students-Chair, Assistant Dean for Student Conduct, Associate Vice President for Academic Affairs, Associate Dean for Residence Life, Associate Dean for Student Wellness, Director of Public Safety, Academic Advisor appointed by the chair.

*Function:* To serve as a multidisciplinary proactive campus threat assessment and behavioral intervention team dedicated to improving campus safety through a coordinated, objective approach to prevention, identification, assessment, intervention, and management of situations that may pose a threat to the safety and well-being of individuals and the university community.

### **\*Campus Space and Utilization Committee**

*\*Membership:* Vice President for Administration and Finance who serves as chairperson, Vice President for Student Services, Vice President for Advancement, Director of Athletics, Director of Physical Plant, Associate Vice President for Academic Affairs, Construction Manager, Director of Information Systems, a representative from the President's office, a Staff Senate representative, a Faculty Senate representative, and a Student Government Association representative.

*\*Function:* Recommend policies and practices for comprehensive campus planning, space utilization, parking, campus beautification, and landscaping to the President.

\*Revised Board of Trustees 3/17/16  
\*\*Approved Board of Trustees 3/17/16

## **\*\*Center for Excellence in Teaching and Learning (CETL) Advisory Board**

*Membership:* Director of CETL who serves as chair (ex officio), one tenured faculty member elected from each college (including the supernumerary group), and two elected at-large faculty members (one tenured, one untenured). Elected faculty will serve staggered, three year terms. (Note: Initial terms are as follows: Three years – Arts and Humanities, Business, and at-large tenured; Two years – Education, Engineering and Applied Sciences, and at-large untenured; One year – Natural and Health Sciences and Supernumerary).

*Function:* The purpose of the CETL Advisory Board is to provide faculty input and to help guide the continued development of the Center. The Advisory Board will meet at least once per semester.

## **Commencement Committee**

*\*Membership:* Representative of Student Services, Russellville Campus registrar who serves as chairperson, head of music department, plant maintenance superintendent, two faculty members appointed by the President, Ozark Campus Associate Registrar, Director of Disability Services, Public Safety representative, president of the senior class or senior class senator, and manager of the coliseum. Appointed faculty members should not serve more than three successive terms. A term equals one year.

*Function:* Plan and coordinate commencement activities.

## **Committee on Adjunct Support**

*\*Membership:* Four regular full-time faculty members elected at-large and four adjunct faculty elected at-large for staggered two-year terms. The chair will be elected from the membership of the adjunct faculty. Members should not serve more than three successive terms. A term equals two years. Adjunct faculty are individuals with teaching responsibilities who are not otherwise employed in a full time position at Arkansas Tech University. (pg. 1, Adjunct Guide)

*\*\*\*Function:* To provide support to adjunct faculty and to enhance the standing of such faculty on campus. Recommendations will be presented to the Faculty Senate and the Vice President for Academic Affairs. The committee may choose adjunct representatives for the following university standing committees: Equity and Diversity; General Education; Library, Instructional Materials, and Equipment; and Student Affairs.

## **Curriculum Committee**

*\*Membership:* Two tenured faculty members elected from each college including the supernumerary voting block, to serve staggered, two-year terms. One at large untenured faculty member elected annually for a one year term. The registrar, a member of the library faculty, and two student members, selected by the Student Government Association, serve as ex officio members.

*Function:* Monitor the total undergraduate curriculum and all proposed course changes, and evaluate program change proposals and forward recommendations to Faculty Senate for consideration prior to transmittal to the Vice President for Academic Affairs.

\*Revised Board of Trustees 3/17/16

\*\*Approved Faculty Senate 9/11/18

\*\*\*Revised 10/1/19

## **\*\*Emergency Management and Safety Committee**

*Membership:* Chief of Public Safety-Chair, Emergency Manager, Dean of Students, Associate Dean of Residence Life, Director of Information Systems, Director of Student Wellness, Controller, Director of Facilities Management, Emergency Administration Management Faculty Member-appointed by the chair, Associate Vice President for Academic Affairs, Athletic Director, Graduate Assistant for Public Safety, Chief of Student Life Officer – Ozark, Public Safety Officer – Ozark

*Function:* To increase the effectiveness of emergency management, safety, and security planning activities for Arkansas Tech University. The committee will be called on to analyze emergency management and safety initiatives and provide significant contributions to strategic direction. Committee members will specifically represent their departments or offices when they are referenced in emergency plans and procedures.

## **Equity and Diversity Committee**

*\*\*\*Membership:* Coordinator for Affirmative Action/Equal Employment Opportunity (chair), Coordinator for Title IX, Deputy Title IX Coordinator(s), Associate Dean For Student Wellness (or designee), Director of Health Services, Chief of Public Safety, Assistant Dean for Diversity and Inclusion, Associate Dean for Diversity and Inclusion, three students appointed by the Student Government Association, three faculty members appointed by the Vice President for Academic Affairs in collaboration with the President of the Faculty Senate, and a Human Resources Representative. The Committee on Adjunct Support may also choose to have a representative. Appointed faculty members should not serve more than three successive terms. A term equals one year.

*\*\*\*Function:* The committee will serve the campus by leading efforts to create an environment that respects, celebrates, and cultivates diversity and inclusion. This will be accomplished by formulating recommendations, reviewing policy, and identifying steps to implement recommendations. The committee will also assure compliance with all applicable federal and state laws that will foster Arkansas Tech University's commitment to building and sustaining an all-inclusive campus community.

## **Faculty Salary and Benefits Committee**

*\*Membership:* One tenured faculty member elected from each college including the supernumerary voting block, to serve staggered, two-year terms, and one untenured faculty member elected at large to serve a one year term. Faculty membership restricted to regular faculty. The committee will also include two non-voting ex-officio members: the Vice President of Academic Affairs or an appointed representative and the Faculty Senate Chair or an appointed representative from the Faculty Senate.

*\*Function:* Review and recommend on university-wide salary and benefits issues, summer faculty fellowships, and sabbaticals. Forward recommendations to the Vice President for Academic Affairs. Recommendations on university-wide salary and benefit issues will also be forwarded to the Faculty Senate.

\*Revised Board of Trustees 3/17/16  
\*\*Approved Board of Trustees 3/17/16  
\*\*\*Revised 10/1/19

## **Faculty Welfare Committee**

*Membership:* One tenured faculty member elected from each college including the supernumerary voting block to serve two-year terms followed by a one-year term as an alternate. One tenured and two untenured faculty members elected at large to serve a one-year term. Alternates serve in case adjudication proceedings involve a conflict of interest or a challenge to a regular committee member. Only faculty members teaching at least six hours and are regular faculty are eligible. In the event that all members of the Faculty Welfare Committee from a given college are excluded from consideration of an issue, the chairperson of the Faculty Welfare Committee shall notify the Faculty Senate. Upon this notice, the Faculty Senate will supervise the election of an ad hoc member from that College in an election conducted by that College. This person will represent the College for only the specific issue.

*Function:* Provide a forum in which matters involving all concerns of faculty members can be considered. Primary function is to maintain and foster a high level of faculty morale by providing an agency for receipt and evaluation of suggestions and for recommendation of implementation of those deemed meritorious. In cases involving disagreements and considerations set forth above, including dismissal, this committee will appoint from its body an ad hoc grievance committee of at least three members to attempt informal reconciliation of differences and to report its conclusions and recommendations to the Faculty Welfare Committee. No member of the ad hoc grievance committee can sit in adjudication proceedings involving matters in which the grievance group has initial interest. The Faculty Welfare Committee will serve as an adjudication body in cases involving academic controversy, including, but not limited to, such matters as salary, rehiring, promotion, tenure, teaching assignments, professional ethics, performance, and alleged violations of academic freedom. Committee will urge resolution of differences between contending parties prior to implementation of grievance procedure; committee action can be requested by faculty or administration. Faculty Welfare Committee functions as an appellate agency under the relevant provisions of Arkansas Tech University's "Regulations on Academic Freedom and Tenure." Its conclusions and recommendations will be forwarded in writing to the President of Arkansas Tech University, following procedures described in the "Regulations on Academic Freedom and Tenure."

## **General Education Committee**

*\*Membership:* One faculty member elected from each college including the supernumerary voting block, one from the Ozark Campus, one faculty member appointed by the Vice President for Academic Affairs, one faculty member appointed by the Chair of the Faculty Senate, one faculty member appointed by the Chair of the Student Learning Assessment Committee, the Director of Assessment and Institutional Effectiveness as an ex officio member, and one ex officio student member selected by the Student Government Association. Faculty membership restricted to regular faculty; however, the Committee on Adjunct Support may choose to have a representative. Administratively appointed members should not serve successive terms. A term equals three years.

*Function:* Exercise oversight of general education: regularly assess the degree to which the University is meeting the stated general education goals, review general education goals and requirements, evaluate proposals that affect general education, and clearly and publicly articulate the purposes, content, and intended learning outcomes of general education.

\*Revised 10/1/19

## Graduate Council

*\*Membership:* Faculty members who have voting privileges are limited to full-time members of the graduate faculty. Graduate Council membership shall be comprised as follows:

a. Colleges will have representation based on the number of graduate programs offered within the college. At no time will any one college have more than five representatives serving on the Graduate Council.

Up to two graduate programs:	1 representative
Up to five graduate programs:	2 representatives
Up to eight graduate programs:	3 representatives
Nine or more graduate programs:	4 representatives

b. Colleges with no graduate programs will be allocated one representative serving as an ex-officio, non-voting council member.

c. One doctoral faculty member elected by the graduate faculty holding doctoral graduate faculty status.

d. One university at-large member to be elected by regular graduate faculty.

e. Two graduate students serving as ex-officio, non-voting members: one appointed by the Graduate Dean to rotate among the colleges who have not reached their maximum number of representatives, and one elected by the Graduate Student Council, whose membership shall not be bound by the representative cap.

f. The Graduate Dean, who shall serve as chairperson of the Graduate Council. The Graduate Dean may vote only in the case of a tie.

g. One non-voting member from the Library.

For elections, only regular and doctoral graduate faculty members are eligible to vote in elections for the Graduate Council. Graduate Council elections shall be held as part of the general University Standing Committee elections.

*Function:* Responsible for determining policy and establishing standards, criteria, regulations, and procedures for graduate study in accordance with policies of the Board of Trustees.

## **Honors Council**

*\*Membership:* A director appointed by the Vice President for Academic Affairs, an assistant director (advertised and hired from the faculty for a three year term), the Associate Vice President for Academic Affairs, the Assistant Vice President for Enrollment Management/Director of Admissions, the Associate Director of Academic Scholarships, one faculty member representing each of the colleges including the supernumerary voting block appointed by the respective deans, and two student representatives who are elected by the students in the University Honors program. Appointed members, excluding the director and assistant director, should not serve successive terms. A term equals three years.

*Function:* Responsible for development and revision of procedures and policies pertaining to the Honors Program.

## **\*\*Institutional Aid Committee**

*Membership:* Assistant Vice President for Enrollment Management (chair), Director of Financial Aid, Associate Director of Financial Aid (Russellville campus), Associate Director of Financial Aid (Ozark campus), Director of Institutional Research, Director of Budget and Special Programs, Assistant to the Vice President for Academic Affairs (or Associate Vice President of Academic Affairs), Director of Student Accounts, Associate Dean of Student Success, Director of Academic Advising and Retention, Athletic Director (or Associate Director of Athletics), Vice Chairperson from the Faculty Senate, and representative from the office of Advancement appointed by the Vice President for Advancement.

*Function:* Develop and recommend institutional student aid policy and procedures including scholarship criteria, and amounts (non-athletic).

## **\*\*\*Institutional Animal Care & Use Committee (IACUC)**

*Membership:* According to the 9th Code of Federal Regulations (CFR9), it is the responsibility of the chief executive officer (CEO) of the institution to appoint all members of IACUC, and the Institutional Official (IO). The President has delegated, in writing, the authority to appoint IACUC members to the Associate Vice President for Academic Affairs, who serves as the Institutional Official.

At a minimum the IACUC must include a chair, a veterinarian, a practicing scientist experienced in animal research, a person whose primary concerns are in a nonscientific area, and a person who is unaffiliated with the institution except as a member of the IACUC (sometimes referred to as a public member).

*Function:* In accordance with federal law and university policy the IACUC is charged with overseeing compliance with federal regulations related to the treatment and use of animals for purposes of research or teaching.

\*Revised Board of Trustees 3/17/16  
\*\*Approved Board of Trustees 3/17/16  
\*\*\*Approved Board of Trustees 1/21/16

### **\*Institutional Biosafety Committee**

*Membership:* A minimum of five members appointed by the Vice President for Academic Affairs to include: a) two individuals who shall not be affiliated with the institution (apart from their membership on the Institutional Biosafety Committee) and who represent the interest of the surrounding community with respect to health and protection of the environment (e.g., officials of state or local public health or environmental protection agencies, members of other local governmental bodies, or persons active in medical, occupational health, or environmental concerns in the community); b) Arkansas Tech University faculty experts representing those labs performing experiments utilizing recombinant DNA; and c) others as deemed necessary to ensure compliance with National Institutes of Health (NIH) guidelines.

*Function:* To provide institutional oversight and reporting in compliance with National Institutes of Health (NIH) guidelines for all funded research utilizing recombinant DNA technologies; to review recombinant or synthetic nucleic acid molecule research conducted at or sponsored by the institution for compliance with NIH guidelines and approving those research projects that are found to conform with the NIH guidelines. Meetings will occur as needed but at least annually.

### **\*\*Institutional Effectiveness Committee**

*Membership:* Membership will be limited to a maximum of nine individuals who represent both academic, non-academic and co-curricular support areas. The committee will include at least one member from the four Vice Presidential areas (i.e., Academic Affairs, Student Services, Advancement, and Administration and Finance), and two from the Ozark Campus (one from academic support and one from non-academic support). Terms will be for three years and set up on a staggered basis. The Director of Assessment and Institutional Effectiveness will chair the committee. The Vice Presidents and the Chief Academic Officer at the Ozark campus will make recommendations for membership to the Associate Vice President for Academic Affairs who has the responsibility for approval. Participation will be based upon prior expertise and training in assessment and institutional effectiveness practice.

*Function:* The Institutional Effectiveness Committee is charged with the continuous monitoring and improvement of institutional effectiveness through the assessment of processes in support service and administrative areas.

\*Approved Board of Trustees 8/20/15

\*\*Approved Board of Trustees 3/17/16

## **Institutional Review Board (IRB)**

*\*Membership:* Membership governed by U.S. Department of Health and Human Services regulation 45 CFR 46.107: minimum of five members with varying backgrounds to promote complete and adequate review of the research activities commonly conducted by the institution; membership should not be composed of entirely men or entirely women and should include diversity based on race, gender, and cultural backgrounds; inclusion of at least one member whose primary concerns are in the scientific areas and at least one member whose primary concerns are in nonscientific areas; inclusion of at least one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person who is affiliated with the institution. Seven members serving three year terms on a rotating basis. One member from each colleges and the supernumerary group appointed by the respective Deans, and one or more members appointed by the Vice President for Academic Affairs as needed. The chair will be elected annually by the committee. Appointed members should not serve more than two successive terms. A term equals three years.

*\*Function:* Review requests on research involving human subjects. Conduct periodic reviews of human subject policy and procedures. No committee member may participate in the initial or continuing review of any project in which the member has a conflicting interest, except to provide information requested by the IRB.

### **\*\*Institutional Scholarship Appeals Committee**

*Membership:* Associate Director for Academic Scholarships (chair), financial aid representative (excluding the Director or Associate Director) appointed by the Director of Financial Aid, Academic Advising Center representative (excluding the Director of the Academic Advising Center) appointed by the director of the Academic Advising Center, Student Services representative (excluding the Associate Dean of Student Success) appointed by the Dean of Students, Chairperson of the Faculty Senate or their designee, and Associate Registrar appointed by the Registrar.

*Function:* Review institutional scholarship appeals and reinstate aid when appropriate (non-athletic).

### **Library, Instructional Materials, and Equipment Committee**

*\*\*\*Membership:* One faculty member elected from each college including the supernumerary voting block, Director of Library, Dean of Graduate College or appointed representative, and two students selected by the Student Government Association. The Committee on Adjunct Support may also choose to have a representative.

*Function:* Recommend policy with regard to the library and instructional service and equipment.

\*Revised Board of Trustees 3/17/16  
\*\*Approved Board of Trustees 3/17/16  
\*\*\*Revised 10/1/19



## **Professional Development Committee**

*\*Membership:* One tenured faculty member elected from each college and the supernumerary group to serve staggered, three-year terms, and one untenured faculty member elected at large to serve a one year term. Faculty membership is restricted to regular faculty. The committee will also include two non-voting ex-officio members: one appointed by the Vice President of Academic Affairs and one appointed by the President of the Faculty Senate.

*\*Function:* To review and recommend applications for Professional Development Grants and Faculty Research Grants to the Vice President for Academic Affairs for funding.

## **\*\*Sexual Misconduct Hearing Board**

*Membership:* By August 15<sup>th</sup> of each year, the President of the University shall appoint two faculty members and two staff members to serve as Sexual Misconduct Hearing Board members for a period of one year. Each hearing shall have three members, consisting of one faculty member, one staff member and the Dean of Students serving as chair. Each member of the Hearing Board will receive training annually.

*Function:* To hear cases of alleged sexual misconduct, determine if such violations occurred, and impose sanctions as appropriate.

## **Student Affairs Committee**

*\*\*\*Membership:* One faculty member elected from each college including the supernumerary voting block, two faculty members elected at large, and three students appointed by the Student Government Association. The Committee on Adjunct Support may also choose to have a representative.

*\*\*\*Function:* Study and recommend regarding the operation of the Student Affairs Office; serve as the appellate body for student grievances.

## **\*\*Student Learning Assessment Committee**

*Membership:* Membership will include a maximum of nine individuals who represent academic programs with at least one member from each college and the supernumerary voting block. Terms will be for three years and set up on a staggered basis. The Director of Assessment and Institutional Effectiveness will chair the committee. The Dean of each college will make recommendations for membership to the Associate Vice President for Academic Affairs who has the responsibility for approval. Participation will be based upon prior expertise and training in assessment practice.

*Function:* The Student Learning Assessment Committee is charged with the continuous improvement and examination of student learning through program outcomes review.

\*Revised Board of Trustees 3/17/16  
\*\*Approved Board of Trustees 3/17/16  
\*\*\*Revised 10/1/19

### **\*Student Services Conduct Board**

*Membership:* Two students representing membership from the following groups: Student Government Association, Inter-Fraternity Council/Panhellenic, Residence Hall Association, or the Student Activities Board; two Resident Assistants, one Residence Life Staff member; one Student Services Staff member. The Student Conduct Administrator serves as chairperson and is responsible for appointing the membership.

*Function:* To hear cases of alleged violations of the Student Code of Conduct (excluding allegations of sexual misconduct which are heard by the Sexual Misconduct Hearing Board) and determine appropriate sanctions.

### **Teacher Education Council**

*Membership:* Seventeen (17) members - Thirteen (13) appointed annually by the Vice President for Academic Affairs in consultation with the Dean of Education, who serves as chairperson, the head of the Department of Curriculum and Instruction, who serves as vice chairperson; and the Director of Teacher Education Student Services who serves as secretary. The thirteen (13) members appointed annually shall be comprised of seven (7) faculty representatives [three (3) from the College of Education and one (1) from each of the Colleges of Engineering and Applied Sciences, Natural and Health Sciences, Business, and Arts and Humanities]; a public school administrator; three (3) K-12 teachers; one (1) undergraduate student; and one (1) graduate student. The Dean of Graduate College serves as an ex-officio member.

*Function:* Serve as an advisory body to the Dean of Education; review and recommend changes in the teacher education programs; approve course additions and deletions; study and recommend changes related to policies and admission standards.

### **\*\*General Technology Committee**

*\*\*Membership:* The Vice President for Academic Affairs or designee, who serves as co-chair, the Dean of Graduate College or designee, the Director of Information Systems who serves as co-chair, the Assistant Director of Information Systems for Networked Systems, the Director of the Technology Center, the Director of the Library or designee, five faculty members appointed by the Vice President for Academic Affairs and submitted to the faculty senate for approval, one faculty member from the Ozark campus appointed by the Chief Academic Officer, the Director of Institutional Research or designee, a representative from Student Affairs appointed by the Vice President for Student Affairs, an undergraduate student appointed by the Student Government Association, and a representative from Administration and Finance appointed by the Vice President for Administration and Finance.

*\*\*Function:* (1) To advise the Vice President for Academic Affairs by recommending enhancements to the technology infrastructure for the improvement of teaching, learning, and research, by reviewing proposed enhancements to the technology infrastructure for their impact on teaching, learning, and research, and by assisting in the development and maintenance of a technology plan for the university that will provide continuing support for the teaching and learning mission. (2) To assist the Vice President for Academic Affairs in surveying and communicating with the broader university community on technology enhancements and plans and to communicate the rationale for technological enhancements and receive feedback on impacts and other recommendations.

\*Approved Board of Trustees 3/17/16  
\*\*Revised 10/1/19

**\*Technology Prioritization and Impact Committee**

*Membership:* The Vice President for Administration and Finance or his/her representative, the Vice President for Student Services or his/her representative, the Vice President for Academic Affairs or his/her representative, the Vice President for Advancement or his/her representative, the Vice President for Enrollment Management or his/her representative, the Director of Information Systems who will serve as chair, the Director of Budget, the Director of Procurement, the Director of Institutional Research and Effectiveness, one faculty representative from the Faculty Senate for the Russellville Campus, one faculty representative from the Faculty Senate for the Ozark Campus, the Assistant Director of Computer Services for the Ozark Campus, the Chief Fiscal Officer for the Ozark Campus, and one staff representative from the Staff Senate.

*Function:* To review and prioritize new and on-going IT projects and review proposed software/hardware purchases for potential impact on multiple areas.

\*Approved Board of Trustees 3/17/16,  
\*Revised Board of Trustees 1/25/17 and  
\*Revised 5/4/18

## \*ACADEMIC ADVISING

The Academic Advising Center (AAC) is responsible for the enrollment of all first-time entering freshmen and transfer and new returning students who have earned less than 60 hours. All incoming freshmen complete their first academic advising appointment and register for classes in the AAC. Undeclared, General Education Associates and all Bachelor's degree seeking students, (excluding the College of eTech and all other Associate degrees) continue to be advised by the AAC's professional staff until approximately sixty (60) credit hours.

Each semester after the 11th class day, the AAC will aid students who will earn approximately 60 hours by the end of the current semester in the transition to a faculty advisor. The department of a student's major field of study will normally assign the student to a faculty member who will act as the student's academic advisor. Students have the privilege of requesting a change of advisor, if they so desire. Faculty members also have the privilege to request a change whenever they feel that another faculty member could better advise a student. The student will report for academic advising and subsequent enrollment in courses at the time and place designated for registration.

It is considered that students should be responsible for selecting suitable and required courses as outlined by the University catalog; however, each academic advisor has a responsibility to assist students in defining goals. The academic advisor may be expected to advise the student on alternative programs, sequence of courses, choice of electives, and class load; to assist with problems; and to interpret university regulations or requirements.

The Arkansas Course Transfer System (ACTS) is designed to assist in planning the academic progress of students. This system contains information about the transferability of courses within Arkansas public colleges and universities. The Arkansas Transfer System can be accessed at <http://www.adhe.edu/students-parents/colleges-universities/transfer-info.-for-students/>.

It is the responsibility of the University, through the Deans of the Colleges, Department Heads, and the Academic Advising Center, to provide academic advisors actively interested in the guidance of students and adequately informed in University requirements and advising procedures.

## \*ACADEMIC ADVISING CENTER

The Academic Advising Center is administered by a Director, who is directly responsible to the Vice President for Academic Affairs. Policies governing the program are developed in coordination with the Office of Academic Affairs.

Arkansas Tech University views academic advising as a necessary and critical mediation in the education of our students. The Academic Advising Center assists students in determining goals and reaching their academic and professional objectives. The AAC holds an interest in all students, focusing on incoming freshmen, transfer and new returning students who have earned less than 60 hours. The AAC will support and facilitate programs to enhance academic advising campus-wide.

\*Revised 8/1/18

## DISABILITY SERVICES FOR STUDENTS

\*\*The Office of Disability Services serves as the central campus resource for students with disabilities covered by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. This office partners with students, faculty, and staff to enable equal access to programs and services. The Office of Disability Services is located in Doc Bryan Suite 141, and may be contacted in the following ways: Phone: (479) 968-0302; TTY: (479) 964-3290; Email: [disabilities@atu.edu](mailto:disabilities@atu.edu).

## STUDENT SCHEDULING

### **\*Registration**

Arkansas Tech utilizes an on-line student registration system. Registration in classes during August and January as well as for summer sessions is conducted by appointment with the academic advisor. Pre-registration for fall and spring semesters is conducted by hours earned with upperclassman first. Generally, students must be cleared through the offices of Admissions, the Registrar, Student Services, and Student Accounts prior to official enrollment in classes.

### **Procedure for Changing Class Schedule**

Students may drop, add, or change sections of courses only by following the official procedure, which involves these steps: (1) obtaining from the Registrar's office the official course change form on which the student lists the reason for the change and itemizes all changes in classes or sections; (2) obtaining the advisor's approval for the change; and (3) returning the required form to the Registrar's office. A fee is charged unless the change is for University convenience, such as section adjustments or course cancellations.

The deadline for adding or changing sections of courses is approximately one week after registration. Thereafter, students may drop courses according to the procedure outlined in the "Regulations and Procedures" section of the University catalogs.

## ASSEMBLY PROGRAMS/SPECIAL DAYS

### **Assembly Programs**

Each semester a few day-time assembly programs are held. Some are planned by the Convocations and Programs Committee; others are held in response to various contingencies that arise. Except for programs of unusual significance, there will be no campus-wide dismissal of classes for assembly programs. However, faculty members have the option of dismissing a class to attend a program which promises to be of special interest or value to them or their students.

### **Special Days**

Family Day and Homecoming are special days for Arkansas Tech University. Members of the faculty cooperate in making each of these days a successful occasion by assisting in the planning of programs and by attending assemblies and other events incident to these days.

\*Revised 8/1/16

\*\*Revised 8/1/18

## IV

### RELATION OF THE FACULTY MEMBER TO STUDENTS

The primary relationship of a faculty member to students is most relevant in matters pertaining to instruction. The following standard operating procedures are set forth as guidelines for meeting conditions which arise from ongoing classroom activities.

#### FACULTY TEACHING WORKLOAD

It is the policy of the University to hold the normal teaching load to approximately twelve semester hours, with some variations because of differing teaching problems in certain departments. The normal twelve-hour load is intended to provide the instructor with the time and opportunity for the most effective instruction and for some research.

##### **General Statement of Policy/Procedure**

The standard workload for the faculty during each fall or spring semester is twelve semester credit hours of classroom instruction or the equivalent. Reductions in the workload of twelve semester credit hours may be approved by the Vice President for Academic Affairs (VPAA) for conditions including, but not limited to, chairing an academic department; supervising special instructional laboratories; supervising directed study; conducting internships and student practicums; coordinating special instructional programs; developing new institutional programs; and engaging in significant creative activities. Only with approval of the Vice President will full-time faculty members who are not department heads be permitted to teach fewer than 12 semester hours or the equivalent each fall or spring semester.

##### **Guidelines/Principles**

The following principles and guidelines are adopted by this policy to facilitate more effective teaching, increasing professional development, improved academic quality, and appropriate response to enrollment trends at Arkansas Tech University.

- A. Faculty members may be granted release time for administrative duties, special assignments, and significant creative activities. This last category includes the case of sponsored research when the sponsor provides funds for released time and/or a salary. In all cases, the granting of release time requires the recommendation of the Department Chair and the Dean, and approval of the VPAA.
- B. The Department Head will regularly monitor each faculty member's student teaching load to ensure its consistency with sound pedagogical practices and the best interests of the department and the University.
- C. The Department Head, in consultation with the Dean and the VPAA, determines specific course equivalencies for those courses whose contact hours exceed their assigned credit hours.

## ASSIGNMENT OF INSTRUCTIONAL DUTIES

Course assignments for each faculty member are made by the Department Head in consultation with the Dean of the college, subject to the approval of the Vice President for Academic Affairs.

Faculty members may also be assigned to assist with "special problems" courses. These courses, which carry variable credit, are intended to provide the more able and advanced students with the opportunity for independent study and research. For admission to a "special problems" course a student must obtain the approval of the Department Head and the instructor who will supervise the study. The Department Head and the instructor also determine, prior to the student's enrollment, the amount of credit to be assigned on the basis of the complexity of the problem. Within the first two weeks of the semester the instructor will submit to the Department Head, with a copy to the Dean of the College, a report of the problem to be studied, the hours of credit assigned, and a brief statement of the work outlined for the student. It is emphasized that "special problems" courses are not intended for credit convenience or informal completion of another departmental course. Instructors should accept the responsibility for such courses only if they believe that the quality and preparation of the student, the nature of the problem, and the purpose to be served fully justify the expenditure of instructional effort required.

### \*CLASS RECORDS

It is the responsibility of the faculty member to maintain adequate records necessary for grading and accounting for student attendance prior to the official attendance date and throughout the semester/term. Class rolls and attendance records should be retained for at least six months following the conclusion of the course or turned over to the department head or dean in the event that the faculty member leaves the University.

### **Attendance Accounting**

The faculty member is to report students who have not reported to class by the official attendance date. Based on the reporting, students not reporting to class will be dropped for non-attendance.

For electronically delivered classes, the faculty member must ascertain whether students have actively contributed to the course at least once on or before the attendance verification date for the course. For purposes of attendance accounting this means that faculty are required to have students complete the Blackboard Attendance Accounting Module or submit an assignment on or before the attendance verification date for the course.

Attendance accounting is completed electronically in the Banner system. Instructions are provided to all faculty members prior to the beginning of each semester.

\*Revised Board of Trustees 8/17/17

## **\*Class Attendance**

The following statements regarding faculty and student attendance and the faculty members' responsibility to set student attendance expectations for each class do not release the faculty from the responsibility to maintain student attendance records throughout the semester/term.

**Faculty.** Any time that a faculty member must miss a class, the students are entitled to advance notice or, if the absence is due to a last minute emergency, to notification at the time they report to class. Absence by a faculty member must have the prior approval of the Department Head or the Dean of the College, as appropriate.

**Students.** The policy of the University in regard to class absences may be stated as the considered belief that regular class attendance is essential to the maximum growth and development of the student, and that students, in their own interest, are therefore responsible for attending all classes for which they are enrolled. For electronically delivered classes, where physical attendance is not a reasonable requirement, equivalent on-line interaction must be documented in lieu of attendance. Absence/participation policies and procedures are applicable both to the regular terms and to the summer sessions.

The procedure for implementation of this policy (as adopted by the faculty on September 9, 1966, and as amended by the Faculty Senate on September 27, 1990) is as follows:

1. Control of class attendance is vested in the teacher who has the responsibility for clearly defining in each course, early in the semester, the standards and procedures in regard to regularity and punctuality of class attendance.
2. Students will not be penalized by their instructors for class absences that result from participation in officially sanctioned University activities. It is the responsibility of students to present to their instructors notice and verification of authorized participation in such activities. Individual instructors retain the authority to determine how students in their classes will avoid academic penalties for the resulting absences.
3. Before invoking the most severe penalty for unsatisfactory class attendance or non-attendance--dropping a student from a course with a grade of "WN" – withdraw for non-attendance --the instructor is obligated to notify the student, in writing, that an additional absence would result in this penalty. The WN may also be awarded by an instructor to a student who does not participate in an online course as required by federal financial aid guidelines.
4. A student accumulating an excessive number of unjustifiable absences/non-attendance in an audited course may be administratively withdrawn at the request of the instructor.
5. The action of dropping a student from a course for excessive absences/non-attendance becomes final when the instructor reports this action in writing to the Registrar's Office. The student who chooses to protest such action as unjustified has recourse through the grievance procedure for appeal of an academic grade as outlined beginning on page 143.

\*Revised Board of Trustees 5/16/19



The following comments and suggestions may be of some value to the faculty in the discharge of their responsibility for student class attendance:

1. Individual instructors have the option, and may find it advisable in some cases, to prescribe different class attendance requirements for different classes; i.e., between freshman and upper-level classes, or between class and laboratory requirements for a single course.
2. Certain departments may find it desirable to establish uniform absence policies within the department, particularly in those departments with multi-section courses.
3. In general, students who miss classes should be held responsible for making up the work through written reports or other appropriate means.
4. Each instructor is fully justified in requiring student promptness and in barring from class any student who persists in being tardy.

#### GRADING--POLICY AND REPORTING

##### **Grading System**

Arkansas Tech University uses the four-point system of computing grade points: A, 4 points; B, 3 points; C, 2 points; D, 1 point; F, 0 points.

\*Students may repeat courses they have taken at Arkansas Tech University for the purpose of grade point adjustments (1) only by re-enrolling in the same courses at Arkansas Tech University and (2) subject to the following provisions. For repeated courses, only the grade from the best attempt of the repeated course is calculated into a student's cumulative grade point although all grades and all attempts are recorded on the student's academic record. Students may not repeat a course in which the highest grade possible has already been earned. Adjustments to cumulative grade points are not made for courses transferred from other colleges or universities.

##### **\*Grading**

Although Arkansas Tech University does not require fixed percentages in individual classes, equitable grading requires certain rough proportions which should, generally, approximate the normal grade curves. This system is more applicable to lower level courses; upper-level courses will usually depart from this pattern.

Grades are reported through an on-line grading system at the conclusion of each semester or term. Mid-term grades are reported for freshmen and sophomores only. A grade of "I" may be recorded for a student who has not completed all the requirements of a course **only** in situations where the student has an illness or other circumstances beyond the student's control, and has completed seventy-five percent of the course requirements. If a grade of "I" is assigned the instructor will set a reasonable time limit within the following semester in which the work must be completed. Beginning the first summer term, 1990, and thereafter, a grade of "I" will not be computed in the grade-point average for the semester recorded; however, the "I" will be automatically changed to a grade of "F" for grade and grade-point purposes at the end of the next regular semester (fall or spring) unless course requirements are completed and the final grade is reported before the end of the semester. A grade of "I" recorded prior to the first summer term, 1990, will be computed as an "F" for grade-point purposes until the "I" is removed. The change of a grade of "I" to a permanent grade is accomplished by written notification from the instructor to the Registrar.

\*Revised 8/1/16

No grade other than "I" may be changed after it is recorded except if an instructor finds that a grade has been erroneously reported. In such instances the instructor may correct the grade by submitting a Grade Change Request form with an explanation of the change to Academic Affairs.

A grade of "Pass" for pass/fail courses is not calculated in the grade point average, but does count in earned hours. A grade of "Fail" for these course is calculated in the grade point average as 0 points.

### **\*Reporting Grades**

Grades are to be reported at mid-term (for freshmen and sophomores only) and the end of a semester through an on-line grading system. Only final grades are reported in the summer term. Faculty members are obligated to report grades on schedule as requested by the Vice President for Academic Affairs.

After grade submission due dates, grades are available on the student's OneTech account. Notification is sent to students in academic jeopardy.

### **Examinations**

At the end of each fall and spring semester approximately one week is set aside for examination week. Examination week is established as a time to administer end-of-course examinations. For laboratory, internship, and other special courses approved by the college dean, examination week will be the last week of classes. For all other courses, examination week will be the week after the last day of classes. The end-of-course examination schedule is published by the Academic Affairs office. It is Arkansas Tech University policy that each full-time and each part-time faculty member will administer, at the assigned time, an end-of-course examination appropriate for each course assigned to the faculty member. Failure to administer an end-of-course examination, at the assigned time, may be considered an act of insubordination. Any deviation from the end-of-course examination schedule must be approved by the college dean. Instructors who wish to administer a single test to multiple sections of a course should submit such a request to the Academic Affairs office at least two months before examination week. In the summer terms there is no separate schedule of examinations-instructors give the end-of-course examinations the last day of the summer term.

Within a semester instructors may schedule a test for multiple sections, normally early in the evening, by submitting such request to the Dean of the College not later than the end of the third week of a semester. For each test the request will specify the number of students involved, the classroom desired, the dates (preferably with alternate dates), and the hours for beginning and ending the test. The appropriate college dean has the responsibility of synchronizing the scheduling of these tests, for checking against activities and with others who may be involved, and for publishing an official schedule of these tests in order that others concerned may plan accordingly.

Any student who has a justifiable reason for missing a test scheduled in the late afternoon or at night is to be excused by the instructor from the test and is to be given the privilege of taking a comparable examination at another time which is suitable to the student and to the instructor.

\*Revised 8/1/16

## \*CODE OF ACADEMIC INTEGRITY

### **The Preamble**

A university exists for the purpose of educating students and granting degrees to all students who complete graduation requirements. Therefore, Arkansas Tech University requires the highest standards of academic integrity and conduct from all students. Students at Arkansas Tech University will refrain from committing any of the violations of academic integrity as detailed below. Further, Arkansas Tech University expects that all classes maintain an academic and courteous atmosphere. Both the professor and students are responsible for creating an environment that enables all students to reach their academic potential. The classroom is under the control of the professor who will give students a statement of his or her classroom expectations and policies in a syllabus at the beginning of the semester. The term “classroom” as used in this Academic Integrity Policy includes face-to-face, hybrid and online classes. It is not restricted to classrooms on or off campus but also includes playing fields and laboratories, as well as University computer areas on or off campus as well as field trips associated with class-related matters. Students will conduct themselves in a non-disruptive and civil manner when attending classes and other events associated with Arkansas Tech University.

### **A. Types of Academic Integrity Violations**

A violation of academic integrity refers to various categories of inappropriate academic behavior with respect to a course. Students must refrain from cheating, plagiarism, fabrication, impersonation, forgery, collusion and/or other dishonest practices. Below are common examples of unacceptable academic behavior.

**Cheating** on an examination, quiz, report, or assignment involves any of several categories of dishonest activity. Examples of cheating *include, but are not limited to:*

- copying from the examination or quiz of another student;
- using classroom notes, messages, or crib sheets in any format (paper or electronic) which gives the student extra help on the exam or quiz, and which were not approved by the instructor of the class;
- obtaining advance copies of exams or quizzes;
- soliciting of unethical academic services, including purchasing of research papers, essays, or any other scholastic endeavor; and
- using the same paper to fulfill requirements in several classes without the consent of the professors teaching those classes.

**Plagiarism** is stealing the ideas, data, tables, graphs, artistic works, or writing of another person and using them as one’s own. This includes not only passages, but also sentences and phrases incorporated in the student’s written work without acknowledgment to the true author. Any paper written by cutting and pasting from the Internet or any other source is plagiarized. Slight modifications in wording do not change the fact that the sentence or phrase is plagiarized. Acknowledgment of the source of ideas must be made through a recognized footnoting or citation format (MLA, APA, etc.). Plagiarism includes recasting the phrase or passage in the student’s own words of another’s ideas that are not considered common knowledge. Acknowledgment of source must be made in this case as well.

\*Approved Board of Trustees 8/15/19

**Collusion** is the act of collaborating with one or more students or others on coursework (i.e., a test, assignments, paper, etc.) when the professor has not expressly approved collaboration or group work on the assignment. Individual coursework is to be entirely the work of the student submitting it for a grade. When a student submits work that was produced through collaboration with others without the authorization of the instructor as the individual student's own work and performance, this is a violation of academic integrity.

**Impersonation, fabrication, and forgery** are all violations of academic integrity. Impersonation is assuming a student's identity with the intent to provide an advantage for the student academically. Fabrication and forgery are "to fake; forge (a document signature, etc.)," particularly the faking or forging of the information or signature on course assignments. Examples of impersonation *include but are not limited to* hiring a substitute to take an exam, write a paper; or complete some other course assignment.

Examples of academic fabrication and forgery *include but are not limited to*:

- furnishing false information, data, or research findings on coursework;
- failing to identify yourself honestly in the context of an academic obligation;
- fabricating or altering information or data and presenting it as legitimate;
- providing false or misleading information to an instructor or any other University official;
- forging an instructor's signature on a letter of recommendation or any other document;
- submitting an altered transcript of grades to or from another institution or employer;
- putting your name on another person's exam or assignment; and
- altering a previously graded exam or assignment for purposes of a grade appeal or of gaining points in a re-grading process.

## **B. Classroom Behavior**

Each member of the Arkansas Tech University community is obliged to conduct her/himself in a non-disruptive manner in the classroom. If a student is being disruptive, the instructor will address the situation, discussing behavioral expectations moving forward, and emphasize possible consequences for failing to comply. If the disruptive behavior persists, the student may be suspended on an interim basis from the class. Instructors may report excessive and/or repeated disruptive behavior through the Procedures for Addressing Violations of Academic Integrity and Classroom Behavior. This process includes an appeals process students may use to challenge perceived violations or excessive penalties. Students who exhibit disruptive behavior may also be referred to the Department of Student Conduct (see Article III, Section C of the Arkansas Tech University Student Handbook).

If a classroom incident constitutes an emergency (e.g., any immediate threat to life and/or property) and requires an immediate response from police, fire or emergency medical services, **please call 911**.

## **C. Procedures for Addressing Violations of Academic Integrity and Classroom Behavior**

Since allegations of a violation of academic integrity may have serious consequences, below are the procedures for reporting allegations, the administrative procedure for

processing alleged violations, and a statement of institutional penalties that may be applied on top of the instructor's academic penalty in those cases where violations occurred.

### 1. Principles

1. Arkansas Tech University promotes a culture of academic integrity and professionalism that enhances the quality of an Arkansas Tech degree.
2. The process for reporting and adjudicating an allegation of academic dishonesty should be fair and just for all involved.
3. Faculty members have sole purview for any academic sanction administered if a violation of the academic integrity policy is found to have occurred.
4. Arkansas Tech supports educational, not solely punitive, measures for addressing violations of the academic integrity policy.

### 2. Reporting Procedure

1. If any instructor, student, or staff member has compelling facts and evidence an individual has violated any category of academic integrity, that instructor, student, or staff member must report the suspected violation(s) to Academic Affairs using the Arkansas Tech University "Academic Integrity Referral" form found at: [www.atu.edu/academic-integrity](http://www.atu.edu/academic-integrity).
2. Upon receipt of an allegation, Academic Affairs will either create a file for the student if it is a first time offense or add the report to an existing file for the individual if one already exists.

### 3. Administrative Procedure

1. Within *three business days* of receiving a reported violation of academic integrity, Academic Affairs will notify:
  - a. The instructor of record for the course, the Department Head and Dean. They will be supplied the report, the evidence and the number of allegations and proven violations of academic integrity or disruptive classroom behavior by the student.
  - b. The student of the alleged violation, the report and evidence.  
**NOTE: A course withdrawal or drop by the student that occurs after a reported violation of academic integrity or classroom behavioral conduct may not be honored. If a violation is determined to have occurred, the student may be reinstated if the penalty is an "F" in the course.**
2. Upon notification of an alleged violation, the student has *five business days* to schedule a meeting with the instructor to resolve the allegation. If the instructor is unreachable, the student should arrange within this timeframe a meeting with the instructor's Department Head or Dean.
  - a. If the student fails to respond to the instructor (or Department Head or Dean) within *five business days* of notification, this is taken as tacit acceptance that the violation occurred. After five business days, the instructor informs Academic Affairs, his/her Department Head, and Dean that the student has failed to request a meeting. The instructor may apply the academic penalty as prescribed in his/her course syllabus. Academic Affairs may also apply additional institutional penalties based on the number and severity of the violation.
  - b. If the student does request a meeting within five business days, the instructor (or Department Head or Dean, if necessary) and student will meet (either face-

to-face, by conference call or using other electronic means) to attempt to resolve the allegation. This meeting may result in one of the following:

1. The student provides explanation and evidence to the satisfaction of the instructor that no violation occurred. The instructor informs Academic Affairs, his/her Department Head, and Dean that the allegation against the student has been resolved and no penalties will be assessed.
2. The instructor educates the student on what qualifies as a violation of the policy and the student accepts that he/she violated it. The instructor may apply the academic penalty as prescribed in the course syllabus, which may include a final grade of "F" that would override the student's course drop or withdrawal if such has occurred. Academic Affairs may also apply additional institutional penalties based on the number and severity of the violation.

***NOTE: If the student feels the instructor's academic penalty is excessive or unfair, he/she should refer to the Student Handbook, Article V: Classroom Provisions, Section C: Student Academic Grievance Procedure, on how to appeal it.***

3. The student and the instructor are unable to resolve the issue. The student then has ***three business days*** from the meeting to file an appeal with Academic Affairs. Academic Affairs then forwards the case to the Academic Affairs Appeals Committee Chair for resolution.
  - c. If neither the individual nor the instructor acknowledge the report and/or take action to resolve it within the ***five business days***, Academic Affairs follows up with the Department Head and/or Dean to get acknowledgment of the report and resolution of the allegation by the student and/or instructor.
3. For cases where the student appeals the allegation to the Academic Appeals Committee, the Chair will provide the Academic Appeals Committee with the original report and evidence provided by the reporting party, any report and evidence supplied by the instructor, as well as the appeal and explanation by the student. The committee will decide whether the facts merit investigation. If so, the Academic Appeals Committee will appoint from its body a subcommittee to investigate and recommend action. The Chair forms the subcommittee of at least three members (two students and a faculty member) who will be responsible for investigating the case. The Chair will provide the subcommittee with the original report and evidence provided by the reporting party, any report and evidence supplied by the instructor, as well as the appeal and explanation by the student. Upon conclusion of its investigation, the subcommittee reports its findings and recommendation to the Chair of the Academic Appeals Committee. The Chair then shares the subcommittee's recommendation with the full Academic Appeals Committee, who make the final decision on the appeal. The Chair will report the full committee's decision to Academic Affairs. Academic Affairs then contacts all parties as follows:
  - a. If the decision is that no violation has occurred, Academic Affairs notifies the individual, as well as the instructor, his/her Department Head and Dean to that effect. No penalties are assessed against the student.
  - b. If the decision is that a violation of the policy occurred, Academic Affairs notifies the student, as well as the instructor, his/her Department Head and Dean to that effect. The instructor may apply the academic penalty as prescribed in the course syllabus, which may include a final grade of "F" that would trump the student's course drop or withdrawal if such has

occurred. Academic Affairs may also apply additional institutional penalties based on the number and severity of the violation.

Academic Affairs updates the file for the individual as appropriate and the issue is resolved.

4. The procedural process for violations of academic integrity for Graduate Students can be found in the Graduate Catalog in the Academic Information Section located at this website:

[https://www.atu.edu/catalog/graduate/academic\\_info.php](https://www.atu.edu/catalog/graduate/academic_info.php).

#### **D. Penalties for Violations of Academic Integrity and Classroom Behavior**

1. Arkansas Tech University respects the right of the instructor of record for the course to determine and apply all academic sanctions for violations of academic integrity. The classroom is under the control of the instructor, who will give students a statement of his/her classroom expectations and policies in a syllabus at the beginning of the semester. Typical penalties *can include, but are not limited to*, giving an 'F' on a particular quiz or exam, giving an 'F' on a term paper or other written work, or giving the student an 'F' or 'W' for the course. Instructors may also have different penalties depending on the number and severity of violations.
2. As an institution, Arkansas Tech University may deem it necessary to apply additional sanctions beyond the academic penalties imposed through the course. Examples of the types of penalties Arkansas Tech may choose to apply *include but are not limited to* required completion of academic integrity training, as well as disciplinary probation, suspension or expulsion from the university. Any institutional penalties that may be applied will vary based on the number and severity of violations. Below is the general rubric Academic Affairs will follow when applying an institutional penalty.
  - a. First Offense: If an institutional penalty is applied, generally this will involve required training on academic integrity and acceptable academic practices and behaviors. However, the severity of the violation may justify probation or even suspension from the university.
    - i. Note: The academic integrity course or training is to be completed within **two business weeks** of notification by Academic Affairs that it is required. Failure to complete the course in this timely fashion may result in a hold being placed on the individual's account by the Registrar. It will not be removed until the training is completed. Also, any costs for the course or training must be paid by the student.
  - b. Second Offense: For a second offense, additional training on acceptable academic practices and behaviors may be required, as well as disciplinary probation. However, the severity of the violation may entail suspension or even expulsion from the university.
  - c. Third Offense: For a third offense the individual has already had two courses on academic training and incurred disciplinary probation. The minimum penalty is now suspension. However, the severity of the violation along with the multiple infractions may result in expulsion from the university.
  - d. Fourth Offense: For a fourth offense, the individual will be expelled from the university.

## \*UNDERGRADUATE STUDENT ACADEMIC GRIEVANCE PROCEDURE

### **Appeal of an Academic Course Grade**

This section describes the process for an academic grade appeal for undergraduate students. The relevant policy for grade appeal by graduate students can be found in the Graduate Catalog.

The assessment of the quality of a student's academic performance is solely and properly one of the major responsibilities of university faculty members. A grade appeal is not appropriate when a student simply disagrees with the faculty member's judgment about the quality of the student's work. Grade appeals should be based on problems of process and not on differences in opinion concerning academic performance. A student who is uncertain about whether or not a grade should be appealed or who needs additional information about the grade appeal process can contact the department head's office (or dean's office should the instructor be the department head). This policy is implemented within the college that administratively houses the department through which the course was offered, irrespective of a student's major or class standing.

The grade appeal process is designed to give the student an opportunity to correct an injustice. Disagreement or dissatisfaction with a faculty member's professional evaluation of coursework is not the basis for a grade appeal. It should only be utilized when the student contends that the final grade assigned for the course by the instructor is a result of procedural/calculation error, a result of prejudice, or is arbitrary and/or capricious. Arbitrary and/or capricious here implies that,

- 1) The student has been assigned a grade on the basis of something other than their performance in the course; or
- 2) Standards utilized in determining final course grade were not evenly applied to all students in the course; or
- 3) The grade is based on standards that are unannounced or are substantially different and unreasonable departures from those articulated in the course syllabus at the beginning of the course.

The burden of proof is always on the student appellant to prove that a change of grade is an appropriate action in their case.

### **Informal**

In all cases, the student must begin a grade appeal process informally with the instructor involved to attempt to resolve the disagreement in a cooperative atmosphere. The student must explain their position to the instructor and attempt to understand the justification for the grade assigned by the instructor. The purpose of the meeting is to reach a mutual understanding of the student's situation and the instructor's actions and to resolve differences in an informal and cooperative manner. If the student and instructor cannot, after consultation, reach a satisfactory resolution, the student may begin a formal grade appeal process based on procedural/calculation error, prejudice, or an arbitrary and/or capricious assertion.

\*Approved Board of Trustees 8/15/19



## Formal

The following apply to the formal appeal process for an academic final course grade assigned by an instructor and challenged by a student that has failed to reach a resolution during the informal process.

1. Appeal of a final course grade must be made by the student directly affected and must be made immediately following the conclusion of the course. Immediately, here, means before the beginning of another semester or summer term.
2. All appeals of a grade must begin with the student making a written appeal to the instructor involved and explaining the nature of the problem and the student's desired resolution. In the case of an instructor who has terminated his/her association with the University, the appeal would begin with the department head or to the dean of the college if the department head should be the instructor involved. Appeals must be presented in writing and contain the following information:
  - (a) A listing of the student name, course prefix, number, section, semester term/year and instructor of course;
  - (b) A clear concise statement describing the specific supporting evidence of arbitrary and/or capricious grading as defined above must be provided. It is very important that the basis of the appeal is clearly understood.;
  - (c) A brief summary of the prior informal attempts to resolve the matter and the results of those previous discussions; and
  - (d) A specific statement of the action or resolution sought.

The instructor (or department head/dean) will have 10 business days to provide a written response to the student appellant. If the instructor is a department head who has left the University and the dean determines no grade change is warranted, the appeals process is completed.

3. If the appeal is not resolved in the previous step, within 5 business days of the date of the written response from the instructor, the student wishing further consideration would take the issue and documents to the head of the department in which the course is taught, or to the dean of the college if the department head should be the instructor involved. The department head (or dean) will review the case and make a judgment on the appeal to determine if a change of grade is warranted. The department head (or dean) will provide a written notice to the instructor and student appellant of their decision within 10 business days of receiving the documents from the student appellant. If the instructor is a department head and the dean determines no grade change is warranted, the appeals process is completed.
4. If the student wishes further consideration after the previous step, within 5 business days of the date of the written response from the department head, the student may appeal to the dean of the college offering the course only if the student has new evidence pertaining directly to their case that was not reasonably available at the time of the initial appeal or contends that the procedures outlined here were not followed. The student would submit a written formal presentation of the case, with all related supporting documents, to the dean. Should the dean determine that there is no new relevant evidence or that procedures were properly followed, the appeals process is completed and the student appellant will be notified in writing within 5 business days. If the dean agrees that there is new relevant evidence or that procedures were not followed, an ad hoc hearing committee will be appointed. The committee will be composed of three faculty members from the college in which the course is offered, or two from the college and one from the student's major department, if that department is not in the same college as that in which the course is offered. The committee members will be appointed by the dean(s) of the college(s) involved. The committee will review the documents and can then either reject the appeal on the basis of its content or proceed to investigate further. The

committee will have full cooperation of all parties in gathering information and conducting interviews for the hearing. Once an issue is before the committee, the committee shall have the authority to recommend a lower grade, recommend a higher grade, or recommend no change of a grade. Review by the committee should be completed within 15 business days of the submission of the written presentation of the case to the dean by the student appellant. The committee recommendation will be conveyed to the dean of the college in which the course is offered. The dean would inform the student appellant, instructor, department head, and registrar of any grade change for the course if applicable. The dean's determination is final.

### **Appeal of an Academic Undergraduate Program Dismissal**

The following apply for an undergraduate student appeal of program dismissal having been made by an academic department. The procedure for a graduate student appeal of program dismissal is outlined in the Graduate Catalog.

1. Appeal of a program dismissal must be made by the student directly affected and must be made immediately following the departmental decision to the department head. Immediately, here, means within 10 business day of the date of the dismissal notification.
2. It is very important that the basis of the appeal is clearly understood. Appeals must be presented in writing and contain the following information:
  - (a) A clear concise statement about the student's desire and motivation for reinstatement must be provided;
  - (b) A brief summary of any prior informal attempts to resolve the matter and the results of those previous discussions; and
  - (c) A specific statement of the action or resolution sought.
3. If the student wishes further consideration after the previous step, within 5 business days of the date of the written response from the department head, the student may appeal to the dean of the college in which the academic program department is housed only if the student has new evidence pertaining directly to their case that was not reasonably available at the time of the initial appeal or contends that the procedures outlined here were not followed. The student would submit a written formal presentation of the case, with all related supporting documents, to the dean. Should the dean determine that there is no new relevant evidence or that procedures were properly followed, the appeals process is completed and the student appellant will be notified in writing within 5 business days. If the dean agrees that there is new relevant evidence or that procedures were not followed, an ad hoc hearing committee will be appointed. The committee will be composed of three faculty members from the college in which the academic program is administered. The committee will select its own chairperson. The committee will review the documents and can then either reject the appeal on the basis of its content or proceed to investigate further. The committee will have full cooperation of all parties in gathering

information and conducting interviews for the hearing. The committee shall have the authority to recommend that the student be retained in the program or confirm the original dismissal decision of the department. Review by the committee should be completed within 15 business days of the submission of the written presentation of the case to the dean by the student appellant. The committee recommendation will be conveyed to the dean of the college who will notify the department head and student appellant in writing of the committee's decision.

### **Other Academic Grievances**

Other grievances relating to an instructor will proceed through an appeal to the department head, dean of the college, and Vice President for Academic Affairs. The Vice President for Academic Affairs will evaluate the grievance to determine if the charge and evidence warrants initiating proceedings against the instructor under the appropriate provisions in the "Regulations on Academic Freedom and Tenure" approved by the Board of Trustees.

## COURSE SYLLABI

The Deans' Council in August, 1999, and September, 2012, reviewed and recommended guidelines for creating and distributing course syllabi. Syllabi should be distributed in each class during the first week of the semester. For electronically delivered classes, syllabi should be posted when the course is developed. At a minimum, the following information should be included for both face-to-face and electronic course delivery:

- A. Course number (e.g., HIST 1503; to also include the appropriate Arkansas Course Transfer System, or ACTS, course number when applicable)
- B. Course title
- C. Name of instructor, office hours, contact information (telephone, email)
- D. Catalog description
- E. Text required for course
- F. Bibliography (supplemental reading list)
- G. Justification/rationale for the course
- H. Course objectives
- I. Description of how course meets general education objectives (courses included in the general education component should show how the course meets one or more of the objectives contained in General Education Objectives listed in undergraduate catalog)
- J. Assessment methods (include grading policy with specific equivalents for A, B, C)
- K. Policy on absences, cheating, plagiarism, etc.
- L. Course content (outline of material to be covered in course).

## UTILIZATION OF CLASS TIME

Faculty members are to meet their classes at the time and for the period scheduled. Early dismissals or absences for legitimate purposes should be considered only after consultation and approval of the Department Head or College Dean.

## OFFICE HOURS

\*Each faculty member is expected to schedule six office hours per week reserved specifically for consultation with students. The total and spacing of these office hours should be planned to permit adequate student contact. Office hours may be allocated proportionally to the type of classes being taught. For example, a faculty member with six credit hours of face-to-face classroom instruction and six credit hours of online instruction should be expected to schedule three in-office hours per week. Office hours should be included in the course syllabus and posted on the office door of the faculty member.

## SPECIAL COURSES

### **Evening Classes**

In order to accommodate the educational needs of residents of the University's service area who, for various reasons, cannot attend regularly scheduled day classes, a variety of evening courses are scheduled each semester during the hours of 5:00 p.m. to 9:30 p.m. All rules and regulations applying to the regularly scheduled day classes also apply to evening courses. Information pertaining to registration for evening courses will be published in the schedule of courses which is promulgated each semester and summer term.

### **Off-Campus Courses**

Arkansas Tech University endeavors to render an educational service to those persons in every community who cannot, for one reason or another, attend the regular sessions of the University. One of the credit-type programs offered by the University for this purpose is off-campus courses taught in cities and communities in the University's service area.

Regular faculty members teach graduate and undergraduate courses at centers in which classes of sufficient size can be organized. Off-campus courses generally carry three hours of credit and are identical in content with the courses offered on campus.

Requirements for enrolling for credit in off-campus courses are basically the same as those for enrolling in on-campus residence courses for credit. Students must complete an admission application and submit a copy of transcripts of all their previous college work. Transcripts must be sent directly from the issuing institutions to the office of the Registrar at Arkansas Tech University.

Tuition for off-campus residence credit is the same as that for residence credit classes on campus. (Adjustments may be made due to contractual agreements with other academic institutions or entities.)

\*Approved Board of Trustees 10/15/15

## **Conferences, Institutes, Seminars**

The University assists groups from all professions and vocations by planning and conducting educational activities to help members of those groups to keep informed about new developments in their field of work. Tuition fees vary in relation to the costs of conducting the program, but in all cases the expense for participants is minimal.

Conferences, institutes, and seminars conducted by the University are generally required to meet five basic requirements: (1) the program must be of an educational nature and be planned for off-campus people; (2) it is planned to help participants gain a better understanding of problems related to their professional or personal interests; (3) it is planned and conducted jointly by participants, University faculty members, and conference consultants; (4) it usually absorbs the major part of each participant's time while in session; and (5) the programs can be offered for credit or non-credit depending on the nature and purpose of the activity.

## **Non-Credit Courses**

The University offers informal non-credit courses in a variety of subjects designed to meet the educational needs of adults which are not met by conventional education procedures. These courses generally meet in the evenings and vary in length relative to the subject being taught.

The constituency of non-credit courses represents a social, economic, educational, and ethnic cross-section of the population which the University serves. Adults who are not high school graduates attend classes along with those who hold advanced degrees, and the only requirement for enrolling in these informal courses is a genuine desire to work toward enlightenment and self-improvement. Because these classes are a community-service function of the University, tuition is minimal and is charged only to the degree necessary to make the program self-supporting.

## **\*College of eTech**

The College of eTech enhances and supports the delivery of online courses. The College of eTech facilitates faculty development by emphasizing pedagogical foundations and technology integration in the design and delivery of quality, engaging courses. The college can be accessed at [www.atu.edu/eTech](http://www.atu.edu/eTech)

Course developers work under the auspices of the university's approved Course Ownership Policy. A copy of the policy is included on page 158 of the *Faculty Handbook*.

The University uses Blackboard as its learning management system. Links are available on the college's Resources site (<http://www.atu.edu/etech/resources.php>) for the most current version of Blackboard and additional support materials.

The *Faculty Handbook* requires teaching be evaluated by a standard, university-wide student evaluation.

\*Revised 8/1/18

Online courses are subject to the same requirements as face-to-face courses. An online course is evaluated when it reaches 80% completion. At that point, students are sent an invitation email to complete the evaluation. Follow up emails are sent until the evaluation is completed or the survey closes. Results are analyzed and distributed by the Office of Institutional Research.

The College of eTech works collaboratively with Information Systems. For technical support, please contact the Information Services' Help Desk at 479-968-0646 or 1-866-400-8022. Assistance with general technical issues is available via email at [campussupport@atu.edu](mailto:campussupport@atu.edu) or visit the Information Systems website at <https://ois.atu.edu/>.

#### FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

As stated in the Arkansas Tech University catalogs, FERPA legislation seeks to assure confidentiality of the educational records containing information directly related to a presently enrolled student, a former student, or alumni. As a matter of policy, Tech makes every effort to abide within the confines of confidentiality and security of educational records as prescribed in the FERPA laws and regulations. For more information on FERPA, please go to <http://www.atu.edu/ucounsel/>

Questions about specific access to information or the release of information to any third party should be referred to the Registrar's Office or the Student Affairs Office.

## V

### SELECTED ADMINISTRATIVE PROCEDURES AFFECTING THE FACULTY

Deliverance systems for various curricula are immediately dependent upon workable administrative procedures. Accordingly, the following policies and procedures have evolved as effective ways and means of achieving instructional ends.

#### FACULTY HANDBOOK

Proposed changes to the *Faculty Handbook* are reviewed by the Faculty Senate when feasible before revisions are incorporated into the *Handbook* and distributed to the faculty at large.

#### COURSE OFFERINGS AND CHANGES IN CURRICULUM

Course offerings and curricular changes pertaining to the teacher education program (undergraduate and graduate) are reviewed by the Teacher Education Council before being forwarded to the appropriate committee for action. Curricular items at the undergraduate level must be approved through the Curriculum Committee prior to submission to the Faculty Senate for action; items at the graduate level are submitted to the Graduate Council. Proposals approved by the Faculty Senate/Graduate Council are transmitted to the Vice President for Academic Affairs for implementation.

#### \*POLICIES AND PROCEDURES FOR SCHEDULING COURSES

Procedures for registering and enrolling in classes are included with the list of course offerings that is published for the semester/term.

Additional information on academic advising procedures can be found on page 131.

Course offerings have four-digit numbers which identify courses within each department. The first digit of the number denotes the level at which the course is given, the second and third digits differentiate the course from others in the department, and the fourth digit shows the number of credit hours given.

The courses offered are determined to some extent by the desires of the students, the teaching capabilities of the faculty, and by the judgment of the faculty and administration as to what constitutes a well-rounded course of study in each department. The general education program was devised by the faculty and administration after considerable study as to what constitutes the basic knowledge and concepts that every college graduate should have.

\*Revised 8/1/16



## SELECTION OF TEXTBOOKS

The University does not furnish textbooks to the instructor. Publishers may provide teachers copies of textbooks if these are requested either by the instructor or by the Department Head. If necessary, the Bookstore is authorized to issue a desk copy to any faculty member upon the presentation of a "Bookstore requisition" approved by the particular department concerned and coded to that department. Upon receipt of the new copy from the publisher, proper credit will be issued the department concerned provided the new copy is not marked "Complimentary." Replacement desk copies must be forwarded to the Bookstore within sixty days so the book can be sold or returned to the publisher for credit to the University.

The primary consideration in the selection of textbooks is the contribution to the effectiveness of instruction. However, some consideration should be given to the student in not requiring multiple textbooks which would involve an undue cost. Please go to the [Faculty Resources](#) page for a more detailed "Statement Concerning Selection of Texts". Since the Bookstore buys used textbooks for resale, the Deans of the Colleges, Department Heads, and other faculty members share with the manager of the Bookstore responsibility for avoiding waste and loss in the stocking of textbooks. Required and optional textbooks must be consolidated by Department Head and listed on "Bookstore Textbook and Supply Questionnaire" forms and then submitted through the Dean of the College to the Bookstore for acquisition. Acts 175 and 105 of 2007 require specific dates for textbook selection and prohibit inducements for requiring students to purchase a specific textbook.

## TEXTBOOK ROYALTY POLICY

Arkansas Code 6-60-602 (a) prohibits a department or employee of a state-supported institution of higher education from demanding or receiving any inducement for requiring students to purchase a specific textbook for coursework or instruction. The code further stipulates that the section does not prevent an employee from receiving royalties or other compensation from the sale or publication of a textbook that includes the employee's own writing or work.

However, to assure there is not a conflict of interest, according to A.C.A. § 6-60-604, "A state supported institution of higher education shall establish guidelines for the use of royalties received by a faculty member from the sale of textbooks and course materials for classes taught by the faculty member". Arkansas Tech University has already published a policy related to class materials which is located in the *Faculty Handbook* but the issue of textbooks was not clearly addressed within that policy.

In keeping with the spirit of the law referenced above, Arkansas Tech University proposes the following policy related to a faculty member requiring a textbook in which the instructor is listed as either an author or co-author and for which he or she may be entitled to royalties:

If a faculty member intends to require the use of a textbook in one or more of his/her classes, and the faculty member is either an author or co-author of the textbook from which the faculty member is entitled to royalties, he/she must notify the appropriate department head. The department head will then notify the Office of Academic Affairs and supply any additional information associated with the textbook selection (specific information regarding the book and the faculty member's explanation regarding why that particular book is the most appropriate choice). Academic Affairs will submit the request, along with any additional pertinent information regarding the selection, to the Faculty Salary, Benefits and Awards Committee.

The Faculty Salary, Benefits and Awards Committee will review the request with the purpose of determining whether the faculty member is requiring the specific textbook based on academically defensible reasons or whether the requirement is an attempt to profit from the purchases by the students in violation of AR Code 6-60-602. The committee will ask the faculty member to provide a rationale for selecting the textbook. If the committee is unable to justify the use of the textbook based on the information provided, or is undecided, the committee will solicit an opinion from a specialist in the field. If the committee determines that the selection is academically defensible, no further action is necessary. The committee will inform Academic Affairs and the appropriate Department Head of the decision. The faculty member may use the textbook and will be entitled to any royalties to which he/she may be entitled. If the committee determines that selection of the textbook violates Arkansas Code 6-60-602, the committee will recommend to the Vice President for Academic Affairs that the faculty member be directed to either withdraw his/her request to use the textbook or, if the faculty member decides to use the textbook in his/her course, to relinquish any compensation that is in violation of AR Code 6-60-602. The committee will inform Academic Affairs and the appropriate Department Head of the decision, and inform the faculty member regarding his/her right to appeal the decision to the Vice President for Academic Affairs whose decision will be final.

#### \*DEPARTMENT OF PUBLIC SAFETY

##### **Law Enforcement Authority**

Department of Public Safety (DPS) Officers are law enforcement officers of the State of Arkansas and are professionally trained and certified by the Arkansas Commission on Law Enforcement Standards and Training. DPS law enforcement authority comes from Arkansas State Statute 25-17-304 which confers upon the President of a state institution or higher education the right to create a University agency with the same powers and authority as any municipal, county, or state police agency in Arkansas. DPS officers have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If any minor offenses involving a violation of Arkansas Tech University rules and regulations are committed by a University student, DPS officers may also refer the individual to the Office of Student Conduct.

##### **Law Enforcement Jurisdiction**

All service drives, alleyways, parking lots, any real or personal property owned or controlled by Arkansas Tech University and which is physically located within the Russellville city limits or elsewhere, shall fall under the jurisdiction of DPS. DPS works closely with other federal, state, and local law enforcement agencies including the Russellville Police Department, Pope County Sheriff's Office, Arkansas State Police, Fifth Judicial Task Force, Ozark Police Department, and Franklin County Sheriff's Office. DPS also maintains Mutual Aid Agreements, under the laws of Arkansas, with the Pope County Office of Emergency Management, Russellville Police Department, Pope County Sheriff's Office, and surrounding agencies. This agreement allows each department to provide assistance when necessary, for the purpose of investigating alleged criminal incidents. All members of the campus community are encouraged to cooperate fully with police personnel for their safety and convenience of everyone.

\*Added 8/1/18

## **Reporting Crime or Emergencies On-Campus**

To maximize safety on campus, DPS strongly encourages anyone with knowledge about any crime, suspicious activity, or unsafe actions or conditions on campus to make an immediate and accurate report to DPS in person or by telephone. Reporting does not mean you must take legal action; however, it may help law enforcement stop further incidents as well as help keep the community informed about criminal activity. All crimes should be reported to DPS to aid in providing timely warnings or emergency notifications to the community when appropriate and for inclusion in the annual crime statistics disclosure.

Call 911 in an emergency if you are the victim of or witness to a crime and need police, fire, or medical assistance. In nonemergency incidents reports can be made in person at the Department of Public Safety, located at 1508 N. Boulder Avenue, Russellville, AR, 72801 or call (479) 968-0222 to speak with an officer. Arkansas Tech University students requiring non-emergency medical care and counseling services may contact the ATU Health and Wellness Center at (479) 968-0329.

## **Emergency Alerts**

The University is committed to the safety and well-being of its faculty, staff, students, and visitors to the campus. Upon the confirmation of a significant emergency or dangerous situation that poses an immediate threat to the health or safety of students or staff occurring on the campus, a notification will be made without delay to the University community. The University initiates the notification to the community using the ATU Alert system. Emergency messages will be sent out via text messaging, email, phone calls, desktop notification, digital signage, ALERTUS notification system for large gathering areas, and RSS feed on the University website at [www.atu.edu](http://www.atu.edu).

## **Security of and Access to Campus Facilities**

The ATU campus is made up of a variety of facilities, primarily student residences and academic/administrative buildings. Academic/administrative facilities are open during normal business hours (8:00 AM to 5:00 PM) to faculty, staff, students, and University guests. After-hours access to locked academic and administrative buildings is restricted to authorized persons holding keys or electronic access cards for the facilities. After-hours access is limited to those who have authorization through their status as students, faculty, staff, or visitors in connection with special events or invitation. This access is granted through the ATU Card Office and/or DPS. Public Safety Officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.

Residence halls are for the use and enjoyment of the residents of the building and their guests. Students residing in residence halls are given keys and/or an electronic access card to their residence halls. All residence halls, except University Commons, Vista Place Apartments, and Stadium Suites, have an electronic card reader on the exterior entrances. Exterior doors remain locked 24 hours a day. Interior hallway doors are to be locked at all times. Access to the individual rooms is limited to the residents and authorized University employees who must follow procedures established to protect the safety of the residents. Public Safety Officers and Residence Life staff monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

## **Security Awareness and Crime Prevention Programming**

The safety awareness programs and crime prevention programs at ATU are based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging students and employees to be responsible for their own security and the security of others.

DPS in cooperation with other University organizations and departments, is responsible for presenting security awareness and crime prevention programs to the campus community annually and more often depending on the program type. The Department of Public Safety in collaboration with other University departments offer crime prevention programs throughout the year to raise awareness for a variety of topics including, but not limited to, suicide prevention, sexual assault, dating violence, harassment, and hazing prevention.

DPS conducts the following security awareness and/or crime prevention programs for students each year: Residence Life Staff Training, CRASE (Civilian Response to Active Shooter Events), Emergency Preparedness Month, which includes CPR/AED certification course, weather spotting course, First 15 Minutes course, and Emergency Preparedness Expo, and New employee orientation.

## **The Annual Security and Fire Safety Report**

This report includes statistics for the previous three years (2014, 2015, and 2016) containing reported Clery reportable crimes and fires that occurred: (1) on-campus; (2) in certain off-campus buildings or property owned or controlled by Arkansas Tech University; and (3) on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies about campus security and policies addressing domestic violence, dating violence, sexual assault, and stalking. In accordance with the Clery Act, the Arkansas Tech University Russellville Campus (ATU Russellville) and the Arkansas Tech University Ozark Campus (ATU Ozark) are each defined as separate campuses and the 2017 Annual Security and Fire Safety Report contains information for both campuses (Russellville and Ozark). The complete 2017 Annual Security and Fire Safety Report, can be found as a digital version at <http://www.atu.edu/securityact/>.

## **Drug-Free Schools and Communities Act Amendments of 1989**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, the institution has developed and implemented a program to prevent the unlawful possession, use, sale, or distribution of illicit drugs and alcohol by students and employees. The institution's annual Drug-Free Schools and Communities Act notification includes the items listed below. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <http://www.atu.edu/cs/center/aod.php>.

## **Parking and Traffic Information**

A complete list of parking and traffic information may be located at <https://www.atu.edu/psafe/park-info.php>. The regulations include information on the following important topics:

**Accessible Parking:** As required, a number of parking slots have been set aside for use by permanently handicapped individuals only. Each space has been marked with signs and or blue and white paint on the space. If these spaces are full, you may park in any color zone, but not in spaces

marked as loading zones, timed parking and reserved, as long as you display your valid disability license plate or placard. Vehicles found illegally parked in these spaces are subject to towing and impoundment fees. Only individuals who have been issued, and are displaying, a disability license plate or placard issued by the State of Arkansas are permitted to park in spaces marked with blue and white stripes. Vehicles must also have valid Tech hangtag. License plates, decals and placards may be obtained from the State Revenue Office at 105 South Rochester, Russellville, AR. For information, call (479)968-1526. Transfer of a disability license or placard is a violation of the Arkansas state law. The offender will be ticketed accordingly. Persons requesting temporary disability status for parking must be authorized by the ATU Health and Wellness Center located in Doc Bryan and, if eligible, then obtain a special Temporary hangtag from DPS. You will then be eligible to park in the areas marked RED or handicapped space only for the dates specified.

**Ticket Appeals:** All appeals will be dealt with according to the rules and regulations stated in the Parking Booklet. All appeals must be made within three school days. Appeals made after three school days will not be considered. All faculty, staff and student appeals should follow the stated procedures. Appeals should be done online. Go to Onetech, Purchase Parking permit and the appeal form is on the same page.

#### FACULTY-PRODUCED INSTRUCTIONAL MATERIALS

When adequate instructional materials (print and non-print) are unavailable to support course curriculum requirements, appropriate instructional material may be developed to fulfill this need. Such proposals must include a needs assessment, including courses affected and approximate number of students in those courses; an explanation of why available material will not satisfy the need; and an outline of the proposed material.

The proposal is then considered by the department, and the recommendation of the Department Head is submitted to the Dean of the College. Upon the Dean's approval, the proposal is forwarded to the Vice President for Academic Affairs for consideration.

Following approval by the dean and Vice President for Academic Affairs, adequate release time is made available to the faculty member(s)/author(s) to develop the instructional material. The Vice President for Academic Affairs and the Dean of the College determine an appropriate departmental royalty not to exceed two (2) dollars per copy. (Institutional policy prohibits payments of royalties to employees.) The Vice President for Academic Affairs informs the Associate Vice President for Administration and Finance that the publication/duplication has been approved and the departmental royalty has been determined.

The Department Head arranges for the production of the material with the Associate Vice President for Administration and Finance. The Bookstore Manager, at the direction of the Associate Vice President, coordinates actual production of the material. The number of copies to be produced is determined by the Department Head. Obsolete copies may be charged back to the departmental supply and service budget in the current or succeeding year(s) at cost.

Faculty-produced materials are subject to the standard mark-up for new texts. Departmental royalties are paid in the form of bookstore credits to the departmental supply and service budget upon completion of an inventory of publications sold. (University policy generally provides that monies may be transferred between budget pools upon proper approval.) Such inventory should be completed no later than 30 days after the first day of class in each term.

## FACULTY LIBRARY PRIVILEGES

\*\*Faculty members enjoy generous circulation privileges for all circulating library materials. For the most current version of circulation policies and responsibilities, or to search the library catalog for materials, please see the library website: <http://library.atu.edu>

It is the responsibility of each faculty member to know and understand the policies for the circulation on library materials.

Should a title charged to a faculty member be needed by someone else, the library will send a recall notice requesting the return of the item. Because these materials may be essential to a student's or another faculty member's academic success, these requests should be honored promptly. The library may enlist the aid of Deans and administration in recovering needed materials.

While fines and fees are not currently charged to faculty members, upon termination of employment at Arkansas Tech University, any outstanding materials must be returned. Otherwise, the costs of replacing those materials will be deducted from the employee's final paycheck.

Interlibrary loans are requested for faculty members at no additional charge. However, any surcharges passed on by lending libraries are the responsibility of the borrowing faculty member.

Inquiries about library policy should be directed to the library director. Recommendations for policy changes should be submitted to the director, your departmental library liaison, or to a member of the Library, Instructional Materials and Equipment Committee.

### \*USE OF COMPUTER

The University's information system network is a continually growing and changing resource supporting thousands of users and systems. Information system resources are vital for the fulfillment of the academic, research and business needs of the University community. Use of information system resources is a privilege. All users are expected to use Arkansas Tech University resources in a responsible manner consistent with Arkansas Tech University policies, guidelines, and operating procedures. Policies regarding appropriate use of computer resources can be found at <https://support.atu.edu/solution/categories/7000046080/folders/7000071466/articles/7000019369-appropriate-use-of-computer-resources>.

\*Updated 8/1/18  
\*\*Revised 8/1/16

## SCHOLARSHIP REQUIREMENTS

Information relating to graduation requirements, standard class loads for students, standards of scholarship, probation, suspension, and eligibility for student employment is provided in the current undergraduate and graduate catalogs.

## COURSE OWNERSHIP POLICY

### Work Made for Hire

Arkansas Tech University may enter into a contract with an employee of the University to develop a specific on-line course or other distance learning product. Pursuant to the terms of the contract, the employee will be paid for the development of the course. The University will also provide all resources for the work and the work is to be carried out totally as a part of the faculty or staff member's assigned time.

When the University contracts with an employee for the development of a specific on-line course or other distance learning product, it will be considered a work made for hire for a period of two years from the date the course is first offered (e.g., August 23, 2002 to August 23, 2004). However, two years after the course has been developed, and upon approval of the Vice President for Academic Affairs, the course can also be used by the employee who developed it, for other teaching, research and scholarly purposes.

### Totally Faculty or Staff Generated

Arkansas Tech University faculty or staff may create an on-line course or other distance learning product as the result of their own individual efforts on his or her own personal time without any direct support from or through Arkansas Tech and without the use of any Arkansas Tech University resources beyond those normally provided by the University.

Courses and distance learning products developed without University funds will remain the property of the course developer. The individual will own all the resulting intellectual property, may receive compensation for the work and retain distribution rights.

However, in the event that the course is taught at Arkansas Tech University, the University will have the right to use the course material for one semester after the final semester that the course is offered. This retention of rights is to protect the student in the event that a professor becomes ill or is otherwise unable to complete his or her teaching assignment. This will also allow the University to complete its obligation to the student when a grade of "I" is assigned by an instructor who then leaves the University or by an instructor who is otherwise unable to assist the student in completing the course.

"Arkansas Tech University" is a registered trademark belonging to Arkansas Tech University. With Faculty/Staff Generated on-line courses or other distance learning products, Arkansas Tech University reserves the right to control whether and in what manner the institution's name or logo is displayed in association with the work.

## CLASSIFIED EMPLOYEES

Faculty who supervise classified employees should familiarize themselves with the [Staff Handbook](#) located on the Human Resources website.

## STUDENT LABOR

Arkansas Tech University provides part-time work for a large number of students each year. In many instances faculty members are assigned students to help them with their general office work. Others are assigned to the library, laboratories, and other places on the campus.

The basic purposes of the student work program are to provide financial assistance to students who need this aid and to provide the University with needed services which the students can render.

A faculty member responsible for the supervision of student workers should familiarize themselves with the [Student Employment Handbook](#) located on the Payroll website and also see that the student develops good work habits and a sincere sense of responsibility. This work experience on the part of the student should be a good training opportunity.

Information concerning student assistance programs may be obtained from the Student Financial Aid office in the Student Services Building or by going to their website <http://www.atu.edu/finaid/>

## FACULTY MAIL

Intra-university faculty mail and communiqués are distributed through campus mail facilities.

Official University outgoing mail is collected for stamping and transmission to the post office. Accounting regulations, which require that postage for official mail be charged to the department in which the mail originates, require the mail from a department be bound together and a postage charge slip (copy obtainable at the campus post office) attached. Envelopes should be left unsealed with envelope flaps down to accommodate the postage meter processing. Mailing which does not conform to the prescribed procedure, and which cannot be identified, will be opened by the mail clerk and returned to the department.

Since University mail goes directly to the post office, personal mail may be included, but it is the responsibility of the Dean or supervisor in whose box the mail is placed to assure that proper postage is affixed to the personal mail. Personal mail must be bound separately from official mail. Inter-campus mail and mail to be metered should also be bundled separately.

The services of the United States postal substation in the Student Center are available for other incoming and outgoing mail. Private boxes may be rented at the individual's expense. The postal code number of the University is 72801-2222.

### \*USE OF UNIVERSITY VEHICLES AND REIMBURSEMENT FOR TRAVEL

Reimbursement for expenses incurred while traveling on official business (University transportation or private vehicle) shall be in accordance with the "Travel Policies and Procedures" section of the current [Manual of Business Office Policies and Procedures](#). Detailed information concerning the preparation of travel and reimbursement request forms, maximum travel allowances, and insurance coverage is provided in the manual which is available on the Tech website: <http://budget.atu.edu>. Click on forms and then Travel Manual. All travel questions should be directed to the Budget Office. Please note that all out of country travel must be pre-approved by the traveler's Vice President.

\*Updated 8/1/18



## PREPARATION OF OPERATING BUDGET

The operating budget of a university is a multifaceted planning document which has controls and provides commitments with stated performance measures. It is a fiduciary enabler with assurances to the Board of Trustees or state authorities that revenues and expenditures will be kept in balance and that institutional assets will be appropriately conserved or will grow proportional to future needs. The operating budget preparation is a primary responsibility of the president.

\*\*Budget planning and priorities are developed by the Budget Advisory Committee, of which the President is a member. Other members of the committee are the vice presidents, Chancellor of the Ozark campus, chief officers of the Ozark Campus (i.e., Academics, Finance, and Student Services), academic deans, Athletic Director, Director of Library, Chairperson of the Faculty Senate (or designated representative), Chairperson of Staff Senate or his/her designated representative, Chairperson of Student Government Association or his/her designated representative, Director of the Arkansas Tech Career Center, and a faculty member elected at large. The Chief of Staff to the President, Director of Budget, Assistant to the Vice President for Academic Affairs, and Director of Institutional Research serve as ex officio members.

The Vice President for Administration and Finance serves as secretary of the committee. This committee is responsible for (1) coordinating the priorities and instructions with the educational program and the objectives of the institution, (2) ensuring that the budget is formulated within the limits of resources available, and (3) providing for contingencies.

Procedures include the (1) preparation of income expenditure estimates by the Vice President for Administration and Finance, (2) development of policies, priorities, and instructions by the Budget Advisory Committee, (3) development of budget through administrative channels under the direction of the Vice President for Administration and Finance, and (4) presentation of budget to the Board by the President.

## \*PROCUREMENT PROCEDURES

All purchases are made by Procurement Services. Prior planning must be exercised to submit requisitions in time to allow for obtaining quotes, awards, reporting and obtaining delivery. In case of an emergency, contact Procurement Services for instructions.

Procurement and Risk Management Services operate under the State of Arkansas Procurement Law and Rules set forth by the Office of State Procurement.

Only the Purchasing Department has the authority to issue purchase orders. Requisitions are “requests” for commodities or services, and do NOT constitute a legal order. Orders placed by an individual without a purchase order are the financial responsibility of that individual.

For more information please visit the Procurement and Risk Management Services website at [www.atu.edu/purchasing](http://www.atu.edu/purchasing)

\*Revised 8/1/15  
\*\*Updated 8/1/18

\*CONTRACT AND AGREEMENT

Any contract or agreement MUST be reviewed by Procurement and by Legal Counsel before it is executed.

Only individuals with contractual authority for the University may sign these documents.

Russellville Campus:

President  
VP for Administration & Finance  
Director of Procurement and Risk Management Services

Ozark Campus:

Chancellor at Ozark Campus  
Chief Fiscal Officer at Ozark Campus

No one else can legally bind the University and guarantee payment.

PROHIBITION AGAINST PURCHASES  
OF COMMODITIES FROM EMPLOYEES

The following policy was approved by the Board of Trustees on March 21, 1991.

Act 483 of 1979, titled "An Act to Prescribe Ethical Standards for State Employees and Non-employees in State Procurement Activities; and for Other Purposes," section 4, "Employee Conflict of Interest," prohibits payments to employees for purchases of commodities. Commodities means commodities as defined in the State Purchasing Law.

Questions concerning this policy should be directed to the Purchasing Agent or Vice President for Administration and Finance.

TOBACCO-FREE POLICY

Effective August 1, 2009 use of any tobacco product, including, but not limited to, smoking, use of electronic cigarettes, dipping, or chewing tobacco is prohibited on campus. This policy shall be enforced by the Arkansas Tech University Department of Public Safety. "Campus" means all property, including buildings and grounds that are owned or operated by Arkansas Tech University.

"Electronic cigarette" (also known as "e-cig" or "e-cigarette") means a battery or USB powered device containing a nicotine-based liquid that is vaporized and inhaled, used to simulate the experience of smoking tobacco.

"Smoking" as that term is used in this policy means inhaling, exhaling, burning, or carrying any:

- (A) Lighted tobacco product, including cigarettes, cigars, and pipe tobacco; and
- (B) Other lighted combustible plant material.

\*Added 8/1/15

## Employee Discipline

Employees who violate this policy shall be disciplined as follows:

- (A) First offense – written warning
- (B) Second offense – written reprimand placed in personnel folder
- (C) Third and subsequent offenses - \$50.00 fine

Pursuant to Act 743 of 2009, beginning August 1, 2010, any person who smokes on campus shall in addition to the penalties set forth above, be guilty of a violation and upon conviction in Russellville District Court, shall be punished by a fine of not less than (\$100) one hundred dollars nor more than (\$500) five hundred dollars.

**THE CONSTITUTION OF THE FACULTY SENATE  
OF ARKANSAS TECH UNIVERSITY**

**ARTICLE I: NAME AND PURPOSE**

**Section 1: Name** - The name of this organization shall be the Faculty Senate of Arkansas Tech University.

**Section 2: Purpose** - The Faculty Senate shall act for the faculty in all curricular matters other than those involving changes in general academic policies and for the faculty or the administration on matters referred to it for action; it shall serve as an advisory body to the faculty on matters involving academic policies; it shall serve as an advisory body to the faculty and administration on proposed changes to the *Faculty Handbook*, and to the administration or the faculty, as appropriate, on any other matters of general concern to the University.

**ARTICLE II: MEMBERSHIP AND TERMS OF OFFICE**

**Section 1: Elective Membership** - One Senator shall be elected by each of the Colleges of the University upon obtaining a minimum of fifteen full-time faculty members. A College shall be eligible for one additional Senator for each twenty full-time faculty members or additional portion thereof. A College entitled to multiple Senators may elect no more than two from any one department. Any College or independent Academic Unit that has less than fifteen full-time faculty members will be combined into a Supernumerary voting block operating under the above delineated rules.

**Section 2: \*Restrictions upon Membership**

Paragraph A: All faculty with the rank of Assistant Professor or above are eligible for elective membership in the Senate.

Paragraph B: No administrative officers above the position of Department Head shall be eligible for membership in the Senate.

**Section 3: \*Terms of Office**

Paragraph A: All elective members of the Senate, except those initial members who draw one- and two-year terms, shall serve for three years. No senator may serve more than two consecutive three-year terms.

Paragraph B: The terms of membership of all initial elective and appointive members of the Senate shall be considered as having begun on July 1, 1953.

\*Revised Board of Trustees 5/19/16

**Section 4: \*Vacancies in the Senate**

Any elective membership in the Senate shall be considered vacant when its incumbent ceases to be eligible for membership according to Article II, Section 4, of this Constitution or when its incumbent is granted a leave of absence from the University. Such vacancies shall be filled temporarily for the period of the leave of absence by College election within thirty days from the time of the beginning of their existence.

**ARTICLE III: OFFICERS -- THEIR DUTIES AND MANNER OF ELECTION**

**Section 1: \*Officers of the Faculty Senate**

Paragraph A: The Senate shall have a chairperson. The powers of the chairperson include:

1. Presiding at Senate meetings;
2. Voting upon motions under consideration by the Senate;
3. Contacting and sharing information with the Faculty Senate members and/or the entire University faculty as and when deemed necessary.

Paragraph B: The Senate shall have a vice chairperson. The vice chairperson is the president elect of the Faculty Senate. The powers of the vice chairperson include:

1. Presiding at any meeting of the Senate which the chairperson is unable to attend;
2. Voting upon motions under consideration by the Senate;
3. Contacting and sharing information with the Faculty Senate members and/or the entire University faculty as and when deemed necessary if the chairperson is unable to do so.

Paragraph C: The Senate shall elect one of its members as secretary except that no member, having so served for a year, shall be eligible again during the same term of office.

**Section 2: Manner of Election of Officers**

At the first fall meeting in 1991, the chairperson, chairperson elect, and secretary will be elected. At the first fall meeting in subsequent years only a chairperson elect and a secretary will be elected, the chairperson position being automatically filled by the chairperson elect. The chairperson elect will additionally serve as vice chairperson.

\*Revised Board of Trustees 5/19/16

## ARTICLE IV: MEETINGS

**Section 1: Called Meetings** - The Vice President for Academic Affairs of the University shall call a meeting of the Senate within three weeks after the beginning of each fall semester to chair the election of officers and to establish a time for the Senate's regular meetings during the academic year. A called meeting of the Senate may be convened at any other time at the request of the chairperson of the Senate or of at least three other Senators.

**Section 2: Regular Meetings** - The Faculty Senate shall meet in regular session each month of the academic year at the time and place designated by the Senate in its first called meeting of each fall semester, except such times as the regularly established meeting date may coincide with a school holiday or with a vacation period.

## ARTICLE V: RATIFICATION AND AMENDMENT OF THE CONSTITUTION

**Section 1: \*Ratification** - This Constitution and attached By-Laws shall be considered as ratified and in force upon their being approved by two-thirds of the elective members of the Senate, by a majority of those voting in a regular convened meeting of the faculty of the University, and by the Board of Trustees.

**Section 2: \*Amendment** - The Constitution or the By-Laws of the Senate may be amended in the following manner:

- a. The proposed amendment shall be drafted and presented in duplicated form to each member of the Senate at least ten days before the meeting in which it is to be considered.
- b. The proposed amendment shall be approved by two-thirds of the Senate in a regular meeting of the Senate.
- c. The proposed amendment shall be approved by a majority of those voting in the next regular or special election of the faculty of the University.
- d. The proposed amendment shall be approved by the Board of Trustees of the University.

## ARTICLE VI: AMENDMENTS TO CONSTITUTION OF THE FACULTY SENATE

### Section 1: Committee Voting Procedures

- A. Proxy voting is not allowed for the Faculty Senate or other faculty committees.

### \*\*Section 2: Faculty Handbook Changes

- B. Changes to the Faculty Handbook of a substantive nature shall require approval by two-thirds of the Senate membership.

\*Revised Board of Trustees 5/19/16

\*\*Added 8/1/18

**BY-LAWS OF THE FACULTY SENATE OF  
ARKANSAS TECH UNIVERSITY**

**\*ARTICLE I: ELECTION OF MEMBERS**

**Section 1: \*Time of Elections and Appointments**

During the spring term of each year elections shall be held to fill the vacancies on the Faculty Senate which shall come into existence on the following July 1.

**Section 2: Conduct of Elections**

In the election of Senators from the different Colleges, each faculty member, regardless of rank, shall be entitled to vote for the Senator or Senators of his/her own College. A majority of the votes of the faculty of each College shall be necessary for election. All elections of Senators shall be by secret ballot.

**ARTICLE II: AGENDA**

The chairperson of the Senate shall cause to be duplicated and distributed among the members of the Senate, at least ten days before each regular meeting, an agenda for the consideration of the Senate in that meeting. Absence from this agenda of any matter of concern to the Senate, however, shall not preclude the Senate's consideration of or action upon that matter in the meeting.

**ARTICLE III: CONDUCT OF MEETINGS**

**Section 1: Parliamentary Procedure**

All meetings of the Faculty Senate shall be conducted according to standard parliamentary procedure.

**Section 2: Quorum**

Two-thirds of the Senators shall constitute a quorum and shall have the power to transact business as the Faculty Senate at any regular or called meeting.

**Section 3: \*Method of Voting**

In presenting a motion before the Senate, any member may stipulate that the motion be voted upon by secret ballot. Otherwise, voting in the Faculty Senate shall be conducted in whatever parliamentary manner may be called for by the acting chairperson. Each elective member present shall have one vote. Any motion shall be considered as having been passed by the Senate only if it shall have received the votes of a majority of the voting members present.

\*Revised Board of Trustees 5/19/16

#### **Section 4: Attendance at Meetings**

Official meetings called by the Faculty Senate chairperson are open to the general university faculty and invited guests.

#### **ARTICLE IV: MINUTES OF MEETINGS**

The Secretary of the Senate shall keep accurate minutes of each meeting and cause them to be duplicated and distributed among the members of the Senate for approval, after which the approved minutes shall be distributed among the entire faculty.



## **GRADUATE ADDENDUM**

The preceding chapters also relate to the graduate program and graduate faculty; the information delineated in this section of the *Faculty Handbook* relates primarily to the organizational structure and governance of the graduate program. Academic regulations exclusive to the graduate program and omitted from this *Handbook* are compiled in the current issue of the Arkansas Tech University *Graduate Catalog*.

## **ORGANIZATIONAL STRUCTURE AND GOVERNANCE OF THE GRADUATE PROGRAM**

### **I. Administration of the Graduate Program**

The graduate program is administered by the Dean of Graduate College, who is directly responsible to the Vice President for Academic Affairs. Policies governing the graduate program are developed by the Graduate Council; matters pertaining to the graduate teacher education program are reviewed and approved by the Teacher Education Council before being presented to the Graduate Council. Policies are then approved by the Vice President for Academic Affairs, President of the University, and Board of Trustees.

### **II. Philosophy of the Graduate Program**

Arkansas Tech University holds to the principle that graduate-level scholarship should be based on highly developed habits of critical judgment, independent thinking, creative initiative, and disciplined inquiry. Successful completion of the graduate program signifies that the student has acquired the research skills of an independent scholar, with expertise in a particular field of study.

The student admitted to graduate study at Arkansas Tech University should not expect to acquire these skills and to achieve this expertise through classroom and laboratory instruction alone; rather, the student should expect to draw upon independent resources to collect, organize, and synthesize research data and information in order to achieve scholarly expertise in the chosen field of study. Graduate study, then, aids the student to acquire the skills needed to identify important problems, to establish modes of inquiry, to formulate proposed solutions, and to communicate the interpretation of scholarly and research analysis.

### **III. Statement of Purpose and Goals of the Graduate Program**

\*Purpose:

The purpose of the graduate programs at Arkansas Tech University is to provide graduate education opportunities in professional education and in the liberal arts to anyone who seeks, and who is eligible for admission. The University has a particular interest in meeting the professional growth and advancement needs of certified teachers in the service region.

Goals:

The following goals are set forth for the University's graduate program:

- A. To attract quality students well matched to the educational programs and social objectives of the University. These efforts will be without regard to age, race, religion, sex, or ethnic background.
- B. To provide graduate curricula that ensures that the student acquires an understanding of:  
(1) research and the manner by which research is conducted, and (2) the subject matter, bibliography, theory, and methodology of the field.

\*Revised 5/3/16

- C. To develop an approach to learning and intellectual work which involves familiarity with research and problem-solving methods, the ability to synthesize knowledge from many sources, the capacity for self-directed learning, and a commitment to lifelong learning.
- D. To assure that high intellectual standards are maintained, that students acquire both general and specialized knowledge, and that they are prepared for advanced scholarly study.
- E. To encourage altruism by working toward a respect for diverse cultures, a commitment to world peace, a consciousness of the important moral issues of the time, and a concern for the welfare of mankind in general.
- F. To provide opportunities for the graduate program to enhance the University's contribution by: (1) improving quality of instruction in the University's service area; (2) serving as a center for collecting and disseminating current instructional strategies and techniques; (3) offering consultative services to schools and individual teachers for strengthening existing curricular offerings, implementing innovative programs, and research activities; and (4) providing educational experiences that improve professional competencies of in-service teachers.

#### **IV. Dean of Graduate College - Job Description**

The Dean of Graduate College:

- A. Shall be appointed by the President of the University upon recommendation by the Vice President for Academic Affairs.
- B. Shall be directly responsible to the Vice President for Academic Affairs.
- C. Shall have university-wide responsibilities to foster and facilitate interdisciplinary and intercollege graduate programs and shall serve as permanent chairperson of the Graduate Council.
- D. Shall perform a major role in both academic and budgetary planning and in institutional organization as these functions relate to the graduate program.
- E. Shall be a member of, or be represented on, councils or committees whose actions have an impact on graduate education.
- F. Shall play a significant role in the important academic personnel decisions which are made within the institution as they relate to graduate education.
- G. Shall have joint responsibility with the Graduate Council for granting graduate faculty status.
- H. Shall be responsible for:
  - 1. admitting applicants to graduate student status;
  - 2. reviewing academic progress;
  - 3. awarding fellowships and assistantships for graduate students;

- \*4. supervising research for master, specialist, and doctoral degrees;
  - 5. certifying the completion of degree requirements and recommending granting of graduate degrees;
  - 6. overseeing the adequacy of student services and promoting the welfare of graduate students.
- I. Shall be accessible to graduate students for discussion and resolution of problems.
  - J. Shall, along with the Graduate Council, review periodically all of the institution's graduate programs for quality, effectiveness, and consonance with institutional goals and resources.
  - K. Shall evaluate proposed new graduate programs in terms of faculty strength, manpower needs for program graduates, adequacy of institutional resources, and compatibility with existing graduate programs and with the academic plan of the institution.
  - L. Shall, along with the Graduate Council, participate in decisions regarding program initiation, consolidation, or termination.
  - M. Shall be associated actively with the University's organized research effort, and therefore, shall be a member of the University's committees whose actions are significant to the research mission of the institution.
  - N. Shall interact closely with other university officials and with legal counsel in complying with laws and regulations affecting graduate education, in developing institutional responses to proposed legislation and regulations which affect graduate education and research, and in reviewing statements in the graduate college catalogs and bulletins about purposes, goals, content, and requirements of graduate programs.
  - O. Shall be the institutional representative to national and regional bodies which deal with graduate education.
  - P. Shall submit a yearly report to the Vice President for Academic Affairs on the status of the graduate program.
  - Q. Shall promote the graduate program and maintain good relations with service area education professionals; i.e., superintendents, principals, and teachers.

The job description of the Dean of Graduate College has been developed in accordance with guidelines contained in the booklet, The Organization and Administration of Graduate Schools in the U.S., which is published by the Council of Graduate Schools in the United States.

\*Revised 5/3/16

## V. The Graduate Council

### A. Purpose:

The Graduate Council shall be the body responsible for determining policy and establishing standards, criteria, regulations, and procedures for graduate study in accordance with policies of the Board of Trustees.

### B. Responsibilities of the Graduate Council:

It is the responsibility of the Graduate Council to review all proposals for graduate degree programs and courses and, at its option, existing programs; to establish and review the criteria for membership on the graduate faculty; to establish the minimum admission standards and the standards for continuation of graduate students; to act upon petitions and appeals from the decision of the Dean of Graduate College; to consider any other matters relevant to the graduate program; and to authorize, recommend, or instruct the Dean of Graduate College to take appropriate actions to effect the results of its decisions.

### C. Membership Qualifications:

Faculty membership on the Graduate Council shall be limited to regular graduate faculty. Student membership shall be limited to those graduate students who have been admitted to candidacy for the master's degree. All Council members shall have full voting rights.

### \*D. Membership Composition:

The Graduate Council shall be composed as follows:

1. Colleges will have representation based on the number of graduate programs offered within the college. At no time will any one college have more than five representatives serving on the Graduate Council.

Up to two graduate programs:	1 representative
Up to five graduate programs:	2 representatives
Up to eight graduate programs:	3 representatives
Nine or more graduate programs:	4 representatives
2. Colleges with no graduate programs will be allocated one representative serving as an ex-officio, non-voting council member.
3. One doctoral faculty member elected by the graduate faculty holding doctoral graduate faculty status.
4. One university at-large member to be elected by regular graduate faculty.
5. Two graduate students serving as ex-officio, non-voting members: one appointed by the Graduate Dean to rotate among the colleges who have not reached their maximum number of representatives, and one elected by the Graduate Student Council, whose membership shall not be bound by the representative cap.
6. The Graduate Dean, who shall serve as chairperson of the Graduate Council. The Graduate Dean may vote only in the case of a tie.
7. One non-voting member from the Library.

\*Revised 5/3/16

\*E. Faculty:

*Elections:* Only regular graduate faculty members are eligible to vote in its elections for the Graduate Council. Graduate Council elections shall be held as part of the general University Standing Committee elections.

*Function:* Responsible for determining policy and establishing standards, criteria, regulations, and procedures for graduate study in accordance with policies of the Board of Trustees.

\*F. Term of Office:

All elected members of the Graduate Council shall hold office for three calendar years from August 1 following their election, with the following exceptions:

1. Student membership shall be for a one-year term only.
2. Faculty membership shall be vacated on the date that any member terminates his/her faculty appointment.
3. Faculty membership shall be terminated when a member begins a leave of absence for a period of one regular semester or longer, but shall not be terminated when a leave of absence is granted for a summer term.
4. Membership shall be terminated from the date a member submits his or her resignation from the Council to the chairperson.
5. An elected faculty member of the Graduate Council may succeed himself/herself in office for as many terms as elected.
6. If, for any reason, faculty membership is terminated, a special election shall be held to complete the unexpired term in the college wherein the vacancy occurs. If, for any reason, a student membership is vacated, the chairperson of the Graduate Council shall appoint another qualified student. A graduate student who is appointed to complete an unexpired term is eligible for reappointment.
7. The term of the Dean of Graduate College, who shall serve as chairperson of the Graduate Council, is unlimited.

G. Meetings:

There shall be one meeting of the Graduate Council each month of the fall and spring semesters (except May and December) and one meeting during each of the two terms of the summer sessions. The agenda for each regular and special meeting shall be prepared and distributed to each member of the Graduate Council no later than one week prior to each meeting. The time and place of each regular meeting, however, shall be announced to the entire graduate faculty no later than one full week prior to each meeting.

\*Revised 5/3/16

Special meetings of the Graduate Council shall be called by the chairperson of the Council in the following manner:

1. Upon the initiative of the chairperson of the Council.
2. Upon petition of three or more members of the Council.
3. Upon request of the Vice President for Academic Affairs or the President of the University.

H. Quorum:

The presence of a majority of the total membership of the Graduate Council shall constitute a quorum for the transaction of all business.

I. Committees:

The Dean of Graduate College shall establish standing committees and such ad hoc committees as are deemed necessary for the operation of the graduate program.

These committees shall be composed of members selected from the total graduate faculty. Chairpersons of all committees, however, shall be members of the Graduate Council.

Standing committees shall be appointed at the first meeting of the Graduate Council each academic year and shall serve one calendar year.

Ad hoc committees shall serve until their final reports are presented and they are dismissed by the Council.

All reports of committees shall be presented to the Council in writing and may also be presented orally if requested by the Council.

\*J. Officers:

Officers of the Graduate Council shall be the chairperson, the vice chairperson, the secretary, and such other officers as the Council deems necessary.

Chairperson: The Dean of Graduate College shall serve as permanent chairperson of the Graduate Council.

Vice Chairperson: The vice chairperson shall be a member elected at the last regular meeting of each academic year, shall take office at the beginning of the following year, shall serve for a one-year term, and shall be eligible to succeed himself/herself.

Secretary: The Secretary shall be appointed by the Graduate Dean and will be a non-voting member.

\*Revised 5/3/16

K. Duties:

The chairperson of the Graduate Council shall call meetings of the Council, shall preside at all meetings of the Council, shall appoint members to ad hoc committees, shall report to the Council all communications from the Vice President for Academic Affairs, and shall transmit to the Vice President for Academic Affairs and to all graduate faculty members the published minutes of each meeting of the Council or any other published communications as the Council shall direct.

The vice chairperson of the Graduate Council shall call and preside at all meetings of the Council in the absence of the chairperson, or shall preside over the meetings when the chairperson shall vacate the chair and call on him/her to preside.

The secretary shall record the proceedings of Council meetings and perform such other duties as prescribed by the Council.

Duties of other officers designated by the Council shall be determined by vote of the Council.

L. Amendments:

This plan of organization for the Graduate Council shall be amended by a two-thirds vote of the total membership of the Graduate Council.

An amendment adopted shall become effective one month after its adoption unless:

1. held in abeyance for action by the Board of Trustees;
2. disapproved by the President of the University;
3. disapproved by the Board of Trustee.

M. Recommendations for Implementing Changes in the Graduate Council:

1. It is recommended that as a result of the reorganization of the University, if the appointed member of the Council is in a different college from that which he/she was appointed, the term of office automatically terminates. Presently elected members who will be in a different college will represent that college.
2. In those instances where there is a greater number of present members than required under the reorganized structure, positions becoming vacant will not be filled.
3. In colleges where representation under the reorganization is less than required, the vacancies shall be filled by election and/or appointment.



## **\*VI. The Graduate Faculty**

The Graduate Faculty is composed of three categories:

**Doctoral Graduate Faculty:** Tenured and non-tenured faculty, who are members of departments that offer the doctoral degree, or, who are members of departments that offer support courses for a doctoral degree program, and who meet the standards for appointment to doctoral graduate faculty status, are eligible for appointment to Doctoral Graduate Faculty Membership. This category of membership is required for faculty wishing to chair doctoral dissertation committees.

**Regular Graduate Faculty:** Tenured and non-tenured regular faculty, who are members of departments that offer the masters degree, or, who are members of departments that offer support courses for a masters degree program, and, who meet the standards for appointment to regular faculty status, are eligible for appointment to Regular Graduate Faculty Membership.

**Non-regular Graduate Faculty:** Part-time, adjunct, or non-regular faculty, as well as regular faculty and practicing professionals not eligible for the status above, may be appointed to the Non-Regular Graduate Faculty.

### **A. Doctoral Graduate Faculty Membership**

#### **1. Membership Requirements**

- a. Regular faculty status on the Arkansas Tech University faculty.
- b. The doctorate or other terminal degree in the appropriate field or discipline.
- c. Evidence of productive scholarship and/or relevant and recognized professional activities as normally defined within the discipline concerned.
- d. Ability to be involved in the graduate program, and upon attaining membership, continued involvement in the graduate program, including the teaching of graduate courses, advising of graduate students, contributing to the development of the graduate curriculum, and serving on examination, thesis, dissertation, project, or portfolio committees.
- e. Recommendation by the Department Head to the Graduate Council via the Dean of the appropriate College and Dean of Graduate College. The appointment process is an opportunity for Department Heads and Program Directors to identify faculty members that may have weak credentials and to encourage them to participate in professional development activities that will strengthen their applications.

\*Revised 5/3/16

## 2. Responsibilities

- a. Teach doctoral level and/or masters level courses.
- b. Serve on graduate student examination, thesis, dissertation, project, or portfolio committees.
- c. Serve as chair of graduate student examination, dissertation, thesis, project, or portfolio committees.
- d. Advise graduate students.
- e. Direct graduate student research.
- f. Serve on standing and special committees of the Graduate Council

## 3. Review and Renewal

Doctoral Graduate Faculty members must apply for renewal status every six years following their initial appointment. The Graduate Council will review the renewal applications and will either renew or rescind doctoral graduate faculty status. The review will be based upon the following:

- a. Continued evidence of productive scholarship and/or relevant and recognized professional activities as normally defined within the discipline concerned.
- b. Continued regular involvement in the graduate program to which the faculty member is assigned (i.e. teaching classes, serving on committees).
- c. Recommendation by the appropriate Department Head to the Graduate Council via the Dean of the appropriate College and the Dean of Graduate College.
- d. A faculty member who is not renewed at the doctoral graduate faculty membership status may still be considered for regular graduate faculty membership status, as long as the faculty member meets the requirements for renewal under that category of membership.

## B. Regular Graduate Faculty Membership:

### 1. Membership Requirements

- a. Regular faculty status on the Arkansas Tech University faculty
- b. The doctorate or other terminal degree in the appropriate field or discipline **or** having a reputation for expertise in the field sufficient to stand in lieu of the degree
- c. Evidence of productive scholarship and/or relevant and recognized professional activities as normally defined within the discipline concerned.

- d. Ability to be involved in the graduate program, and, upon attaining membership, continued involvement in the graduate program, including the teaching of graduate courses, advising of graduate students, contributing to the development of the graduate curriculum, and serving on examination, thesis, project, or portfolio committees.
- e. Recommendation by the Department Head to the Graduate Council via the Dean of the appropriate College and Dean of Graduate College. The appointment process is an opportunity for Department Heads and Program Directors to identify faculty members that may have weak credentials and to encourage them to participate in professional development activities that will strengthen their applications.

## 2. Responsibilities

- a. Teach graduate level courses
- b. Serve on graduate student examination, thesis, project, or portfolio committees.
- c. Serve as chair of graduate student examination, thesis, project, or portfolio committees.
- d. Advise graduate students.
- e. Direct graduate student research.
- f. Serve on standing and special committees of the Graduate Council

## 3. Review and Renewal

Regular Graduate Faculty members must apply for renewal or regular status every six years following their initial appointment. The Graduate Council will review the renewal applications and will either renew or rescind regular graduate faculty status. The review will be based upon the following:

- a. Continued evidence of productive scholarship and/or relevant and recognized professional activities as normally defined with the discipline concerned.
- b. Continued regular involvement in the graduate program to which the faculty member is assigned (i.e. teaching classes, serving on committees).
- c. Recommendation by the appropriate Department Head to the Graduate Council via the Dean of the appropriate College and the Dean of Graduate College.

The review process is also an opportunity to encourage professional development. Deans, Department Heads, and Program Directors are expected to identify faculty members, who may face difficulties in the renewal process, and encourage them to participate in any professional development activities that will strengthen their renewal application.

C. Non-Regular Graduate Faculty:

1. Membership Requirements

- \*\*a. The doctorate or other terminal degree in the appropriate field or discipline **or** having a reputation for expertise in the field sufficient to stand in lieu of the degree following Higher Learning Commission guidelines regarding faculty qualifications
- b. Recommendation by the appropriate Department Head to the Graduate to the Council via the Dean of the appropriate College and Dean of Graduate College.

2. Responsibilities

- a. Teach assigned courses
- b. Serve on specific examination, thesis, dissertation project, or portfolio committees

\*3. Terms of Appointment

Non-regular graduate faculty are to be temporary faculty members assigned to teach specific courses over the course of a specific time period, or are to serve on specific examination, thesis, dissertation project, or portfolio committees. The initial appointment for teaching specific courses will not exceed two years. The Graduate Council may renew the appointment for another two years. The appointment for serving on a specific examination, thesis, project, or portfolio committee will expire upon the student's completion of the examination.

D. Procedures for Nomination to the Graduate Faculty:

Faculty members are nominated for inclusion on the graduate faculty by department heads according to established criteria of the Graduate Council. The nomination should be made on the form provided for this purpose, "Nomination for Membership on the Graduate Faculty and Request for Approval to Teach Classes for Graduate Credit." Nominations are received by the Dean of Graduate College and kept on file. The Dean of Graduate College makes periodic reporting to the Graduate Council of current membership in each category. In cases when expediency is required, the Dean of Graduate College may make an immediate appointment to the Non-Regular Graduate Faculty and present the matter to the Graduate Council at a later date, either for ratification or for promotion of the faculty member to Regular Graduate Faculty status.

E. Appeals:

In cases in which any party involved in deliberation related to graduate faculty status feels that an improper decision has been made, he/she may appeal that decision to the Graduate Dean.

\*Revised 5/3/16  
\*\*Revised 8/1/19

## **\*VII. Graduate Program Director**

### **A. Graduate Program Director Description and Responsibilities.**

A graduate program director is appointed by the department head and approved by the Dean of the College in which the degree program is offered. The Vice-President of Academic Affairs makes final approval. The graduate program director serves at the pleasure of the department head and dean of the college. The graduate program director serves as the liaison between the graduate program and the Graduate College. It is the responsibility of the graduate program director to work with the graduate faculty to ensure policies and procedures are followed.

### **B. Graduate Program Director Qualifications**

A graduate program director must hold regular graduate faculty status, remain active in graduate level work and be eligible for renewal of their regular graduate faculty member status every 6 (six) years. A doctoral program director must hold doctoral faculty status.

## **VIII. Procedures for Approval of Graduate Curricular Matters**

A. Graduate curricular matters originating in an academic department are approved by the Department Head and College Dean, and are then forwarded to the Vice President for Academic Affairs (VPAA).

B. The proposal is reviewed by the VPAA and Registrar and concerns are noted (if any). If the proposal is considered to be acceptable, the VPAA forwards the proposal to the chairperson of the Teacher Education Council. If the proposal is not related to the teacher education program, it is routed directly to the chairperson of the Graduate Council.

C. The Teacher Education Council reviews the proposal and forwards it, with a recommendation, to the Graduate Council via the VPAA. If the proposal is not acceptable to the Teacher Education Council, prior to forwarding to the Graduate Council, the Teacher Education Council may refer it back to the Dean of the College for more information or for revision by the originating department.

D. Upon receipt of the proposal, the Graduate Council reviews it and makes a recommendation as to approval or disapproval. If the Graduate Council recommends approval of the curricular change, the proposal is forwarded to the VPAA. If the Council disapproves the proposal, it is returned to the originating department via the Dean of the college. The proposal can be revised and re-submitted, but must, again, be submitted through the Teacher Education Council. Actions of the Graduate Council are recorded in Council meeting minutes which are distributed to all graduate faculty members and appropriate administrative officials.

E. The VPAA is responsible for implementing the new proposal if approved.

\*Added 5/3/16

- F. The process described above is to be applied to all graduate curricular matters. When 4000-5000 level courses are being considered, two separate proposals will need to be submitted--the 4000-level course will be reviewed by the Curriculum Committee and the Faculty Senate, and its 5000-level counterpart will be reviewed by the Graduate Council after the Curriculum Committee and the Faculty Senate have taken action on the 4000-level proposal.

## **IX. Graduate Student Academic Conduct Policies**

A university exists for the purpose of educating students and granting degrees to all students who complete graduation requirements. Therefore, Arkansas Tech University requires certain standards of academic integrity and conduct from all students. Arkansas Tech University expects an academic atmosphere to be maintained in all classes regardless of their format and delivery, such as in-person classrooms or online classroom settings. This atmosphere is created by both the professor and the students in order to enable all students enrolled in a class to reach their academic potential. All students, regardless of the format and delivery of their classes, are expected to: attend class (attendance policy is defined by the professor); conduct themselves in a non-disruptive manner; and refrain from cheating, plagiarism, or other unfair and dishonest practices. Students should also realize the class is under the control of the professor who will give students a statement of his or her class policies in a syllabus at the beginning of the semester.

Academic offenses involving dishonesty and misconduct are defined in the Definitions section below. These definitions are not all inclusive, and conduct not expressly set forth in the definitions may also be considered academic dishonesty or academic misconduct.

### **A. Definitions**

**Academic Dishonesty.** Academic dishonesty refers to the various categories of cheating and plagiarism in a class, regardless of the class format and delivery.

1. Cheating on an examination, quiz, or homework assignment involves any of several categories of dishonest activity. Examples include but are not limited to: a) copying from an examination, quiz, or any other assignment of another student; b) utilizing notes, messages, or crib sheets in any format which gives the student extra help on an exam or quiz, and which were not approved by the professor of the class; c) obtaining advance copies of exams or quizzes by any means; d) hiring a substitute to take an exam or bribing any other individual to obtain exam or quiz questions; e) buying term papers or other assignments from the Internet or any other source; and f) using the same paper to fulfill requirements in several classes without the consent of the professors teaching those classes.
2. Plagiarism is stealing the ideas or writing of another person and using them as one's own. This includes not only passages, but also sentences and phrases that are incorporated in the student's written work without acknowledgement to the true author. Any paper written by copying or cutting and pasting from the Internet or any other source is plagiarized. Slight modifications in wording do not change the fact the sentence or phrase is plagiarized. Acknowledgment of the source of ideas must be made through a recognized footnoting or citation format. Plagiarism includes recasting the phrase or passage in the student's own words of another's ideas that are not considered common knowledge. Acknowledgement of source must be made in this case as well.

**Academic Misconduct.** Academic misconduct concerns a student's inappropriate behavior in a class regardless of the class format and delivery. Such behavior includes interacting with the professor and other students in a manner that disrupts the learning environment of a class. Examples include but are not limited to: a) engaging in a discussion with other students that is not beneficial to the class or acceptable to the professor; b) interrupting class unnecessarily; c) attempting to monopolize the professor's time and attention; d) being chronically late to the class; and e) failing to engage in a class in a manner that is required by the professor, such as chronically late submission of assignments. Misconduct also covers verbal or nonverbal harassment and threats in relation to classes. Student behavior must not infringe on the rights of other students or faculty during a class

## **B. Graduate Academic Appeals Committee**

### **Composition of Committee**

1. The Graduate Academic Appeals Committee is an official committee of Arkansas Tech University and will be formed each academic year as a pool of qualified faculty and students to hear graduate student academic dishonesty and academic misconduct appeals. At the beginning of the fall term, the Graduate Dean will appoint two (2) graduate faculty members from each college; and the Director of Graduate Support Services will appoint one (1) graduate student from each college. The faculty on the committee will elect a Chair.
2. These faculty and students will form a pool of 18, from which a subset can be drawn to serve on a Sub-Committee, hearing a specific case.
3. When a graduate student appeals a decision concerning academic dishonesty or academic misconduct, the appeal is filed with the Chair of the Graduate Academic Appeals Committee. However, if the Chair is involved in the matter of the appeal, the Appeals Committee will elect an alternate member who is not involved in the matter. The Chair or alternate member of the Appeals Committee shall select a three-person Sub-Committee from the pool of 18 composed in the following manner: one (1) graduate faculty member from the college in which the department involved in the appeal is located, one (1) graduate faculty member from the college in which the student is enrolled as a major, and one (1) student. However, if either faculty member or the student selected for the Sub-Committee is involved in the matter of the appeal, the Chair or alternate member of the Appeals Committee will select a different faculty member and/or student who is not involved in the matter to serve on the Sub-Committee.

## **C. Procedure for Charges of Academic Dishonesty**

Since charges of academic dishonesty may have serious consequences, a professor who suspects a student of any category of academic dishonesty must have facts and/or evidence to support the charge.

1. The professor will meet with the student and present him or her with a written outline of the alleged academic dishonesty, the evidence supporting the charge, and the penalty. In circumstances that require a student to attend a meeting and the student cannot meet in person, such as with online distance courses, the meeting may take place via telephone or a technology-based format. Penalties for various levels of academic dishonesty vary from giving an F on a particular assignment, quiz or exam, to giving an F on a term paper or

other written work, or giving the student an F or W for the course. The professor may also have different penalties for particular cases of academic dishonesty.

2. The professor will notify his or her Department Head and graduate program director (or Graduate Dean if the professor is the Department Head or the graduate program director) of the charge, evidence, and penalty.
3. If the student accused of academic dishonesty denies the charge or disagrees with the evidence presented by the professor, the student should make an appointment with the relevant Department Head and graduate program director (or the Graduate Dean if the professor is the Department Head or the graduate program director; in which case, skip step 4). The student may remain in the class during the appeal process.
4. If the student is still dissatisfied after meeting with the Department Head and graduate program director, he or she should make an appointment to meet with the Graduate Dean who will seek resolution of the problem.
5. If a resolution is not found, the Graduate Dean will refer the student to the Graduate Academic Appeals Committee (“Appeals Committee”), whose composition is described in the *Appeals Procedures* section below.
6. The student should then submit a written appeal to the Chair of the Appeals Committee, or to an alternate member of the Appeals Committee who is not involved in the matter (“alternate member”) as described in the *Appeals Procedures* section below; and the Chair or an alternate member will select a Sub-Committee as described in the *Appeals Procedures* section below.
7. If the Sub-Committee determines academic dishonesty has occurred, it will confirm the recommendation of the professor concerning the penalty. Such a decision will be given both to the Chair of the Appeals Committee or an alternate member and to the Graduate Dean. The student will be notified of the Sub-Committee's decision by the Chair of the Sub-Committee that sat for the appeal. The Chair of the Sub-Committee shall also notify the Vice President for Academic Affairs of the decision. The Vice President will review the case and forward the outcome to the Registrar after the appeal period described below in this section.
8. The student shall have the right to appeal the decision of the Academic Appeals Sub-Committee by filing a Notice of Appeal. The only basis for appeal shall be: 1) Alleged failure of the Academic Appeals Sub-Committee to follow the procedures set forth in the Academic Dishonesty/Academic Misconduct policy, or 2) Consideration of new evidence that was not available at the time of the hearing before the Academic Appeals Sub-Committee. The appeal should be in writing and submitted to the Office of the Vice President for Academic Affairs within five (5) working/business days of receiving notification of the Sub-Committee's decision. The decision of the Vice President for Academic Affairs will be final.
9. If the Sub-Committee determines academic dishonesty has not occurred or that the evidence is insufficient, the Chair of the Sub-Committee will forward all pertinent information to the Vice President for Academic Affairs. The Vice President will confer with the Graduate Dean, and the relevant Department Head, graduate program director, and



professor to facilitate the return of the student to class without penalty. The Department Head or graduate program director will notify the student of the decision.

#### **D. Procedure for Charges of Academic Misconduct**

Please note that the procedures listed in this section do not apply to extreme incidents of academic misconduct, such as verbal or physical abuse or threats, which will be dealt with immediately by asking the student to leave the classroom. If the student refuses to leave the classroom, Campus Security personnel will be called to remove the student, and the Dean of Students will also be informed of the behavior. For such extreme incidents of academic misconduct in an online course, the student may be temporarily or permanently removed from the Blackboard course and the Dean of Students will also be informed of the behavior.

1. The professor of a class being disrupted by academic misconduct will speak with the disruptive student. Proper behavior and possible consequences for not modifying the behavior will be discussed with the student.
2. If the student ignores the professor's requests to discuss the behavior, it will be considered that the student received an official warning that his or her classroom conduct is inappropriate. If the student continues the disruptive behavior, the professor will warn the student a second time to cease the behavior.
3. If the student has refused to respond or has ignored the professor's first and second warning, the student will be suspended on an interim basis, and notified of the suspension from the professor of the class in which the warnings were given. Within two (2) working/business days after the date of the interim suspension, a notification will be sent by the professor to the Department Head, the graduate program director, and to the Director of Graduate Support Services, who will notify the Chair of the Appeals Committee or an alternate member who is not involved in the matter.
4. An Appeals Sub-Committee will be appointed and a hearing will be conducted by the Sub-Committee within three (3) working/business days after the date of the notification to the Appeals Committee of the interim suspension.
5. On the same date the notification of the interim suspension is sent to the Chair, or an alternate member of the Appeals Committee, the student will be advised by the Department Head or the graduate program director that he or she has the right to submit a written statement to the Sub-Committee addressing the alleged incident of academic misconduct. The student's written statement as well as the professor's written statement shall be submitted to the Chair of the Sub-Committee at least 24 hours prior to the hearing.
6. The Sub-Committee will consider the written statements of the professor and the student involved in the alleged incident of academic misconduct. The Department Head or graduate program director will also provide a statement that the warning procedure has been followed and the student has been suspended on an interim basis from attending the particular class, pending the decision of the Sub-Committee. The Sub-Committee has the right to pursue further information from the professor, Department Head, program director, and student.

7. If the Sub-Committee determines academic misconduct has occurred, it will confirm the recommendation of the professor concerning the penalty. Such a decision will be given both to the Chair of the Appeals Committee or an alternate member of the Appeals Committee and to the Graduate Dean. The student will be notified of the Sub-Committee's decision by the Chair of the Sub-Committee that sat for the appeal. The Chair of the Sub-Committee shall also notify the Vice President for Academic Affairs of the decision. The Vice President will review the case and forward the outcome to the Registrar after the appeal period described below in this section.
8. The student shall have the right to appeal the decision of the Academic Appeals Sub-Committee by filing a Notice of Appeal. The only basis for appeal shall be: 1) Alleged failure of the Academic Appeals Sub-Committee to follow the procedures set forth in the Academic Dishonesty/Academic Misconduct policy, or 2) Consideration of new evidence that was not available at the time of the hearing before the Academic Appeals Sub-Committee. The appeal should be in writing and submitted to the Office of the Vice President for Academic Affairs within three (3) working/business days of receiving notification of the Sub-Committee's decision. The decision of the Vice President for Academic Affairs will be final.
9. If the Sub-Committee determines academic misconduct has not occurred or the evidence is insufficient, the Sub-Committee will forward all pertinent information to the Vice President for Academic Affairs. The Vice President will confer with the Graduate Dean, Department Head, graduate program director, and professor to determine the course of action to be followed and the status of the student in regard to the class in question. The Department Head or graduate program director will notify the student of the decision.

## **E. Student Rights**

If a student feels unfairly treated in regard to grades, grading, or treatment by the professor or other students within the classroom, the student should address these concerns in the following manner:

### **Informal Process**

1. Make an appointment to speak with the professor of the class to discuss the problem. Students must begin with the professor of the class, as many problems can be worked out satisfactorily with a simple discussion.
2. If the student is still dissatisfied after discussing his or her problem with the professor of the class, an appointment should be made with the Department Head and the director of the graduate program in which the class is taught (or the Dean of the College in which the class is taught, if the professor is the Department Head or the graduate program director). The Department Head, graduate program director, or College Dean will seek satisfactory resolution of the problem with both the student and professor.
3. If the student is still dissatisfied, an appointment should be made with the Graduate Dean, who will again seek resolution, and failing satisfactory resolution, will point out to the student the appropriate appeals process for the student's complaint.

## **Formal Process**

1. If the student complaint involves an assigned grade or a program dismissal, the student will follow the Student Academic Grievance Procedure as outlined in the *Student Handbook*.
2. If the student wishes to pursue an appeal based on a grade associated with a charge of academic dishonesty, the student will follow the Procedure for Charges of Academic Dishonesty outlined in the *Graduate Catalog* Academic Information Section.
3. Final appeals, whether informal or formal, will be passed by the Graduate Dean to the Vice President for Academic Affairs for final decision, if necessary.