



Villanova University
Full-time Faculty Handbook

This handbook is produced by the Office of Academic Affairs and the Committee on Faculty, and applies to full-time faculty members in Villanova's four undergraduate colleges. We are in the process of revising this handbook since the last printed version of August 1, 2002. Please [click here](#) to see the latest revisions. Several related publications are also available from the Academic Affairs office and online including: The Adjunct Faculty Handbook; The New Faculty Manual (which describes many of the resources available to faculty members); and CATS: A Guide for New Faculty Members (which gives information about CATS -- Villanova's Course and Teacher Survey).

The *Full-time Faculty Handbook* has four main sections.

- **Background Information.** A brief history of the University, the University Mission Statement, and a brief description of how the University is organized. (See University Structure.)
- **Faculty Recruitment, Employment, Evaluation, Promotion, and Tenure.** Policies covering recruitment of faculty, the text of the employment agreements, and the policy for academic rank and tenure. The Guidelines for Preparation of Rank and Tenure Files are available separately.
- **Policies.** A variety of policies that apply to faculty members.
- **Benefits.** An outline of employee benefits for faculty members, including tuition remission.

In order to retain necessary flexibility in the administration of policy and procedure, Villanova University reserves the right to revise or delete any of the provisions of this Handbook and to revise, reduce, or eliminate any policy or benefit described in this Handbook, with or without notice, as the University deems appropriate.

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

VPAA 9/01/05

Section I

Background Information

*A brief history of the University, the University
Mission Statement, and a brief description of how the
University is organized*

(See University Structure.)

BRIEF HISTORY

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

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

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

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

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

VPAA 6/1/00

Section II

Faculty Recruitment, Employment, Evaluation, Promotion, and Tenure

Policies covering recruitment of faculty, the text of the employment agreements, and the policy for academic rank and tenure

The Guidelines for Preparation of Rank and Tenure Files are available separately.

3. RECRUITMENT OF FACULTY

Recruitment normally begins with the department and college dean, who request authorization to recruit from the Vice President for Academic Affairs. The initiating department takes responsibility for conducting the search and recommending a candidate to the dean. The department chair and dean recommend to the Vice President for Academic Affairs, via the Affirmative Action Office, the appointment of a candidate. If the appointment is approved, the Vice President for Academic Affairs then extends the offer of employment which includes a letter and an employment agreement which is signed and returned within two weeks. Specific procedures are available in the Faculty Recruitment Guidelines and Recruitment Procedures manual.

Employment Agreements

Evaluation of Faculty

Rank and Tenure Policy

4. EMPLOYMENT AGREEMENTS

Continuing full-time faculty members receive an annual faculty employment letter on or about June 1, prior to the start of the next academic year. The letter includes salary terms and any specific conditions or assignments for the next academic year, and it refers to and incorporates the terms and conditions of the faculty employment agreement most recently signed by the faculty member. Copies of the employment agreement appear below. Normal termination of appointment at the wish of either the University or the faculty member may be effected on due notice as specified in the employment agreement.

The University reserves the right to cancel an agreement for cause upon written notification as specified in the "Faculty Employment Agreement." Such cancellation may be brought before the Committee on Faculty for review and subsequent recommendation to the President concerning the University's petition to dismiss the faculty member.

Faculty employment agreement, for those faculty who are specified in the faculty employment agreement letter as being tenured or being on tenure track:

VILLANOVA UNIVERSITY

Villanova, Radnor Township, Delaware County, Pennsylvania

FACULTY EMPLOYMENT AGREEMENT

(Tenured/Tenure track)

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

[name of faculty member]

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

1. The University will employ the Faculty Member on a full-time basis for the period of [blank] months beginning the [blank] day of [blank] and ending the [blank] day of [blank] and will compensate the Faculty Member therefor in the amount of [blank] dollars, payable monthly on the basis of a [blank] month scholastic year. The University will deduct from such monthly payments those amounts that the Faculty Member contributes toward retirement and other benefit plans sponsored by the University.

2. The Faculty Member accepts the rank and title of [blank] and agrees to devote his or her full time to the duties prescribed for such rank and title by the University through its administrative officers. Such duties shall include in addition to prescribed teaching responsibilities, those collateral activities usually associated with the designated position, such as research, various administrative work, and the advising and direction of students. The Faculty Member further agrees to abide by the regulations on overload teaching and teaching at other institutions as outlined in the Full-Time Faculty Handbook and, where applicable, to provide to his or her dean pertinent information on professional activities on an annual basis.

3. The Faculty Member agrees not to engage in any enterprise which may in the judgment of the University interfere with the proper performance of his or her full-time duties to the University. The Faculty Member further agrees not to publicize or make use of his or her faculty status in connection with any commercial venture or enterprise, or any endeavor that may bring discredit on the University or the educational purposes and ends for which it stands.

4. The Faculty Member participates in the University retirement and other benefit programs in accordance with the rules and regulations governing the same. The University agrees to contribute to said programs on behalf of the Faculty Member such an amount as is currently prescribed by said rules and regulations.

5. After a Faculty Member, having successfully undergone the prescribed tenure process, has been awarded tenure by the University, he or she holds a continuing appointment with the University unless it is terminated in accordance with the provisions of paragraph eight because of discharge for cause, or in accordance with the election of said Faculty Member upon his or her giving notice of resignation as

prescribed in paragraph nine, or in accordance with a program of the University to bring about a general reduction in staff because of financial or other exigencies. During the period of this continuing appointment the University agrees to renew its employment contract with said Faculty Member on such terms as the parties may agree upon.

6. (a) The University agrees that in the event the Faculty Member is unable to perform his or her duties owing to a disability due to illness, accident, or pregnancy, he or she will be given sick leave with full compensation for a number of months equal to his or her period of service in years, up to a maximum of three months for faculty having three or more years of continuous service, and at 80 per cent of full compensation for a maximum of three additional months for a Faculty Member having six or more years of service, but in no case less than one month, according to University policies governing disability. In its discretion the University may extend this period of sick leave with compensation as it sees fit in a particular case. The existence of a disability is a matter to be determined in each individual case. The University reserves the right to verify the existence of a disability including the right to require its own medical examination. Regardless of the period of time the Faculty Member is incapacitated due to illness, accident, or pregnancy, he or she agrees to resume his or her duties for the unexpired term of employment as set forth in paragraph one upon regaining the ability to do so, and in the event the University agrees to continue or to resume, as the case may be, the specified monthly payments for the remainder of the contract term. The University will comply in all respects with the provisions of applicable laws in the administration of the disability income benefits.

(b) Child care leave without pay, interpreted as leave for personal reasons, is governed by separate regulations, except insofar as the provisions of section (a) are applicable.

(c) If a Faculty Member with tenure notifies the University prior to the 1st day of March preceding the beginning, on August 22, of the third academic year following the suspension of his or her duties because of illness or accident that he or she has regained as the date of such notice, his or her physical and mental capacity to resume his or her duties, the University agrees to continue the appointment of said Faculty Member and to employ him or her pursuant to and subject to the provisions of paragraph five. The University's obligation to employ said Faculty Member shall commence as of the beginning of the academic year immediately following said notice provided that at least six months have elapsed from the time of such notice to August 22 of that year.

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

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

7. *The Faculty Member agrees to observe and enforce the rules and regulations of the University, to promote the principles and ideals for which the University stands, and to avoid such misconduct or misuse of his or her faculty status as will bring disgrace or discredit on himself or herself or on the University.*

8. (a) *This agreement may be terminated at any time on account of incompetence, gross misconduct, or grave and persistent failure to fulfill the responsibilities set out in this agreement.*

(b) *To bring about such a discharge in the case of a Faculty Member with tenure, the University, acting through the President, will present to the Faculty Member a written notice of the charges against him or her and the reasons why his or her dismissal is sought. Thereafter, if the Faculty Member within fifteen (15) days requests a hearing, a hearing will be conducted according to the prescribed rules and regulations of the University. The Committee will draw up a report summarizing the evidence presented at the hearing and its findings thereon, and will make a recommendation concerning the University's petition to dismiss the Faculty Member. Thereupon, the report of the Committee and its recommendation will be forwarded to the President of the University. Giving considerable weight to the recommendation of the Committee, the President will decide whether the Faculty Member will be discharged for cause as set out in this paragraph. The President will notify the Faculty Member of a decision to discharge him or her for cause, and the University will pay him or her the amount owing him or her at the contract rate for services rendered prior to the date of notice of discharge.*

(c) *A Faculty Member who does not have tenure may be discharged by the University for the reasons set forth in paragraph eight (a). The President will notify the Faculty Member of a decision to discharge him or her for cause, and the University will pay him or her the amount owing him or her at the contract rate for services rendered prior to the date of notice of discharge. A Faculty Member who does not have tenure shall have the opportunity to appeal the discharge under the Faculty Grievance Policy.*

9. *The University undertakes to inform the Faculty Member of its decision to renew the latter's association with it and of the terms of such renewal, or of the terms of his or her continuing appointment if he or she has tenure, prior to the first day of June immediately preceding the commencement of the next succeeding academic year. In recognition of this advance notice, the Faculty Member agrees to notify the University of his or her acceptance or rejection of the proffered terms within thirty days. Upon written request of the Faculty Member, the University agrees to grant a limited extension of the time for giving such notice.*

In WITNESS of the assent of the two parties to this agreement herein above set forth and made on the day of , 200 at Villanova, Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, the duly authorized representative of the said University and the said Faculty Member have set their signatures herein below.

By the Faculty Member: _____
For Villanova University: _____
By Vice President of Academic Affairs: _____
Address Notices: _____
Witness: _____

Faculty employment agreement, for those faculty who are specified in the faculty employment agreement letter as being on a non tenure track appointment:

VILLANOVA UNIVERSITY

Villanova, Radnor Township, Delaware County, Pennsylvania

FACULTY EMPLOYMENT AGREEMENT

(Non-tenure track)

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

[name of faculty member typed here]

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

1. The University will employ the Faculty Member on a full-time basis for the period of [blank] months beginning the [blank] day of [blank] and ending the [blank] day of [blank] and will compensate the Faculty Member therefor in the amount of [blank] dollars, payable monthly on the basis of a [blank] month scholastic year. The University will deduct from such monthly payments those amounts that the Faculty Member contributes toward retirement and other benefit plans sponsored by the University. The Faculty Member understands and agrees that this is not a tenure track appointment.

2. The Faculty Member accepts the rank and title of [blank] and agrees to devote his or her full time to the duties prescribed for such rank and title by the University through its administrative officers. Such duties shall include in addition to prescribed teaching responsibilities, those collateral activities usually associated with the designated position, such as research, various administrative work, and the direction of students. The Faculty Member further agrees to abide by the regulations on overload teaching and teaching at other institutions as outlined in the Full-Time Faculty Handbook and,

where applicable, to provide to his or her dean pertinent information on professional activities on an annual basis.

3. The Faculty Member agrees not to engage in any enterprise which may in the judgment of the University interfere with the proper performance of his or her full-time duties to the University. The Faculty Member further agrees not to publicize or make use of his or her faculty status in connection with any commercial venture or enterprise, or any endeavor that may bring discredit on the University or the educational purposes and ends for which it stands.

4. The Faculty Member participates in the University retirement and other benefit programs in accordance with the rules and regulations governing the same. The University agrees to contribute to said programs on behalf of the Faculty Member such an amount as is currently prescribed by said rules and regulations.

5. (a) The University agrees that in the event the Faculty Member is unable to perform his or her duties owing to a disability due to illness, accident, or pregnancy, he or she will be given sick leave with full compensation for a number of months equal to his or her period of service in years, up to a maximum of three months for faculty having three or more years of continuous service, and at 80 per cent of full compensation for a maximum of three additional months for a Faculty Member having six or more years of service, but in no case less than one month, according to University policies governing disability. In its discretion the University may extend this period of sick leave with compensation as it sees fit in a particular case. The existence of a disability is a matter to be determined in each individual case. The University reserves the right to verify the existence of a disability including the right to require its own medical examination. Regardless of the period of time the Faculty Member is incapacitated due to illness, accident, or pregnancy, he or she agrees to resume his or her duties for the unexpired term of employment as set forth in paragraph one upon regaining the ability to do so, and in the event the University agrees to continue or to resume, as the case may be, the specified monthly payments for the remainder of the contract term. The University will comply in all respects with the provisions of applicable laws in the administration of the disability income benefits.

(b) Child care leave without pay, interpreted as leave for personal reasons, is governed by separate regulations, except insofar as the provisions of section (a) are applicable.

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

6. The Faculty Member agrees to observe and enforce the rules and regulations of the University, to promote the principles and ideals for which the University stands, and to avoid such misconduct or misuse of his or her faculty status as will bring disgrace or discredit on himself or herself or on the University.

7. *This agreement may be terminated at any time on account of incompetence, gross misconduct, or grave and persistent failure to fulfill the responsibilities set out in this agreement. The President will notify the Faculty Member of a decision to discharge him or her for cause, and the University will pay him or her the amount owing him or her at the contract rate for services rendered prior to the date of notice of discharge. The Faculty Member shall have the opportunity to appeal the discharge under the Faculty Grievance Policy.*

8. *The University undertakes to inform the Faculty Member of its decision to renew the latter's association with it and of the terms of such renewal prior to the first day of June immediately preceding the commencement of the next succeeding academic year. In recognition of this advance notice, the Faculty Member agrees to notify the University of his or her acceptance or rejection of the proffered terms within thirty days. Upon written request of the Faculty Member, the University agrees to grant a limited extension of the time for giving such notice.*

In WITNESS of the assent of the two parties to this agreement herein above set forth and made on the day of , 200 at Villanova, Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, the duly authorized representative of the said University and the said Faculty Member have set their signatures herein below.

By the Faculty Member: _____
For Villanova University: _____
By Vice President of Academic Affairs: _____
Address Notices: _____
Witness: _____

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5. EVALUATION OF FACULTY (PERIODIC)
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In order that faculty be regularly apprised of the quality of their performance and have reasonable grounds on which to base development strategies, and in order that they may be evaluated regularly and fairly for purpose of salary, promotion, and tenure, Villanova conducts periodic evaluations of its faculty members. As provided in the Rank and Tenure policy, untenured faculty undergo a special and more rigorous third year review. The process of evaluation begins with the faculty member providing current, complete and accurate information on his/her recent and current academic activities and near-term plans to his/her department chair (in the College of Nursing, the program director), using the prescribed formats.

Department chairs will evaluate each faculty member's recent performance, noting any significant changes and making appropriate recommendations for improvement, and will submit these evaluations to the appropriate dean.

In conducting this evaluation, chairs must:

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

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

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RANK AND TENURE POLICY

Modified and Reissued August 1, 2004

Also see GUIDELINES FOR PREPARATION OF RANK AND TENURE FILES

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I. INTRODUCTION

Faculty appointments and reappointments are made, and assignments are approved, by the Vice President for Academic Affairs under authority delegated by the President. All decisions concerning faculty promotion and tenure are made by the President, upon recommendation of appropriate faculty and administrators, on the basis of need, merit, and special fitness of the individual for the service demanded by the position. Administrative procedures adopted for the implementation of Villanova University's policy, including the wording and

structuring of all pertinent forms and guidelines, are subject to addition, deletion, or modification at the discretion of the Vice President for Academic Affairs.

II. TENURE-TRACK FACULTY RANKS AND TITLES*

- A. Tenure-track faculty. Tenure-track faculty serve throughout the academic year, normally in one academic department. Joint appointments to more than one department are possible. A faculty member may hold the rank of instructor, assistant professor, associate professor, or professor.
- B. Emeritus Faculty. At the discretion of the President, and upon appropriate recommendations, the honor of emeritus status may be conferred upon faculty who ended their Villanova careers at the rank of professor or associate professor, who served at least fifteen years at Villanova prior to retirement or departure, and whose academic career or service to the University was genuinely distinguished.

*[In addition to tenure-track faculty, defined as both those who have been awarded tenure and those eligible for tenure, the University from time to time appoints faculty to temporary positions, on either a full-time or part-time basis. Such appointments, normally made for one year, may be extended upon mutual agreement. Such faculty normally are appointed at the instructor or assistant professor rank and may, if they meet the promotion standards herein, be considered for promotion in rank.]

III. APPOINTMENT AND REAPPOINTMENT *

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

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

- B. Initial Appointments.

1. All appointments to the faculty are at the sole discretion of the University and are probationary except at the discretion of the President.
2. Initial appointments normally are made at the assistant professor rank but may be made at other ranks, depending on the appointee's credentials and experience and on the University's needs. [When initial appointments to the tenure-track faculty are made at the instructor rank, advancement to the rank of assistant professor follows upon certification to the University that the faculty member has been awarded the Ph.D. or other appropriate terminal degree.]
3. Essential for every tenure-track appointment is the candidate's sincere interest in, and promise and capability of delivering, the quality of teaching, scholarship, and service that will further the University's mission and strengthen the faculty.

C. Terms of Appointments and Promotions.

1. Appointments, reappointments, and promotions take effect on the August 22 before the first day of class of the academic year unless otherwise indicated by the VPAA. Except in cases of twelve month appointments, appointments terminate nine months later (on May 22 of that academic year) unless (a) the faculty member is tenured or (b) a reappointment for the next academic year has already been made, in which event the prior appointment continues, in recess, until the reappointment becomes effective. These provisions apply regardless of the schedule upon which compensation is payable.
2. Faculty returning in any academic year receive for that year an employment letter on or about the previous June 1, specifying salary and other circumstances of employment. Such letter, and all letters of initial employment, specifically incorporate the terms of the most recently signed Villanova University Faculty Employment Agreement, the current version of which is published in the *Faculty Handbook*.
3. For purposes of computing length of service for promotion or tenure eligibility:
 - a. When any full-time faculty appointment or promotion becomes effective in the course of the first semester of an academic year, it is deemed to operate retroactively to the commencement of that semester.
 - b. When any such appointment or promotion becomes effective after the end of the first semester, the faculty member's

service is deemed to commence with the beginning of the next academic year.

IV. POLICY ON PROMOTION AND TENURE

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

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

Tenure is bestowed and promotion granted in recognition of distinctive past achievement that is the basis for a firm expectation of ever-developing excellence in one's role as a teacher-scholar, one's contributions to the University's mission, and one's potential to enhance the quality of the faculty. As a consequence of both Villanova University's commitment to excellence and changes in academic and professional standards, the expectations of achievement for tenure and promotion have evolved and will continue to evolve over time. The norms and criteria that follow below represent the standards for consideration for appointment, tenure, and promotion. For those who must advise and decide on promotion and

tenure cases, these criteria and norms are guides to be prudently applied in what is inherently a process of judgment that looks both prospectively and retrospectively and which evolves over time. Directions for implementation of this policy are available in the "Guidelines for Preparation of Rank and Tenure Files" that are issued annually by the Vice President for Academic Affairs.

- B. Criteria for Promotion and Tenure. In the context of the University's mission and academic values as expressed above, teaching, scholarship, and service constitute the criteria for tenure and promotion. It is recognized that, for many good personal and institutional reasons, faculty will vary, sometimes substantially, in the amount of time and effort they give to, and in the degree of excellence they achieve in, teaching, scholarship, and service. Accordingly, for favorable consideration for promotion and/or tenure, a lesser degree of achievement in one category must be balanced by a proportionally greater degree in the others. In no case, however, will a faculty member be awarded tenure or promoted whose performance fails to reach and to continue clearly to promise high quality achievement in both teaching and scholarship.
1. Teaching. The task of the faculty is to create a climate for, and to help students develop their capacity for and love of, discovery and learning. Accordingly, the prime indicator of excellence in teaching is the outcome of the educational process: the growth in a student's ability to comprehend, reason, analyze, create, communicate, lead, and work with others.
 - a. This growth is facilitated by a number of faculty activities. Some examples are: keeping current in one's discipline; presenting subject matter with the clarity and depth that arises from a deepening grasp of the material; exhibiting enthusiastic commitment to seeking, possessing, and sharing knowledge; providing rigorous and demanding instruction and evaluation; demonstrating to students how subject matter and current research may bear on the human situation; consciously creating the atmosphere that will draw students to develop and use their powers of invention and discovery; encouraging both independent thinking and teamwork in learning and problem solving; fostering the desire in students for further education; assisting students to understand the moral and ethical issues and consequences in the subjects they are studying; developing and implementing innovative approaches to facilitating student learning and to teaching; encouraging students to take a more active role in and greater responsibility for their education; modeling the search for knowledge; effective mentoring and partnering with students in research; developing and applying

instructional materials; successfully supervising theses; and demonstrating commitment to and success in academic advising.

- b. Because measuring student growth and development in learning is imprecise and demonstrating the success of many instructional activities cannot be done with certainty, it remains necessary for candidates for promotion and/or tenure to provide sufficiently persuasive evidence of their achievements in these areas. To this end, all candidates must provide, and the colleague and administrative evaluation processes must assess: (1) data on classes taught and enrollments; (2) representative course syllabi and examinations; (3) annual evaluation reports of their department chairs; and (4) results of the University-approved instrument for student commentary on courses and teaching. Finally, for all tenure decisions, the colleague evaluation process includes the results of regular and systematic in-class evaluations of teaching conducted over at least a six semester period by department chairs and other appropriately selected faculty colleagues. Candidates are encouraged to present such other evidence documenting successful educational outcomes, student learning, and/or the candidates' teaching skills as may be helpful to those involved in the rank and tenure evaluation process and is reasonable to obtain. Such evidence might include letters solicited by the department from former students; solicitation and receipt of grants pertaining to teaching and student learning; and development of instructional-related materials (e.g. textbooks, manuals, instructional software, instructional supplements).
 - c. For purposes of tenure and promotion, "teaching" includes reasonable availability to students and academic advising, which entails assisting students to make responsible academic and professional decisions. Although faculty members are not expected to counsel students on personal problems, their ability to make responsible and effective referrals to appropriate University offices is an important skill.
2. Scholarship. Scholarship includes the discovery, dissemination, and application of new knowledge, including knowledge of how learning is encouraged and fostered. Scholarship involves research and/or analysis and explication of intellectual concepts. Faculty are expected, and for promotion and tenure required, to engage in on-going scholarly research. Because the research enterprise has

multiple goals and values, Villanova recognizes several types of scholarly research that would fulfill the scholarship criterion for promotion and/or tenure: (a) Basic research, synthesis, analysis, and explication, whose purpose is the discovery of new knowledge for its own sake and for the enlightenment of others. Such research typically results in new data, new understandings, new interpretations. (b) Applied research, in which knowledge is brought to bear in new or particularly effective ways on, e.g., physical, intellectual, emotional, social, cultural, or moral problems or conditions to produce new understandings, solutions, technologies, models, materials, or inventions. (c) Rigorous instructional-related research oriented toward discovery of new modes or techniques for facilitating and assessing student learning in a discipline. Such scholarly research is not to be equated with the sort of research that is involved with course and curriculum design, but it may be a precondition to curriculum-related efforts. Beyond advanced degrees earned and a thorough mastery of the scholarly literature and practices in one's field, there must be other evidence of excellence in scholarship. Although research results published in scholarly refereed journals and books constitute the normal and primary means of demonstrating scholarly accomplishment, other evidence, depending on the discipline, may include: creative (artistic, theatrical) works of demonstrable quality; direction of and/or significant participation in ongoing research that holds demonstrably evident promise of making a major contribution to knowledge; solicitation and especially attainment of extramural grants pertaining to scholarly activities; papers delivered before scholarly societies; and other marks of scholarship such as respect of competent colleagues and professional honors and recognition.

- a. Because Villanova seeks excellence, the quality of one's scholarly achievements is more important than the quantity. Accordingly, the various rank and tenure committees will focus on the quality and impact of such works and of other scholarly activities as evidenced by pre- and post-publication reviews, required written assessments by external scholars or, in the case of certain applied or creative work, other experts outside Villanova; citations of such work in the scholarly literature; and other measures of evaluation. As for quantity, there must be enough scholarly achievement to demonstrate that the candidate has a scholarly orientation and possesses the discipline and ability to contribute regularly over time to the literature in his/her academic discipline.
- b. For rank and tenure consideration, formal and final written acceptance for publication of a completed scholarly work

normally is to be deemed the equivalent of publication, provided the acceptance is by a recognized scholarly or professional journal or publisher and provided the work in question has undergone rigorous peer review under the auspices of the editor (or the equivalent review for creative and applied research work). Acceptance of other manuscripts or productions, and contracts for books and monographs not yet completed, generally are not counted as publications; but such acceptance is to be evaluated in the light of the candidate's previous scholarly work relating to the content of the item in question.

- c. Published scholarly reviews of a candidate's books or articles are very valuable for the proper evaluation of their quality. When there is a supporting record of scholarly accomplishment, pre-publication scholarly reviews may constitute evidence of the quality of a forthcoming publication.
- d. Although scholarship encompasses publication, some publications (e.g., textbooks) more appropriately fit into the teaching or service categories than the research category, depending on the discipline, the research, and the nature of the publications.
- e. Attendance at professional conferences, although a valuable means of keeping abreast of one's field, in and of itself it is not considered as evidence of scholarship.
- f. Villanova recognizes that sound scholarship may include either individual or collaborative research, or both. It is important that each faculty member undertake and execute a program of research, whether alone or in collaboration, that clearly demonstrates the individual's independent scholarly abilities and achievements. Such a program should feature the individual as the principal investigator, or be such that the individual's distinct contribution to joint efforts is apparent, identifiable, and measurable, as appropriate to the discipline.
- g. It is understood that the standard works of scholarship and standard methods of documenting quality may vary; some disciplines are by their nature more applied or more clinical. Thus evidence of scholarly investigation, creativity, and problem solving in some disciplines will differ from the common types of evidence in use in the traditional liberal arts and sciences areas, and the above norms must be applied analogously, as is appropriate to the discipline.

3. Service. Faculty are expected, as a fundamental and essential responsibility of their positions, to contribute effectively to the welfare and functioning of their departments and colleges. Such contributions regularly include committee work and participation on special projects and assignments. In addition, once tenured, faculty members are expected to make increasingly significant contributions to the University and to their departments, colleges, professions, and communities that are commensurate with their rank and seniority. Such service, which naturally will vary, may include:
 - a. Effective participation in committees or on special projects.
 - b. Involvement in the affairs of one's profession and the learned societies in one's discipline, such as holding office, organizing meetings, reviewing books, and editorial, accrediting, and refereeing functions.
 - c. The application of the knowledge and skills of one's discipline to human, social, business, public, or technical problems.
 - d. Voluntary involvement in the activities of religious, community, government, or other public or private sector institutions. [Incidental compensation, such as an honorarium, does not diminish the service nature of one's activities. Moreover, it is recognized that consulting work and certain compensated activities often are undertaken as a consequence of or in connection with one's professional development or achievements, and that they can contribute to the academic reputation of the faculty member and the University. However, as a general rule, if one receives full-value financial compensation for such activities, they are not considered to be service for purposes of promotion and tenure.]

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

1. Promotion To Associate Professor

- a. Possession of earned doctorate or other appropriate professional degree, qualification, or certification and six years of college teaching or other appropriate professional experience. [A person is considered to possess the terminal

doctoral or other pertinent professional degree either when the degree has been formally conferred or when, prior to formal conferral, the Vice President for Academic Affairs has been officially notified by the degree-granting institution that all the requirements for the degree have been fulfilled.]

- b. Clear evidence of: (a) teaching and advising effectiveness; (b) continuing quality scholarship, including work other than that contained in one's doctoral dissertation and, in disciplines requiring post-doctoral research experience, other than that contained in one's post-doctoral research; (c) effective service to University, college, department, profession, and, as appropriate, community; and (d) on-going professional development in these areas.

2. Promotion To Professor

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

D. Application of Criteria for Tenure

1. Tenure means that a full-time faculty member has been appointed without specified expiration date and is assured of continued employment as a faculty member except in cases of termination for adequate cause, such as incompetence, gross misconduct, grave and repeated failure to fulfill one's responsibilities, or substantial misrepresentation of significant facts important to and formally requested by the University. Tenure appointments may also be terminated in accordance with a program of the University to bring about a reduction in faculty and staff because of financial exigency as determined by the Board of Trustees. Termination of appointment for these exigencies shall be demonstrably *bona fide*.
2. It is the intention of Villanova University that, except in cases of discretionary appointment by the President, conferral of tenure shall occur only after the normal tenure processes are undertaken, the requisite criteria are fulfilled, and a positive judgment has been

rendered. Under no circumstances shall the acquisition of tenure be automatic. The timetables described below are provided as framework for positive action with respect to tenure.

3. The period of service at Villanova without tenure (the "probationary" period), normally is seven years, where the seventh year is waived upon the granting of tenure. It ends with a termination of employment during that period or with the conferral or denial of tenure, the process for which is described below and corresponds to the following schedule.
 - a. A person appointed to the full-time tenure-track faculty must be officially considered for tenure no later than during the sixth year of appointment.
 - b. Up to three years of full-time academic service at other accredited institutions of higher learning, or at Villanova as a non tenure-track faculty member, may be applied to the seven year maximum probationary period, as specified at the time of issuance of the first tenure-track faculty employment agreement. Academic work done before becoming a tenure-track faculty member will be considered during the promotion and tenure process. The minimum probationary period at Villanova is three years. A faculty member who has been permitted to apply the full three years of service toward the probationary period, regardless of the rank at which the person is appointed, normally is to be officially considered for tenure no later than during the third year of appointment.
 - c. As specified in III-C-3, above, faculty who commence service after the conclusion of the first semester of an academic year will not have that year count toward the number of years in their probationary period preceding a tenure decision.
 - d. Normally, except as provided below and/or except when taken in conjunction with the fourth year sabbatical, no academic year which includes an unpaid leave of absence for a period of a semester or more is included in computing years of service for purposes of tenure. Two consecutive semesters of leave, if in different academic years, count only as one year's absence. Exceptions to this policy may be granted by the VPAA.
 - e. A faculty member seriously affected by a family contingency such as childbirth or required care of an ill or elderly family member may request from the VPAA through his/her dean that the probationary period be extended. Such requests will be given favorable attention if feasible.

- f. The effective date of tenure, once approved by the President, is August 22 following the President's action, unless otherwise determined by the President.
4. Effective for all tenure-track faculty whose first appointment at the assistant professor or instructor rank began in August, 1998, or later, the awarding of tenure shall be conditioned upon meeting the standards of and being promoted to the rank of associate professor, which promotion shall occur simultaneously with the granting of tenure.

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

5. If a faculty member is unsuccessful in a bid for tenure or if the University does not tender a reappointment to an untenured faculty member, the University commits itself to send written notice to a faculty member's home or office address in a timely fashion according to the following schedule. If the faculty member's bid for tenure is denied, the notification will indicate that the upcoming year (usually the seventh) is a terminal year.
 - a. For faculty in their first year of service, such written notice shall be sent on or prior to March 1 of that year.
 - b. For faculty in their second year of service, such written notice shall be sent on or prior to December 15 of that year.

- c. For faculty in their third or subsequent year of service, such written notice shall be sent on or prior to June 1 preceding that third or subsequent year.
6. When an initial appointment specified an expiration date, or is otherwise conditioned, the letter proffering the appointment serves as notice of termination or condition, and no additional notice of any sort need be given.
7. Nothing in these articles shall be construed so as to derogate from the University's disability, leave of absence, or retirement policies which may be adopted from time to time.

V. PROCEDURES FOR PROMOTION AND TENURE OF TENURE-TRACK FACULTY

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

B. General Considerations

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

University rank and tenure committees, the VPAA, and the President.

3. At any point in a promotion process not linked to tenure, up to the point of consideration of the case by the University Rank and Tenure Committee, a candidate may withdraw without prejudice to future consideration for promotion.
4. Except as explicitly provided elsewhere in this policy, all deliberations, votes, and materials are to be held in the strictest confidence by all who participate in the promotion and tenure process.

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

1. A departmental committee on rank and tenure must consist of at least three qualifying members.
 - a. Although promotions to full professor should be evaluated only by committees of full professors, and promotions to the rank of associate professor should be reviewed only by committees of full and associate professors, it is not always possible to assemble a department committee of at least three faculty members at these ranks. To deal with such situations while taking into account each college's particular circumstances, each college's Rank and Tenure Committee will develop, for approval by the college's appropriate planning/leadership committee and the Dean, a policy for dealing with these contingencies. The policy, recognizing and

incorporating departmental expertise in the promotion process and ensuring proper representation and faculty peer review of candidates, is to be as consistent as possible with the principle that only full professors review promotions to that rank.

- b. The departmental committee meets at the call of the department chair (Nursing Dean), who -- except in cases of his/her own promotion -- attends the meeting and participates as a resource person and observer but does not vote, advocate, or offer opinions. When asked for factual information, or when in their judgment important factual information is being overlooked or misinterpreted, chairs may provide documents or respond orally. In the latter case, for all matters of significance in the discussion, the oral response is to be followed with a written memorandum that is included in the file.
 - c. Members of a college rank and tenure committee or the University Rank and Tenure Committee, unless they themselves are candidates for promotion, may attend their departments' committee meetings as observers but may not participate, advocate, or vote.
2. The committee's first task is to select a chair who conducts the meetings.
3. The committee may request from the candidate or the department chair such information or materials as it deems necessary.
4. Based on the data in the dossier and other information in its possession, the committee deliberates fully and confidentially, and then, by secret vote of those present and voting: (a) votes separately on the candidate's fulfillment of each of the rank and tenure criteria (IV-B above), and (b) makes an overall recommendation for promotion and/or tenure. The committee issues a written report explaining the vote and the extent to which each criterion is judged to have been achieved. The report is to be a complete, fair, and balanced assessment of whether the candidate merits promotion and/or tenure, and it must include any dissenting views or qualifications. Where analogous norms or non-standard applications of the norms are recognized by the candidate's department, the account shall delineate the quality and nature of the activities that may be substituted. All members of the committee sign the report, with each signature signifying that the member has read the dossier, reviewed the supporting materials,

participated in the committee's deliberations, and read the committee's report, and that the report faithfully reflects the committee's deliberations. If circumstances make it impossible for every member to sign the report in a timely fashion, the committee chair will note the reasons. All dissents are to be considered in the committee's deliberations and incorporated in the report. If any committee member refuses to sign the report, s/he must, not later than 72 hours previous to the deadline for the committee's submission of the report to the department chair, send to the committee chair his/her own letter explaining why and how s/he believes that the committee's report is not a complete, fair, balanced, and/or a faithful reflection of the committee's deliberation. The letter and the committee's response, if any, is to accompany the committee's original report on its way through the process.

5. The department chair then adds his/her own evaluation and recommendation to the dossier. On behalf of the department, the department chair in a timely fashion sends the complete dossier to the dean, who makes it, along with supporting materials, available to the members of the college rank and tenure committee.
6. In all cases of promotion wherein tenure is not at issue, upon the conclusion of the work of the departmental rank and tenure committee, the department chair will communicate as directly as possible with the candidate, informing him/her of the committee's recommendation. Under no circumstance shall the candidate be informed of the numerical vote or, unless s/he has withdrawn her/his candidacy, of the details of the rationale.
7. When the department committee has forwarded its report to the department chair, the dossier is deemed to be complete. No materials may be added by the candidate unless requested by the college rank and tenure committee, the college dean, University Rank and Tenure Committee, or VPAA. However, candidates may supply documents or notifications indicating that an item originally listed in the dossier as tentatively completed has in fact come to completion (e.g., an article listed as submitted for publication has been accepted, an accepted article has been published, etc.). Such materials may be communicated to the dean and/or VPAA at any time preceding the meeting of the University Rank and Tenure Committee.

D. College Review

1. The purposes of the college-level review are (a) to ensure that comparable standards are being applied across the college, (b) to ensure that departmental procedures have been fairly applied, and

(c) to evaluate the candidates from a broader perspective and in consideration of the needs of the college.

2. The college rank and tenure committees consist of tenured full professors who are not deans, department chairs, or members of the University Rank and Tenure Committee. Committee members shall be elected by the vote of the entire tenured and tenure-track faculty of their colleges for terms of three years, which terms shall be staggered, and shall elect their own chair at their first meeting each year. There may be no more than one representative from a given department within one of the constituencies. It may happen that, in following the specifications below, there are not enough full professors to allow for the election of a college committee composed solely of faculty members at the rank of professor. To deal with such situations while taking into account each college's particular circumstances, each college's Rank and Tenure Committee will develop, for approval by the college's planning/leadership committee and the Dean, a policy for dealing with these contingencies that (a) ensures proper faculty representation, expertise, and peer review of candidates for promotion and (b) is as consistent as possible with the principle of having such committees composed only of full professors. If a member of the College Committee cannot participate in the process because of sabbatical or other leave, extended illness, or some other exigency, s/he is to be replaced by the faculty member who last held that position on the committee. If that is not feasible in the judgment of the dean, the dean may appoint another faculty member who previously had served on the committee or s/he may conduct an election to select the temporary replacement.
 - a. In Engineering, the committee consists of one representative from each of the departments.
 - b. In Liberal Arts and Sciences, the committee consists of seven members. Within the three area constituencies, no two members may be from the same department.
 - i. Two from the humanities departments: Communication, English, History, Classical and Modern Languages and Literatures, Philosophy, Theatre, and Theology.
 - ii. Two from the social and behavioral sciences departments: Education and Human Services, Political Science, Psychology, and Sociology.
 - iii. Two from the natural sciences departments: Astronomy and Astrophysics, Biology, Chemistry,

Computing Sciences, Mathematical Sciences, and
Physics.

- iv. One at large within the College.
 - c. In School of Business, the committee consists of one representative from each department.
 - d. In Nursing, the "departmental" committee described above constitutes the college committee.
3. The college's dean attends the college committee meeting as an observer and resource person, but s/he may not vote, advocate or offer opinions. When asked for factual information or when, in their judgment important factual information is being overlooked or misinterpreted, deans may provide documents or respond orally. In the latter case, for all matters of significance in the discussion, the oral response is to be followed with a written memorandum that is included in the file. Members of the University Rank and Tenure Committee from the college may not attend the college meeting.
 4. A college committee may request from the candidate, the department committee, or the department chair such information or materials as it deems necessary.
 - a. The committee deliberates confidentially, and then, by secret vote of those present and voting: (a) votes separately on the candidate's fulfillment of each of the basic criteria of teaching, scholarship, service (IV-B above) and (b) makes an overall recommendation for promotion and/or tenure.
 - b. The committee issues a written report explaining the vote and the extent of fulfillment of the criteria the candidate is judged to have achieved. The report is to be a complete, fair, and balanced assessment of whether the candidate merits promotion and/or tenure, and it must include any dissenting views or qualifications. Where analogous or substitutive norms or non-standard applications of the norms are recognized by the department and college, the committee's report shall discuss and evaluate the quality and nature of the activities that may be substituted. If the committee's overall assessment and vote differ from those of the department committee or department chair, the report must indicate the reasons for arriving at a different conclusion. All members of the committee sign the report, with each signature signifying that the member has read the dossier, has participated in the committee's deliberations, and has read the report, and that the report faithfully reflects the

committee's deliberations. If circumstances make it impossible for every member to sign the report in a timely fashion, the committee chair will note the reasons. All dissents are to be considered in the committee's deliberations and incorporated in the report. If any committee member refuses to sign the report, s/he must, not later than 72 hours previous to the deadline for the committee's submission of the report to the dean, send to the committee chair his/her own letter explaining why and how s/he believes that the committee's report is not a complete, fair, balanced, and/or a faithful reflection of the committee's deliberation. The letter and the committee's response, if any, are to accompany the committee's original report on its way through the process.

5. The report, with its recommendation, is sent in timely fashion to the dean. The dean (including, in the College of Liberal Arts and Sciences, the Graduate Dean) will add his/her evaluation and recommendation before sending each completed packet to the VPAA for dissemination to the University Rank and Tenure Committee.
6. In all cases of promotion wherein tenure is not at issue, upon the conclusion of the work of the college rank and tenure committee, the dean will communicate as directly as possible with the candidate, informing him/her of the committee's recommendation. Under no circumstance shall the candidate be informed of the numerical vote or, unless s/he has withdrawn her/his candidacy, of the details of the rationale.

E. University Rank and Tenure Committee Review

1. The University Rank and Tenure Committee consists of 12 members: the Vice President for Academic Affairs, the four college deans, and seven faculty members. The faculty members are elected for a three year term by the faculty at large with one representative each from the Colleges of Nursing, Engineering, and School of Business; three representatives from the College of Liberal Arts and Sciences (one each from the natural sciences, social sciences, and humanities departments); and one who may be from any of the four undergraduate colleges. No academic department may have more than one faculty member on the University Committee. If a faculty member simultaneously seeks election to both a designated constituency seat and the University-wide seat, the election for the constituency seat will be held first, followed by the election to the University seat. Although only tenured full professors may serve on the committee, it is not always the case that there are enough

eligible professors available from a given college or constituency for an election. To deal with such situations while taking into account each college's particular circumstances, each college's Rank and Tenure Committee will develop, for approval by the college's appropriate planning/leadership committee and the Dean, a policy for dealing with these contingencies, ensuring proper college representation on the University Committee, consistent as possible with the principle of having only full professors on that Committee. Department chairs, faculty serving in full-time administrative positions, and faculty who serve on the college rank and tenure committees may not serve on the University Committee. Terms shall be staggered so that each year at least two of the faculty seats will be elected.

2. The Vice President for Academic Affairs presides *ex officio* as chair. S/he may not advocate for or against a candidate and may not vote except, at his/her discretion, to break a tie. Any such tie-breaking vote must be cast in the presence of the full committee.
 3. Committee members, through the chair, may request additional information or documentation for the candidate, the department committee, the department chair, or the college committee. The committee, voting by secret ballot that is carefully annotated to include the reasons for each vote, recommends in favor of or against tenure/promotion through the Vice President for Academic Affairs to the President, who makes the final decision.
 4. Results of the President's decision normally will be communicated to the candidate no later than June 1 following the annual rank and tenure process.
 5. Candidates who are denied promotion or tenure shall be furnished by the VPAA with a written statement of the basis for the denial. [Faculty have a legal right to inspect their personnel files at reasonable times. Villanova may limit such access to once each year, and in the promotion and tenure process such access to rank and tenure documents would occur after the entire process has been completed. Materials and/or references that could identify outside scholars who had written letters are removed from the dossier before it is made available. It is expected that the confidentiality of the materials in the dossier will be respected.]
- F. A candidate for tenure who is denied may request reconsideration. An appeal must be made in writing to the President within thirty calendar days of receipt of notification of the decision. An appeal may be lodged only on grounds of procedural error wherein the alleged violation reasonably could have influenced the final decision. Examples would include a material failure to follow required procedures and guidelines, the

inclusion in the rank and tenure dossier of important and factually erroneous materials or commentary, or other relevant errors of process.

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

VI. EMERITUS AND OTHER PROMOTIONS

The honor of emeritus status may be conferred upon faculty who ended their Villanova careers at the rank of professor or associate professor, who served at least fifteen years at Villanova prior to retirement or departure, and whose academic career or service to the University was genuinely distinguished. Except for direct presidential action, initial recommendations for the conferral of emeritus status may be made by any tenured Villanova faculty member by

submitting a curriculum vitae and nominating letter to the current chair of the nominee's department. Such recommendations normally must be made within three years of the faculty member's departure; they may be made during the academic year preceding the retirement date. Recommendations are reviewed by the departmental Rank and Tenure Committee, whose membership for such cases includes all faculty at or above the rank to which the emeritus designation is to be assigned. Consideration at the department committee level is based upon the candidate's curriculum vitae, the nominating letter, and the committee's general knowledge of the candidate's career. Senior department faculty who serve on the College or University Rank and Tenure Committees participate in the department committee's deliberations but may not vote. The department rank and tenure committee forwards to the department chair the candidate's curriculum vitae, the nominating letter, and a brief but informative report on and explanation of the committee's recommendation

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

Approved by the President, May 14, 1999

Revised and approved by the President, May 1, 2001

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Revised and approved by the President, December 4, 2003

Modified and Reissued August 1, 2004

APPENDIX: College Policies Governing Department and College Rank and Tenure Committees Lacking Sufficient Numbers of Full Professors Pursuant to Sections V-C-1-(a) and V-D-2

College of Liberal Arts and Sciences

In those cases where it is not possible to assemble a department committee of at least three faculty members at the rank to which the applicant aspires, the chair in consultation with the tenured faculty shall recommend to the Dean of the College one or more current Villanova University faculty members of the appropriate rank from another department or related discipline. The recommendations should then be forwarded to the Dean for approval and the Dean would then contact the individual(s) to request their participation. The College Committee feels strongly that faculty members who have not achieved the rank in question should not be members of the evaluation committee.

School of Business

College Committee: In cases for promotion to full professor, only full professors on the College committee may vote. Associate professors on the committee may participate in the discussion and may work on drafts of the committee reports, however they may not vote.

Department Committee: Department Rank and Tenure Committees must include one full professor at a minimum. If there are no eligible full professors from the department, then the department chair in consultation with the dean selects one full professor from a college pool of eligible full professors. This professor will chair the department committee. The other two positions on the department review committee may be associate professors elected by the department.

College of Engineering:

In those cases where it is not possible to assemble a department committee of at least three faculty members at or above the rank to which the applicant aspires, the chair in consultation with the tenured faculty shall recommend to the Dean of the College one or more current Villanova University faculty members of the appropriate rank from another department or related discipline. The recommendations should then be forwarded to the Dean for approval and the Dean would then contact the individual(s) to request their participation. The College Committee feels strongly that faculty members who have not achieved the rank in question should not be members of the evaluation committee

College of Nursing

Until there are five full professors eligible to review candidates for promotion to the higher ranks, or to associate professor with tenure, tenured associate professors serve in this capacity.

Section III

Policies

A variety of policies that apply to faculty members

Academic Dismissal
Academic Integrity
Audit Privileges at Other Institutions
Awards Given to Faculty Members
Class Attendance
CATS (Course and Teacher Survey)
Commencement, Convocations, and Special Events
Commencement - Walkers
Conflict of Interest
Conventions and Professional Meetings
Course and Class Regulations
Coursepacks and Copyrights
Deans: Protocol for Selection
Deans: Protocol for Evaluation of Academic Deans
Department Chairs, Role
Department Chairs, Protocol for Selection
Disabilities, Student with
Discipline of Students
Discrimination and Harassment Policies
Dismissal and Suspension Procedure for Faculty
FERPA Policy
Examinations
Grades and Assessments
Grievance Policy
Intellectual Property Policy
Language Use: Written and Oral Communications on Campus
Leave of Absence (Unpaid)
Misconduct in Science
Naming University Assets Nomination Form, Policy and Guidelines
New Courses and New Academic Degrees, Programs, Majors, Minors, Concentrations
Office Hours and Student Access
Outside Teaching and Professional Work
Patent Policy
Publications
Public Relations
Rank and Tenure Policy
Religious Holidays
Research Support Program
Research Subjects
Retirement
Sabbatical Leave
Sale of Teaching Materials Written by Faculty Members
Sexual Harassment Policy
Sexual and Romantic Relations Between Faculty and Students
Smoking Policy
Sponsored Research
Student Complaints about Faculty

Subvention of Publications
Summer Teaching
Syllabi
Teaching Load and Overload Teaching
Teaching Support Program
Travel With Students
Voting in Departmental Meetings

Dismissal Policy:

A student who has not met the academic standards of a college (as determined by the Academic Standing Committee and Dean of that college) will be dismissed from the college. The college dean will inform that student of the dismissal as soon as possible. Typically the student will be allowed to appeal that dismissal to the dean of the college. There is no additional process of appeal beyond the college dean. In some cases (e.g., when the student has had previous warnings or been on probation), the student may, at the determination of the college, be dismissed without right of appeal.

Once a student has been dismissed from the college without right of appeal or once the appeal process has been exhausted, the student may not enroll in additional credit-bearing classes at Villanova, and may not remain in a University Residence Hall. A student who is dismissed from a college is dismissed from the University effective with the sending of the college dismissal letter. The college that dismisses the student will send copies of the notification of the dismissal to the Registrar, the Bursar, and Residence Life. If the dismissing college knows that the student will be applying for admission to another college, the dismissing college should also notify the offices of that fact. Those offices will take appropriate actions.

A student who has been dismissed from a college is eligible to apply to that college for readmission after two semesters (including the summer) have elapsed. For example, a student who is dismissed at the end of the fall semester may apply to be admitted for the following fall semester. A student who has been dismissed and then returns to the University will be treated as a continuing student, not a transfer student, for purposes of policies regarding courses taken elsewhere; in other words, such a student would not be permitted to transfer courses taken at a two-year institution.

If the student is already enrolled in spring semester courses when the dismissal letter is sent, the student must withdraw from those courses and leave his/her residence hall. Tuition for the spring semester will be refunded. Students enrolled in summer courses at the time the final dismissal letter is sent must also withdraw from those courses, with tuition for the summer semester refunded. If a student has formally applied to another Villanova undergraduate college (see #5 below), a student may remain in classes and residence halls until a final decision is made.

A student who has been dismissed from Liberal Arts and Sciences, School of Business, Engineering, or Nursing may apply at any time (either immediately or at any subsequent date) for admission to another Villanova undergraduate college. Such a student does not have to go through the University admissions' process. The request for readmission will be handled by the college to which the student has applied. If the student is accepted in another college immediately (normally within ten business days) after dismissal from the first college, or if the dismissed student is a science student who is accepted into the Arts division of the College of Liberal Arts and Sciences, s/he may continue to take courses and continue to live in the Residence Halls without interruption. The college into which the student is accepted must immediately notify the Registrar, the Bursar, and Residence Life that the student has now been accepted into another college.

A student who has been dismissed from Liberal Arts and Sciences, School of Business, Engineering, or Nursing may only apply for admission to the part-time Bachelor of Interdisciplinary Studies (BIS) program after two semesters (including the summer) have elapsed since the student was dismissed from the University.

Approved at Council of Deans on March 10, 2004

Please view the Frequently Asked Questions for the Academic Dismissal Policy.

Message from the Academic Integrity Board

academic integrity, *n.*: the process of maintaining honesty about ideas and their sources, and avoiding behaviors such as cheating on tests, plagiarizing papers, falsifying data.

A message from Craig Wheeland, Chair of the Board of Academic Integrity, and Associate Vice President for Academic Affairs.

Academic integrity is a primary value for any institution of higher education. Cheating on tests, plagiarism, and other forms of academic dishonesty and misconduct are completely unacceptable, especially at Villanova which prides itself on its commitment to the Augustinian values of truth, unity, and love.

Please use this site to view:

- Frequently asked questions about academic integrity
- I've been accused
- The Code of Academic Integrity
- Academic Integrity Policy
- Faculty form for reporting violations
- Detailed Procedures for Appeals

Villanova University is a member of the Center for Academic Integrity. Please visit their website for more information on Academic Integrity in general.

Individuals with questions about academic integrity may also contact me directly at the following address:

Craig M. Wheeland
Associate Vice President for Academic Affairs
Villanova University
800 Lancaster Avenue
Villanova, PA 19085-1699
Tel. 610/ 519 4520
Email: craig.wheeland@villanova.edu

VPAA 5/22/07

AUDIT PRIVILEGES AT OTHER INSTITUTIONS

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

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

Faculty members who are interested in the audit program should communicate with the office of the Vice President for Academic Affairs.

AWARDS GIVEN TO FACULTY MEMBERS

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

- The Christian R. and Mary F. Lindback Award for Outstanding Teaching, administered by the Committee on Faculty.
- The Lawrence C. Gallen, OSA, Faculty Service Award, administered by the Committee on Faculty.

- The Outstanding Faculty Research Award, administered by a committee of previous award recipients, which is chaired by the Dean of Graduate Studies of the College of Liberal Arts and Sciences.

See sidelinks for other policies.

CLASS ATTENDANCE

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

For students beyond the first year, attendance policies are determined by the instructors of the various courses. These regulations, which must be reasonable in attendance required and penalties imposed, must be listed in the course syllabus, filed with the department chair, and explained to the class involved at the beginning of each semester. Upperclass grades are to be assigned for academic reasons. Enforcement of such attendance policies lies with those instructors. Where possible, students should inform their instructors if they plan to be late or absent from class.

Excused absences for all students include the following: approved athletic participation or participation in approved academic events; official university business; approved field trips; certified serious illness; death in the immediate family; or approved placement activities. An absence card, available from the Office of the Dean of the student's college, must be completed and presented to the Dean with appropriate documentation. This should be done before the absence, if possible, but at any rate no later than 4:30 p.m. on the day the student returns to classes. Excused absences allow the student to make up tests and do not count toward a failure in the course for first year students. Absence from class does not release the student from work assigned.

The instructor is required, however, to take record and report attendance for all classes as directed by the Registrar.

VPAA 8/02/02, modified 1/5/05

COURSE AND TEACHER SURVEY (CATS)

The University administers a Course and Teacher Survey (CATS). The survey instruments are distributed to faculty members at the end of the fall and spring semesters. The packets include instructions for how the survey is to be administered. CATS is only administered for summer courses if requested by the College Dean. The results are tabulated by the Office of Planning, Training, and Institutional Research (OPTIR). The individual reports are made available to faculty members a few weeks

after the end of the semester. The reports are initially released on a confidential website, and paper reports are sent to faculty members at a later point. The results of the surveys are sent to department chairs and deans, and may be used as part of faculty evaluation. Summaries of the CATS reports are also sent to chairs to be included in applications for promotion and tenure. Faculty members who wish to do so may also make their reports public, so that the reports are available to anyone who has a legitimate Villanova ID and password. Further information on the CATS process and a copy of the instrument itself is available in CATS: A guide for New Faculty Members. This publication is available on the web at <http://vpaa.villanova.edu/CATS/CATSGUIDE.html>

VPAA 8/02/02

COMMENCEMENT, CONVOCATIONS, AND SPECIAL EVENTS

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

VPAA 7/24/00

POLICY ON "PARTICIPATION IN GRADUATION"

"Each year there are a small number of students who have not fulfilled all of the requirements for graduation but who wish to participate in commencement exercises with their entering class. Students who have only three or fewer courses remaining to fulfill the requirements for graduation may participate in the graduation ceremony. Because of the number of required credit hours and sequential clinical requirements, Nursing students and students in combined joint degree programs with other universities may participate if they can reasonably be expected to complete all requirements by the end of August. The names of all such students throughout the University will not be included in the commencement program until the following May, after they have in fact been graduated."

Approved at Council of Deans' Meeting 5/10/04; effective date May, 2005 commencement;

modified and reissued at Council of Deans' Meeting 4/26/06; effective date May, 2006 commencement

CONFLICT OF INTEREST

Faculty members should avoid conflict of interest and potential conflict of interest situations, including the following:

Faculty members who wish to take graduate or undergraduate courses for academic credit in their own departments must obtain permission from their college deans. A spouse or dependent of a faculty member may not take courses taught by that faculty member for credit. Where possible, faculty members should not be the teacher for credit of relatives or close friends; when it is not possible to avoid these situations the faculty member must inform the department chair that a potential conflict may exist. In cases where a faculty member's spouse, child, or relative, comes before a committee on which that faculty member serves, the faculty member will recuse himself or herself from the decision making process in that case.

VPAA 6/1/00

CONVENTIONS AND PROFESSIONAL MEETINGS

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

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

VPAA 6/1/00

COURSE AND CLASS REGULATIONS

1. All courses are to be taught in accordance with guidelines established by the department and/or the dean of the college, as college policy may determine.
2. All class periods are to begin and close at the appointed time to permit students to be prompt in attendance.
3. If it is necessary for a faculty member to miss a class, s/he should inform the department chair so that other arrangements for the class may be made. Faculty members who wish to cancel a class must seek permission of their department chair. Faculty members should notify all students of a cancelled class by e-mail or voice mail, if possible.
4. If a faculty member is more than ten minutes late for class without a notice, the students may rightfully assume that the faculty member will be absent; students who leave may not be marked absent for that class, should it be conducted.
5. No student is to be admitted to any class who is not on the official class list. Faculty members need to be attentive to the class lists and report discrepancies to their chairs and/or the Registrar.
6. The instructor is required, however, to take record and report attendance for all classes as directed by the Registrar. (See Policy on Class Attendance.)

VPAA 8/1/05

COURSEPACKS AND COPYRIGHTS

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

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

Coursepacks and other locally produced course materials should, with limited exceptions, be sold in the University shop. Faculty members are not permitted to sell course materials directly to students, either in class or out of class. The department

chair may, if he or she wishes, authorize the sale of course materials in the department office. See also: Sale of Teaching Materials Written by Faculty Members.

Fair Use is defined as follows in: Section 107 of Title 17, United States Code regarding Copyright Law:

107. Limitations on exclusive rights: Fair use.

Notwithstanding the provisions of section 106 and 106a, the fair use of a copyrighted work, including such use by reproduction in copies or phono records or by any other means specified by that section for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

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

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

To insure compliance with this code, the University's Department of Graphic Services requires that all requests for multiple copies sent to Graphic Services have a certification signed by the requester, certifying that appropriate laws have been complied with. Rubber stamps are invalid. Failure to comply will result in the return of the job for compliance. It should be noted that circumventing this requirement by use of an office copier in no way avoids compliance with copyright laws. Certification forms are available from the Copy Center. Questions concerning the application of the copyright laws in specific situations should be addressed to the Office of the Vice President and General Counsel. Further information can be found on General Counsel's website at <http://www3.villanova.edu/ogc/teachact.html>

VPAA 7/24/07

DEANS: PROTOCOL FOR THE SELECTION OF ACADEMIC DEAN

1. The Vice President for Academic Affairs, who serves as chair and shall conduct the member selection process described below.
2. Two department chairs (program directors in Nursing) from the college in which the vacancy will exist. They are to be elected as follows:
 - a) If the vacancy occurs in the position of the Dean of the Colleges of Liberal Arts & Sciences, Commerce & Finance, or Engineering, the two chairs are to be elected from and by the chairs of the concerned college.
 - b) If the vacancy occurs in the position of Dean of the College of Nursing, two program directors will be chosen from and by the three program directors.
3. Four tenured faculty members elected by and representing all the tenured and tenure-track faculty members of the concerned college, provided that no more than one such representative shall be from any one department of such college and provided that, in the College of Arts and Sciences, at least one faculty representative shall be elected from each of the Humanities, Social Science, and Natural Science areas of the College.
4. One academic dean, including the Dean of Graduate Studies in the College of Arts and Sciences, chosen by the Vice President for Academic Affairs, provided that if the vacancy is in the College of Liberal Arts and Sciences, the dean chosen not be the Graduate Dean of that College.
5. One alumnus or alumna of the college in which the vacancy exists, chosen by the VPAA.
6. Two students in good academic standing from the college in which the vacancy occurs. One student shall be the undergraduate student representative on the University Senate from the concerned college. If a given college has more than one undergraduate senator, and more than one of them seeks the position, the choice among them will be by random draw. The second student is to be a graduate student in good academic standing appointed by the College's Dean or Director of Graduate Studies from among interested graduate students.
7. One additional member to be appointed by the VPAA.

The committee shall receive information and suggestions from, encourage deliberation among, and disseminate pertinent information to, the faculty, administrators, staff, and students of the relevant college. Unless an emergency prevents it, during the interview process the candidates will meet with the chairs, as many of the faculty as may be feasible, college administrators and staff, and student representatives.

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

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

Approved by the President, January 23, 2001.

DEANS: PROTOCOL FOR THE EVALUATION OF ACADEMIC DEANS

Every five years, the University Vice President for Academic Affairs (VPAA) will undertake a formal and comprehensive review of the Dean's performance.¹ The timing of the assessment may be delayed or advanced by up to one year to allow better coordination with external College assessments or for other contingencies as determined by the VPAA. The review consists of the following stages.

A. Analysis of the Dean position description.

The VPAA and Dean will assess the current position description, making changes as needed.

B. Statement of activities.

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

C. Faculty Perceptions

1. **Survey of College Faculty.** The VPAA will consult with the Dean and a faculty committee. Jointly, they will develop a survey for the college faculty. The survey will include both standard questions applicable to the deans of all Villanova

¹ All deans undergo an annual review that is less formal and comprehensive.

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

2. Faculty Survey Committee. A committee of senior faculty will assist in the development and interpretation of a survey of the College's faculty members. The ad hoc Faculty Survey Committee (FSC) will be composed of five tenured faculty at the rank of professor, if possible², chosen by the College's delegation to the Faculty Congress.
3. Process. On behalf of the VPAA, the Office of Planning, Training, and Institutional Research (OPTIR) will administer the survey and tabulate results. OPTIR's report and analysis of the quantitative results will be prepared and forwarded to the VPAA, Dean, and FSC. The FSC may prepare its own confidential statement of its understanding of the survey results, provide it to the Dean and VPAA, and then, if the committee and Dean wish, meet with the Dean to discuss it. The committee will also meet with the VPAA to discuss the results. The specific content of the survey and the discussions will be absolutely confidential.

In addition, a collation of the written comments that insures respondents' anonymity and highlights what they perceive as the Dean's strengths and weaknesses will be prepared and forwarded by OPTIR simultaneously to the VPAA and the Dean.

D. Perceptions of Other Stakeholders and Constituencies

1. The VPAA, in conjunction with the Dean, will develop a broad-based evaluation plan, including, as appropriate, surveys, focus groups, and/or individual interviews with groups and individuals who have had regular contact with the Dean and who could be expected to be able to comment insightfully on his/her stature and performance. Depending on which dean is being reviewed, such groups and individuals could include selected students, College administrators (e.g., associate and assistant deans, department chairs, directors, and selected

² In some circumstances, five full professors may not be available, in which case tenured associate professors may be chosen.

college support staff), the College's advisory council members, other Villanova deans and administrators, alumni, officers of professional organizations, or officers of boards on which the Dean serves. The VPAA may utilize the services of OPTIR or others as deemed appropriate.

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

E. Communicating Results.

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

3/17/06

DEPARTMENT CHAIRS

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

I. Authority and Responsibility

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

- II. Functions. Among other functions, the chair:
- A. Works with departmental colleagues to develop vision and strategic planning for the department, and leads the department in the implementation of strategic planning.
 - B. Supervises all departmental instruction and, with due consideration of principles and priorities established in consultation with department members, distributes work assignments and schedules as s/he judges necessary and proper. The chair also supervises the secretarial and support personnel for the department.
 - C. Is responsible for (or delegates) academic guidance of the students majoring in the department and is responsible to the deans for seeing that the students fulfill degree requirements as specified in the catalog.
 - D. After consultation with the members of the department and others as appropriate, makes recommendations to the dean concerning modifications of the departmental curricula.
 - E. Is responsible for the periodic evaluation of the academic and professional competence of faculty and staff members, their fidelity to assigned duties and contractual obligations, and their likely future contributions. (See the section on Periodic Evaluation of Faculty at <http://www.vpaa.villanova.edu/handbook/faculty/EVALUATIONOFFACULTY.html>).
 - F. Encourages faculty research, grant writing, and professional development.
 - G. Makes recommendations to the deans and the Vice President for Academic Affairs as to sabbatical leaves, promotion, granting of tenure, salary increases, and dismissal or non-renewal.
 - H. Upon consultation with the faculty, proposes to the dean appropriate faculty staffing levels and requests the addition of new faculty. As specified in the Faculty Recruitment Guidelines, the chair has overall responsibility for recruiting new faculty for recommendation to the dean and to the Vice President for Academic Affairs.
 - I. Creates departmental committees for assistance with appropriate duties.
 - J. Holds regular meetings of the department and sends a copy of the minutes to the appropriate deans and to the Vice President for Academic Affairs.
 - K. After consultation with the faculty as to financial needs and priorities, prepares and administers the department budget.
 - L. Encourages participation of the faculty and students in departmental, college, and University activities and protects the free exchange of points of view among faculty. The chair also helps resolve disputes between faculty and students or among faculty according to University, college, and departmental policy.
 - M. Is responsible for maintaining appropriate files, records and data pertaining to departmental operations as required by the deans and Vice President for Academic Affairs with due concern for confidentiality. Official departmental files and records are the property of the University and must be handed over intact to the chair's successor in office. In reporting function, the chair is also required to observe all procedures, timetables, schedules, calendars, etc. established by the University.
 - N. Is responsible for assisting the department in maintaining relationships with alumni and other external constituencies of the departments.

DEPARTMENT CHAIRS, PROTOCOL FOR PERIODIC SELECTION

- A. **Term and Appointment.** Department chairs are appointed by the President, for three year terms which commence on the August 22 after their appointment.
- B. **Eligibility of Nominees.** To be eligible to serve as chair an individual normally must: (a) be a tenured associate or full professor; (b) possess the terminal degree appropriate to the discipline; (c) have a solid record of leadership, scholarship, and collegiality; and (d) demonstrate understanding of and commitment to the mission and character of the University, College, and department. A record of participation in departmental operations and familiarity with departmental issues normally are expected; and other criteria relevant to the role and duties of departmental chairs should apply. In the event that an insufficient number of candidates meet these criteria, other tenured or tenure-track faculty may be nominated. In the event that the VPAA authorizes a search for a non-Villanova faculty member for department chair, such candidates must be associate or full professors and must possess the terminal degree appropriate to the discipline; to the extent possible, there should be evidence that they also possess the other qualifications. A department chair may be nominated to succeed him/herself.
- C. **Eligibility to Participate in the Selection Process.** Any tenured faculty member, or any tenure-track faculty member who at the time of the chair's selection process has completed three full semesters of continuous service at Villanova, may nominate one or more candidates and may vote. Other tenure-track faculty participate in the deliberations but neither nominate nor vote. Department members who serve as deans, vice presidents, or President may not nominate or vote. An individual may nominate him/herself, and nominees may vote.
- D. **Nominating Procedure.** Early in the sixth semester of a chair's tenure in office, the college dean shall give formal notification to the department faculty calling for nominations for the position of department chair. The letter shall state that nominations are to be made to the dean, in writing, by a specified date. As soon as practicable after that date, the dean will ascertain from the nominees whether they wish to be candidates, and s/he will then communicate to the department faculty the names of the faculty who have responded in a positive fashion. Each candidate will send to the eligible voters no later than one full week before the department meets to vote a written statement concerning his/her suitability for the position and future plans for the department.
- E. **Department Meeting Procedure.** In timely fashion, the dean will call for a department meeting to be held to vote on the acceptability of nominees for the chair. On the appointed day, the dean calls the meeting to order and conducts an election of a faculty member to preside over the meeting. The dean turns the meeting over to the presider, who may not be one of the nominees, and then departs. The meeting is to be conducted under rules of strict confidentiality.

At the meeting, the presider will provide the opportunity for faculty to interview the nominees and/or ask them to elaborate on their written statements concerning their suitability for the position and plans for the department. Thereafter, nominees will absent themselves from the meeting room during any discussion of their candidacies. When the department is satisfied that there is enough information, the nominees return; the presiding officer conducts an election to determine two tellers; and the department proceeds to vote by secret ballot on the acceptability of each nominee to serve. An eligible voter may vote for all, some, or none of the nominees, indicating by a positive vote his/her judgment that a candidate is acceptable and suitable. In tallying the vote to determine a majority, abstentions are not counted, but valid proxy votes are. Majority support from the voting members is necessary for a nominee's name to be forwarded to the Dean as acceptable. The results of the balloting are sent by the presiding faculty member to the dean.

The department is charged to submit to the Dean the names of at least two nominees for the chair, unless an exception is granted by the Dean. Eligible faculty who are absent may cast a written proxy vote, sealed in an envelope, by giving or sending it to the department secretary. Such ballots are turned over to the presiding officer at the time of the meeting.

- F. **Final Appointment.** The Dean shall submit his/her recommendation from among the department's nominees to the Vice President for Academic Affairs, who shall evaluate the recommendation and forward it, along with his/her own, to the President, who, if he approves, shall appoint the new chair.
- G. **Direct Administrative Appointment.** If, after evaluating the list of approved nominees of the department, the dean finds that none is acceptable, or if a department is unable to nominate an eligible candidate, the dean may recommend to the VPAA, and through him/her to the President, the appointment of an acting chair until a successful chair selection process occurs. Normally, an acting chair should not be appointed for more than one year.
- H. **Ad-hoc review and recall of the chair.** A written statement by two-thirds of the eligible faculty members of a department to their dean of the department's desire to recall the incumbent chair shall be considered sufficient cause for the dean to review the chair's performance and take appropriate action. This procedure may be initiated at any time during the incumbent chair's three-year term.
- I. **Vacancies in the chair.** If a department chair becomes vacant, or if a chair is unable due to illness or other circumstances to fulfill the duties of the position, the dean will recommend to the VPAA the appointment of an acting chair until such time as the chair is able to resume his/her duties or until the normal selection process for the chair can take place. If such a selection process occurs, the newly appointed chair may take office immediately if the President approves. If this occurs in the first semester of an academic year, that year shall count as the first year of a normal three year term. If the selection occurs in the second semester, the newly elected chair normally will serve the balance of that semester plus three full years.
- J. **Outside Search for a Chair.** If after due consultation with the department, the dean's recommendation that the chair be filled by means of an external search is approved by the VPAA, the standard faculty recruitment process is to be followed, with three special provisions: (1) The Dean will appoint a search committee, which

will include at least one departmental faculty member eligible to vote for the position of chair; (2) the search process will combine a concern for the qualities specified above for a department chair with the standard concern for all-round excellence spelled out in the University's faculty recruitment policy; and (3) all candidates for chair will be interviewed by the VPAA. If the Dean judges that the department cannot or will not select a search committee that is likely to recruit and present to the department and Dean candidates for the position of chair who sufficiently possesses those characteristics described in paragraph B above, the Dean, with the approval of the VPAA, will appoint a search committee which will include at least one departmental faculty member eligible to vote for the position of chair. The departmental faculty member(s) shall be elected by the department.

- K. **Adjudication Procedure.** Should any significant dispute arise concerning this protocol or any other aspect of the selection of department chairs that is not covered herein, it should be promptly referred to the VPAA who, in consultation with two members chosen by the VPAA from the Committee on Faculty, and after appropriate consultation with the dean, chair, eligible departmental electors, and other concerned parties, will adjudicate the issue. Only those faculty who have standing in the matter, that is, members of the department eligible to participate in the selection process or members of the administration, may invoke the adjudication procedure. In all cases, decisions of the President on appointments are final.

VPAA 8/2/02

Disabilities, Students with

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

Physical disabilities. Services for students with physical disabilities are provided by Multicultural Affairs (www.multiculturalaffairs.villanova.edu).

Other disabilities (including learning disabilities). Services for students with disabilities that impact on learning are provided by various offices and coordinated by Learning Support Services (LSS). Many students with these disabilities do not ask for accommodations at all. Other disabled students choose to self-identify and ask for appropriate accommodations. If students do want accommodations, they must complete a registration process with LSS. This process involves providing current documentation

and meeting with the LSS Coordinator to discuss appropriate accommodations. Guidelines for acceptable documentation are available on the LSS webpage at www.learningsupportservices.villanova.edu. The Learning Support Services office will provide a letter to the professor identifying the student as having a disability and describing the necessary accommodations. LSS usually asks students to meet with their professors at the beginning of each semester to discuss all accommodations. Students who have not registered with LSS will sometimes approach professors to ask for accommodations. These students should be referred to LSS, so that appropriate accommodations can be worked out in conjunction with LSS. Professors should not make special accommodations for disabled students who have not registered with LSS.

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

It is the policy of Villanova to make reasonable academic accommodations for qualified individuals with disabilities. If you are a person with a disability please contact me after class or during office hours and make arrangements to register with the Learning Support Office by contacting 610-519-5636 or at nancy.mott@villanova.edu as soon as possible. Registration is needed in order to receive accommodations.

The following are some basic guidelines for students with disabilities. LSS also publishes a Faculty Handbook which is available on the LSS webpage or by calling x95636.

- Support from faculty is critical to ensuring that students with disabilities receive accommodations necessary to reach their potential. It is important to remember that accommodations are not advantages, but are a means of providing each student with full access to Villanova's programs.
- Standards for academic credit should not be modified for students with disabilities. They may need accommodations in testing, but the content should not be changed.
- It is not necessary to rewrite a course to accommodate students with disabilities; simply modifying the presentation of materials may make it fully accessible.
- If one student with a particular type of disability had difficulty with a specific task, do not assume that the next student with the same type of disability will experience similar problems.
- Some textbooks are also available in other formats -- such as computer disks, large print versions, e-books, or videos with closed captioning -- that may be more accessible for students with disabilities. If you are using a textbook that is available in these formats, please inform both LSS and disabled students who may benefit from them.
- Students with disabilities are frequently sensitive about their disabilities, so faculty members should make every effort to treat these issues sensitively and confidentially.

Please visit the webpage www.learningsupportservices.villanova.edu or contact the LSS office with any questions or concerns at x95636.

DISCIPLINE

Because the fundamental goal of Villanova University is "the transmission, the pursuit, and the discovery of knowledge," the institution presumes that all who voluntarily join our scholarly community do so for this primary purpose. Accordingly, rules and regulations governing student conduct are designed with the specific purpose of enhancing the academic mission of the University. In particular, the student should become acquainted with and understand the responsibilities set forth in the Student Handbook, especially those in the sections on Policy and Regulations. Adherence to University regulations is expected and required for successful completion of the program of studies. Enforcement within the classroom of regulations regarding smoking, presence of food or drink (which are forbidden in classes), proper classroom attire, deportment, etc., is the responsibility of the faculty member. All other discipline problems are to be referred to the Dean of Students.

VPAA 6/6/00

DISCRIMINATION AND HARASSMENT POLICIES

Non-Discrimination Policy: Villanova University is an equal opportunity employer and educational institution. There shall be no discrimination against any employee, applicant for employment or any student on any basis prohibited by law, including race, color, national origin, religion, sex, age, veteran status (disabled or Vietnam era), or disability. This non-discrimination policy applies to all educational policies and programs and to all terms and conditions of employment, which include (but are not limited to): recruitment, hiring, training, compensation, benefits, promotions, disciplinary actions and termination.

Non-Harassment Policy: It is the University's policy that all employees and students should be able to enjoy and work in an educational environment free from harassment of any nature. Therefore, harassment based on personal characteristics such as race, color, national origin, religion, gender, sexual orientation, age, veteran status or disability violates this policy. Harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, and that

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

Procedures for filing and resolving complaints about harassment or discrimination are available at: <http://www.hr.villanova.edu/Policies/nondiscrimination.htm>

VPAA 8/2/02

DISMISSAL AND SUSPENSION PROCEDURE FOR FACULTY

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

Demand for a Hearing

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

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

Committee

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

Indemnification

Prior to accepting appointment, all members of the Committee shall receive a document from the University indemnifying them for liability incurred in the course of the good faith performance of their duties as Committee members.

President's Representative

Upon commencement of the proceedings, the President shall appoint a representative who is not a member of the Committee, who may be assisted by counsel, to gather evidence with respect to the statement of charges and to present such evidence at the hearing.

Notice of Hearing

The Committee shall forthwith meet for the purposes of (1) electing a permanent chair, and (2) determining the time and place for a hearing, said hearing to be held no more than sixty (60) days after the Committee is appointed by the Committee on Faculty. The Committee shall cause notice of the hearing to be served upon the President's representative and the faculty member. The notice shall inform both parties of the time and place of the hearing, and of their right to present evidence and arguments. Notice shall be served on the President's representative and the faculty member at least three (3) weeks before the date of the hearing. The President's representative or the faculty member may, from time to time, request that the Committee postpone the hearing in order to permit adequate preparation, and the Committee shall freely grant reasonable requests for postponement.

Challenge to Committee Members

Within seven (7) days after receiving notice of the hearing, the faculty member and the President's representative shall forward to the Committee on Faculty, in writing, any challenge to a particular member or members of the Committee, specifying the member or members challenged and the cause for the challenge. The Committee on Faculty shall rule on the sufficiency of the cause for challenge, and in the event that it sustains the challenge, The Committee on Faculty shall appoint a replacement member of the Committee. The Committee shall proceed to meet and give notice of hearing as it did when the Committee was originally appointed. Any replacement member or members shall similarly be subject to challenge for cause by the President's representative or the faculty member by means of the same procedure.

Assistance in Preparation for Hearing

Upon request of the faculty member or the President's representative the Committee shall furnish such assistance as it deems appropriate in such matters as making witnesses available for questioning, securing the attendance of witnesses at the hearing, and making relevant records available for inspection.

Hearing

The hearing shall be private and conducted by at least a majority of the Committee and presided over by the Chair. The Committee shall determine the order of proof and the admissibility of evidence and may question witnesses and cause evidence to be introduced. The formal rules of court procedure need not be followed.

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

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

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

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

Arguments

Each side shall be given the opportunity to present oral arguments at the close of the presentation of evidence at the hearing. Written briefs may be submitted by each party to the Committee no later than twenty (20) days after the faculty member and President's representative shall have received a duplicate tape copy of the tape recording.

Arbitration

After the argument, the Committee shall confer to decide whether in its opinion arbitration of the issue between the President and faculty member would be an

appropriate course to follow. If the Committee determines that it would, it shall proceed immediately to attempt to adjust the issue between the parties.

Report

In the event that the Committee decides that arbitration is not an appropriate course to follow or, after reasonable attempts, discovers that arbitration is not a feasible solution, the Committee shall confer to formulate a report to the President. The report shall be in writing and shall include specific findings of fact, specific conclusions as to each asserted ground for dismissal, suspension, or continuance of suspension in the statement of charges, a reasoned explanation of such findings and conclusions and a recommendation as to whether the faculty member in question should be dismissed, suspended, or continued suspended. The report shall be concurred in by at least two of the members of the Committee who were present at the hearing and argument. Members of the Committee who were present at the hearing and argument and who fail to agree with the majority report may make a minority report or reports to the President. All reports shall be transmitted only to the President, the faculty member, and the President's representative, no later than thirty (30) days after the final date for the filing of briefs, or not later than thirty (30) days after the cessation of attempts at arbitration.

Objections

The faculty member and the President's representative shall have seven (7) days from the time of the receipt of the report of the Committee within which to notify the President, in writing, of any objections or defects in the proceedings of the Committee or of any alleged denials of rights set forth in this Procedure.

Decision of the President

After considering the report or reports of the Committee and any objections of the faculty member or the President's representative, the President shall decide whether the faculty member should be dismissed, suspended or continued suspended. Notice of the decision shall be given to the faculty member and the Committee within thirty (30) days after receipt by the President of the report or reports of the Committee and any objections thereto by the faculty member or the President's representative.

Publicity

All proceedings relating to dismissals or suspensions, including the fact that an inquiry has been commenced, shall be kept confidential by all persons concerned except that disclosure may be made when necessary to prepare for the hearing. If notice of the hearing has been given, the final decision of the President and the recommendations of the Committee shall be released by the President for publication to the faculty. No other publication shall be made without the written authorization of both the President's representative and the faculty member.

Immediate Suspension

For appropriate cause, the President may suspend the faculty member from his or her duties during the pendency of the proceeding.

VPAA 6/1/00

CONFIDENTIALITY OF STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) places a number of restrictions on faculty members regarding what kind of information about a student must be made available to that student and what cannot be disclosed to others. In general, if a faculty member is unsure about the application of FERPA to a specific instance, he or she should contact the department chair or the college dean. In difficult cases, the chair or dean should contact the Office of the General Counsel. Faculty members should review and be familiar with Villanova's official FERPA notice regarding its Student Records Policy, published in the catalog: www.catalog.villanova.edu/catalog/univ/univb.htm#academic_policies. We also have available a more extensive discussion of FERPA, prepared by the General Counsel's Office, *A Guide to the Family Education Rights and Privacy Act : Office of the Vice President and General Counsel - Areas of Practice*. The Guide discusses common compliance issues and provides a more detailed explanation of FERPA, some Frequently Asked Questions and additional FERPA resources. While this Faculty Primer on Confidentiality of Student Records is intended to provide a helpful introduction and handy reference regarding the privacy of student records, faculty members should still carefully review the Student Records Policy and the Guide.

Brief Explanation of FERPA

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

- The University is permitted to release "directory information" about a student, including full name, address (including e-mail), major field of study, dates of attendance, awards and degrees, and participation in officially recognized University activities. However, there are some students (including students who

feel they are being stalked) who have requested privacy even for directory information. As a general practice, if faculty members are asked to release directory information about a student, the faculty member should refer the caller to the Office of the Registrar or the Office of the General Counsel.

- Faculty members may release confidential records to University officials who have a legitimate educational purpose for receiving the information. This could include faculty colleagues and department chairs who have a legitimate need for the information (e.g., those who teach, advise or coach that student).
- Faculty members may not seek access to student records or discuss student progress with other individual faculty members unless there is a legitimate need for them to do so. The law discriminates between educational interest, and personal or private interest; determinations are made on a case-by-case basis.
- Faculty members may keep private notes on students. Notes shared with other faculty members are not private, but rather are education records. Students do not have a right to see private notes. Students do have access to other confidential records.

Communication with parents of students.

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

1. If you are in anyway uncomfortable or unsure about speaking to a parent, you may always say that you there are regulations concerning release of information and you are very sorry that you cannot release information about the student without authorization. You may then refer that person either to your department chair or to the office of the Dean of the student's college.
2. Often when parents call, they are interested in telling you something. You may always listen politely to whatever they have to say. So you might say, "While I can't comment on any individual student's grades, I would be happy to hear your perspective." You may also give out general information about your course, if you think it is appropriate to do so. You might say, for example, "Although I cannot comment on any individual student, I can say that the mid-term counted for only 20% of the final grade, and it is possible that a student could fail the mid-term and still pass the course." You may also speak in a general way about the

student, without disclosing educational records. So, for example, you could say, “I feel that your son or daughter has great motivation and wants to do well, and I hope that he or she will come to my office hours for additional help, and do well on the next test.”

3. In some cases you may feel that it would be helpful to have a more specific conversation with a parent. In that case you might say, “My procedure is not to discuss student progress with parents without seeking consent of the student. If you like, I can ask permission of your son or daughter to speak to you about this matter.” At that point, you could send the student an e-mail explaining that the parent has requested permission to speak to you about the students’ grade and education records and that the student will need to send you an e-mail authorizing you to do so. A sample letter is included below.

Letters of recommendation.

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

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

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

Things to avoid.

To avoid violations of FERPA rules, DO NOT:

- Make individual student grades available in a way that allows anyone other than the student to see them

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

Language for release forms.

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

I give permission to Professor _____ (list name) to discuss with and release my education records, including without limitation full disclosure of my courses, credit hours and grades, to the following inquiring party _____ [list all names for whom you are giving permission to speak; if the reference is for a company, list the name of the company.] You may reach the inquiring party at the following telephone numbers _____. This permission is valid until _____ (specify a date, or enter “until further notice.”)

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

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

I (check one)

waive

do not waive

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

Signed:

March 1, 2007

FINAL EXAMINATIONS

If final examinations are given, they must be given at the time and place scheduled by the Registrar unless exemption has been authorized by the chair and the dean. Final examinations should not be given during the last week of classes or on reading day. The schedule for examinations is available on the Registrar's home page early in the semester so that students should make their end-of-semester travel arrangements accordingly. Occasionally students will encounter conflicts in the examination schedule such that two of a student's examinations are scheduled at the same time or three examinations are scheduled on the same day. In the event of a conflict, the student must notify the instructor at least seven days in advance of the scheduled exam. The instructor will make alternative arrangements for the student to complete the examination. In resolving conflicts, multiple section exams should take precedence over exams for a single section, and courses in the major should take precedence over non-major courses. Extraordinary difficulties encountered in effecting such an arrangement will be resolved by the Dean of the student's college.

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

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

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

VPAA 2/15/07

GRADES AND ASSESSMENTS

Faculty members must provide a series of graded assignments or assessments throughout the semester. Faculty members should assign enough graded work so that they can give a meaningful mid-term grade. If faculty members do not feel that a mid-term grade is appropriate for their course, they should consult with their department chair, providing a brief explanation of their decision. All courses that contain a significant number of freshmen must include a meaningful midterm grade. Faculty members are expected to give students timely feedback on all graded assignments, so that students can know how they performed and how they may improve in the future. Faculty members must also post their mid term and final grades on the University's Novasis system within the time limits specified by the Registrar.

The grade report at the end of the semester is part of the student's permanent record. Any inaccuracy on this record must be reported to the Registrar within two weeks of its receipt; otherwise, the record will stand as it is. Faculty members are responsible for maintaining the integrity of the evaluation and grading system.

A is the highest academic grade possible; an honor grade which is not automatically given to a student who ranks highest in the course, but is reserved for accomplishment that is truly distinctive and demonstrably outstanding. It represents a superior mastery of course material and is a grade that demands a very high degree of understanding as well as originality or creativity as appropriate to the nature of the course. The grade indicates that the student works independently with unusual effectiveness and often takes the initiative in seeking new knowledge outside the formal confines of the course.

A-
B+

B is a grade that denotes achievement considerably above acceptable standards. Good mastery of course material is evident and student performance demonstrates a high degree of originality, creativity, or both. The grade indicates that the student works well independently and often demonstrates initiative. Analysis, synthesis, and critical expression, oral or written, are considerably above average.

B-
C+

C indicates a satisfactory degree of attainment and is the acceptable standard for graduation from college. It is the grade that may be expected of a student of average ability who gives to the work a reasonable amount of time and effort. This grade implies familiarity with the content of the course and acceptable mastery of course material; it implies that the student displays some evidence of originality and/or creativity, works independently at an acceptable level and completes all requirements in the course.

C-
D+

D denotes a limited understanding of the subject matter, meeting only the minimum requirements for passing the course. It signifies work which in quality

and/or quantity falls below the average acceptable standard for the course. Performance is deficient in analysis, synthesis, and critical expression; there is little evidence of originality, creativity, or both.

- D- indicates inadequate or unsatisfactory attainment, serious deficiency in understanding of course material, and/or failure to complete requirements of the course.
- F indicates inadequate or unsatisfactory attainment, serious deficiency in understanding of course material, and/or failure to complete requirements of the course.
- N Incomplete: course work not completed.
- S Satisfactory: Assigned in Satisfactory/Unsatisfactory courses (work must be equivalent to C or better).
- SP Satisfactory Progress
- T Transfer grade.
- WX Approved withdrawal without penalty.
- W Approved withdrawal with penalty.
- U Unsatisfactory: Assigned in Satisfactory/Unsatisfactory courses
- AU Audit.
- Y Unofficial withdrawal from course (or for freshmen, failure for excessive absences).
- NG (Or Blank): no grade reported.

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

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

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

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

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

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

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

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

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

VPAA 2/15/07

GRIEVANCE POLICY FOR FACULTY MEMBERS

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

Three areas are specifically excluded from the province of this grievance policy. The first is the case of the dismissal of a tenured faculty member, for which a well-defined and distinct set of procedures already exists. The second includes all decisions as to the granting of tenure or promotion where practice already provides for appeal from the determinations of the University Rank and Tenure Committee directly to the President. The third is the non-renewal of academic contracts where the denial of tenure is not involved.

Barring these three specific areas, two kinds of grievances may constitute the substance of a grievance within the meaning of this policy. The first kind deals with any matter of salary or working conditions, including, but not limited to, salary determinations, sabbaticals, leave of absence, reduced academic loads, suspension or dismissal of a non-tenured faculty member whose term of appointment has not expired, assignment or non-assignment of courses and hours, offices, parking facilities, and secretarial

assistance; in other words, those grievances which, though normally handled through the academic hierarchy, remain unresolved in the eyes of the grievant after hierarchical procedures have been exhausted. The second kind of grievance includes those between faculty members, between a faculty member and a regularly constituted University committee, and others of this type provided in each case the grievance is materially related to the University. These kinds of grievances are a special case in that, because they do not originate in departments or colleges, no hierarchical procedures exist for resolving them.

Procedure

The policy toward the first kind of grievance presumes the ordinary operation of the academic hierarchy of the University. That is, any grievance should be pursued, in the first instance, with the appropriate departmental chair, dean, and finally, the Vice President for Academic Affairs. The right of appeal through this hierarchy to the Vice President for Academic Affairs is presently recognized and presumed by this policy. The grievant may, if desired, appeal beyond the Vice President for Academic Affairs directly to the President in accordance with already established policy. Should the grievant appeal to the President, however, the determination of the case by the latter shall be final and no subsequent appeal to the University Grievance Committee shall be permitted as a result of the grievant=s own choice of avenue of redress.

Should the grievant decide, rather, to appeal from the determination of the Vice President for Academic Affairs to the University Grievance Committee, the grievance and its particulars must be presented in writing to the members of that Committee. In order to invoke this appeal process, the faculty member must appeal to the University Grievance Committee within 30 days of the time the Vice President for Academic Affairs=s decision was sent to the faculty member. Upon receiving the communication from the faculty member, the University Grievance Committee will give the case initial consideration. In the course of that initial consideration, the members of the Committee may:

1. Request from the grievant such additional information, in writing, as the Committee deems necessary and from the appropriate academic officers written statements of their action to settle the grievance and the grounds of their actions. All such information shall be held in confidence by the Committee until and unless the Committee shall finally present its own determination of the grievance to the President, which determination may include any or all information at its disposal.
2. Determine that the grievance is improper, non-substantial, or that sufficient time has not yet been allowed for its normal redress. The burden for establishing a prima facie case of a grievance rests with the grievant, but a failure on the part of any academic official or faculty member to respond to the Committee=s request for a written statement, as referred to above, will of itself establish such a prima facie case.
3. Attempt an informal resolution of the grievance by consultation with both or all parties thereto.

4. Initiate a formal grievance hearing if a prima facie case is made and informal resolution is unavailing. Upon such an initiation, the Committee shall secure the appointment of ad hoc members as described below in Structure.
5. In the case of the second kind of grievance mentioned above (those between faculty members or between a faculty member and a University Committee) the grievant shall have the right to appeal directly to the University Grievance Committee. The grievance and its particulars must be presented in writing to the members of that Committee, who must then give it initial consideration. In the course of that consideration, the members of the Committee have the rights designated in 1, 2, 3 and 4 above.

When a formal grievance hearing has been initiated by the committee it shall be governed by the following procedures:

1. Minutes shall be kept of the proceedings.
2. The Committee shall have the right to summon such witnesses and such records as it deems material. The requests for such witnesses and records shall be made by the ad hoc committee member representing the respective parties to the grievance.
3. All written statements of the respective parties to the grievance shall be made available to those same ad hoc committee members and they shall have the right to examine and cross-examine witnesses and principals.
4. Upon the conclusion of the gathering of the evidence and the hearings, all members of the Committee shall, in executive session, determine the merits of the case and report their conclusion, with recommendations in writing to the President. A simple majority vote of those members present and voting shall suffice for the adoption of their report.
5. The President shall implement the Committee's recommendations within a reasonable time unless he is moved to dissent from it for the gravest of reasons. In such instances, the President should communicate his decision and his reason to the Committee before making a public disposition of the case.
6. It is agreed that no legal counsel for any parties to the grievance are permitted to be present at or participate in any hearing or proceeding as part of this procedure.

Structure

When the need arises, the Vice President for Academic Affairs shall initiate the procedure for the formation of the University Grievance Committee. It shall have three members, each to serve for three year terms. Any member may serve for an indefinite number of terms.

One such member shall be appointed by the President. Another shall be appointed by the Executive Committee of the University Senate from the numbers of the full-time, tenured faculty of the University. The third shall be appointed by the chair of the Faculty Council from the numbers of the full-time, tenured faculty.

Upon the determination of the Grievance Committee to initiate a formal grievance hearing, two ad hoc committee members shall be selected. One shall be chosen by the grievant from among the full-time, tenured faculty of the University. In the case of grievances normally resolved through hierarchical procedures the other shall be chosen by the Vice President for Academic Affairs with the sole restriction that the Vice President for Academic Affairs's choice shall not be Counsel for the University or someone outside the University proper. In the case of a grievance against another faculty member the second ad hoc member shall be chosen by that faculty member. In the case of a grievance against a regularly constituted University Committee the second ad hoc member shall be chosen by the chair of that Committee.

VPAA 6/1/00

INTELLECTUAL PROPERTY POLICY

I. INTRODUCTION

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

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

The purpose of this document is to provide a policy framework under which Villanova University will manage the Intellectual Property of the University community. This policy statement does not and cannot provide all the necessary specific details required to administer Intellectual Property for the entire University and, therefore, it is anticipated that this policy may be modified periodically and/or tailored to fit the facts and circumstances of a particular case.

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

II. PATENTS

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

III. COPYRIGHTS

A. Copyright protection: Copyright protection does not extend to any idea, procedure, process, system, concept, principle or discovery. A copyright protects the forms of expression and not the ideas that are expressed. For example, the University might own the copyright to media prepared specifically for the delivery of a University course. The faculty member(s) who created the content might also copyright another non-derivative work based on the same ideas. Thus the faculty and University are afforded the opportunity to work together to copyright different expressions of the same ideas for different purposes.

B. Ownership: In general, all copyrightable Intellectual Property developed by employees of the University while functioning in the capacity of employee or using University property, equipment, or resources belongs to the University, subject to the provisions described below. In order of precedence, copyright ownership of Intellectual Property shall be specified as follows:

1. **Sponsored Projects Agreements:** The University may negotiate and sign Sponsored Project Agreements including contracts and grants between external sponsors such as corporations, government agencies or foundations and the University, that specify completely or partially the ownership of Intellectual Property created as a result of specific sponsored projects. This category includes ownership requirements that result from a government funding source by operation of law (e.g., laws pertaining to Intellectual Property created using federal funds). All individuals working on a project under a Sponsored Project Agreement shall be notified in advance of the terms of ownership under the agreement for any Intellectual Property which may be created on behalf of the University while working on the project.
2. **University Sponsored Works.** The University may initiate and fund specific projects that produce Intellectual Property and shall own the Intellectual Property created as a result of such projects. In particular, the University shall own Intellectual Property created by University employees and students who were assigned or employed specifically to produce a particular piece of Intellectual Property, or whose normal assignments and employment encompass activities that would lead to the production of intellectual property. The financial terms or other terms of support for University Sponsored Works can vary from project to project.

3. Rights in Academic Works:

1. **Traditional Academic Rights:** Villanova University has historically waived any copyright interest it legally possesses to traditional academic works created by the faculty. Examples include class notes and syllabi, books and articles, works of fiction and nonfiction, poems and dramatic works, musical and choreographic works, and pictorial, graphic, and sculptural works. Villanova University has also waived any copyright interest it may legally have to works created by students. The University reserves the right to assert its legal interest in such works from time to time.
2. **Electronic Courses:** The emergence of new technologies in teaching, research, and creative activity requires a new paradigm for copyright ownership and interests. When a department or college decides to offer a course or program by electronic means (satellite, streaming video, web based text, CD Rom, etc.) for distribution to students on or off campus, it shall normally be undertaken as a University Sponsored Work with the University owning the copyright to the electronic media used to deliver it.
3. **Teaching Materials:** Creators of reusable teaching and classroom materials for Villanova courses, such as curriculum guides, problem sets, exercise solutions, laboratory manuals etc., shall own these materials unless they are subject to a prior agreement governing their ownership. In all cases the University shall have a non-exclusive, royalty-free, perpetual, irrevocable license to use, display, copy, distribute, modify and prepare derivative works of such materials for internal University use.
4. **Consulting Agreements:** Intellectual Property created by Villanova employees who consult with external entities (corporations, businesses, government agencies, foundations, etc.) without making substantial use of University funds, resources or facilities, and while abiding by University policies on consulting, is presumed retained by the external entity or the individuals as specified by the terms of the consulting agreement. Refer to Outside Teaching and Professional Work, in the Faculty Handbook.
5. **Independent Projects:** Any Intellectual Property created by a University employee that is not part of the creator's employment responsibilities and that is developed on his/her own time without making use of University funds, resources or facilities shall be owned by the creator. When a student creates Intellectual Property independently, using only resources available in common to all students such Intellectual Property is owned by the student. However, Intellectual Property created by a student(s) when working for pay or academic credit, or voluntarily working on faculty projects or University Sponsored Works is subject to the ownership principles stated above.

C. **Using Copyrighted Materials:** All creators shall be responsible for securing permissions or licenses from owners before reproducing, distributing, making a

derivative work, or displaying copyrighted works. It should be assumed that any material being used is copyrighted unless permission is expressly granted within the material or it is clearly in the public domain. Whether a particular use constitutes “fair use” is determined by U.S. Copyright Law. Refer to Coursepacks and Copyrights, in the Faculty Handbook.

IV. INTELLECTUAL PROPERTY POLICY BOARD [As amended, December, 2004]

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

V. USE OF UNIVERSITY’S NAME AND TRADEMARK

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

Exceptions to the general prohibition on the use of the University’s name or faculty/staff/student status may be granted for faculty at the discretion of the Vice President of Academic Affairs; for staff at the discretion of the Vice President responsible for the staff member’s area; and for students at the discretion of the Vice President for Student Life, all in consultation with the Director of Public Relations.

August 1,2005

LANGUAGE USE: WRITTEN AND ORAL COMMUNICATIONS ON CAMPUS
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All written and oral communications of administrators, faculty, staff, and students should be consistent with the University’s belief that all persons are sacred. Language used on campus should respect the dignity and inherent worth of every individual

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

LEAVE OF ABSENCE POLICY (UNPAID)

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

1. Unpaid leaves of absence normally are limited to a maximum of one year. Upon the recommendation of the faculty member's dean and department chair, leaves may be extended upon application to and approval of the Vice President; but, normally, no faculty member or academic administrator will be granted an unpaid leave of absence from the University for more than two consecutive years or for more than two years total during any ten year period.
2. During the term of the unpaid leave, the faculty member will be responsible for payment of all premiums for benefits, including the University portion, in all programs s/he wishes to continue. If, upon the recommendation of one's department chair and dean, the Vice President for Academic Affairs judges that the unpaid leave is sufficiently in the University's interest as to warrant the University's payment of its share of these premiums during the term of the leave, the University may elect to cover some or all of these payments.
3. The "term" of an unpaid leave of absence refers to the academic year or semester (as the case may be) during which the faculty member is on unpaid leave from the University plus the summer following an academic year during which the faculty member is on unpaid leave. If the unpaid leave is for one semester only and the faculty member either is on the University's payroll for the other semester of that academic year or has an approved paid or unpaid leave under the Sabbatical Leave Policy or the Family and Medical Leave of Absence Policy, the University's portion of benefits will be paid by the University for the summer preceding the faculty member's return to full-time teaching/administration.
4. An official unpaid leave of absence ordinarily is not counted as service for purposes of tenure and advancement in rank. Faculty may voluntarily choose to participate in University, college, and/or departmental service and other activities during their unpaid leave, but normally no compensation will be rendered for such activity.
5. This Unpaid Leave of Absence Policy does not cover leaves of absence due to sabbaticals, illness, disability, accident, pregnancy, or the serious medical condition of a close family member. These cases are covered by the University's

Sabbatical Leave of Absence Policy, short and long term disability plans, and the Family and Medical Leave of Absence Policy.

VPAA 6/6/00

MISCONDUCT IN SCIENCE

I. Introduction

The common goal of all University research and scholarly activity is excellence in the pursuit of knowledge; and the University must rely on its faculty to establish and maintain the highest standards of ethical practices in academic work including research. All individuals engaged in research at Villanova University are responsible for adhering to the highest standards of intellectual honesty. Faculty and superiors of research personnel (including graduate students) have a special obligation to set an example and create an environment that encourages absolute intellectual integrity.

Fraud in the conduct of research undermines basic academic goals and serves to diminish the credibility established by the University in its constituents. Villanova University condemns misconduct in research and is obligated to establish procedures to investigate allegations of misconduct as set out in this Policy.

It is the guiding principle of this Policy to establish a practice that is responsive, fair, and effective in this approach to scientific misconduct: one that provides for confidentiality in reporting and investigation; and one that provides for quick and responsible action if an allegation of misconduct is found to be true. It is the intent of this Policy to establish a practice that does not in any manner replace trust with suspicion.

II. Policy.

Misconduct in Science, as defined in this Policy is strictly prohibited at Villanova University. The University shall take immediate and appropriate action as soon as Misconduct is suspected or alleged in accordance with the procedures described below.

III. Scope.

This policy and its implementing procedures apply to all Villanova University faculty, staff, postdoctoral and graduate students who are engaged in the conduct of University research.

IV. Definitions.

As used in this Policy and Procedure the following terms have the following meanings:

- A) "Director" means the University's Director of the Office for Research and Sponsored Projects or a designate.
- B) "Inquiry" means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
- C) "Investigation" means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.
- D) "Misconduct" or "Misconduct in Sciences" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest errors or honest differences in interpretation or judgment of data.
- E) "OSI" means the Office of Scientific Integrity, a component of the Office of the Director of the National Institutes of Health (NIH)
- F) "PHS" means the Public Health Service, an operating division of the United States Department of Health and Human Services ("HHS").

V. Procedures

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

- 1) The Director shall inquire immediately into an allegation or other evidence of possible Misconduct. The Inquiry shall consist of informal information gathering and initial fact finding to determine whether an allegation or apparent instance of Misconduct warrants an Investigation. The Director may review documentation and interview individuals to determine whether the complaint warrants a formal Investigation. The Director may consult with others (which may include experts from on or off campus) in order to secure any necessary or appropriate expertise to carry out a thorough and authoritative evaluation. The Vice President for Academic Affairs shall inform the Respondent of the nature of the complaint but, at the request of the Complainant, shall endeavor, if reasonably possible under the circumstances, to avoid identifying the Complainant.
- 2) The inquiry shall be completed within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. If the Inquiry takes longer than 60 calendar days to complete, the Inquiry record shall include documentation of the reasons for exceeding the 60 day period.
- 3) The Director shall prepare a written report that states what evidence was reviewed, summarizes relevant interviews and includes the conclusions of the Inquiry. The Director shall provide the Vice President for Academic Affairs and the Respondent with a copy of the Inquiry report. If the Respondent comments on the report, the comments may be made a part of the record.
- 4) The Director shall maintain sufficiently detailed documentation of Inquiries to permit a later assessment of the reasons for determining that an Investigation was not warranted. The Director shall maintain such documentation in a secure manner for a period of at least 3 years after the termination of the Inquiry.
- 5) If the Director determines, in consultation with the Vice President for Academic Affairs, that there is insufficient basis to conduct an Investigation, the Director shall so inform the Complainant and the Respondent, close the Director's file on the matter and maintain the documentation of the Inquiry as required by these procedures.
- 6) If the Director determines, in consultation with the Vice President for Academic Affairs, that the findings of the Inquiry provide sufficient basis for conducting an Investigation, the University shall undertake an Investigation in accordance with these procedures within 30 calendar days of the Director's completion of the Inquiry. The Director shall so inform the Complainant and the Respondent. The Director shall also inform the Respondent's dean and department chair of the complaint (if not already informed and interviewed as a part of the Inquiry) and the fact that the complaint will be the subject of an Investigation.

D) Investigation

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

to the Vice President for Academic Affairs, the Director, and the appropriate dean and department chair.

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

VI. Sanctions

- A) **Faculty.** The Vice President for Academic Affairs may impose any appropriate sanctions including without limitation removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise and reduction in rank. The Vice President for Academic Affairs may in cases involving major offenses recommend the termination or suspension of a faculty member provided, however, that with respect to faculty members covered by the University's Faculty Dismissal and Suspension Procedure, no suspension or termination shall occur unless either the Respondent agrees to accept the sanction or the President determines to impose that sanction after a complete review has been undertaken in accordance with the University's Faculty Dismissal and Suspension Procedure.
 - B) A faculty member who is covered by the University's Faculty Grievance Policy may grieve the imposition of a sanction (excepting a suspension or dismissal covered by the Faculty dismissal and suspension Procedure) under the University's Faculty Grievance Procedure.
 - C) **Staff.** The Vice President for Academic Affairs may impose any appropriate sanctions including but not limited to termination, suspension, removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise and reduction in rank.
 - D) **Graduate Students or Postdoctoral Students.** The Vice President for Academic Affairs may impose any appropriate sanctions including but not limited to expulsion, suspension, removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise and reduction in rank.
 - E) **Undergraduate Students.** Allegations of Misconduct against undergraduate students shall be handled under the University's Code of Conduct or the appropriate procedure within the undergraduate's school or college as determined by the University.
 - F) The Vice President for Academic Affairs, in consultation with the Director, dean and department chair may determine at any time to settle a complaint through a written Settlement Agreement executed by the Vice President for Academic Affairs on behalf of the University and by the Respondent.
- VII. **Conflicts of Interest.** The University shall take precautions against real or apparent conflicts of interest on the part of those involved in the Inquiry or Investigation. In the event that the University in its judgement determines that a real or apparent conflict of interest exists, the University may substitute another individual of the University's choice in these procedures for the Vice President for Academic Affairs, Director, dean, department chair, or Investigator. The substitute may then act under these procedures in the capacity of the individual removed due to a real or apparent conflict of interest.

- VIII. **Reputation.** The University shall undertake diligent effort, as appropriate, to restore the reputation of persons alleged to have engaged in Misconduct when allegations are not confirmed, and also undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations.
- IX. **Obligation to Cooperate.** All parties to an Inquiry or Investigation have the obligation to cooperate and furnish all requested information. If any party refuses to do so, the Director and Investigator will consider this in the reports to the Vice President for Academic Affairs. The making of false or malicious accusations violates acceptable norms of behavior for members of the University community and will be reported to the Vice President for Academic Affairs.
- X. **Attorneys.** Except under extraordinary circumstances, as determined in the University's sole discretion, attorneys are not permitted actively to participate in these proceedings or to attend meetings or interviews of the Director or Investigator on behalf of either Complainants or Respondents. The Vice President for Academic Affairs, Director, Investigator, dean and others acting on behalf of the University may at any time seek advice from the University's General Counsel with respect to the conduct of an Inquiry or Investigation or the construction or applicability of this Policy or its implementing procedures.
- XI. **Conduct of Inquiry and Investigation.** Formal rules of evidence shall not apply nor adversarial hearings be held in connection with any Inquiry or Investigation. Evidence, including hearsay evidence, may be considered if it is relevant and not unduly repetitious, and it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious matters.
- XII. **Criminal or Civil Claims.** The University may act under these procedures irrespective of possible civil or criminal claims arising out of the same or other events. The Vice President for Academic Affairs, with the concurrence of the Director, after consulting with the General Counsel, shall determine whether the University shall, in fact, proceed against a Respondent who also faces related charges in a civil or criminal tribunal. If the University defers proceedings, it may subsequently proceed irrespective of the time provisions set forth in these procedures.
- XIII. **Modifications - Flexibility.** The University believes that each person covered by this Policy and Procedure is an individual who deserves to be treated as an individual. Consequently, it is impossible to develop a policy and procedure that will govern or control every situation. This Policy and Procedure was created to apply to most situations that may occur; however, where the University believes that the circumstances require special consideration, the Procedures may not be followed or used in every respect. This Policy and Procedure is unilaterally created by the University and may be changed at the University's discretion at any time.

XIV. Special Requirements - PHS Funded Research/Other Government Funded Research

- A) PHS Funding.** The following special requirements apply to alleged or apparent Misconduct with respect to research or research training, application for support of research or research training, or related research activities that are supported with funds made available under the PHS Act.
- 1) The Director shall report the decision to initiate an Investigation in writing to the Director of OSI on or before the date the Investigation begins. The Notification shall include the name of the Respondent, the general nature of the allegation, and the PHS application or grant numbers involved.**
 - 2) If the University intends to terminate an Inquiry or Investigation for any reason with completing the Inquiry and Investigations steps of this procedure, the Director shall provide a report of such planned termination, including a description of the reasons for such termination to OSI.**
 - 3) The Director shall notify OSI within 24 hours of obtaining any reasonable indication of possible criminal violations so that OSI may then immediately notify the Department's Office of Inspector General.**
 - 4) The Director shall submit the final report of an Investigation to OSI.**
 - 5) If the Investigator determines that the Investigation cannot be completed within 120 days, the Investigator shall so inform the Director as promptly as possible. The Director will submit to the OSI a written request for an extension and an explanation for the delay that includes an interim report on the progress to date and an estimate for the date of completion of the report and other necessary steps.**
 - 6) The Director shall notify OSI if it is ascertained at any stage of the Inquiry to Investigation that any of the following conditions exist:**
 - (a) There is an immediate health hazard involved;**
 - (b) There is an immediate need to protect Federal funds or equipment;**
 - (c) There is an immediate need to protect the interest of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;**
 - (d) There is a probability that the alleged incident is going to be reported publicly;**
 - (e) There is a reasonable indication of possible criminal violation.**
 - 7) The Investigator shall inform the Director and the Director shall keep the OSI apprised of any developments during the course of the Investigation which disclose facts that may affect current or potential Department of Health and Human Services funding for the individual(s) under**

investigation or that the PHS needs to know to ensure appropriate use of Federal funds and otherwise protect the public interest.

- 8) The Investigator shall prepare and the Director shall maintain for a period of 3 years the documentation to substantiate the Investigation's findings. This documentation is to be made available to the Director, OSI, who will decide whether that Office will either proceed with its own investigation or will act on the University's findings.
- 9) The University shall take interim administrative actions, as appropriate, to protect Federal funds and insure that the purposes of the Federal financial assistance are carried out.
- 10) The Director shall notify OSI of the final outcome of the Investigation.

XV. Other Governmental Funding or Requirements. These procedures shall be construed, modified, supplemented, and applied so as to comport with any other governmental requirements governing the handling and reporting of Misconduct.

Naming University Assets Nomination Form, Policy and Guidelines

Villanova University's Policy and Guidelines for Naming University Assets and Accepting of Conditional Gifts of University Assets, as well as the Nomination Form for Naming University Assets can be found at <http://www3.villanova.edu/ogc/policies/>

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

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

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

Both forms can be obtained by contacting the office of Academic Affairs or the web at <http://www.vpaa.villanova.edu/forms/>

VPAA 8/1/05

OFFICE HOURS AND STUDENT ACCESS

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

VPAA 8/15/05

OUTSIDE TEACHING AND PROFESSIONAL WORK

While under contract, Villanova faculty members are permitted to do a reasonable amount of consulting or other professional work, provided that the activities enhance and are related to the faculty member's teaching and research at the University, and provided that the outside activities do not conflict with the faculty member's duties at Villanova. These consulting activities are typically funded by an extramural source or by a grant held by another faculty member or administrator. The University reserves the right to limit such additional professional activities of any faculty member when, in the judgment of the Dean and the Vice President for Academic Affairs, such activities interfere with the faculty member's performance of his or her duties to the University. In order that the University may make the judgment referred to, each faculty member must provide his/her chair and dean annually a report on such professional activities, specifying the amount of time devoted to them and a description of the professional benefits received from them.

Generally speaking, Villanova faculty members may not teach courses at another institution during the period in which they are under contract to the University, unless specifically approved by the faculty member's chair and dean on the grounds that the teaching opportunity will aid the faculty member's scholarly or pedagogical

development. Faculty members may give incidental classes and guest lectures at other institutions.

VPAA 8/15/05

PATENT POLICY

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

- A. Any invention or discovery which is conceived or reduced to practice by a person affiliated with the University (whether such person is so affiliated on a full-time, part-time, permanent or temporary basis), and which is conceived or reduced to practice at least in significant part in the course of employment or engagement by the University, or in the course of any University related academic or research activity of a student, or through the uncompensated use of University facilities or property, or otherwise at University expense or with the aid of funds administered by the University, shall, as between the University and each such inventor, belong exclusively to the University, and shall be governed exclusively by this Policy. The University shall be entitled to a prompt and full disclosure of every such invention or discovery, and to an assignment of all right, title and interest therein, including the right to secure patent protection thereon throughout the world.
- B. Any invention or discovery which is conceived or reduced to practice by a person affiliated with the University, but which is not conceived or reduced to practice at least in significant part under any of the circumstances described in Part A of this Policy, shall, as between the University and each such inventor, belong exclusively to the inventor, and shall be outside the scope of this Policy; Provided, However, that the University shall be entitled to receive prompt notification of every such invention or discovery, including a general description of its nature and function, and a full statement as to the circumstances under which it was conceived or reduced to practice; and Provided Further, that the University may, in the exercise of its sole discretion, accept a voluntary assignment of any such invention or discovery in which event such invention or discovery shall belong exclusively to the University and thereafter be governed exclusively by this Policy.
- C. With Respect to each invention or discovery which it acquires and retains under this Policy, the University shall cause to be made an evaluation as to whether the invention or discovery is likely to qualify for commercially significant patent protection in the United States. On the basis of such evaluation, the University

may cause to be filed and prosecuted such applications for patent in the United States, and in countries foreign to the United States, as the University, in the exercise of its sole discretion, may elect.

D. The University undertakes to exercise its ownership over any patent on an invention or discovery which it acquires under this Policy, for the good of the public, the University and the inventor or inventors. To this end, the University shall make, or shall cause to be made, efforts which in its sole opinion are reasonable in order to promote the commercial development and utilization in the United States of every invention or discovery which enjoys commercially significant patent protection in the United States, and the University may make such arrangements for the licensing or sale of any invention or discovery patented in the United States or elsewhere as, in the sole opinion of the University, will reasonably serve the interests of the public, the University, and the inventor or inventors. The University, in the exercise of its sole discretion, may take such action as it deems appropriate in order to enforce or defend any patent on an invention or discovery which it acquired under this Policy, and any such action, including the conduct and any settlement thereof, shall be subject to the University's exclusive control. The inventor or inventors shall participate in the gross patent revenues (i.e., gross revenues including royalties from licensing, proceeds from sale, and/or recoveries from enforcement) actually realized by the University from the sale, licensing and/or enforcement of his, her or their patented invention or discovery, such participation to be at a total level, in the aggregate for all inventors and all patents associated with a particular patented invention or discovery and any improvements therein, as follows:

1. 50% of the first \$200,000 of gross patent revenues distributed to the inventor(s);
2. 25% of the next \$800,000 of gross patent revenues will be distributed to the inventor(s);
3. 15% of the next \$4,000,000 of gross patent revenues will be distributed to the inventor(s); and
4. 10% of gross patent revenues in excess of a total of \$5,000,000 will be distributed to the inventor(s);

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

E. The University in the exercise of its sole discretion and at any time may elect to waive or relinquish and transfer, to the inventor or inventors, any, some or all of the University's rights with respect to any invention or discovery governed by this Policy, including without limitation the right to apply for patent on such invention or discovery in one or more countries, and any right under any patent granted on such invention or discovery in one or more countries, in which event any such right or rights so waived or relinquished and transferred shall revert back to and vest in the inventor or inventors and the University shall have no further interest therein; Provided, However, and notwithstanding any such waiver or relinquishment and transfer, that in every such case the University

shall retain and hold no less than an irrevocable, non-exclusive and royalty-free right and license worldwide, to use or practice the invention or discovery that is the subject of the right or rights so waived or relinquished and transferred, and any patent thereon, solely for the University's own purpose; and Provided Further, that the University may condition any such waiver or relinquishment and transfer, on its being reimbursed in full by the inventor or inventors for all of the University's prior and related costs and expenses.

- F. Consent to and compliance with this Policy by a person affiliated with the University may be deemed by the University to constitute a condition to such affiliation or continued affiliation, as the case may be, and the University may require that such consent by any person affiliated with the University be expressed in writing.
- G. Anything contained in this Policy to the contrary notwithstanding, the University, in the exercise of its sole discretion and under circumstances it deems appropriate, may enter into an agreement with any person or entity, or pursuant to its prior consent in writing, may permit any person affiliated with the University to enter into an agreement with any entity or other person, containing one or more terms which are at variance with this Policy. In any such event, but only to the extent of any such inconsistency, the provisions of this Policy shall be subject to the terms of that agreement with respect to any invention or discovery which is conceived or reduced to practice at least in significant part in the performance of that agreement, and which otherwise would be governed by this Policy.
- H. The President of the University may establish an organization and guidelines and procedures to implement and administer this Policy, and shall undertake to have any such guidelines and procedures promulgated to all persons from time to time affiliated with the University.

Approved by the Board of Trustees July 12, 1994

VPAA 6/1/00

PUBLICATIONS

In those cases where a faculty member's work has been published by a commercial publisher, the University assumes no financial obligation.

In general, faculty members are to specify in their publications the name of the University and their affiliation with the University and to deposit two copies in the library. If discretion suggests the need of the University's approval for the use of its name, approval is to be obtained from the President.

Faculty are to deposit two copies of monographic publications in the library: one of these for the general collection, the other for the "Villanova University Publications" special collection.

PUBLIC RELATIONS

Villanova University enjoys a positive public image. The mission of the Communication and Public Affairs Office is to further that image by effectively communicating the University's achievements with various internal and external communities. Faculty members whose accomplishments are newsworthy or who are planning events (such as conferences) that may have an interest to the broader community should contact the Communication and Public Affairs office. Faculty members are also expected to cooperate fully with the Communication and Public Affairs Office to help disseminate Villanova's activities. Whenever possible, faculty members should contact the Communication and Public Affairs Office before speaking to representatives of the media.

VPAA 8/1/05

RANK AND TENURE POLICY

RELIGIOUS HOLIDAYS

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

Faculty members who need to miss classes for the observance of religious holidays -- as for any other reason -- should: (a) inform their department chairs at the beginning of the semester and, (b) with the permission of their department chairs, make

arrangements to have the classes covered by other faculty members or arrange appropriate activities for the students that do not require the faculty members' presence. Generally speaking a faculty member should not miss class on more than two days per semester or three per year for any combination of reasons.

Should a disagreement arise over the implementation of this policy, the matter should be taken to the chair of the department or the program director having jurisdiction over the class in question. If no resolution is reached at that level, the issue will be resolved by the Dean of the College having jurisdiction over the class, and his/her decision shall be final.

Approved at Council of Deans, Academic Policy Committee, and Committee on Faculty
June, 2006

August 1, 2006

RESEARCH SUPPORT PROGRAM

In addition to assisting faculty to compete for extramural funding for research and pedagogical grants, the University sponsors research support programs designed to encourage faculty members to develop their research programs, continue research they have already begun, and to seek extramural grants.

Summer Fellowships: Each November, faculty are invited to submit proposals through their chair and dean to the Office of Research and Sponsored Projects for summer research fellowships. These proposals are expected to be within the faculty member's area of expertise and have the strong potential for external grant support. Proposals are reviewed by a faculty committee. Criteria upon which proposals are judged include: inherent value, capability of the researcher, potential for attracting extramural funding, and a clearly expressed and feasible plan of work. Only tenured and tenure-track faculty members in the Colleges of Arts and Sciences, Commerce and Finance, Engineering, or Nursing are eligible to apply for these grants.

Summer grant recipients are expected to devote full time during two summer months to the pursuit of the research or project proposed. Except by permission of their dean, recipients may not teach during the summer of their grant. A final report including any papers, works of art, publications, or extramural grant applications, is due in the Office of Research and Sponsored Projects by June of the year following the grant year.

Research Support Grants: The University also awards Research Support Grants which may be used only for expenses other than faculty salaries.

Details on these programs are available from the Office of Research and Sponsored Projects.

RESEARCH SUBJECTS

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

Retirement Steady State Program
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March, 2004

1. **Eligibility.** Tenured faculty in the four undergraduate colleges with a minimum of age 60 and 15 full years of service as of the date of their retirement.
2. **Salary Benefit.** The salary benefit is calculated on a sliding scale, with the benefit based on a percentage of one's regular nine month base salary in the year preceding retirement, as indicated in the following chart. The benefit is being provided in consideration of a faculty member's relinquishing his/her tenure rights and will be paid out in equal monthly installments over a four year period beginning with the first month of one's retirement.

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

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

3. **Election and Retirement Period.** Upon the date of first becoming eligible for a benefit under the Program, a faculty member will have 6 months to provide written notice of his/her decision to retire. A written notice must be submitted to the Vice President for Academic Affairs (with a copy to one's Dean and Department Chair. The faculty member must retire within 6 months from the date of his/her written election. For example, if the faculty member provides notice by February 28, 2005 s/he must retire by August 31, 2005. If one does not provide notice and retire within the stated period, s/he will forfeit his/her eligibility for the payment at that age. To smooth transitions and academic planning, the University strongly encourages faculty members to plan their retirements to coincide with the end of the academic year. As a condition of eligibility, the University reserves the right to require faculty members to complete the academic year or semester.
4. **Medical Benefits.** Villanova will continue medical coverage in the faculty member's current medical plan until his/her sixty-fifth birthday (65th), with the contribution from Villanova at the same amount as it provides for active employees. Upon attaining age sixty-five (65), the faculty member will be offered the retiree health coverage (if any) then made available by Villanova under the same terms offered to retirees generally. Currently, Villanova offers the choice of either a University-sponsored Medicare supplement or a Medicare-risk HMO health insurance plan. Villanova currently pays the majority of the costs of these plans, subject to a monthly premium share by the retiree, as determined each year.

Villanova will also continue to pay for medical coverage for the faculty member's spouse at retirement in one's current medical plan until the earlier of the expiration of the five (5) year period starting on the date of his/her retirement or his/her spouse's sixty-fifth (65th) birthday. Villanova will pay its contribution for coverage of the spouse in the same manner as is done for the spouses of active employees. If five (5) years expire before one's spouse reaches age sixty-five (65), s/he will be eligible to elect to purchase coverage for up to thirty-six (36) months, under the Consolidated Omnibus Budget Reconciliation Act ("COBRA"). Upon the spouse's attainment of age sixty-five (65), s/he spouse will not be eligible for any supplemental coverage through the University.

5. **Dental Benefits.** Villanova will provide dental benefits until one's sixty-fifth (65th) birthday for as long as and under the same terms that this coverage is generally made available to all employees. Villanova will also continue to pay for dental coverage for one's spouse at retirement until the earlier of the expiration of the five (5) year period starting on the date of the faculty member's retirement or his/her spouse's sixty-fifth (65th) birthday. Villanova will pay its contribution at the same amount as it provides for active employees, as determined each year, for dental benefits for the retiree and his/her spouse. There is no COBRA eligibility beyond age sixty-five (65).
6. **Life Insurance.** Villanova will pay the cost of a life insurance policy providing a \$5,000 death benefit to one's designated beneficiary, for as long as and under the same terms that this coverage is generally made available to all retirees.

7. **Tuition Remission.** Providing academic eligibility requirements are met, you and your current qualifying dependents at retirement will receive the same tuition remission benefit for courses at the University as provided for by current University tuition remission policy, for as long as and under the same terms as this benefit is generally made available to all retirees.
8. **TIAA-CREF/VANGUARD Retirement Benefits.** The University does not provide matching contributions for the salary benefit.
9. **Adjunct Teaching.** Retirees may be hired by the University to teach on a adjunct basis, at the normal adjunct faculty salary rates, after retirement commences, but such arrangements are at the sole discretion of the University.
10. **Death Benefit.** Should the retiree die during the period covered by the retirement agreement, all remaining salary and tuition remission benefits would be assigned to his/her surviving spouse, if he/she is alive, or to one's estate.
11. **Miscellaneous.** Access to departmental secretarial services shall be available if and to the extent the department chair determines that such services are feasible. Retirees may maintain a University Wildcard, providing appropriate access to University facilities and the Library; retain an email account, as long as there is evidence of continued use; and may obtain a reduced-fee retired faculty parking permit. Other programs currently available to retirees include: Ford College Partner Recognition Program, Wachovia at Work Banking Program, Villanova Alumni Association Member Benefits, and a 10% discount at the University Shop with use of one's Wildcard.

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

SABBATICAL LEAVE

The purpose of a sabbatical leave is to enable faculty to devote full time to study, research, or other academic activities that will enhance their scholarly and teaching competence and capabilities and will enable them to make greater contributions to their disciplines, their students, and Villanova University. Villanova offers two sabbatical programs, a standard sabbatical for tenured faculty and a one-semester leave for untenured faculty that is based on a favorable third year performance review, as described in the Rank and Tenure Policy. The standard sabbatical may be (with the approval of the chair, the dean and the VPAA) taken either for a semester at full pay or a year at half pay. Untenured faculty sabbaticals are only for a semester. An explicit condition of any sabbatical leave -- unless waived by the VPAA -- is that the faculty

member will return to and teach at Villanova for one full year after the completion of the leave. Non-fulfillment of this condition for reasons other than disability will result in the faculty member's having to repay the University for all compensation received during the sabbatical period. During sabbaticals the University will continue its contribution to insurance and other benefits.

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

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

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

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

NOTE: No academic year which includes an unpaid leave of absence for a period of a semester or more is included in computing years of service for purpose of sabbatical eligibility. Moreover, faculty who commence service after the conclusion of the first semester of an academic year will not have that year count toward the six years for sabbatical eligibility.

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

Each recipient of a sabbatical leave must submit to the chair and dean a written report of activities during the leave. This report should be made within three months after

returning to the University and should describe the activities undertaken, the location of those activities and the results (e.g. papers written, delivered, or published; skills developed, etc.).

Sabbatical/Unpaid Leave of Absence deadlines can be found on the website at ../sabbatical_leave.htm

VPAA 8/1/05

SALE OF TEACHING MATERIALS WRITTEN BY FACULTY MEMBERS

1. Faculty members may include material that they have written in "coursepacks" which are reproduced by Graphic Services and sold at the University Shop, and they may prepare their own materials for sale in the University Shop. These materials must be approved for sale by the department chair through the normal process of textbook approval. Because of the issues of possible conflict of interest, faculty members and departments are not permitted to charge royalties for course materials they have written themselves except as provided below for commercially produced books. Course materials sold by other vendors other than the University Shop must also be approved through the normal process of textbook approval, and faculty members are also not permitted to charge royalties for these materials.
2. A faculty member who believes that there is a justification for receiving royalty fees for materials s/he has generated must write to his/her chair, explaining how much royalty is to be charged, who will receive it, and what the justification for the royalty is. The chair reviews the request and, if approval is given, sends the request on to the dean. If approval (which is only given in extraordinary cases) is given by both the chair and the dean, the faculty member may receive royalties for the sale of these materials. This policy also covers faculty members who self-publish their own textbooks. The University Shop is not permitted to pay royalties to a faculty member without receiving copies of the approval from the chair and the dean.
3. This policy also applies to course materials sold at vendors other than the University Shop.
4. If departments seek royalties on materials, they must seek approval from the dean.
5. The policy described above does not cover commercially published textbooks written by Villanova faculty members. Those texts are handled by the normal process of textbook approval and are sold through the University Shop in the normal way and the publishers may pay royalties to the authors without the dean's approval. Used copies of textbooks written by faculty members should be sold in the University Shop in exactly the same way that used texts of non-faculty books are handled. No royalties will be paid to faculty members for the sale of used texts.

Please also see the policy on Coursepacks and Copyrights.

VPAA 8/1/05

SEXUAL HARASSMENT POLICY

Sexual Harassment Policy Statement. Please also see the policy on Sexual and Romantic Relations between Faculty and Students.

It is the policy of Villanova University to maintain an employment and educational atmosphere free of any pressures on employees and students relating to sexual harassment. Consistent with applicable federal and state laws, the University endorses the objective that employees and students be free of situations where sexual considerations form the basis for business or educational decisions.

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

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

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

If you have any questions, concerns or wish to report an incident, please contact the University's Complaint Officer:

Kathleen Byrnes
Associate Vice President for Student Life
202 Dougherty Hall
800 Lancaster Avenue
Villanova, PA 19085
Phone: 610-519-4550
Email: kathleen.byrnes@villanova.edu

VPAA 8/1/05

SEXUAL AND ROMANTIC RELATIONS BETWEEN FACULTY AND STUDENTS

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

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

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

VPAA 8/2/02

SMOKING POLICY

All work spaces and common areas inside University buildings have been designated as "smoke free." Residence halls have a separate policy. For details contact Residence Life.

SPONSORED RESEARCH

When and where appropriate, Villanova faculty are expected to seek funding from extramural sources to support their research and special instructional projects. The Office of Research and Sponsored Projects (ORSP) assists faculty in developing such proposals; guiding them through the rules, regulations, certifications, and instructions prerequisite to submitting proposals; and assisting them in budgeting and accounting relative to their grants. ORSP is also interested in the research "ideas" that can be refined into fundable research activity. The Director and staff provide guidance and counsel in the preparation of proposals by working directly with individual faculty members. The office is also responsible for administration of the University policy relative to research involving human subjects, to research involving animals, and patents.

The Office maintains a library of external funding sources and can access electronically funding information from federal and state agencies, private foundations, and corporations. The Office administers the University's Summer Faculty Research Program and the Research Support Grants, making available internal funding that may be sought to complete research projects for submission to external funding agencies, or to enhance or supplement established research programs. [See Research Support]

All funding proposals submitted to external funding sources that require any University involvement (i.e. cost-sharing, report preparation, use of University facilities, salary or material acquisitions through the University financial system, etc.) must be approved by ORSP before submission. All proposals that utilize human or animal subjects must be reviewed by the Institutional Review Board for Human Subjects (IRB) or the Institutional Animal Care and Use Committee (IACUC), respectively, to assure that there is no violation of federal regulations regarding research subjects. The legal penalties for avoidance of these reviews are sometimes severe.

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

STUDENT GRADE APPEALS AND COMPLAINTS ABOUT FACULTY

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

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

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

I. Faculty Performance Complaints

A. Student complaints concerning an instructor's handling of a class, classroom presentation, professional demeanor, or course policies should be directed to the chair of the faculty member involved. If the complaint is against the chair, these procedures shall be modified such that the dean shall undertake the responsibility as the chair under the Guidelines and the Vice President for Academic Affairs (or his or her designate) shall undertake the responsibilities of the dean under these Guidelines. Normally, such complaints should be made within six months of the end of the course in which the complaint arose.

B. Identified Complaints: When a person makes a complaint and provides his or her name, the chair will advise the individual to approach the faculty member. The chair's goal will be to arrange a meeting of the parties. If the complainant does not agree to a joint meeting, the chair will advise the faculty member of the details. If the complainant requests that his or her identity remain confidential or the chair considers it appropriate,

the identity of the complainant will remain confidential. The chair will inform the complainant of the results of the meeting with the faculty member.

C. **Anonymous Complaints:** The chair should express displeasure with any anonymous complaint and point out that such complaints (if made by telephone) will not be accepted. If an anonymous written complaint arrives, the chair should inform the faculty member of the details of the complaint.

D. The faculty member shall be presumed to have acted appropriately unless otherwise determined in accordance with these guidelines.

E. The chair shall make reasonable efforts to mediate the complaint. The chair may consult with others in connection with his or her review of the complaint. In the event that the complaint cannot be amicably resolved in the chair's judgement, the chair may make such disposition of the complaint as the chair deems warranted. The chair shall ordinarily communicate his or her disposition of the complaint to the student initiating the complaint and the faculty member.

F. If either the student or the faculty member is dissatisfied with the chair's disposition of the complaint, she or he may contact the department committee constituted to handle complaints. This elected or appointed standing committee of the department should be duly constituted following the department's own policy. If a department has too few members to reasonably form such a committee the department, less the faculty member involved, shall constitute a committee of the whole. The student or faculty member should present her or his complaint via a formal written and signed statement to the committee within seven days of the chair's disposition of the matter. The committee shall consider the complaint in accordance with the procedures described in Section III below.

II. Grade complaints

A. Student complaints concerning a grade should be directed to the chair of the faculty member involved. The chair shall urge a student who brings a complaint about a grade in the first instance to try to resolve the matter with the course instructor. That failing, the chair should attempt to resolve the issue between the student and instructor. The chair may consult with others in connection with his or her review of the complaint. Normally, such complaints should be made within six months of the end of the course in which the grade was given.

If the complaint is against the chair, it should be directed to the dean and these procedures shall be modified such that the dean shall undertake the responsibilities of the chair under these Guidelines and the Vice President for Academic Affairs (or his or her designate) shall undertake the responsibilities of the dean under these Guidelines.

B. In the event that the complaint cannot be amicably resolved in the chair's judgement, the chair, may make such disposition of the complaint as the chair deems warranted.

The chair shall ordinarily communicate his or her disposition of the complaint to the student initiating the complaint and the faculty member.

C. In a particularly difficult case the chair may elect to refer the matter to the departmental committee for fact finding and recommendations. The committee shall consider the chair's referral of the matter in accordance with the procedures described in Section III and send its recommendations in writing to the chair. The chair shall be guided in his or her determination by widely accepted professional norms of academic freedom which normally make the instructor the focus of authority in determining grades. The chair shall communicate his or her determination of the complaint to the dean, the faculty member involved, and the complainant. In general, the formal procedures described below will only take place after a final course grade has been given.

III. Department or College Committee

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

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

IV. Appeals Process

In the extraordinary case when a student or faculty member is unwilling to accept the decision of the chair with respect to a complaint or the departmental complaint committee with respect to a faculty performance complaint, she or he may appeal the

decision in writing to the dean within seven days of that decision but only on the following basis:

- a. material procedural defect in the Committee, or
- b. material procedural defect in the chair's handling of the matter, or
- c. new material evidence not reasonably available at the time of the committee or chair's review of the matter.

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

These procedures supersede University Policy no. 140 titled "Procedural Norms for Deans or Chairs in Case of Complaints Against Faculty."

V. Complaints Involving Sexual Harassment

Cases of grade complaints or faculty performance complaints which may constitute sexual harassment under the University's Sexual Harassment Policy shall be referred, with the complainant's permission, to the University's Sexual Harassment Officer for resolution under the Sexual Harassment Guidelines.

VPAA 8/1/05

SUBVENTION OF PUBLICATIONS

The University may provide a subvention to help underwrite the publication of faculty manuscripts. University funds for this purpose will normally be reserved for works of the highest academic quality, which have been accepted at prestigious journals, university presses, or other outstanding presses that are highly selective in what they publish.

VPAA 8/1/05

SUMMER TEACHING

Summer teaching, when available, will be assigned in accordance with the needs of the summer program and with the fit between faculty specialization and the courses which need to be offered. Normally, no faculty member will be invited to teach in summer session who did not receive at least a satisfactory rating for teaching on the most recent

annual or triennial faculty evaluation. When there are fewer summer courses than faculty members who seek summer teaching and when the faculty members seeking summer employment are equally qualified in terms of their areas of specialization and appropriateness for the courses, department chairs will assign the courses by rotation, so that appropriately qualified faculty members who do not teach one summer will have an opportunity to do so in another summer. The rotation system may be bypassed in order to further University objectives such as special institutes, distance education, etc.

VPAA 8/1/05

SYLLABI

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

VPAA 8/1/05

TEACHING LOAD AND OVERLOAD TEACHING

The normal teaching load for faculty who are productively engaged in scholarly research that regularly leads to publication is 18 credit hours per year, or the equivalent. Faculty who are not thus engaged normally teach 24 credits per year, or the equivalent. For faculty who are extraordinarily productive in research and publication, who carry unusual administrative or service duties, or who receive grants providing for additional released time, these teaching duties may be reduced by their deans. Faculty members, regardless of approved teaching loads, may teach an overload only in extraordinary circumstances with the permission of the chair and dean.

VPAA 7/1/06

TEACHING SUPPORT PROGRAM

In addition to assisting faculty to compete for extramural funding for pedagogical grants, the University sponsors innovative teaching efforts to foster students' learning through the Villanova Institute for Teaching and Learning and Teaching (VITAL) Minigrant program. Early each spring, faculty members are invited to submit proposals for teaching projects. Faculty members may request funding for development of instructional materials, summer stipends, or for travel, equipment, and supplies. Tenured, tenure-track and full time non-tenure track faculty members who have been at Villanova for four years are eligible to apply. The proposals must be approved by the department chair and the dean and are then sent to a faculty committee for review. The criteria used to judge the merits of proposals include:

- The proposal indicates the specific way(s) in which the proposed activity is expected to lead to a change and/or improvement in teaching-learning practices.
- The proposal shows a strong relationship to the strategic plans of the University and/or College(s).
- The proposal clearly demonstrates how the scope of the project represents an effort above and beyond the typical instruction-related activities expected of a faculty member.
- The proposal indicates how the results of the project might be used to improve instruction in other sections, courses, or disciplines at Villanova University.

Details are available from the VITAL office at 610-519-5627.

TRAVEL WITH STUDENTS OFF CAMPUS

Class Trips

At Villanova, it is not uncommon for faculty members to participate in class trips with students, and several departments have vans. If there is an accident while driving a University Vehicle, the faculty or staff member would be covered by the University's policies. If a faculty or staff member is in an accident involving students while driving their personal vehicles, the accident would be covered by the faculty or staff member's personal insurance (even if the trip is part of a class). Some departments own larger 15 or 16 passenger vans. Pennsylvania State Law prohibits carrying school children in anything larger than a ten-passenger van, so these vans may not be used for any trips that involve school children.

Classes at Faculty Member's Home

It is also not uncommon for Villanova faculty members to hold occasional classes at their homes. No special liability insurance over and above the homeowner's policy is required, provided that the class at home is an occasional, not a regular occurrence. Alcoholic beverages should not be served.

August 1, 2005

VOTING IN DEPARTMENTAL MEETINGS

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

Eligibility to Vote: In departmental meetings (excluding rank and tenure, annual/triannual evaluation, hiring, and chair selection, all of which are covered by other policies) all full-time tenured and tenure-track faculty members may vote. Tenured/tenure-track faculty members who are serving as administrators (assistant/associate deans, assistant/associate vice-presidents, and program directors) may also vote. Full-time non tenure-track members who have completed at least two full academic years of continuous service may vote. Eligible faculty members who are on leave of absence or on sabbatical leave may vote if they wish to and if it is practical for them to do so, but they are under no obligation to participate in departmental governance while they are on leave. Faculty members who are not sufficiently prepared to make an informed judgment on an issue should not vote; individual faculty members must judge their preparation for themselves. deans and the vice president do not vote in departmental meetings.

Proxies in general departmental voting: In general departmental matters, faculty members who are otherwise eligible to vote may leave specific written proxies with the chair. General proxies, verbal proxies or proxies left with other faculty members are not acceptable.

Proxies in questions of hiring and annual/triannual evaluation. Proxies are acceptable in votes on hiring. In cases of annual and triannual evaluations faculty members may not leave proxies. Faculty members who are not present at these discussions may communicate their views to the chair, either verbally or in writing. The chairs may, if they wish, take these communications into account when the chairs formulate their own recommendations.

VPAA 8/1/05

Section IV

Benefits

*An outline of employee benefits for faculty members,
including tuition remission*

BENEFITS

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

Health related benefits

- **Health and Dental Insurance.** The University offers a variety of health insurance plans and a comprehensive dental insurance plan, covering a percentage of the premiums (the specific coverage amount is published every year).
- **Flexible Spending Accounts.** The University also offers two pretax accounts, one for health expenses not paid by insurance and the other for dependent care/elder care expenses.
- **Life Insurance.** The University provides group term life insurance, and faculty members may also purchase additional units of insurance on themselves or for their dependents.
- **Disability.** The University provides medical leave at full salary when short-term absence is needed for personal illness or injury. Extended absences, with appropriate restrictions, are covered by the University's Short Term and Long Term Disability programs.

Retirement

Participation is permitted in the University's Basic voluntary defined contribution Retirement after one year of full-time service for tenure track faculty and continuing non-tenure track faculty. Accounts are available with TIAA-CREF and/or The Vanguard Group. Immediate participation is permitted when the new tenure track or continuing non-tenure track faculty member has an existing 403(b) account from a previous not-for-profit employer that included an employer matching provision.

Tuition Remission

Full tuition remission is provided for the faculty member's study at Villanova beginning with the next semester or summer session following their first semester of teaching. Faculty members may not take courses for credit in their own departments unless approved by their dean. There are no restrictions for faculty members on the total number of courses they may take.

Partial tuition remission is provided for the spouse and for the faculty member's dependent natural born or adopted children who attend Villanova beginning with the

next semester or summer session following the faculty member's completion of three years of continuous full time service for courses taken at Villanova, subject to a copayment. The copayment amount of tuition remission will be 80% of full time regular tuition. Summer and part-time tuition rates will be calculated in proportion to the full-time day rate.

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

Tuition Exchange

Tuition Exchange (TE) is a tuition scholarship program (for dependent natural born or adopted children) at schools other than Villanova (<http://www.tuitionexchange.org/>). Under the national Tuition Exchange program attendance at other schools may be available, depending on the balance of students coming to Villanova under the plan versus dependents of Villanova employees going to other schools under the plan. Currently, initial eligibility for two years of tuition exchange is based on five years of continuous service as of September 1st of the year in which TE will be used. Current eligibility is based on the following schedule:

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

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

University Scholarship Assistance Plan and Agreement

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

VPA 7/1/07