

# **Academic Handbook**

*August 2008*

## Acknowledgements

This edition of the Indiana University *Academic Handbook* was prepared and edited by Tadewos Assebework, Research Coordinator and Publisher, Office of the Vice Provost for Faculty and Academic Affairs, IUB, following on work begun by Mary Tilton, former Publications Coordinator. The *Handbook* was designed by Scott Taylor, Instructional Support Services Publications and Graphics, IUB. The *Academic Handbook* is available on the World Wide Web at: ([www.indiana.edu/~vpfaa/acadhbkb/](http://www.indiana.edu/~vpfaa/acadhbkb/)).

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## **Indiana University *Academic Handbook***

The information, policies, and procedures set forth here apply to academic appointees on all campuses of the University. The Board of Trustees, the University Faculty Council, and/or administrative bodies and officers may develop new policies or modify these existing policies, when acting in accordance with authority conferred upon them by the Laws of the State of Indiana, the Board of Trustees, and the Faculty Constitution. New policies, duly approved, shall supersede the statements in this *Handbook*.

The policies and procedures contained in the *Academic Handbook* apply to the entire University. When acting in accordance with authority, appropriate bodies and officers of each campus may develop campus-specific policies and procedures, provided they are not in conflict with those of the University. Such campus-specific policies and procedures are published by each campus. In case of conflict, University policies and procedures naturally govern.

Faculty and staff who have suggestions for the correction and improvement of the Indiana University *Academic Handbook* should communicate these directly to the Vice Provost for Faculty and Academic Affairs or Vice Chancellor for Academic Affairs on their campus.

The information, policies, and procedures set forth here are based upon determinations of the Board of Trustees, the University Faculty Council, and other official bodies and committees of the University, or reflect current administrative practice which is considered to be in conformity, or at least not in conflict, with appropriately sanctioned policy or regulations. The italicized entries appearing in parentheses following portions of the text indicate the basis of the immediately preceding provisions.

Some policies and procedures contained in the *Handbook* have not yet been updated to reflect the ongoing administrative reorganization of the University. Questions regarding administrative responsibility for specific policies and procedures should be directed to the Vice Provost for Faculty and Academic Affairs or Vice Chancellor for Academic Affairs on each campus. Updates to the *Handbook* are posted regularly on the World Wide Web at: ([www.indiana.edu/~vpfaa/acadhbkl/](http://www.indiana.edu/~vpfaa/acadhbkl/)).

Statements and policies in this *Handbook* do not create a contract and do not create any legal rights. In the event of differences between this document and the original documents cited therein, the wording in the original documents or master contracts shall obtain.

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# I. Organization and Governance

## BRIEF HISTORY OF THE UNIVERSITY

Indiana University grew from the State Seminary, which was established by an act of the General Assembly in 1820. The Bloomington campus is the oldest and largest in the university, and is also the primary residential campus. There are now seven other campuses. All except for Indiana University Northwest (IUN) in Gary offer both IU and Purdue degree programs: Indiana University East (IUE) in Richmond, Indiana University Kokomo (IUK), Indiana University South Bend (IUSB), Indiana University Southeast (IUS) in New Albany, Indiana University Purdue University Fort Wayne (IPFW), and Indiana University–Purdue University Indianapolis (IUPUI). IUPUI is a comprehensive metropolitan campus and home base to most of the University’s professional schools in health sciences. IU administers the IUPUI campus as well as its satellite IUPU–Columbus, while Purdue administers IPFW.

School	Established	Fall '07 Enrollment	Authorized Degree Programs
IUB	1820	38,990	313
IUSB	1920	7,517	97
IUS	1941	6,241	64
IUK	1945	2,835	50
IUN	1959	4,790	63
IPFW	1964	6,629	51
IUPUI	1969	29,854	213
IUE	1971	2,266	47

*Note: The enrollments and programs exclude those of Purdue University.*

## THE UNIVERSITY’S OBJECTIVES AND IDEALS

The primary objective of Indiana University was well expressed in the statute of 1837–38 by which the already established Indiana College was transformed into a university. This statute provided that “there shall be established and hereby is created a university—for the education of youth in the American, learned, and foreign languages, the useful arts, sciences, and literature, to be known by the name and style of the Indiana University.”

*(Acts 1938, Local Laws, Chapter 102, Section 1)*

The faculty of the University, in keeping faith with the founders of the institution, has always accepted as a primary responsibility the effective teaching of the men and



women who enroll as students in the institution. The members of the faculty have always prided themselves upon the quality of their teaching. While faculty members may, on occasion, have had to curtail other services and activities, they have always insisted on assuming individual responsibility for the best teaching possible in their classes. The faculty's attitude has been to set forth the material of their course thoroughly, clearly, and with enthusiasm; to stimulate and encourage their students to exert the effort required for successful work; and to feel, when students fail, that, at least sometimes and in some measure, failure is the fault of the teacher as well as of the student. Because of this attitude, teachers continuously study the effectiveness of teaching methods and devices with a view to increasing the effectiveness of their effort. A university without students is unthinkable. So long as it exists, therefore, an institution of this kind depends upon its students, and the teaching of these students remains the primary reason for its continued existence.

There are, of course, other objectives which, in the course of the development of institutions of higher education in America and elsewhere, have become matters of increasing concern and interest on the part of the faculties of universities. Chief among these is the contribution of the faculty outside the classroom to the general welfare of society and its institutions. This contribution involves studies, research, creative activities, publication and presentation. These serve to provide information and to advance our understanding of the world of nature and of man and of man's role in nature and in society. Indiana University prides itself upon the contributions of its faculty along these lines and looks forward to the contributions that will be made by each new appointee. Through the years of the institution's history, those who have guided the destinies of the University have accepted as their philosophy the basic principle that a university is not merely an association of teachers but, rather, that the faculty of a university must be composed of scholars who are effective teachers.

Indiana University is committed to the principle of equal educational and occupational opportunities for all persons and to positive action toward elimination of discrimination in all phases of University life, as set forth in the Indiana University Affirmative Action Plan.

*(Board of Trustees, June 29, 1974)*

## **THE TRUSTEES OF INDIANA UNIVERSITY**

The Board of Trustees (also referred to as "the Trustees" or "the Board") comprises nine persons, with eight selected for a term of three years. Five of the eight are selected by the Governor of Indiana; three are elected by degree-holding alumni of the University; one student is appointed for a two-year term by the Governor following a search and screen procedure. The terms are so arranged that one member is elected each year by the alumni; the number to be selected by the Governor varies from year to year. The board is required by statute to meet once annually on the occasion of Commencement, but actually meets a number of times per year in public on one of the several campuses of the University, which provides an opportunity for direct contact with the University's several communities of faculty and students.

The Board of Trustees is charged by statutes of the state of Indiana with duties and responsibilities including but not limited to the following:

- 1) To govern the disposition and method and purpose of use of the property owned, used, or occupied by the institution, including the governance of travel over and the assembly upon such property;
- 2) To govern, by specific regulation and other lawful means, the conduct of students, faculty, employees, and others while upon the property owned by or used or occupied by the institution;
- 3) To govern, by lawful means, the conduct of its students, faculty, and employees, wherever such conduct might occur, to the end of preventing unlawful or objectionable acts which seriously threaten the ability of the institution to maintain its facilities available for performance of its educational activities or which are in violation of the responsible rules and standards of the institution designed to protect the academic community from unlawful conduct or conduct which presents a serious threat to persons or property of the academic community;
- 4) To dismiss, suspend, or otherwise punish any student, faculty member, or employee of the institution who violates the institution's rules or standards of conduct, after determination of guilt by lawful proceedings;
- 5) To prescribe the fees, tuition, and charges necessary or convenient to the furthering of the purposes of the institution and to collect the same;
- 6) To prescribe the conditions and standards of admission of students upon such bases as are in its opinion in the best interests of the state and the institution;
- 7) To prescribe the curricula and courses of study offered by the institution and to define the standards of proficiency and satisfaction within such curricula and courses;
- 8) To award financial aid to needy students and award scholarships in encouragement of excellence of achievement out of the available resources of the institution as shall seem desirable and in the best interests of the institution and its students;
- 9) To cooperate with other institutions to the end of better assuring the availability and utilization of its total resources and opportunities to provide excellent educational opportunity for all persons.

*(As in State Statute, I.C. 20-12-1k 1995)*

As is evidenced by the listing of duties and responsibilities, the Board is the corporate body charged with a wide range of policy-making and decisional authority by the General Assembly of the State, which grants the powers executed by the Trustees. Other statutes provide that certain actions may be taken by the Trustees only after approval of the Commission for Higher Education of the State of Indiana.

A Secretary is appointed by the Board. The Secretary's office stands ready to receive items of business appropriate for Board consideration.

## FACULTY REPRESENTATION AT INDIANA UNIVERSITY BOARD OF TRUSTEES MEETINGS

### A. Faculty Participation in the Open Sessions of the Board of Trustees Meetings

The Co-Secretaries of the University Faculty Council present a report as a regular feature of the Board of Trustees agenda. The Board of Trustees may also hear from the leaders of faculty governance on the campus at which the meeting is held. The Co-Secretaries of the University Faculty Council also participate in the Board's discussions, where appropriate, to insure that the Board be aware of the Faculty's position on such issues as may be of direct concern to the Faculty.

*(University Faculty Council, April 11, 1995)*

### B. Faculty Participation in the Executive Sessions of the Board of Trustees Meetings *Memorandum*

*To: The Board of Trustees*

*From: Myles Brand*

*Date: April 29, 2002*

*Re: Faculty Representation in Executive Sessions*

I am convinced that the participation of faculty leadership in certain Trustee executive sessions is important to the functioning of the University. Since I have assumed the presidency, I have attempted to encourage that participation. At this time, I believe it is important that the Trustees affirm the need for this participation.

As you are aware, the Trustees of Indiana University meet from time to time in executive session as defined by Indiana Code 5-14-1.5-6.1. Pursuant to Indiana Code 5-14-1.5-2(f), the public is excluded from executive sessions, except that the Trustees may admit those persons necessary to carry out its purpose. I strongly believe that in order for the Trustees to carry out its purpose on a variety of matters, it is necessary to include faculty representation in certain executive sessions and that the appropriate faculty representative should be the senior co-secretary of the University Faculty Council or both co-secretaries, if the circumstances dictate.

I propose that the senior co-secretary of the University Faculty Council attend Trustee executive sessions. If the senior co-secretary is unavailable to attend a session, the junior co-secretary shall attend the session in place of the senior co-secretary. Should there be an executive session or portion of executive session in which faculty participation is inappropriate, the president of the University will consult with the senior co-secretary to identify those sessions. Examples of such sessions include those in which discussions occur regarding personnel matters, litigation, and collective bargaining. I recommend that after the University Faculty Council has reviewed this proposal, the Board take action to implement this policy.

Unanimously endorsed on a motion duly made and seconded.

*(Board of Trustees, May 3, 2002)*

- C. Nothing in this practice is designed to discourage, displace, or prevent such informal contacts between members of the Board of Trustees and the Faculty as now exist. Formal representation is intended to serve as the basis for expanded informal, as well as formal, conversations between members of the Board of Trustees and the Faculty.

*(University Faculty Council, April 23, 2002)*

## **ADMINISTRATIVE ORGANIZATION OF THE UNIVERSITY**

### **Indiana University**

Indiana University is a major multi-campus public research institution, grounded in the liberal arts and sciences, and a world leader in professional, medical and technological education. Indiana University strives for excellence in teaching and research, its fundamental missions. Indiana University provides broad access to undergraduate, graduate, and continuing education for students throughout Indiana, the United States, and the world, as well as outstanding academic and cultural programs and student services. Indiana University seeks to create dynamic partnerships with the state and local communities in economic, social, and cultural development and to offer leadership in creative solutions for 21st century problems. Indiana University strives to achieve full diversity, and to maintain friendly, collegial, and humane environments, with a strong commitment to academic freedom.

*(University Faculty Council, October 25, 2005)*

The organization of Indiana University is a result of evolving educational opportunities and services to the state, nation, and world. As a multi-campus university it operates under a single Board of Trustees and is administered through the Office of the President.

Many academic units have geographic-specific responsibilities on their respective campuses. Several professional schools and the Graduate School have responsibilities for programs on two or more campuses of the University. Still a third group—largely in the health sciences—has programmatic responsibilities on campuses of other public and private institutions as well.

Many of the professional and graduate programs on the two largest campuses—Bloomington and Indianapolis—are consolidated administratively in an effort to maximize program effectiveness. Other schools and colleges are working toward more effective coordination of their programs across campuses. The Offices of the Provost for Bloomington (IUB) and Chancellor for Indianapolis (IUPUI) have responsibility for (1) administering those programs and activities which are unique to their respective campuses, (2) assuming primary administrative direction for those programs and activities which are conducted on both campuses but, because of their nature, are best administered by only one chancellor's office, and (3) assuming primary administrative direction for those programs and activities that are common to several or all campuses of the University, but which because of their nature, are best administered by only one

chancellor's office; e.g., the School of Public and Environmental Affairs by IUPUI or the School of Continuing Studies by IUB.

Indiana University also administers five other campuses, geographically distributed in the state so as to provide educational programs and services to all major population centers. Each of these campuses is organized with its own administration. The chief administrative officer, the Chancellor, reports to the President. In addition, a campus in Fort Wayne, Indiana (Indiana University Purdue University Fort Wayne) offers Indiana University academic programs but is administratively managed by Purdue University. Some of these campuses, in turn, have nearby centers to extend additional access to Hoosiers throughout the state.

## **Office of the President**

The Office of the President consists of the President, the Vice Presidents, the Treasurer, and their respective staffs. The Office of the President is designed to provide certain important services to all seven campuses of Indiana University. These services include budgetary planning and analysis, legal services, information and computer services, international programs, research and development, alumni relations, learning resources, and public and governmental relations as well as several other major functions enumerated below under the respective office descriptions.

## **PRESIDENT**

The President is the chief executive of the University, and is responsible for the operation of the entire University within the framework of general policies provided by its Board of Trustees in keeping with the laws of the state.

The President is directly accountable to the Board of Trustees for accomplishing the objectives of Indiana University, for determining missions and priorities for its several elements, and for the effective and economical planning, utilization, and management of its resources. The President is also charged with responsibility for keeping the Indiana Higher Education Commission, as well as the Indiana University Board of Trustees, informed of current and long-range plans and developments. The President recommends to the Board of Trustees policies and decisions that will enable the University to cope with its many publics and a rapidly changing environment. The President is responsible for the external relations of the University with governmental and private agencies at all levels and represents the University at major functions.

## **Authority of the President**

WHEREAS, the Board of Trustees (the "Board") of Indiana University (the "University") has the authority, duty and responsibility to establish, and amend from time to time, the policies of the University and the President of the University has the duty, responsibility and authority to manage and administer the University in accordance with such Board policies, the authority delegated to the President by the Board and all applicable law,

WHEREAS, the President, as the educational leader of the University, has the further responsibility of presenting to the Board recommended policies of the University for consideration and action by the Board and at all times attempts to keep the Board appropriately advised,

WHEREAS, the Board has determined it should focus its primary attention on substantial policy issues of the University, presented to the Board by the President, members of the Board and others,

WHEREAS, for the Board to give full consideration to policies that are of a substantial and continuing value to the University, it is desirable that the President should be delegated explicit authority by the Board to manage, and administer the University and establish routine administrative procedures of the University, and

WHEREAS, it is desirable that such authority be formally delegated to the President:

1. RESOLVED that the Board hereby delegates to the President the authority of the Board, as permitted by Indiana Code 20-12-1-4. The Authority so delegated shall include that conferred by the Indiana Code 20-12-23-2 (general powers of the Board conferred by the 1852 statute as amended), Indiana Code 20-12-1 (powers and duties of the Board as enumerated in the 1969 statute) and other authority granted to the Board by other statutes or implied thereby, but subject to the exceptions and conditions stated in this Resolution.
2. FURTHER RESOLVED that the following exceptions limit the delegation of authority hereby granted the President and will continue to be accomplished by Board action:
  - a) The organization of the Board and selection of its officers and committees;
  - b) Appointment to membership upon corporate boards specifically providing for Indiana University representation, or to boards of advisors or visitors;
  - c) Adoption of any Resolution of the Board specifically required by statute (such as upon the sale of surplus real property), and of bond Resolutions;
  - d) Appointment of positions as University officers, deans of schools, and titled professors; appointment and promotion to tenured faculty positions;
  - e) Approval of programs and other transactions of the University that require approval of the Higher Education Commission, Governor, or State Budget Agency;
  - f) Adoption of a budget for the University, or of an appropriation request;
  - g) Statutory processing of conflict of interest disclosure statements; and
  - h) Such other matters as the board may from time to time adopt.
3. FURTHER RESOLVED, that the President is granted such authority by the Board to develop documents, execute contracts and agreements on behalf of the University or authorize others to do so in his stead, and promulgate and distribute notification of policies and to perform such other acts reasonably necessary and convenient to fulfill the purposes of this Resolution.
4. FURTHER RESOLVED, that the President shall, and cause others to, manage and administer the University in accordance with the policies and resolutions adopted by the Board and all applicable laws and keep the Board appropriately advised.
5. FURTHER RESOLVED, that this Resolution may be amended from time to time by the Board.

*(Board of Trustees, September 11, 1987)*

## **VICE PRESIDENTS**

The Vice Presidents all have executive responsibilities as members of the Office of the President, where they function with the President as a team. In addition, they have functional authority over the work assigned directly to their units as it relates to policy-making and coordination for their respective functional areas on a university-wide basis. Where operating authority is involved, as in the case of a university-wide program operating from their respective units, they exercise ultimate line authority.

## **CHANCELLORS / PROVOST**

The Chancellors at Indiana University Northwest, Indiana University South Bend, Indiana University Kokomo, Indiana University East, and Indiana University Southeast are the chief administrative officers of those campuses and report to the President. The Provost at Bloomington and Chancellor at IUPUI also have university-wide responsibilities, serving as Executive Vice Presidents in addition to their campus based titles. The Chancellor at Indiana University Purdue University Fort Wayne reports to the President of Purdue University.

## **Search and Screen Procedures for Administrators**

The Trustees of Indiana University authorize the President of the University to inform the University Faculty Council that the Trustees of the University, in the eventuality of a vacancy in the Presidency, accept the desirability of consultation with the faculty, staff, and students of the University as well as with other university constituencies in the course of determining the selection of a President. Furthermore, the Trustees acknowledge the “Search and Screen” approach as a useful method of consultation in the case of identifying candidates and making a selection of a President. Furthermore, the Trustees understand that the Affirmation Action Plan and Policy which they have earlier adopted will apply fully in the case of the appointment of a President.

*(Board of Trustees, December 18, 1976)*

1. Administrative officers holding positions which bear directly on the teaching/research mission of the university shall be chosen through a formal process referred to as search and screen. These procedures shall apply to the offices of the President, the Vice President for Academic Affairs, the Vice Presidents for the Indianapolis and Bloomington Campuses, the chief administrative officers of the regional campuses, the Dean for International Affairs, the Dean for Learning Resources, and any other systemwide university officers serving with comparable responsibilities under different titles. Any question regarding which officers fall under these guidelines shall be resolved by consultation between the appointing officer and a committee composed of the members of the University Faculty Council’s Agenda Committee and Nomination Committee.
2. Administrative officers with university-wide authority and responsibilities, who are not included in Section 1, shall be chosen by the President or the appointing officer in collaboration with faculty representatives designated by the University Faculty Council’s Nomination Committee. During this collaborative process, the President or appointing officer will be expected to review with the faculty representatives the

circumstances and needs of the position, consult with them about the selection procedures, and keep them informed of the progress of the search. The President or appointing officer will give the faculty representatives the opportunity to interview the final candidates and to offer their advice before the final selection is made.

3. When the position to be filled bears on the teaching/research mission of the University, a majority of the members of the search and screen committee shall be from the faculty. Further, in searching for the chief administrative officer for a particular campus, a majority of members shall be chosen by the appointing officer from a list of faculty on that campus recommended by an appropriate campus faculty body. In the case of systemwide officers, including the Bloomington and Indianapolis Vice Presidents, the number of faculty recommended from among the Bloomington, Indianapolis, and regional campuses shall be in rough proportion to the degree these campuses fall under the jurisdiction of the administrative position being filled. The University Faculty Council's Nomination Committee will be charged with submitting a list of prospective search and screen committees for approval by the University Faculty Council for submission to the appointing officer. The lists should contain roughly one-third more names than requested by the appointing officer so as to provide him or her some choice in appointing faculty to the committee.
4. Appointing officers shall make their requests for the creation of search and screen committees in such a manner that ample time is available for the process, so that "acting" appointments are minimized in number and duration. Whenever possible, the search and screen committee should be appointed at least a semester before the position is available, and no more than 30 days after the vacancy appears.
5. The appointing officer is the President of the University, unless he or she delegates that authority, except in the case where a search and screen committee is being appointed for the office of the President, in which case the President of the Board of Trustees is the appointing officer. In addition to receiving nominees for search and screen committees from the University Faculty Council, the appointing officer is expected to solicit nominees from appropriate representative student bodies as well as nominees drawn from other appropriate constituencies. He or she will also arrange for adequate staff and financial support for the activities of the search and screen committee.
6. The search and screen committee shall establish its own operating procedures including the responsibility, with the assistance of the University Affirmative Action Officer, of insuring that recruiting procedures are in compliance with the University's affirmative action directives.
7. The search and screen committee shall make its recommendations in writing to the appointing officer. In the event that the appointing officer is unable or unwilling to appoint any of the nominees from those recommended by the search and screen committee, he or she shall communicate this result of the committee with a statement of the reasons why and shall request further recommendations.

*(University Faculty Council, March 9, 1976; October 27, 1987)*



## **Review Procedures for Administrators**

1. Administrative officers holding positions that bear directly on the systemwide teaching/research mission of the university shall have their performance and the performance of their office evaluated regularly by a process referred to as Review. The Review shall apply to those officers/offices reporting directly to the President and Executive Vice President of Indiana University.
2. The Review shall be conducted early in the fifth year in office and in recurring intervals of five years thereafter.
3. At the last meeting of each year of the University Faculty Council, the President shall announce the list of all those officers who will be subject to Review the following year as well as the respective appointing officer(s). When an administrator's duration of service necessitates Review, the official to whom that administrator most directly reports shall be the appointing officer of a Review Committee selected according to the following provisions:
  - A. Because the positions to be reviewed bear directly on the teaching and research mission of the university, a majority of the members of the Review Committee shall be from the faculty.
  - B. In reviewing a chief administrative officer for a particular campus, a majority of members of the Review Committee shall be chosen by the appointing officer from a list of faculty on that campus recommended by an appropriate faculty body.
  - C. The number of faculty recommended from among the Bloomington, Indianapolis, and regional campuses shall be in rough proportion to the degree these campuses fall under the jurisdiction of the administrative position being reviewed.
  - D. The University Faculty Council's Nomination Committee shall be charged with submitting a list of prospective Review Committee members for approval by the University Faculty Council for submission to the appointing officer. The list should contain roughly one-third more names than the total to be selected by the appointing officer, so as to provide the appointing officer some choice in appointing faculty to the committee.
  - E. In addition to receiving nominations for the Review Committee from the University Faculty Council, the appointing officer should solicit nominations from representative student bodies as well as other constituencies, as appropriate.
  - F. The appointing officer shall appoint the Review Committee Chair.
4. Appointing officers shall make their requests for the creation of Review Committees in such a manner that at least one semester is available for completion of the Review process.
5. The appointing officer and the Secretary/Co-Secretaries of the University Faculty Council shall convene the Review Committees. The appointing officer shall cooperate with the Review Committee to assure that the administrator under Review meets reasonable requests by the Review Committee for information. The appointing officer shall provide the Review Committee with a description of the duties and responsibilities of the administrator under Review and any existing reports of previous reviews as well as arrange for reasonable and adequate staff and financial support for the activities of the Review Committee. The administrator

under review shall provide the Committee with a statement of his or her administrative goals and objectives. The Review Committee shall be free to establish its own procedures, provided that it consults with all university constituencies affected by the administrator under review and responds with data to the following questions as a minimum:

- A. Has the administrator set clear goals and objectives for the unit? Are these appropriate for the unit?
- B. To what extent does the administrator facilitate the achievement of these goals?
- C. How effectively does the administrator represent the unit to persons outside the unit?
- D. How successful has the administrator been in managing the unit in the face of pressures?
- E. How is the unit perceived on a campus, system, state, and national level?
- F. How effectively has the administrator implemented the University's policies, including the Affirmative Action Plan?

In reviewing academic administrators, the Review Committee shall consult faculty in faculty-governance positions as well as a representative sample of the appropriate faculty body.

- 6. Prior to submitting a final report to the appointing officer, the Review Committee should meet separately with the official being reviewed and then with the appointing officer to discuss the findings of the report. The Review Committee then shall make the report in writing to the appointing officer. The appointing officer shall respond to the Review Committee, discussing actions to be taken as a result of the Committee's findings and recommendations. The appointing officer is encouraged to provide the official reviewed with a copy. The report shall consist of a narrative and critique, a summary of the committee's findings, and recommendations. After the review is complete and the final report has been written, a copy of this report should be sent confidentially to the UFC Agenda Committee. This will usually be the same report sent to the President. On rare occasions a committee might send an abridged report to the Agenda Committee. The chairperson of the Review Committee should of course feel free to consult with the co chairs of the UFC as he/she prepares the report. After receiving the report, the UFC Agenda Committee will invite the Review Committee chairperson to present an oral summary report to the UFC in Executive Session as required by *Academic Handbook* procedures.
- 7. The Trustees of Indiana University are urged to accept regular review as desirable for the offices of President and Treasurer and to acknowledge that consultation with faculty, staff, and students of the University as well as other University constituencies is an important part of these Reviews. Furthermore, the Trustees are urged to take advantage of the process outlined herein for the creation of faculty membership of a Review Committee for these offices. In these cases, the President of the Board of Trustees would act as the appointing officer and the recipient of the Review Committee's report.
- 8. The University Faculty Council recommends that local campus faculty councils/bodies consider promulgating procedures for the review of their campus-wide administrative offices/officers.

9. At the time the final report is sent to the President, a copy of this same report should be sent confidentially to the Agenda Committee/Executive Committee of the faculty council/body of the campus of the chancellor being reviewed. That Agenda Committee/Executive Committee will decide how the summary of the report is to be made available to their faculty. As recommendations contained in the review of the chancellor are implemented, the chancellor should report them to the Agenda Committee/ Executive Committee of the local campus faculty council /body which should report them to the University Faculty Council Agenda Committee.

*(University Faculty Council, March 28, 1978; March 26, 1985; April 13, 1993)*

## **Review Procedures for Chancellors**

### **Preamble**

The president is responsible for the evaluation of his/her direct reports and for the organization of the process conducted to that end. In addition to the president's annual assessment of chancellors, the president, in collaboration with the University Faculty Council, will conduct a fifth-year review of chancellors using the following review procedures, which shall be referred to as the "Review."

The purpose of such reviews is to provide the president, the trustees, and the chancellor with broadly gathered information concerning the quality of leadership provided by the chancellor; to recognize and encourage success; to identify areas in need of improvement; and to provide appropriate constituencies with the opportunity to assess the chancellor's leadership. Normally, the constituencies would include faculty, administration, staff, students, alumni and community leaders. Costs of the Review process shall be underwritten by the office of the president.

The president must have latitude in determining which issues to emphasize in reviewing the performance of a chancellor, but the Board of Trustees encourages the president to consider, among other things, the following areas:

- Execution of the policies and strategies of the board and the president
- Administration of all academic, faculty, and student programs and issues
- Financial performance of the campus
- Academic progress of the campus
- Relationship of the campus to the geographic region served
- Staff and faculty development and all human resources issues
- The intangibles of creativity, growth, spirit, and vision

### **Principles for Chancellor Reviews**

1. **Baseline Data.** The evaluation should be conducted on the basis of a job description provided by the president and reports of previous reviews. The chancellor under review shall provide the Review Committee with a written assessment of his or her specific campus and personal performance goals, and shall meet with the Review Committee to provide an overview of the chancellor's role and activities, to discuss campus issues of particular importance, to indicate the range of constituencies bearing on the chancellor's activities, and to make suggestions concerning groups or individuals whose comments should be sought by the Review Committee.

2. **Review Coordination.** The process should be coordinated by the president or the president's designee.
3. **Fifth-Year Review Components.** The fifth-year evaluation should include information from the following:
  - a) The results of a faculty review process outlined in this document, and information gathered as the president deems appropriate;
  - b) Information provided by the chancellor under review describing her/his accomplishments.
4. The evaluation process should include input from one or more peer reviewers familiar with the responsibilities and duties of individuals who serve in similar positions at comparable institutions.
5. All reports and pertinent data should be submitted to the president and be utilized in accordance with his/her direction and this policy.
6. The evaluation process must be conducted with dignity, confidentiality as permitted, and respect for all parties involved.
7. The president reserves the right to vary these procedures as s/he deems appropriate and will inform the UFC of his/her reasons for doing so.

#### **Chancellor Review Procedures**

1. **Frequency of Review.** The Review shall be conducted early in the fifth year in office and in recurring intervals of five years thereafter.
2. **Organization of Review.** Early in the spring semester of the year preceding a chancellor's review, the president of the university or his/her designee shall send notice to the faculty council on that campus, and other relevant constituencies, announcing the formation of a Review Committee. The Review Committee shall be selected according to the following provisions:
  - a) Because the responsibilities of the chancellor bear directly on the teaching and research mission of the campus, approximately half of the members of the Review Committee shall be from the faculty of the campus. The president shall seek nominations for these appointments from the appropriate elected campus nomination committee. That committee will submit one hundred percent more names than the total to be selected by the president, but the president shall be responsible for the final selection of all faculty appointments, which may include faculty other than those provided. The appointees should be broadly representative of campus faculty and should be predominately tenured faculty. The president shall retain the authority to appoint a limited number of non-tenured faculty when appropriate.
  - b) The president shall also solicit nominations for non-faculty nominees from representative student and staff bodies, and from the chancellor under review to ensure that there is appropriate representation of the campus and the community and other constituencies significantly involved with the chancellor and campus.
  - c) The president shall review the lists of nominees with the chancellor, who may object to the appointment of individuals for good cause.
  - d) The president shall appoint the Review Committee Chair, after consultation with the campus Faculty Council Agenda/Executive Committee.

3. **Timing.** The president shall convene the Review Committee before the close of the spring semester, or shortly before the beginning of the fall semester, in such a manner that at least one semester is available for completion of the Review process. The Review process is expected to be completed within one academic year. The faculty leader of the campus faculty council shall be present at the first meeting.
4. **Peer Reviewers.** One or more peer reviewers may be appointed by the president to assist the committee. The peer reviewer shall be an academic administrator knowledgeable about the role of the chancellor at comparable institutions. The president, in consultation with both the chair of the Review Committee and the chancellor, will select the peer reviewer. The peer reviewer shall compile a single report, to be submitted directly to the Review Committee chair and to the president. The chancellor under review will have the opportunity to respond, in writing, to the peer review report at the time it is submitted. The Review Committee's final report shall take note of the peer reviewer's report.
5. **Outside Advisor.** An outside advisor (such as a higher education consultant) may be used to assist the Review Committee with its processes at the request of the president.
6. **Basic Review Objectives.** At a minimum, the review committee will address the following questions:
  - a) Has the chancellor provided leadership to the campus in setting clear goals and objectives? Are these appropriate for the campus?
  - b) Has the chancellor involved relevant constituencies in developing and adopting these goals?
  - c) To what extent does the chancellor facilitate the achievement of these goals?
  - d) How effectively does the chancellor represent the campus to persons outside the campus?
  - e) How successful has the chancellor been in managing the campus in the face of pressures?
  - f) How is the campus perceived on a local, state, or national level?
  - g) How effectively has the chancellor implemented the university's policies, including the Affirmative Action Plan?
7. **Data Collection, Confidentiality, and Impartiality.** The Review Committee shall gather data for the review. The committee may use documentary reviews, constituent surveys, and letters. The committee may also use interviews with campus and university-level administrators, chancellors of other IU campuses, and representatives from a variety of constituencies, including staff, students, community members, and faculty of the chancellor's campus, including members of faculty governance. The committee also shall seek information from groups and individuals identified by the chancellor. Open meetings to gather information pertinent to the Review are discouraged. The Review Committee shall devise its procedures to ensure and convey to participants the openness of the review to all information and views.

Individual comments must be submitted by identifiable individuals. Anonymous comments will not be included. While the Review Committee will attempt to keep comments and letters confidential, under Indiana State Law, the university cannot assure confidentiality.

8. **Survey.** The Review Committee may utilize a survey as part of the review. The survey shall be developed and administered by a professional survey agency. Questions shall be formulated by the agency in consultation with the Review Committee and the president or his/her designee. The survey shall not contain written comments.

The survey will be administered to tenured, tenure-track, and non-tenure track faculty members. Data for different faculty appointment categories may be disaggregated in reporting. Summary survey results shall be reported confidentially to the president, the chancellor under review, the Review Committee, and the agenda committee/executive committee of the campus faculty council. A summary of these survey results will be included in the final report of the Review Committee.

The use of surveys to gather information from other constituencies (e.g., community members, staff, alumni) may be considered by the Review Committee. Should a decision be made to conduct such surveys, they shall be developed and administered in the same manner as the faculty survey.

9. **Reporting.** Prior to submitting a final report to the president, the Review Committee shall meet separately with the chancellor being reviewed and then with the president to discuss the findings of the report. The chancellor shall be given an opportunity to provide the Review Committee with a written response to its findings. The Review Committee then shall provide a final written report to the president containing a summary of its findings and recommendations and the response of the chancellor.

If there are serious disagreements within the Review Committee about the content of the report, a minority report may be submitted with the Review Committee report. The president will respond to the Review Committee, discussing actions to be taken as a result of the committee's findings and recommendations.

The committee's final report, any minority reports, and the president's response shall be made available to the chancellor under review, the UFC Agenda Committee and the executive committee of the campus faculty council.

After receiving the report, the UFC Agenda Committee and the executive committee of the campus faculty council will invite the Review Committee chair to present an oral summary report in executive session to their respective councils, following *Academic Handbook* procedures.

The president shall consult with the leader of the campus faculty council and the chair of the Review Committee, and then the president and the chair shall determine what elements of the final report, minority reports, and the president's response should be included in a public summary document; however, the summary document must include an accurate characterization of the results of any surveys conducted by the Review Committee. The Review Committee report, the minority report, and the public summary may not quote directly from documents.

10. **Effective Date.** This policy shall become effective upon approval of the Board of Trustees.

*(Board of Trustees, November 3, 2006)*

# ORGANIZATION OF THE FACULTY

*[NOTE: The term “faculty” has different meanings in the different functional contexts covered by this Handbook. Please refer to specific policies for clarification as to who is covered and on the rights and responsibilities implied therein.]*

## Constitution of the Indiana University Faculty

### ARTICLE 1: THE FACULTY

#### Section 1.1: The Faculty

The President, professors, and instructors shall constitute the faculty of Indiana University.

#### Section 1.2: Voting Faculty Membership

- A. All faculty members on tenure or accumulating credit toward tenure shall be voting members of the faculty.
- B. The voting members of the faculty shall exercise the powers of this constitution. The voting members of individual campuses may extend voting privileges to others on matters of individual campus significance.
- C. Faculty members shall vote on the campus of their primary appointment and shall be counted there for purposes of representation.

#### Section 1.3: Certification of the Faculty

By December 1 and thereafter as appointments by the Trustees occur, the President shall communicate to the Secretary of the Faculty the names, rank, tenure status, full-time or part-time status, and campus of primary appointment of all persons holding academic appointments, as certified by the vice president or chancellor of each campus.

### ARTICLE 2: FACULTY AUTHORITY

#### Section 2.1: Faculty Authority

Subject to the Trustees of Indiana University, the laws of Indiana and the United States, and other provisions of this constitution, the Faculty of Indiana University has the legislative and consultative authority specified in this article.

#### *Comment on Section 2.1*

*The Constitution of the Indiana University Faculty is the governing document which states the authority of the Indiana University Faculty and how that authority may be exercised. The University, through the Trustees, formally subscribes to principles of faculty government and relies on the University and campus faculty constitutions to meet that commitment; the University includes the Constitution of the Indiana University Faculty in the Academic Handbook which it distributes to new faculty as representing the structure of University government; and our University Presidents, Vice Presidents, and Chancellors have accepted*

*the privilege of serving as presiding officers over the faculty councils in which the Constitution vests legislative authority. In these circumstances the Constitution of the Indiana University Faculty is authoritative until amended by its own terms or repudiated by the Trustees. The Constitution recognizes that the faculty's authority is subject to the powers of the Trustees and to state and federal law, but the Trustees defer to faculty authority in accordance with principles of academic freedom and faculty governance, generally recognized in the higher education community, to which the Trustees have subscribed.*

## **Section 2.2: Legislative Authority**

The faculty has legislative authority to establish policy and determine procedures for its implementation governing the teaching, research, and service aspects of the University's academic mission. Areas within the faculty's legislative authority include:

- A. Academic mission.
- B. Structure and standards for faculty governance.
- C. Standards and procedures for creation, reorganization, merger, and elimination of academic programs and units.
- D. Standards and procedures for determining the authority of academic units and the relationship between them.
- E. Curriculum.
- F. Class scheduling and academic calendar.
- G. Admission and retention of students.
- H. Student academic performance.
- I. Standards and procedures for student conduct and discipline.
- J. Athletics.
- K. Creation and definition of academic ranks.
- L. Standards and procedures for faculty appointments, promotion and tenure, compensation, conduct and discipline, and grievances.
- M. Standards and procedures for appointment and review of academic officers.
- N. Conferring degrees.
- O. Other authorities delegated to the faculty by the Trustees.

### ***Comment on Section 2.2***

*Section 2.2 states the legislative authority of the faculty as a whole, which is allocated to University, campus, and school faculties in Section 2.4. Section 2.2 begins with the general principle that the faculty has authority over academic matters and then specifies a non exhaustive list of included authorities. In some matters, such as admission of students, the faculty has authority to act in specific cases but sometimes delegates that authority to administrators. In some matters, the administration has authority to act in specific cases subject to standards and procedures enacted by the faculty. In legislating "standards and procedures" the faculty designs frameworks for collaboration with the administration so each can fulfill its appropriate role.*

## **Section 2.3: Consultation of the Faculty**

The Trustees and administration should consult the faculty concerning:

- A. Planning and decisions regarding physical resources.
- B. Budgets.



- C. Faculty compensation and benefits.
  - D. Establishment of administrative offices affecting the academic mission, and appointment and review of administrators filling those offices.
  - E. Any other aspect of University operations having an impact on the academic mission.
- Consultation of the faculty shall be through representatives authorized by faculty governance institutions. Consultation should occur sufficiently in advance of action to permit faculty deliberation.

***Comment on Section 2.3***

*Consultation of the faculty involves consultation of representatives of the faculty authorized to exercise faculty authority. See Section 2.5 below. The consultative authority, as well as legislative authority, of the faculty is allocated to University, campus, and school faculties in Section 2.4.*

**Section. 2.4: Allocation of Faculty Authority**

The legislative and consultative authorities delineated in Sections 2.2 and 2.3 of this article are allocated to the University faculty as a whole (University faculty), to campus faculties, and to school faculties as provided in this section. In matters in which campuses and schools have concurrent interests, conflicts of interest should be accommodated by negotiation. Any standards and procedures for determining the authority of academic units and the relationship between them enacted by the University Faculty Council pursuant to Section 2.2.D of this Constitution shall apply.

**A. Authority of School Faculties**

School faculties (and campus faculties with regard to academic programs not within the authority of a school faculty) have legislative and consultative authority pertaining to the school regarding:

1. The school's academic mission.
2. The school's structure of faculty governance, consistent with University faculty standards.
3. Creation, reorganization, merger, and elimination of academic programs and units within the school.
4. Authority of academic units within the school and the relation between them.
5. Conferring of degrees.
6. Curriculum.
7. Academic calendar, with only such deviation from University and campus calendars made necessary by special curricular or accreditation requirements.
8. Admission and retention of students in the school.
9. Standards for student academic performance.
10. Student conduct and discipline, consistent with University and campus faculty standards.
11. Appointment, promotion and tenure, compensation, conduct and discipline, and grievances of school faculty, consistent with University and campus faculty standards.
12. School facilities and budgets.
13. Appointment and review of school academic officers (except the dean of the school) and administrative officers affecting the school's academic mission, consistent with campus and University standards.

14. Other matters affecting the academic mission of the school, subject to the legislative authority of the University and campus faculties.

**B. Authority of Campus Faculties**

Campus faculties have legislative and consultative authority pertaining to the campus regarding:

1. The campus' academic mission.
2. The campus' structure of faculty governance, consistent with University faculty standards.
3. Policy and allocation of authority for academic matters affecting more than one school on the campus.
4. Academic calendar, with only such deviation from the University calendar made necessary by local circumstances.
5. Creation, reorganization, merger, and elimination of programs and units affecting more than one school on the campus.
6. Appointment, promotion and tenure, compensation, conduct and discipline, and grievances of campus faculty, consistent with University faculty standards.
7. Appointment and review of campus academic officers and administrative officers affecting the academic mission, consistent with University standards.
8. Campus facilities and budgets.
9. Student conduct and discipline, consistent with University standards.
10. Intercollegiate and intramural athletics.
11. Other matters affecting the academic mission of the campus, subject to the legislative authority of the University and school faculties.

Campus faculties have the authorities listed in Section 2.4.A over academic programs not within the authority of a school faculty.

**C. Authority of the University Faculty**

1. The University faculty has legislative and consultative authority in all areas of faculty authority not allocated to schools and campuses and in matters requiring consistent regulation on all campuses.
2. Only the University faculty has authority to recommend conferring honorary degrees.
3. In matters in which University, school, and campus faculties have concurrent authority, the University faculty has authority to determine how the faculty's authority shall be exercised.
4. Actions by the University Faculty Council which limit the legislative authority of campus faculties shall require an affirmative vote of two-thirds of members present.

***Comment on Section 2.4***

*This section articulates how faculty authority is allocated among University, campus, and school faculties. Whether the allocated authority is legislative or consultative and where legislative authority is limited to enacting "standards and procedures" is governed by Sections 2.2 and 2.3. The structure of academic units is distinctive on each campus. To cope with this, the constitution specifies (in Section 2.4.B) that in regard to academic programs that are not part of a school, campus faculties have the authority of a school faculty and authorizes faculties (in Section 2.5.C) to delegate authority to departments and divisions. The concept*

*of “school” should be understood with appropriate flexibility. For example, the University Libraries should be treated as a school in appropriate ways.*

*Section 2.2.D articulates the faculty’s authority regarding issues of University structure. Under Section 2.4.C, the University Faculty Council, with leadership of the Agenda Committee, will allocate authority and coordinate action in matters in which more than one faculty have an interest. Since membership of the UFC and the Agenda Committee includes faculty government leaders of all campuses, all interests should be well represented in this process. The faculty constitution cannot undertake to resolve all issues where there are conflicting interests among academic units, such as those between system schools and campuses, but it does provide a framework within which those conflicts of authority can be negotiated. In general, authority should be allocated to the faculty that must work with the consequences of its exercise.*

### **Section 2.5: Exercise of Faculty Authority**

- A. The University faculty shall exercise its authority through the University Faculty Council. Resolutions adopted pursuant to Section 3.6 of this Constitution shall be advisory. Otherwise, a faculty may exercise its authority as a whole faculty or through institutions of representative faculty governance established pursuant to the faculty’s constitution or bylaws.
- B. Faculties may delegate their authority to faculties of departments, divisions, or other academic units. The faculty of any unit to which faculty authority is delegated shall have the right of self-governance over the unit’s major functions and responsibilities, consistent with University, campus, and school faculty standards.
- C. The Trustees and administration should inform the faculty of policies and circumstances adequately to permit the faculty to exercise its authority in a responsible and effective manner. The faculty shall inform the administration and Trustees regarding proposed faculty legislation.

#### ***Comment on Section 2.5***

*The University community as a whole has an interest in the maintenance of faculty governance and academic freedom throughout the University system.*

*Collaboration between the Trustees, administration, and faculty in University governance requires timely provision of information and exchange of views to enable each to participate in the creation of goals and plans for their implementation. The administration has the responsibility to inform the faculty of matters relevant to the exercise of faculty authority. At the same time, the faculty recognizes its obligation to inform the administration in a timely manner regarding the exercise of faculty authority.*

## **ARTICLE 3:**

## **OFFICERS AND MEETINGS OF THE UNIVERSITY FACULTY**

### **Section 3.1: Presiding Officer**

The President of the University shall be the presiding officer of the University Faculty. The Secretary and Parliamentarian of the University Faculty Council shall hold the corresponding offices for the faculty.

### **Section 3.2: President's State of the University Report**

During each academic year the President will present to the faculty a report on the state of the University—summarizing the operation of the preceding academic year, making such recommendations to the faculty, and calling such problems to their attention as he or she deems pertinent.

### **Section 3.3: Meetings of the Faculty**

Meetings of the faculty may be called by the President and shall be called by the Secretary of the University Faculty Council on request of the University Faculty Council or on petition signed by voting faculty members numbering no less than 5% of all voting faculty members.

### **Section 3.4: Notice of Meetings**

Except in the case of an emergency declared by the President, the Secretary of the University Faculty Council shall notify by mail each voting member of the faculty at least three weeks in advance of the date of the meeting.

### **Section 3.5: Quorum**

10% of all voting members of the faculty shall constitute a quorum for all meetings of the faculty.

### **Section 3.6: Resolutions of Faculty Meetings**

Meetings of the faculty may adopt resolutions and recommendations. All resolutions adopted by meetings of the faculty will be submitted by mail to the voting members of the faculty by the Secretary of the University Faculty Council within the week following the date of the meeting. Such resolutions will come into force after approval by a majority of the votes cast.

### **Section 3.7: Record of Meetings**

The Secretary shall prepare in triplicate the minutes of all faculty action. He or she shall retain the original in his or her own office and file one copy with the President and one copy with the University Faculty Council.

## **ARTICLE 4:**

## **UNIVERSITY FACULTY COUNCIL**

### **Section 4.1: Membership of University Faculty Council**

- A. The voting membership of the University Faculty Council shall be composed of elected faculty and librarians as well as ex-officio members and students.
- B. The number of elected representatives from each campus shall be one representative for each 100 voting members on the campus. Major fractions thereof will entitle the campus to an additional representative. Each campus shall have at least one elected representative.
- C. Ex-officio voting members of the University Faculty Council shall include:
  - 1. The President of the University.

2. The faculty chairs of the Agenda or Executive Committee of the campus-wide institution of faculty governance on every campus. In instances where the campus faculty chair is unable to serve, the campus faculty governance institution may elect an alternate member of its Agenda or Executive Committee to serve.
  3. Such representatives of school faculty governance institutions as the bylaws of the University Faculty Council may designate.
  4. Such administrative officers as the bylaws of the University Faculty Council may designate to serve as ex-officio voting members of the Council.
- D. Voting student membership on the University Faculty Council shall consist of two students from the Bloomington campus, two from the Indianapolis campus, and two representing other campuses. Student representatives shall be selected in accordance with procedures adopted by their constituent bodies.
  - E. The bylaws may designate ex-officio, non-voting members of the University Faculty Council.

#### ***Comment on Section 4.1***

*The structure of the University Faculty Council should inspire confidence in the UFC as an institution that will represent FACULTY interests and views. At the same time the UFC is a significant forum at the system level for engagement between faculty and administration. Section 4.1.C.4 delegates the issue of administrative representation on the UFC to the bylaws so that changes in administrative structure may be reflected without amending the constitution. Similarly, the role of schools in University structure is evolving, and Section 4.1.C.3 allows the bylaws to provide for representation of schools if the representation of schools provided in campus representation, under Section 4.2.A, is insufficient.*

#### **Section 4.2: Election of Members**

- A. Elected members of the University Faculty Council shall be voting members of the University faculty and voting librarians from the several campuses of the University. They shall be elected by the voting members of the faculty and librarians of each campus or by the campus' faculty governing body established in accordance with the campus' faculty constitution or bylaws. To the extent feasible consistent with the principle of providing representation proportional to the number of faculty in units, each campus shall provide in its constitution or bylaws for representation on the University Faculty Council for the schools on the campus.
- B. The chair of the Agenda or Executive Committee of each campus' institution of faculty governance shall certify the persons elected from that campus to serve on the University Faculty Council during the ensuing year. University Faculty Council bylaws may specify deadlines for this certification.
- C. Members of the University Faculty Council may appoint alternates to serve in their places at any University Faculty Council meeting.
- D. Any elected member of the University Faculty Council who is absent for a semester or longer shall be replaced, for the duration of the absence, by the campus faculty governance institution.

### ***Comment on Section 4.2***

*Representation of schools in the UFC is important, but because each campus is organized differently and schools vary in size, providing representation of schools is left in first instance to campus governing documents. The provision requiring school representation “to the extent feasible” has practical effect only on campuses organized by schools. See also, Section 4.1.C.3. Because early organization of the UFC is essential for its effective operation, prompt election and reporting of campus elected representatives is important.*

### **Section 4.3: Term of Office**

- A. The term of office of elected faculty members on the University Faculty Council shall be for one or two years in accordance with the campus’ faculty constitution and bylaws. The term of office of student members shall be one year.
- B. No elected member is eligible to commence a new term as member on the University Faculty Council immediately after serving four consecutive years.

### **Section 4.4: Officers**

#### **A. AGENDA COMMITTEE**

The composition of the University Faculty Council Agenda Committee shall be the faculty chairs of the Agenda or Executive Committee of the campus-wide institution of faculty governance on every campus (or the alternate member elected to serve as a member of the University Faculty Council pursuant to Section 4.1.C.2, above) plus five members of the University Faculty Council elected by its membership in accordance with Council bylaws.

#### **B. CO-SECRETARIES**

The University Faculty Council shall elect two co-secretaries from its voting membership. The bylaws shall provide for election procedures and terms of office.

#### **C. PRESIDING OFFICER**

The President of the University shall preside at the meetings of the University Faculty Council. In the President’s absence, the Agenda Committee shall appoint a presiding officer.

#### **D. PARLIAMENTARIAN**

The Agenda Committee shall appoint a parliamentarian.

### ***Comment on Section 4.4***

*The membership of the Agenda Committee is central to the management of UFC business in a way that accounts for the interests of and circumstances on campuses. The co-secretaries are the political leaders of the University Faculty Council and of the University faculty. In presiding over the UFC, the President is in the best position to present UFC action to the Trustees. The parliamentarian fulfills the impartial role specified by the rules of order adopted by the UFC bylaws.*

### **Section 4.5: Regular Meetings**

The University Faculty Council shall hold at least one regular meeting during each semester of each academic year.

## **Section 4.6: Bylaws**

The University Faculty Council shall adopt its own bylaws.

## **ARTICLE 5:**

### **FACULTY BOARDS OF REVIEW**

#### **Section 5.1: Faculty Boards of Review**

- A. Each campus faculty governing body shall establish a Faculty Board of Review. The University Faculty Council shall establish minimum standards for uniform hearing procedures.
- B. The Faculty Boards of Review shall consider complaints of faculty members concerning academic freedom, reappointment, tenure, promotion, salary adjustment, and the nature or conditions of work. Any member of the faculty desiring a review of university action in these stated areas shall request in writing a review by the Faculty Board of Review at that campus.
- C. The campus Faculty Board of Review shall consider the complaint and make recommendations for disposition of a case and furnish copies to the aggrieved faculty member and to the campus vice president or chancellor. The campus vice president or chancellor shall give the faculty member his or her written decision, with a copy to the Faculty Board of Review.
- D. A further appeal may be made to the President of the University and the Board of Trustees, who shall review the record and notify in writing the concerned faculty member and the campus vice president or chancellor of their decision, with a copy to the Board of Review.

## **ARTICLE 6:**

### **AMENDMENTS**

#### **Section 6.1: Amendment Procedure**

- A. Amendments to the *Constitution of the Indiana University Faculty* may be initiated in three ways:
  - 1. A majority of the University Faculty Council may propose an amendment or amendments to the constitution at a meeting of the University Faculty Council.
  - 2. A majority of a meeting of the faculty of Indiana University may propose an amendment or amendments to the constitution, timely notice having been given as to the purpose of such a faculty meeting.
  - 3. A petition signed by 15% of the voting members of the faculty may propose an amendment or amendments.
- B. If an amendment has been initiated in one of the ways listed in Section 6.1A, the Secretary of the University Faculty Council shall circulate the document and background information to the voting members of the faculty.
- C. At least one week and not later than three weeks after receipt of the document and background information, the Secretary of each campus governing body shall hold a hearing on the proposed amendment or amendments, which hearing shall be open to all members of the faculty.

- D. At least one week and not later than three weeks subsequent to such hearings, the Secretary of the University Faculty Council shall mail a ballot on the proposed amendment or amendments to all voting members of the university faculty; such ballot shall be accompanied by a summation of arguments, both pro and con.
- E. A majority of those voting by mail as well as a majority of those voting on each of a majority of the campuses shall be necessary for the adoption of the amendment or amendments. The Secretary of the University Faculty Council shall count the ballots and circulate the results to the faculty.

*(Adopted by the University Faculty Council: May 23, 1973; Ratified by the University Faculty: November 20, 1973; University Faculty Council: April 16, 1974; Ratified by the University Faculty: January 31, 1975; University Faculty Council: April 26, 1977; Ratified by the University Faculty: July 1, 1977; University Faculty Council: April 14, 1992; Ratified by the University Faculty: September 1, 1992)*

## **Bylaws of the University Faculty Council**

1. The current edition of *Robert's Rules of Order* shall govern the conduct of the meetings of the Council except insofar as the bylaws make express provision to the contrary.
2. The meetings of the Council shall begin at 1:30 P.M. and adjourn at 4:30 P.M. unless a later adjournment is agreed to unanimously. The Agenda Committee may fix a different time for a regular meeting or call a special meeting—providing due notice to the faculty.
3. The presence of a majority of members of the Council shall constitute a quorum.
4. The Co-Secretaries of the University Faculty Council shall determine for each campus the number of representatives to which it is entitled from the lists submitted by the President, as required in Section 1.3 of the Constitution of the Indiana University Faculty. The Co-Secretaries shall forward the lists with this determination to the faculty head of each campus legislative body by October 15, who shall certify to the Co-Secretaries of the University Faculty Council no later than the last day of February the names of those faculty members who will represent the campus on the University Faculty Council for the ensuing year. It shall be the responsibility of the faculty head of each campus legislative body to hold elections for campus representatives sufficiently early in the year so that this deadline can be met. The term of office of newly elected members of the University Faculty Council shall commence at the end of its last regularly scheduled meeting of the academic year.

An affected faculty member or the Agenda/Executive Committee of the faculty organization of an affected campus may request the Council's Agenda Committee to change a faculty member's allocation to a campus for purposes of determining the number of representatives to which a campus is entitled. After giving affected campuses an opportunity to make submissions on the matter, the Agenda Committee will report its determination to the Council.

- A. Pursuant to Section 4.1.C.4 of the Constitution of the Indiana University Faculty, the Chancellors of each campus and the Vice President for Research are designated to serve as ex-officio voting members of the University Faculty Council.



5. Before the April meeting the voting members of the Council, as it will be constituted in the ensuing year, shall elect the Co-Secretaries and five elected members of the Agenda Committee by mail ballot. Of the five elected members of the Agenda Committee, two shall be from the Bloomington campus, two from the Indianapolis campus, and one from another campus. Nominations for these posts shall be submitted by the incumbent Agenda Committee from among the elected members who will constitute the Council in the ensuing year. To the extent feasible, nominations for Co-Secretaries should facilitate Co-Secretaries serving for two years on a staggered basis. The results of the election shall be announced at the April meeting of the Council. Thereafter, the new Agenda Committee shall serve as the Nominations Committee. The term of office of the Co-Secretaries and of members of the Agenda Committee shall be one year, commencing at the end of the Council's last regularly scheduled meeting of the academic year.
6. The duties of the Co-Secretaries shall be as follows:
  - A. To keep comprehensive minutes of the proceedings and actions of the Council. The taped recording of a meeting of the Council will be retained for 12 months by the Co-Secretaries for reference by any interested member of the faculty.
  - B. To prepare a summary of the activities of the Council each year and to distribute it to the general faculty.
  - C. To serve as Co-Chairpersons of the Agenda Committee.
  - D. To report in the minutes the names of those present at a Council meeting. In addition to absences, names of alternates present shall be reported.
  - E. To circulate—as soon as possible after each Council meeting—the minutes of the meeting; Council documents and circulars; and the agenda, time, and place of the next Council meeting. These are to be circulated to all Council members, members of the faculty and librarians who request them, academic administrators, the main library on each campus, the Director of the News Bureau (now Office of Communications), and the Secretary of the Trustees of Indiana University. All University Faculty Council minutes, documents, and circulars shall be made electronically available to the University community in a timely manner for three years.
  - F. To serve as administrators of the University Faculty Council.
  - G. To serve as Co-Secretaries of the Indiana University Faculty (Section 3.1, Constitution of the Indiana University Faculty).
  - H. To call meetings of the faculty (Section 3.3, Constitution of the Indiana University Faculty).
  - I. To represent the Indiana University faculty in meetings with the Trustees, the President, other officers of Indiana University, and their administrative committees, including the academic and administrative cabinets.
  - J. To convene, together with the appointing officer (normally the President), the review committees for Indiana University administrators.
7. The functions of the Agenda Committee shall be as follows:
  - A. The Agenda Committee shall determine the Council's agenda. All communications—including those from individual faculty members—requesting Council action, study, or advice shall be placed on the agenda or referred to an appropriate body or committee for consideration. In the latter case, the Agenda Committee

shall report its action to the Council which may—with the concurrence of a simple majority vote—request the Agenda Committee to place a referred item on the agenda.

- B. The Agenda Committee shall prepare the final draft of any new legislation approved by the Council.
- C. Emergency items should be referred to the Agenda Committee before being given precedence on the agenda.
- D. The Agenda Committee at any time may request the Council to determine the implementation and the effect of any past legislation or action or to reconsider any past legislation.
- E. Any faculty member on request prior to a meeting shall be invited by the Agenda Committee to participate without vote in the meeting, subject—however—to the exercise by the Agenda Committee of its responsibility for taking varied points of view into account and for the efficient management of the Council's time. On its own initiative, the Agenda Committee may invite any non-member to participate in the discussion of matters of particular interest. Faculty members, students, members of the university staff, and members of the press are welcome to attend meetings of the Council—subject to the adequacy of available space. The Agenda Committee may invite the general faculty to participate in special meetings of the Council to be governed by ad hoc rules adopted by the Agenda Committee.
- F. At the request of the President or of the Agenda Committee on its own motion, the Council may meet in Executive Session.
- G. The Agenda Committee shall serve as the University Faculty Council's Nominations Committee.

## 8. Committees

### A. Council Standing Committees:

- 1) The Council's standing committees and the subject matters expected to be in their purview are:

*Affirmative Action Committee:* Affirmative Action policies programs; liaison with the University's Affirmative Action Office.

*Educational Policy Committee:* Operation and assessment of academic programs, admissions and retention in academic programs, assessment and evaluation of students' academic performance; policies for conferring academic degrees; distance learning; programs to improve and evaluate teaching and learning; liaison with FACET.

*External Relations Committee:* Legislative and governmental relations; marketing; fund raising; liaison with Vice President for Public Affairs and Government Relations.

*Faculty Affairs Committee:* Academic ranks; appointments, promotion, and tenure; grievance and discipline standards and procedures; special faculty recognition and awards.

*Faculty Compensation and Benefits Committee:* Faculty compensation and benefits, liaison with Vice President for Administration (on benefits matters).

*Faculty Governance Committee:* Standards, policies, and procedures concerning faculty governance; search and screen and review procedures for administrators;

Constitution of the Indiana University Faculty and Bylaws of the University Faculty Council; oversight and consultation on publication of amendment of the Indiana University *Academic Handbook*.

*Finances and Facilities Committee:* Periodic budgets and other financial affairs; consultation on tuition and charges policies and procedures; new buildings, modifications to existing structures, safety and security, machinery and other accommodations as they affect the delivery of academic programs; liaison with Vice President and Chief Financial Officer and Vice President for Administration (on facilities matters), liaison with the Indiana University Foundation.

*Library Committee:* Development of university library resources, including information and other technology resources, and policies governing their use.

*Research Affairs Committee:* Development of University policy and practice related to research; address issues affecting university support for research activities.

*Student Affairs Committee:* Student welfare; student employment and benefits; student rights, responsibilities, and discipline.

*Technologies Policy Committee:* Development of information and other technology resources and policies governing their use; liaison with the Vice President for Information Technology.

*University Planning Committee:* Development of the University's missions; plans and procedures that implement the missions; authority and responsibility relationships of academic units; standards, policies, and procedures for the creation, change, assessment, and termination of academic units.

- 2) Following the Council's April meeting and before June 1, the Agenda Committee shall appoint the members of standing committees for the following year and shall designate the committees' chairs. Each committee shall have at least two members who are members of the Council. To the extent practicable each standing committee should include one member from each campus who is a member of the campus faculty organization committee with responsibilities for the same subject matter.
  - 3) Each standing committee must meet in person at least once a year; other meetings may be held via telephone conferences or other electronic media.
  - 4) A committee may create a subcommittee including members of the parent committee and other members as may be appropriate.
  - 5) With the agreement of the Agenda Committee, two or more committees may create a task force composed of members from each of those committees, and other members as may be appropriate, to work on a matter relevant to the jurisdiction of those committees.
- B. **Honorary Degrees Committee:** The Honorary Degrees Committee and the standards and procedures for awarding honorary degrees are governed by the Indiana University Honorary Degree Policy adopted by the University Faculty Council on November 10, 1992 (with duly adopted amendments, if any).
- C. **Other Committees:** The Agenda Committee may create and appoint ad hoc committees and task forces and may make recommendations of faculty members to serve on administrative appointed committees.

9. Elected Council members, faculty chairs of the Agenda or Executive Committee of the campus-wide institution of faculty governance on every campus (or their elected alternates), and student representatives may appoint alternates to serve in their place at any meeting. Any elected member of the Council who is to be absent for a semester or longer shall be replaced during that period in accordance with procedures specified in the election unit's constitution or bylaws.
10. Retention and disposition of Faculty Council files
  - A. Definition and principles:
    - 1) All records and files created or received by the Co-Secretaries of the UFC as administrator of the Council and relating to Faculty Council business are defined as the official records of the UFC.
    - 2) Records and files created or received by the chairpersons of UFC committees are defined as UFC committee files and are therefore excluded from the provisions of these rules.
    - 3) The maintenance of official UFC records and files shall be in accordance with general Indiana University rules established by the Trustees, the Vice President for Administration, and the Indiana University Controller.
    - 4) For records or files created or received by June 30, the period of maintenance shall commence on the following first of July.
  - B. Maintenance of UFC records and files: Official UFC records and files shall be maintained in the Faculty Council Office for the minimum periods specified:
    - 1) Incoming and outgoing correspondence relating to UFC business and incoming correspondence log: three years.
    - 2) Tape recordings of UFC meetings: one year.
    - 3) Election ballots or other data relating to elections and committee assignments: one year.
    - 4) Tabulations by name of votes in Council meetings: one year.
    - 5) File copy of agendas, minutes, circulars, and each year's Summary of the Year: indefinitely.
  - C. Disposition of UFC records and files:
    - 1) Subject to space limitations, official UFC records and files may be retained in the UFC office for longer periods than those specified in Bylaw 10.B, at the discretion of the Co-Secretaries.
    - 2) Tape recordings of minutes, ballots, and other election materials relating to elections and committee assignments may be erased / discarded after one year, at the discretion of the Co-Secretaries.
    - 3) Other official UFC records and files shall be offered to the University Archives upon expiration of the period specified in Bylaw 10.B.
    - 4) Surplus copies of items listed under Bylaw 10.B.(5) shall be offered to the University Archives at the end of the Council year in which they have been created.
  - D. Exceptions:
    - 1) The records and files of UFC committees, while not subject to these rules, are an important resource for the efficient administration of Council activities and a potentially valuable historical record. Chairpersons are encouraged to pass UFC committee records and files on to their successors at the conclusion of the

Council year and/or to offer them to the University Archives at an appropriate time.

- 2) Files maintained by the UFC staff for their own use and containing unofficial materials shall not be subject to the provisions of these rules.

E. Effective date:

These rules shall become effective as of July 1, 1984.

*(Adopted by the University Faculty Council: April 16, 1974; University Faculty Council: February 8, 1977; April 26, 1977; October 14, 1980; December 8, 1981; November 30, 1982; March 8, 1983; November 27, 1984; March 26, 1985; April 23, 1991; February 9, 1993; November 12, 1996; October 14, 2003)*

## **University Faculty Committees**

There is a wide range of faculty participation in the governance of the University through University-wide standing and *ad hoc* committees, the memberships of which are appointed by University administrative officers or by the University Faculty Council. Extensive use is also made of faculty committees at the campus, college, school, and division levels, and within individual departments. Specific information on committee composition can be obtained from the Office of the President or the Co-Secretaries of the University Faculty Council.

## **Faculty Boards of Review: Minimum Standards for Uniform Hearing Procedures**

These minimum standards for uniform hearing procedures apply to all hearings conducted by Faculty Boards of Review established by campus governing bodies under Article V of the Constitution of the Indiana University Faculty.

### **PURPOSE**

These minimum standards are intended to ensure that consideration of faculty [In this document, the word “faculty” is generic and includes librarians] requests for review of university actions concerning academic freedom, reappointment, tenure, promotion, dismissal, salary adjustment, and the nature or conditions of work by Faculty Boards of Review are conducted fairly and reasonably.

1. All the members of a Faculty Board of Review shall be members of the faculty, and a majority of those shall be tenured. Members shall be elected by the faculty at large or by the faculty members of the campus faculty governance organization.
2. Complaints requesting a review of administrative action by Faculty Board of Review shall be submitted in writing. The complaint shall specify the action to be reviewed, the reasons for requesting the review, and a proposed remedy.
3. Upon receiving a complaint, a Faculty Board of Review shall provide written notice of the complaint and its particulars to the administrators 1) who are named in the complaint and 2) who are believed to be responsible for representing the University in regard to the complaint.
4. A Faculty Board of Review shall allow reasonable time for the preparation of cases to both parties, set deadlines in order to dispose of cases in a timely fashion, schedule meetings and hearings at times convenient to both parties and the Board, and

provide written notice of meetings and hearings in due time to all concerned.

5. A Faculty Board of Review, authorized to undertake informal efforts to resolve complaints, shall maintain a clear distinction between these efforts and its formal procedures and shall keep a written record of its informal efforts and the results these have produced.
6. A Faculty Board of Review shall prepare a written summary and a taped record of its proceedings in both formal and informal hearings, and these shall be available to members of the Board and both parties.
7. The faculty on each campus, through its governance system, shall establish the conditions under which the procedures for its Faculty Board of Review hearings will be open or closed.
8. A Faculty Board of Review shall develop rules to ensure that the confidentiality of all its proceedings, excepting open hearings, is preserved and that its findings and recommendations are determined and communicated without undue publicity.
9. Either or both parties to the complaint may be represented by an attorney or adviser at formal or informal hearings.
10. Both parties and the Faculty Board of Review may call witnesses, cross-examine witnesses, and request information bearing on the complaint from the University and others believed to have relevant information.
11. Members of a Faculty Board of Review shall recuse themselves from considering a complaint at any stage of the process if they are members of the complainant's department (or school/college if that unit is not organized in departments) or if there is any other association with the complainant which will make (or create the appearance of making) them unable to serve impartially.
12. Formal hearings shall be conducted before the full membership of a Board of Review. The document establishing a Faculty Board of Review shall include a provision for filling vacancies on the Board.
13. Formal hearings shall be conducted so as to guarantee that both sides are present, are permitted to participate, and are able to examine and respond to all evidence presented to the Board, nor shall recommendations regarding any complaint be sent to the Chancellor or Vice President until both parties have been heard.
14. A Faculty Board of Review shall prepare written recommendations regarding complaints and provide copies to both parties within a reasonable time following the conclusion of hearings.

*(University Faculty Council, April 8, 1997; November 10, 1998)*

### **Allocation of Faculty Governance Jurisdiction Regarding ROTC Programs**

Responsibility to provide faculty consultation to and oversight of ROTC programs regarding issues of University -wide concern is assigned to the UFC Educational Policy Committee, with the recommendation that any such issues be studied by a subcommittee with representation of those campuses that have ROTC programs. The faculty governance organization on each campus should assign responsibility for ROTC consultation and oversight regarding local issues (including matters of curriculum and personnel) to a standing committee of the faculty organization or to a special committee created for those functions.

*(University Faculty Council; February 11, 1997)*

## Guidelines for Academic Calendar

Calendars on all campuses of the University are to be constructed according to these guidelines:

1. In order that students may transfer from one to another campus of Indiana University without loss of time in the pursuit of their educational goals, the beginning and ending dates for semesters and major summer sessions will be approximately the same on all campuses to minimize overlap between two sessions at the various campuses.
2. The usual 3-credit lecture class shall meet for a minimum of approximately 2,000 minutes, excluding the final examination period.
3. A standard semester shall contain at least 15 weeks of instruction, including final examinations.
4. A campus calendar committee, with the approval of its respective faculty, will determine the number and arrangement of days needed for student orientation, counseling, registration, and final examinations.
5. Thanksgiving Recess, consisting of at least Thanksgiving Day and the following Friday, will be observed on each campus.
6. Following the ending of classes, an appropriate number of days may be reserved each semester for final examinations. At no time should the examination period for the first semester end later than December 23.
7. The Spring Recess should be no more than one week in length.
8. The University's Founders Day ceremony will be observed on the third Wednesday of April.

*[NOTE: Current practice is that the date of Founders Day is set by the President's Office and that it usually is observed in March (Administrative Practice)]*

9. The University Commencement Committee will coordinate the dates for commencement ceremonies so that the President and other key officials will be able to attend these ceremonies on each campus.
10. Independence Day is to be recognized as a recess day on each campus.
11. In order to facilitate the coordination of calendars within the Indiana University system, the calendar committee for a specific campus will inform and consult with the University Calendar Committee and obtain its approval for any exceptions to these guidelines, prior to recommending a calendar to its Faculty Council (or equivalent approving body).

*(University Faculty Council, April 29, 1976; April 27, 1982)*

## Trustees' Resolution Regarding Martin Luther King, Jr. Day

WHEREAS, Martin Luther King Day is set aside each year as a national holiday to celebrate the life and lessons of Dr. Martin Luther King, Jr.; and,

WHEREAS, communities throughout the State of Indiana converge on the Martin Luther King holiday at events which celebrate their diversity and at the same time promote their collective spirit; and,

WHEREAS, Indiana University has, for years, considered what action is the most appropriate way to recognize the life, accomplishments and inspiration of Dr. Martin Luther King, Jr.; and,

WHEREAS, it is appropriate and consistent with large segments of our community to set aside Martin Luther King Day as a holiday;

BE IT THEREFORE RESOLVED THAT:

1. Martin Luther King Day, beginning in January, 1998, shall be observed as a holiday on all Indiana University campuses; and
2. All appropriate efforts shall be made by the University to provide events which highlight the life and philosophy of Dr. Martin Luther King, Jr. on and surrounding the holiday; and
3. Efforts shall be made to adjust the University calendar so as to accommodate the observance of this holiday.

*[NOTE: Meaning that classes will not take place on that day.]*

*(Board of Trustees, January 24, 1997)*

## PROCEDURES FOR PROGRAM REVIEWS

The Educational Policies Committee has slightly revised and endorsed the following procedures for program review that were initially formulated by the Academic Cabinet. The purpose of the recommendations is to regularize the process of program review throughout the system while at the same time leaving to each unit sufficient latitude to define the parameters of the review in the light of its own particular mission. Accordingly, the EPC recommends:

1. that Indiana University implement a campus-based system of regular periodic (once every 5–7 years) program reviews of individual departments and schools [Regular accrediting and professional organization review may serve this purpose.];
2. that the reviews be conducted by the chancellor or dean (for large units);
3. that the reviews make use of outside peer reviewers who are mutually agreeable to the faculty of the unit and the dean or chancellor;
4. that the faculty of the unit under review prepare a mission statement for the unit and a statement of goals to be used by the appointing officer in charging the outside reviewers;
5. that there be within one year a follow-up to the report of the outside reviewers indicating the steps taken to address the report, with copies to the outside reviewers;
6. that all reviews address certain essential questions:
  - a. What are the students learning? Is the curriculum of the unit consistent with the unit's mission?
  - b. Are the teaching, research, and service activities of the faculty consistent with the unit's mission?
  - c. Is the unit better than, the same as, or worse than it was five (seven) years ago?
  - d. What changes are needed in the next five (seven) years?
7. that the unit under review and the outside reviewers have support services to provide certain items of information useful in assessing progress, such as the number of graduates, retention, external grants and contracts, the diversity of the faculty and student body;



8. that each chancellor and dean submit to the Chair of the Academic Cabinet at the end of each year a list of programs that were reviewed that year.

*(University Faculty Council, April 13, 1993)*

## UNIVERSITY ARCHIVES

### Preservation of University Records

The University Faculty Council affirms the need to preserve documents of an historic and/or public nature generated by administrative units, offices, programs, departments, and committees—the components of Indiana University. Such materials should not be destroyed. Except for patient records, individual student records, certain personnel records, and other records as specified by law, all materials should be made available for deposit in the Indiana University Archives. Chairs and unit heads should work with their campus archivist to establish those items deemed pertinent for preservation. When materials are offered to the University Archives, it is to be understood by the donor or depositor that the archivist has the exclusive right to dispose of materials not of an appropriately historic nature. The donor or depositor may, in writing at the time of transfer of the material, condition the donation upon the agreement that no material will be eliminated without prior consultation with the donor or depositor. In addition, members of the University community are encouraged to leave their private papers and records to the University.

*(University Faculty Council, April 26, 1983)*

*[NOTE: Academic appointees may access the Academic Personnel Records Retention Schedule through the IUB libraries website (<http://www.libraries.iub.edu>).]*

## FORMAL CEREMONIES

Most formal ceremonies and all commencements are now campus specific. An exception is the Indiana University Founders Day ceremony, which is held in Bloomington in the spring of each year. The President participates in Commencements, Founders Day, official dedications, and other formal ceremonies.

Faculty participation in Founders Day, Commencements, and official dedications is urgently desired. Notices detailing arrangements for such participation are sent out well in advance.

## HONORARY DEGREES

### Criteria

1. The honorary doctorate is the highest academic recognition Indiana University can bestow. Candidates for these degrees should have demonstrated in their life and

in their work high standards of excellence as evidenced by scholarship or creative activity; by professional development and achievement; by public service to the world, the nation, the state, or the community; in wholehearted commitment to the development of Indiana University; or through excellence in any calling or occupation which visibly contributed to the development of society and serves as a model for present and future generations. In all honorary degree candidates these scholarly, creative, professional, service, or occupational achievements should be placed in a framework of high personal integrity and concern for the public good. By awarding honorary degrees to women and men of such outstanding qualities, the University seeks to present to its several constituencies veritable models worthy of emulation and respect. Students, faculty, alumni, and the people of the state as a whole should recognize in the honorary degree recipients qualities they consider particularly relevant to their own experiences, whether these be scholarship, creative activity, a profession, public service, University service, or a vocation.

2. Candidates for the honorary degree generally should have significant ties to the State of Indiana or to Indiana University through birth, residence, education, service, or notable achievement.
3. Honorary degrees are not normally awarded to candidates for political office or to elected officials currently in office or to faculty, staff, or administrators currently in service. Retired or former faculty members must meet the same high standards for nomination as all other honorary degree candidates.
4. The honorary degree may not be awarded in absentia; but, if an approved nominee cannot be present at the convocation for which the degree was offered, the recommendation for the degree shall be reviewed annually by the Honorary Degrees Committee.
5. All nominations are referred to the Honorary Degrees Committee, whose recommendations are transmitted by its chairperson to the University Faculty Council. After approval by the University Faculty Council, the nominations are transmitted to the President of the University for submission to the Board of Trustees for formal action.

## **Procedures**

1. The Honorary Degrees Committee shall be a standing committee of the University Faculty Council, with its membership composed of four members of the University Faculty Council selected by the Nomination Committee and four members from outside the Council selected by the President. The chairperson shall be one of the four Council members and shall be selected by the Nomination Committee in consultation with the President.
2. The Honorary Degrees Committee shall forward its list of nominees to the University Faculty Council approximately one month in advance of the meeting at which the nominees are to be discussed. The list shall be accompanied by the nominees' curriculum vitae and a written justification from the committee for each selection based on the established criteria. A copy of the criteria shall be included in this mailing.
3. The Honorary Degrees Committee shall identify resources within the University to assist in supplying input where appropriate to the selection of nominees for honorary degrees.

4. In the event that an approved nominee cannot be present at the convocation for which the degree was approved, the recommendation for the degree shall be reviewed annually by the Honorary Degrees Committee.
5. Nominees for honorary degrees shall not be voted upon by mail ballot except in circumstances judged to be emergencies by the Agenda Committee of the University Faculty Council.
6. Except for dedications and other special occasions, the presentation of nominations for honorary degrees by the Honorary Degrees Committee to the University Faculty Council normally shall be made no later than the March meeting of each year (one year in advance of the commencement ceremonies).
7. If a mail ballot becomes necessary, a candidate cannot be declared to have won unless the total of affirmative votes is greater than the total of both the negative and the further-study votes.

## Informational Statement

The conferral of honorary doctoral degrees provides a special opportunity for the university to recognize persons of outstanding accomplishment. Indiana University, as a leading public university in the State of Indiana, recognizes a particular responsibility to acknowledge and honor persons of outstanding achievement who have significant ties to the state or the university. As an institution particularly responsible for advanced teaching and research in the various academic and professional fields, Indiana University has an equally important responsibility to identify and honor persons of national and international eminence who are the leaders of their fields of creative or professional endeavor.

The honorary doctorate is the highest academic recognition Indiana University can bestow. Thus, candidates for the honorary degree must have demonstrated the highest levels of excellence as scholars, artists, professionals, or public servants. Equally high expectation is placed on their personal integrity and concern for the public good. In recognizing such persons, the university identifies women and men who can serve as role models for students, faculty, and alumni of Indiana University, indeed, for all persons of the state, to respect and emulate.

Candidates for an honorary doctorate can be nominated by any member of the university family. Nominations are submitted for the first stage of review to the Honorary Degrees Committee (HDC), which is a standing committee of the University Faculty Council. Some campuses have established faculty committees to initiate nominations and provide for preliminary review at the local level. Nomination materials need not be extensive but should indicate the extraordinary nature of the candidate's life and contribution and should document the backing of the campus faculty and administration. The following initial documentation is suggested:

1. A letter of nomination from the primary nominator.
2. A short (one-page maximum) narrative explaining why the candidate is worthy of an honorary doctorate from our institution.
3. A curriculum vitae.
4. Several letters of recommendation from *within* the university, usually from senior professors, distinguished scholars, and/or administrators, and a letter from the dean of the sponsoring college [or appropriate head of the academic unit on the campus making the recommendation].

Nominators may be asked by the HDC to expand the dossier and to solicit statements of support from distinguished individuals *outside* the university.

Approved candidates are recommended by the HDC to the University Faculty Council for a second stage of review and approval. The president of the university then transmits the dossiers of approved candidates to the Board of Trustees for review and final, formal action.

It should be noted that the process of committee, council, and board review is a long one, often taking one to two years from inception to the actual awarding of the degree at a public ceremony. To assist university colleagues in their efforts, nominators should start the process early.

Since nominations for honorary degrees can be initiated by persons from any segment of the university family, the achievement of individuals which prompt nominations will reflect the broad spectrum of values expressed in contemporary U. S. culture. The faculty and Board of Trustees share the important and challenging task of selecting those nominees most appropriate for recognition as exemplary models for all of us. The award ceremony focuses attention at the interface between the university and society and the qualities of the persons honored reveal the values of academia.

The Honorary Degrees Committee invites the participation of all interested persons in this important process. We await the nomination of persons of truly outstanding achievement for conferral of honorary doctoral degrees at graduation and major academic ceremonies on all campuses of the University.

*(University Faculty Council, March 13, 1979; April 4, 1980; February 8, 1983; March 26, 1985; April 23, 1985; January 26, 1988; November 10, 1992)*



## II. THE ACADEMIC APPOINTEE AND THE UNIVERSITY

### ACADEMIC RIGHTS, RESPONSIBILITIES, AND AUTHORITY

#### Policy on Academic Freedom

Academic freedom, accompanied by responsibility, attaches to all aspects of a teacher's and librarian's professional conduct. The teacher and librarian shall have full freedom of investigation, subject to adequate fulfillment of other academic duties. No limitation shall be placed upon the teacher's and librarian's freedom of exposition of the subject in the classroom, or library, or on the expression of it outside. The teacher should not subject students to discussion in the classroom of topics irrelevant to the content of the course. No censorship shall be imposed on the librarian's freedom to select and make available any materials supporting the teaching, research, and general learning functions of the academic community. In public utterances the teacher and librarian shall be free of institutional control, but when either the teacher or librarian writes or speaks as a citizen, an endeavor should be made to avoid appearing as a spokesman for the University. The teacher or librarian should recognize that a professional position in the community involves the obligation to be accurate, to exercise appropriate restraint, and to show respect for the right of others to express their views.

Cases involving alleged impairment of academic freedom shall be referred to the appropriate Board of Review and dealt with according to established procedure.

*(Faculty Council, May 17, 1966; University Faculty Council, May 30, 1976; Reaffirmed by University Faculty Council, October 10, 2005; Board of Trustees, November 4, 2005)*

#### Code of Academic Ethics

##### PREAMBLE

The central functions of an academic community are learning, teaching, and scholarship. They must be characterized by reasoned discourse, intellectual honesty, mutual respect, and openness to constructive change. By accepting membership in this community, an individual neither surrenders rights nor escapes fundamental responsibilities as a citizen, but acquires additional rights as well as responsibilities to the entire University community. They do not require the individual to be passive and silent. They do require recognition of how easily an academic community can be violated.

##### INTRODUCTION

*Applicability.* The provisions of this Code apply to persons whose service to the University includes teaching, scholarship, librarianship, and academic administration. Such persons are referred to in the Code as "Academic Personnel." References in the Code to "Faculty" include tenured members of the faculty, librarians, and persons whose service to the University may lead to tenure.

*Organization.* This Code contains two major sections: first, a statement of rights and responsibilities; and second, a statement of enforcement procedures. The first section is

divided into three subsections. Of these, the first subsection, in seven parts, is a general statement of the rights and responsibilities of Academic Personnel adapted from the "Statement of Professional Ethics" adopted as policy by the American Association of University Professors in April 1966. The second subsection consists of representative responsibilities assumed with academic employment at Indiana University. The third subsection consists of the rules of conduct outlined in the prevailing *Code of Student Rights, Responsibilities, and Conduct*. It is assumed that academic personnel will accept without reservation those rules of conduct which are generally applicable within the University community and which are expressed at the moment within the student code.

The second section is also divided into three subsections. The first subsection deals with initiation of complaints, the second with appropriate administrative actions, and the third with reviews of administrative action.

## A. RIGHTS AND RESPONSIBILITIES

### I. General Statements

*Scholarship.* A scholar recognizes a primary responsibility to seek and to state the truth without bias. Striving to improve scholarly competence, continuing always to keep abreast of knowledge of his or her discipline, the scholar exercises critical self-discipline and judgment in using, extending, and transmitting knowledge, and practices intellectual honesty. Although subsidiary interests may be followed, these must never seriously hamper or compromise freedom of inquiry.

*Teaching.* A teacher encourages the pursuit of learning in students, holding before them the best scholarly standards of the discipline. Respecting students as individuals, the teacher seeks to establish a relationship of mutual trust and adheres to the proper role as intellectual guide and counselor. The teacher makes every effort to foster honest academic conduct and to assure that the evaluation of students' scholastic performance reflects their true achievement, with reference to criteria appropriate to the field of study. Any exploitation of students for private advantage is rejected and their significant assistance is acknowledged. The teacher protects their academic freedom and serves as an example of this principle by assuring that each student and colleague is free to voice opinions openly and to exchange ideas free from interference.

*Librarianship.* A librarian in the academic community is responsible for the collection and dissemination of information and materials and for services pertaining thereto in support of the teaching, research, and general learning functions to the University. A librarian is obligated to keep abreast of the latest developments in the profession and with processes and services to improve library service.

*Relations with Colleagues.* As colleagues, academic personnel have obligations that derive from common membership in the community of scholars. Such persons respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they show due respect for the opinions of others. They acknowledge their academic debts and strive to be objective in their professional judgment of colleagues. They accept their share of responsibility for the governance of the University.

*Relations with Students.* With regard to relations with students, the term "faculty" or "faculty member" means all those who teach and/or do research at the University including (but not limited to) tenured and tenure-track faculty, librarians, holders of

research, lecturer, or clinical appointments, graduate students with teaching responsibilities, visiting and part-time faculty, and other instructional personnel including coaches, advisors, and counselors.

The University's educational mission is promoted by professionalism in faculty/student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse their power in such a context violate their duty to the University community.

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. All amorous or sexual relationships between faculty members and students are unacceptable when the faculty member has any professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamental asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as a violation of this Code of Academic Ethics if faculty members engage in amorous or sexual relations with students for whom they have professional responsibility, as defined in number 1 or 2 below, even when both parties have consented or appear to have consented to the relationship. Such professional responsibility encompasses both instructional and non-instructional contexts.

1. Relationships in the Instructional Context. A faculty member shall not have an amorous or sexual relationship, consensual or otherwise, with a student who is enrolled in a course being taught by the faculty member or whose performance is being supervised or evaluated by the faculty member.
2. Relationships outside the Instructional Context. A faculty member should be careful to distance himself or herself from any decisions that may reward or penalize a student with whom he or she has or has had an amorous or sexual relationship, even outside the instructional context, especially when the faculty member and student are in the same academic unit or in units that are allied academically.

*Relation to the University.* Indiana University is committed to the concept of academic freedom and recognizes that such freedom, accompanied by responsibility, attaches to all aspects of a teacher's or librarian's professional conduct. Within this context, each person observes the regulations of the University, and maintains the right to criticize and to seek revision and reform. A teacher or librarian determines the amount and character of work done outside the University with due regard to paramount responsibilities within it. When considering interruption or termination of service, the teacher or librarian recognizes the effect of the decision upon the program of the University and gives due notice. Above all, he or she strives to be an effective teacher, scholar, librarian, or administrator.

*Relation to the Community.* As members of the community, academic appointees have the rights and obligations of any citizen. They should measure the urgency of



these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to the University. When they speak or write as citizens, they are free from institutional censorship or discipline. At the same time, their positions as members of a university and of a learned profession impose special responsibilities. When they speak or act as private persons, they will make it clear that they are not speaking or acting for the University. They will also remember that the public may judge their profession and the University by their utterances and conduct, and they will take pains to be accurate and to exercise restraint.

## *II. Specific Responsibilities*

In addition to the preceding general statements of ethical performance within the academic profession, there are specific responsibilities that devolve upon the academic appointee who accepts a position at Indiana University. Observance of such specific responsibilities as the following is also a component of academic ethics.

1. A teacher will maintain a clear connection between the advance description and the conduct and content of each course presented to ensure efficient subject selection by students.
2. A teacher will clearly state the course goals and will inform students of testing and grading systems; moreover, these systems should be intellectually justifiable and consistent with the rules and regulations of the academic division.
3. A teacher will plan and regulate class time with an awareness of its value for every student and will meet classes regularly.
4. A teacher will remain available to students and will announce and keep liberal office hours at hours convenient to students.
5. A teacher will strive to develop among students respect for others and their opinions by demonstrating his or her own respect for each student as an individual, regardless of race, sex, national origin, religion, age, or physical handicap.
6. A teacher will strive to generate a proper respect for an understanding of academic freedom by students. At the same time, a teacher will emphasize high standards and strive to protect students from irrelevant and trivial interruptions or diversions.
7. Since letters of evaluation written by a teacher may be uniquely important documents in both the academic and post-university life of a student, each teacher will strive to make such letters both candid and fair.
8. A librarian recognizes the need for continual development, maintenance and improvement of standard and specialized bibliographical resources.
9. A librarian cooperates with the teaching and research faculty to develop the collection in support of the curricular offerings of the academic community.
10. A librarian recognizes intellectual and professional obligations to the patron, the University, and the community at large.
11. A librarian has an obligation to recommend and make improvements in library service.
12. A librarian accepts the responsibility for the care and preservation of library materials.
13. Academic personnel will strive to protect not only their own right to freedom of inquiry, teaching, and expression but also their colleagues' right to the same freedoms.

14. In the interest of avoiding actual or perceived conflict of interest, academic personnel should not directly supervise employees with whom they are having sexual or amorous relationships. Academic supervisors shall disqualify themselves from employment-related decisions concerning such employees and, in consultation with the employee involved and other appropriate persons, the Dean of the Faculties or other equivalent campus administrator shall take steps for the appointment of a surrogate supervisor.
15. While in the classroom, academic personnel should refrain from adverse personal comments about their colleagues. At all times, academic personnel should exercise restraint and discretion in comments about other courses or divisions in the University.
16. Constructive criticism of colleagues is sometimes necessary in the interest of the individual criticized or the entire University community. To be constructive, however, such criticism should be channeled, in confidence, toward those persons (preferably the individual concerned, but also academic superiors, faculty committees, or administrative officers) who have the power to correct or influence conduct in a constructive way. Indiscriminate criticism or gossip about colleagues is condemned.
17. Each academic person retains the right to criticize and to seek to remedy, by appropriate means, regulations and policies of the University. Among means deemed inappropriate are: acts of physical violence against members or guests of the University community; acts which interfere with academic freedom, freedom of speech, or freedom of movement; and acts of destruction of University property. It is equally inappropriate to advise others to commit such acts.
18. If criticizing the University, the academic person should be aware of ameliorative procedures that exist within the University and should use these procedures in preference to conducting public criticisms of the institutions or any of its divisions.
19. Each academic person will insure that outside commitments do not interfere in terms of time, energy, or conflict of interest with obligations to the University. As a safeguard against such interference, each will:
  - a. report to an appropriate authority plans to engage in gainful activities of an extensive, recurring, or continuing nature; and
  - b. notify an appropriate authority of any invitation to serve as advisor or consultant to an agency granting money to the University.
20. He or she will give adequate notice of interruption or termination of service. In order that instructional programs will not be interrupted, before leaving, the academic person will:
  - a. complete all normal duties;
  - b. provide complete records of grades and similar data to departmental chairpersons; and
  - c. provide properly for incomplete class and thesis work.
21. He or she will work with colleagues individually and collectively toward furthering both personal and group interests so long as such cooperation does not require violation of intellectual and moral integrity.
22. Each academic person will accept a share of the obligation for helping the University function smoothly as a living and vigorous organization. Toward achieving this

goal, each will serve on committees, accept a reasonable burden of administrative duties, and work cooperatively with administrative officers of the University in order to further all the legitimate goals of the institution.

### ***III. Responsibilities as University Citizens***

In retaining the rights to speak and act as citizens of the communities in which they dwell, academic personnel must assume as well the responsibilities which are incumbent upon the citizenship. Academic personnel, therefore, accept and adopt the provisions of the *Indiana University Code of Student Rights, Responsibilities, and Conduct* pertaining to personal misconduct on University property (Part II, Section H), which is printed below.

#### **Personal Misconduct on University Property**

The university may discipline a student for the following acts of personal misconduct which occur on university property, including, but not limited to, academic and administration buildings, residence halls, athletic and recreational facilities, and other university serviced property, such as sororities and fraternities:

1. Dishonest conduct including, but not limited to, false accusation of misconduct, forgery, alteration or misuse of any university document, record or identification; and giving to a university official information known to be false.
2. Assuming another person's identity or role through deception or without proper authorization. Communicating or acting under the guise, name, identification, e-mail address, signature, or other indications of another person or group without proper authorization or authority.
3. Knowingly initiating, transmitting, filing, or circulating a false report or warning concerning an impending bombing, fire, or other emergency or catastrophe; or transmitting such a report to an official or an official agency.
4. Unauthorized release or use of any university access codes for computer systems, duplicating systems and other university equipment.
5. Conduct that is lewd, indecent, or obscene.
6. Disorderly conduct, including obstructive and disruptive behavior that interferes with teaching, research, administration or other university or university-authorized activity. (See Guidelines for Dealing with Disruptive Students in Academic Settings, University Faculty Council, April 12, 2005)
7. Actions that endanger one's self, others in the university community, or the academic process.
8. Failure to comply with the directions of authorized university officials in the performance of their duties, including failure to identify oneself when requested to do so; failure to comply with the terms of a disciplinary sanction; or refusal to vacate a university facility when directed to do so.
9. Unauthorized entry, use, or occupancy of university facilities.
10. Unauthorized taking, possession or use of university property or services or the property or services of others.
11. Damage to or destruction of university property or the property belonging to others.

12. Unauthorized setting of fires on university property; unauthorized use of or interference with fire equipment and emergency personnel.
13. Unauthorized possession, use, manufacture, distribution, or sale of illegal fireworks, incendiary devices, or other dangerous explosives.
14. Possession of any weapon or potential weapon on any university property contrary to law or university policy; possession or display of any firearm on university property, except in the course of an authorized activity.
15. Sale of any firearms from university property or using university facilities, including through computer and telephone accounts; intentional possession of a dangerous article or substance as a potential weapon.
16. Acting with violence.
17. Aiding, encouraging, or participating in a riot.
18. Harassment, defined in Part I (c) of the Code as follows:

“Sexual harassment is defined as unwelcome sexual advances, including requests for sexual favors and other unwelcome conduct of a sexual nature, when submission to such conduct is made, either explicitly or implicitly, a term or condition of a student’s education, or submission to or rejection of such conduct by a student is used as the basis for academic conditions affecting the student; or the conduct has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, or offensive learning environment.

Discriminatory harassment is defined as conduct that targets an individual based upon age, color, religion, disability, race, ethnicity, national origin, sex or gender, sexual orientation, marital status, or veteran’s status and that: adversely affects a term or condition of an individual’s education, housing, or participation in a university activity; or has the purpose or effect of unreasonably creating an intimidating, hostile, or offensive environment for academic pursuits, housing, or participation in university activities.”
19. Stalking or hazing of any kind whether the behavior is carried out verbally, physically, electronically or in written form.
  - a. Stalking is defined as repeated, unwanted contact in the forms of including, but not limited to, phone calls, e-mail, physical presence, and regular mail.
  - b. Hazing is defined as any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person’s consent or lack of consent.
20. Physical abuse of any person, including the following:
  - a. The use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person;
  - b. Physical behavior that involves an express or implied threat to interfere with an individual’s personal safety, academic efforts, employment, or participation in university-sponsored extracurricular activities or causes the person to have a reasonable apprehension that such harm is about to occur; or
  - c. Physical behavior that has the purpose or reasonably foreseeable effect of interfering with an individual’s personal safety, academic efforts, employment, or participation in university-sponsored extracurricular activities or causes the person to have a reasonable apprehension that such harm is about to occur.

- d. Sexual assault, including while any party involved is in an impaired state;
  - e. Sexual contact with another person without consent, including while any party involved is in an impaired state.
21. Verbal abuse of another person, including the following:
- a. An express or implied threat to
    - 1) Interfere with an individual's personal safety, academic efforts, employment, or participation in university-sponsored activities and under the circumstances causes the person to have a reasonable apprehension that such harm is about to occur; or
    - 2) Injure that person, or damage his or her property; or
  - b. "Fighting words" that are spoken face-to-face as a personal insult to the listener or listeners in personally abusive language inherently likely to provoke a violent reaction by the listener or listeners to the speaker.
22. Unauthorized possession, use, or supplying alcoholic beverages to others contrary to law or university policy.
- a. Indiana University prohibits:
    - 1) Public intoxication, use or possession of alcoholic beverages on university property (including any undergraduate residence supervised by the university, including fraternity and sorority houses) except as otherwise noted in Part II, Section H (22) b, and Part II, Section H(22) c.
    - 2) Providing alcohol contrary to law.
  - b. The Dean of Students of each campus has discretion to allow exceptions to Part II, Section H (22) a, allowing use or possession of alcohol by persons, including students, who meet the minimum drinking age standards of the State of Indiana, under the following circumstances.
    - 1. Use or possession of alcoholic beverages by persons who are of lawful drinking age may be generally permitted in residences supervised by the university, including fraternity and sorority houses, when specifically approved by the campus Dean of Students. Such use or possession may be allowed in residence rooms, apartments, and certain common areas as specifically approved by the Dean of Students. However, use or possession under this section shall be permitted only in residences supervised by a live-in employee specifically charged with policy enforcement.
    - 2. Use or possession of alcoholic beverages may be permitted on an event-by-event basis in designated undergraduate residences (including fraternity and sorority houses) supervised by a live-in employee specifically charged with policy enforcement, when temporary permission is granted by the Dean of Students for events at which persons of lawful drinking age may lawfully possess and use alcoholic beverages.
  - c. The Chancellor of each campus has discretion to allow exceptions to Part II, Section H (22) a, allowing use or possession of alcohol by persons, including students, who meet the minimum drinking age standards of the State of Indiana, under the following circumstances.
    - 1) Use or possession of alcoholic beverages may be permitted in facilities such as student unions or on-campus hotels, including guest rooms and other areas, specifically approved by the campus Chancellor.

- 2) Use or possession of alcoholic beverages may be permitted in other areas, such as private offices and faculty lounges, not accessible to the public.
- 3) Use or possession of alcoholic beverages may be permitted in areas accessible to the public, if specifically approved by the campus Chancellor.
- d. Indiana University also permits the non-conspicuous possession of alcoholic beverages on university property when in transit to areas where they may be possessed or used under the provisions above.
- e. Student organizations that serve or permit possession of alcoholic beverages at student organization functions, on or off campus, may be disciplined if violations of alcoholic beverage laws or of university regulations occur. Individual students who plan, sponsor, or direct such functions also may be subject to discipline.
- f. The Chancellor or Dean of Students may make rules covering these uses. Those rules shall be enforceable as provisions of this code.
23. Unauthorized possession, manufacture, sale, distribution or use of illegal drugs, any controlled substance, or drug paraphernalia. Being under the influence of illegal drugs or unauthorized controlled substances.
24. Intentionally obstructing or blocking access to university facilities, property, or programs.
25. Violation of other disseminated university regulations, policies, or rules. Examples of such regulations include but are not limited to university computing policies, residence hall policies, and recreational sports facility policies.
26. A violation of any Indiana or federal criminal law.
27. Engaging in or encouraging any behavior or activity that threatens or intimidates any potential participant in a judicial process.

## **B. ENFORCEMENT PROCEDURES**

### ***I. Initiation of Complaints***

Any concerned person may initiate complaints about alleged violations of the Code of Academic Ethics. Such complaints should be brought to the attention of an appropriate chairperson or dean, or to the appropriate Dean of the Faculties or his or her deputy; the Dean of Faculties shall provide for confidential representations regarding such violations. Charges of discriminatory practice may be referred also to the appropriate Affirmative Action Officer.

### ***II. Administrative Action on Violations of Academic Ethics***

The line of administrative action in cases of alleged violation of academic ethics shall be the chairperson; the academic dean; the appropriate Dean of the Faculties; the appropriate Chancellor; a Vice President, where appropriate; and the President. Subject to the substantive standards of University tenure policy and the procedural safeguards of the faculty institutions, sanctions appropriate to the offense should be applied by the academic administrators. Possible sanctions include the following: reprimand, consideration in establishing annual salary, consideration in promotion decisions, consideration in tenure decisions, retention of salary, termination of employment, and immediate dismissal.

### ***III. Review of Administrative Action***

Academic appointees affected by administrative action taken against them on grounds of violation of the Code of Ethics, whether or not the action resulted from proceedings provided in this Code, shall have such rights as are provided by the rules governing appeals to the Faculty Board of Review (or to an Associate Instructor Board of Review) of the appropriate campus. Appointees also have the rights of hearing and appeal provided by any other procedure of the University for the review of administrative action.

*(University Faculty Council, November 3, 1970; Board of Trustees, December 19, 1970; University Faculty Council, November 30, 1976; February 11, 1986; February 11, 1992; October 3, 1996; April 27, 2004; April 12, 2005; Board of Trustees, December 13, 1996; June 24, 2005)*

*[NOTE: Some of these dates refer to changes in the Code of Student Rights, Responsibilities, and Conduct.]*

### **Authority of the Faculty**

The legislative and consultative authority of the faculty are described in the Constitution of the Indiana University Faculty.

## **ACADEMIC APPOINTMENTS**

*[NOTE: A table of academic appointments and benefits appears in Appendix A.]*

### **General Provisions**

#### **THE PURPOSE AND USE OF ACADEMIC APPOINTMENT CLASSIFICATIONS**

The academic work of Indiana University is done by individuals holding academic appointments in different classifications. Each tenured and tenure-probationary faculty member has responsibilities in the areas of teaching, research, and service. Academic appointees in other classifications have responsibilities in some but not all of the three areas. While all academic appointees make valuable contributions to achieving the mission of the University, the ultimate responsibility for the integrity of the academic programs of the institution and the authority for university faculty governance lies with those who have tenured and tenure-probationary appointments.

It is the policy of Indiana University to staff its regular instructional program with tenure-track faculty to the maximum extent feasible. Accomplishing the University's academic mission, however, also requires the appointment of non-tenure-track faculty. The faculty of each school shall specify the minimum proportion of tenured and tenure-probationary FTE faculty for that unit, with the base of the proportion derived from the total FTE tenured and tenure-probationary, clinical and lecturer appointees, and the dean of the school shall file this specification with the campus academic officer.

It is critical to the productive use of resources in our efforts to achieve academic excellence and safeguard the basic nature of the University that the purpose and definition

of each classification of academic appointment be clearly understood and that academic appointments be used appropriately. The courses and other instructional tasks to which non-tenure-track appointees may be assigned shall be specified within each academic unit by the tenured and tenure-probationary faculty. The dean of each academic unit shall report to the chief academic officer of the campus on an annual basis which of its courses and other instructional tasks have been assigned to non-tenure track faculty, and describe by appointment classification and by FTE and head count its non-tenure-track instructional personnel. The chief academic officer and the faculty governance body on each campus will review each year the use of all academic appointments in the academic units on that campus, to include the information referenced in the preceding sentence and in the final sentence of the preceding paragraph, and each January they will issue a report to the chief academic officer of the University and the University Faculty Council.

*[EXPLANATION AND COMMENT: The tenuring process requires that faculty demonstrate their understanding of, competency in, and dedication to the University's diverse missions in teaching, research, and service, and tenure allows the faculty member to exercise the independent judgment in academic governance that is critical to the well-being of the institution. Tenure-probationary faculty are appointed with the expectation that they will demonstrate the abilities pertaining to all the University's missions that will qualify them for tenure. Accordingly, it is the tenured and tenure probationary faculty in whom the University vests the ultimate responsibility for the integrity of its academic programs. The review of the use of academic appointments should include not only the numbers of individuals in each appointment classification in each academic unit and the functions assigned to them, but also other aspects of the use of academic appointments as directed by the campus chancellor and faculty governance body, such as demographic information, trends over time, and the appropriateness of appointment classification assignments. In the course of analyzing the use of appointment classifications, the inappropriate use of academic appointments is likely to be discovered, and it is expected that some transitional period of adjustment in faculty appointments will be necessary.]*

*(University Faculty Council, March 26, 1996)*

All campuses of the Indiana University system use classifications for academic appointees uniformly. No regular academic appointment may be made in connection with an administrative appointment unless that appointment is identified with an existing unit and the regular procedures for academic appointments are followed. Appointees to deanships and other administrative positions at Indiana University retain academic appointments held at Indiana University at the time of their appointment to administrative office, unless otherwise specifically stipulated.

*(University Faculty Council, April 11, 1978; altered by action of the Board of Trustees, August 7, 1984.)*

## **LIMITATIONS ON ASSIGNED RESPONSIBILITIES**

A University employee's assigned responsibilities may include offering courses for credit or conducting research as a principal investigator only with an academic appointment



in a classification in which those responsibilities are appropriate. Academic credit may be awarded only in courses offered by academic appointees in faculty classifications for which offering courses for credit is an appropriate responsibility.

*[EXPLANATION AND COMMENT: Those who teach should inquire into subject matter and pedagogy to maintain and advance the quality of their instruction, and those who conduct research should inform others of the product of their work. Further, inquiry (research) and communication (teaching) are fundamental rights that the University would not and cannot prohibit. Nevertheless, those who are assigned and undertake, on behalf of the University, the academic missions of teaching, research, and service in the full sense should have the status and protections of tenure-track appointments, and the assignments given to those in the various appointment classifications must be appropriately regulated.]*

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## **PARTICIPATION IN FACULTY GOVERNANCE**

Participation in unit faculty governance by those in non-tenure-track academic appointment classifications is subject to regulation by faculty governance of a campus or of a school on a campus organized by schools (except for classifications in which voting rights in governance is not permitted).

*[EXPLANATION AND COMMENT: Participation in University level faculty governance is governed by the Constitution of the University Faculty. Participation in faculty governance on the campuses is governed by the faculty constitution of each campus. Participation by those with part-time appointments (both tenure and non-tenure track) is an issue that will need to be addressed at each level. Visiting, and Adjunct appointees do not have the kind of relationship to the academic unit and its programs that justifies voting rights in governance. Individuals who do have that kind of relationship to the unit and its programs should be appointed in another classification.]*

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## **PART-TIME**

“Part-time” is not an appointment classification, but is a descriptive term indicating that the appointee is employed in an appointment classification at less than 1.0 FTE. Part-time appointments may have, where relevant, adjusted time limits (including for probationary periods) according to regulations approved by faculty governance of a campus or of a school on a campus organized by schools, but the adjusted time limit may not be longer than would be proportionate to those of full-time appointees.

*[EXPLANATION AND COMMENT: This provision applies to all appointment classifications that would otherwise be full-time. Those who contribute to the academic mission in a continuing relationship to a unit should have a status appropriate to their work and responsibilities. Probationary appointments are relevant to Tenure-track Faculty and Librarian Appointments and to Non-tenure-track Lecturer and Clinical Appointments. This provision implies no policy that there should be part-time appointees in any classification. The most common application of this provision will be to Lecturer Appointments. Part-time tenure-track appointments are resorted to occasionally to facili-*

*tate units' accomplishment of their academic missions. Such appointments will continue to be infrequent, but they should be subject to straight forward regulation where they do occur. Further development of regulation of part-time appointments, for example, with regard to participation in governance and benefits and to transfer between part- and full-time, will be required.]*

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## **SPECIAL TITLES**

The University awards titles to indicate special distinction within an appointment classification. Further, with the approval of the campus' academic officer, a unit may use a title that meets the special needs of the unit so long as the appointment classification is made clear. The campus' published academic regulations shall maintain a list of special titles indicating their appointment classifications.

*[EXPLANATION AND COMMENT: It will be the responsibility of the campus Academic Officers to see that special titles are not confusing, to see that the appointment classification is made clear in appointment letters, and to maintain the campus list of approved special titles.]*

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## **RETIRED FACULTY**

Other provisions notwithstanding, retired academic appointees may perform academic functions consistent with the individual's academic appointment classification prior to retirement.

## **CAMPUS REGULATIONS**

Campuses may adopt regulations of academic appointments that are consistent with University regulations in the *Academic Handbook*.

# **Classification of Academic Appointments**

## **TENURE-TRACK APPOINTMENTS**

Through their work and through their participation in faculty governance and administration, tenure track faculty and librarians have primary responsibility for the accomplishment and the integrity of the University's academic mission.

*Faculty Appointments.* Tenure-track faculty have responsibility for teaching, research and service. *Titles:* Professor, Associate Professor, and Assistant Professor

*Librarian Appointments.* Tenure-track librarians have responsibility for librarianship (acquiring, organizing, making available, and instructing in the use of source materials for academic work), research, and service. *Titles:* Librarian, Associate Librarian, and Assistant Librarian

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## NON-TENURE-TRACK FACULTY APPOINTMENTS

*Clinical Appointments.* The prefix “Clinical” is used for appointees whose primary duties are teaching students and residents/fellows and providing professional service in the clinical setting. *Titles:* Clinical Professor, Associate Clinical Professor, Assistant Clinical Professor; or Clinical Senior Lecturer and Clinical Lecturer

*Lecturer Appointments.* Lecturers may be assigned responsibility for teaching, and for research and service that supports teaching, in courses for which such assignments have been approved by the faculty of the academic unit. The Lecturer category is the appropriate classification for non-tenure-track teaching faculty in instances where the unit has a continuing need for the resource (except for clinical appointees and except in instances where adjunct appointments are appropriate, as specified below). *Titles:* Senior Lecturer and Lecturer

*Acting, Visiting, and Adjunct Appointments.* The terms, “acting,” “visiting,” and “adjunct” may modify titles in any appointment classification, but constitute distinct appointment classifications. These classifications are non-probationary appointments. Visiting and Adjunct appointees do not have voting rights in faculty governance; Acting appointees’ voting rights in faculty governance within the academic unit is subject to unit regulation.

*[EXPLANATION AND COMMENT: Visiting and Adjunct appointees do not have the kind of relationship to the University and its programs that justifies voting participation in faculty governance. Since it is contemplated that Acting appointees will take up regular appointments on the expected fulfillment of conditions, their participation in governance is subject to unit regulation.]*

*Acting Appointments.* The qualification “Acting” indicates a temporary appointment with the understanding that when a specified condition (e.g., completion of a terminal degree) is met the appointee will receive a regular appointment in the appointment classification indicated. Acting appointments may not continue for longer than two years, except in special circumstances approved by the campus’ Academic Officer.

*[EXPLANATION AND COMMENT: What are here termed “acting” appointments have traditionally been used, with various terminology, for individuals who will take up tenure-track appointments on receiving a terminal degree, but acting appointments may be appropriate for clinical and lecturer appointments as well, for example, where a clinical appointment is conditioned on obtaining a license or a board certification. “Special circumstances” may relate to an individual case or to the circumstances of a field and unit, but exceptions should be granted consistently with the limitation of this classification as a temporary appointment.]*

*Visiting Appointments.* The qualification “Visiting” indicates a temporary appointment that may continue for no more than two years, except in special circumstances approved by the campus’ Academic Officer. Visiting appointees shall have the qualifications appropriate to the appointment classification indicated.

Visiting appointments are appropriate where there is a temporary need, for example, to fill the place of an appointee on leave, where there is an increased need for academic personnel in circumstances where there is uncertainty the need will continue, or where a position has become available or open with insufficient lead time to conduct an appropriate search.

The University is not obligated to count service as a visiting appointee as credit toward tenure or long-term contract status if the appointment is later changed to a regular appointment, but exceptions may be made in accordance with the procedures used by the University in making regular academic appointments.

*Adjunct Appointments.* The qualification “adjunct” is appropriate for teaching appointments of individuals, whether compensated or volunteer, whose career paths lie primarily in another position or employment. That is, the appointment is “adjunct” (“auxiliary”) to the career of the appointee as well as to the faculty of the unit. Adjunct appointments, therefore, are necessarily part-time. Adjunct appointments are appropriate for individuals who have expertise useful for the accomplishment of the unit’s mission where that expertise is not available in the unit’s regular faculty. An adjunct appointee does not participate in faculty governance in the unit in which an adjunct appointment is held. Those with adjunct appointments fall within three groups: individuals whose principal employments are outside the university; those whose principal employments are within the University in positions for which teaching is not an appropriate responsibility; and faculty whose work in a second academic unit justifies a courtesy appointment in that unit.

*[EXPLANATION AND COMMENT: Faculty who have full rights in more than one unit should have joint appointments. Discipline will be required to avoid appointment as adjuncts those who should be appointed as part-time lecturers.]*

*Research Appointments.* Research appointees are those researchers who typically hold the terminal degree and postdoctorate experience (or its equivalent) and who are employed by Indiana University for research and service responsibilities. *Titles:* Senior Scientist (or Senior Scholar), Associate Scientist (or Associate Scholar) and Assistant Scientist (or Assistant Scholar)

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

*[NOTE: Please refer to campus-specific documents for policies and procedures pertaining to non-tenure-track academic appointees.]*

## **SPECIALIST AND HONORARY APPOINTMENTS**

*Academic Specialist Appointments.* Appointees with academic responsibilities who do not themselves offer courses for credit or act as principal investigators in research. The published academic regulations for each campus shall maintain a list of titles that fall within this classification.

*[EXPLANATION AND COMMENT: Many of the staff in this classification currently hold job classifications within Human Resources, but should be under Academic Officers’ administration. The Academic Officers Committee will develop proposed regulations to accomplish this change. In addition, Academic Specialist Appointments will include Research Associates and Post Doctoral Fellows.]*

*Honorary Appointments.* Honorary appointments are given to those not employed within the University who render service to the University’s mission in a manner that justifies the recognition of an honorary title. Campus’ published academic regulations shall maintain a list of honorary titles, indicated as such.

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## **Emeritus**

The Emeritus title may be conferred upon a retired faculty member or librarian if recommended by the unit and appropriate administrators and approved by the Board of Trustees. The term “Emeritus” follows the designation of academic appointment. The Emeritus faculty member has some of the rights and privileges of regular faculty members. See campus-specific documents for specific procedures.

## **Appointment to Graduate School Faculty**

The University Graduate School grants graduate research degrees (Ph.D., M.A., M.S., M.A.T.) and the Master of Fine Arts degree, whereas various schools award professional degrees such as the M.B.A. and Ed.D. Membership in the Graduate Faculty is relevant for faculty working with students pursuing degrees offered by the University Graduate School and carries with it automatic approval of specific privileges for serving on the dissertation committees of those students. Membership in the Graduate Faculty is not required for teaching graduate courses or serving on Ph.D. qualifying examination or advisory committees.

## **GRADUATE FACULTY MEMBERSHIP**

All tenure-track faculty are granted graduate faculty status at the time of appointment; departments notify the University Graduate School each fall of their new tenure-track appointments so an authoritative master list of graduate faculty members can be maintained. Non-tenure-track faculty or other appointees (such as research scientists) can also be appointed to graduate faculty status for a term not to exceed their employment contract; the nominating department sends a brief memo and a copy of the faculty member’s vita.

An endorsement to chair doctoral dissertation committees is granted separately from graduate faculty status by a vote of a departmental advisory or steering committee, or by a majority vote of the departmental graduate faculty, or by some other review process appropriate for the unit. Faculty who receive this endorsement must hold a regular faculty appointment at Indiana University, but do not necessarily have to hold that appointment within the unit conferring the endorsement. However, if the faculty member holds a regular appointment in a unit other than the one conferring the endorsement, s/he must participate substantially in doctoral education within the department or program authorized to offer the Ph.D. The program director or chair shall notify the Dean of Graduate Studies of the election of the faculty to this status.

In addition, graduate faculty status with or without endorsement to chair Ph.D. dissertation committees may be granted by the Dean of Graduate Studies upon successful petition by the head of the faculty member’s unit. The head sends a brief memo explaining the request with a copy of the vita.

Current associate members of the graduate faculty will automatically become members of the graduate faculty; current full members will become members with endorsement to direct dissertations.

Graduate faculty status can be revoked for egregious behavior or scholarly or scientific misconduct by the Dean of Graduate Studies upon the recommendation of the Graduate School Council.

*(University Graduate School Council, October 4, 2004)*

## **Student Academic Appointments**

Student appointments must be appropriate to the student's qualifications and academic programs. Eligibility requires continuing progress towards a degree. Student appointments are necessarily part-time.

### **ASSOCIATE INSTRUCTORS**

This title is used for graduate students who are part-time appointees and who engage in activities typical of a teacher. An Associate Instructor is responsible for assigning grades for at least a portion of a course and has direct contact with students. Typical activities include—but are not necessarily limited to—lecturing, tutoring, and laboratory instruction.

### **OTHER STUDENT ACADEMIC PERSONNEL**

Students hold positions as Research Assistants, as Graduate Assistants, as Undergraduate Assistants, and as Faculty Assistants. All student appointments are part time and temporary.

*(University Faculty Council, April 11, 1978)*

## **Additional Academic Appointments**

### **RESIDENT**

The title "Resident" is used for individuals who have completed the academic requirements for the M.D. or D.D.S. degree and wish to further develop the knowledge and skills acquired as a medical or dental student. This period of graduate education extends between one and seven years, depending on the specialty chosen. This training is usually obtained in the University-owned or affiliated hospitals.

### **CLINICAL FELLOW**

The title "Clinical Fellow" is to be used only by the Medical Center for those individuals with doctoral degrees pursuing additional training in a specialized area. No degree is sought or given. Compensation is made in recognition of services performed or the achievement of prescribed objectives during a specified period.

### **PHYSICIAN**

The title "Physician" is used only for medical doctors employed in the Student Health Center.

*(University Faculty Council, April 11, 1978)*

While the above categories cover most academic appointees, they are not exhaustive. Certain University officers who do not hold faculty ranks and interns in various programs are academic appointees. The above listing seeks simply to identify the major categories of appointees who participate in and help to perform the academic mission of the University.

*(Administrative Practice)*

# **POLICIES GOVERNING ACADEMIC APPOINTMENTS**

## **Tenure Policies**

### **PRESIDENTIAL AUTHORITY**

When personnel matters such as approval of faculty appointments, promotion, appointments with tenure, and other proposed actions require action by the Board of Trustees, only those campus and other administrative recommendations that are approved by the President of Indiana University will be received and acted upon by the Board.

*(Board of Trustees, April 9, 1988)*

### **FACULTY AND LIBRARIAN TENURE**

#### **The Principle of Tenure**

The principle of tenure imposes reciprocal responsibilities on the University as a body politic and on the faculty member and librarian. In order to meet its responsibilities to its students and to society, the University must attract and retain faculty and librarians of outstanding quality. To that end the University provides academic freedom and economic security, which are implicit in the principle of faculty and librarian tenure. The faculty members, on their part, are obligated to maintain high standards of teaching, research, service, and professional conduct. Librarians, on their part, are obligated to maintain high standards of professional service, research and creativity, and performance in the development of library services, and the communication of information and knowledge to others. Librarians who are candidates for tenure should excel in performance and be satisfactory in the other areas mentioned above.

*(Faculty Council, December 3, 1968; Board of Trustees, July 25-29, 1969; June 30, 1972)*

#### **Tenure Status for Non-Citizens**

It is the policy of Indiana University that only individuals who are U.S. citizens or permanent residents be appointed to tenured positions. Appointments to positions with tenure that are offered to non-U.S. citizens or permanent residents will be temporarily converted to tenure-probationary appointments until permanent residence in the U.S. has been obtained. At that time, the appointment will be converted back to the tenured position as originally offered.

*(Administrative Practice)*

#### **Tenure-Probationary Period**

Subject to the provisions which follow, an individual appointed to the faculty (as defined in Article I, Section 1 of the Faculty Constitution) or as a librarian for full-time service shall have tenure after a probationary period. At the time of initial appointment, a probationary period shall be stated. During the probationary period, appointments are

usually for a period of one to three years. The total probationary period may not exceed seven years. This period may include full-time service with faculty or library rank at other institutions, if similar service in Indiana University would have been countable toward tenure. In the case of persons with three or more years of countable service in other institutions, a probationary period of not more than four years may be required, if agreed upon in writing at the time of appointment. Since the acquisition of tenure represents a major change in a faculty member's or librarian's status, the faculty member or librarian to whom tenure is being granted shall be so informed in writing.

Tenure may be conferred at the time of initial appointment or after a shorter period than specified above. When a probationary period expires during an academic year, the probationary period will be extended to the end of that year.

Under administrative policies and practices at Indiana University, where such a written agreement reduces a faculty member's or librarian's probationary period to less than seven years, this agreement is binding on both parties. The length of the probationary period resulting from any such reduction cannot at a later date be extended to suit the convenience of a faculty member or librarian or the academic unit.

Tenure at the University requires explicit action. The review leading to a recommendation of tenure or non-reappointment is to take place no later than the sixth year of probationary service. Failure to give notice of non-reappointment prior to the beginning of the seventh year of probationary service will not result automatically in an award of tenure. In such a case, the review leading to a tenure or termination decision should be conducted at the earliest possible time and, if necessary, the probationary period shall be extended until the review is complete.

A faculty member who has not received a notice of recommendation for non-reappointment may request consideration of the tenure decision at any time after the initial appointment. However, if the tenure decision is negative, the faculty member's appointment shall terminate at the end of the academic year following the year in which the negative tenure decision was made. A faculty member who applies for early tenure should be forewarned that a candidate for tenure should expect only one full review. A faculty member who requests early tenure shall be notified of any negative recommendation concerning his or her request at any time prior to a final decision by the President. A faculty member may withdraw his/her request for early tenure at any time prior to a final decision by the President.

*(Faculty Council, December 3, 1968; University Faculty Council, April 23, 1991; Board of Trustees, July 25-29, 1969; June 30, 1972; June 20, 1991)*

### **Procedures for Faculty**

Recommendations for advancement to tenured status are prepared by chairpersons or other appropriate administrative officers. Such recommendations are prepared early in the academic year which counts as the sixth year for purposes of reckoning years of service towards tenure. (The actual determination of the appropriate year includes credit for service at other institutions which may have been negotiated at the time of the first appointment.)

Recommendations shall be submitted through the academic administration of each campus with the advice of faculty committees and appropriate professional peers. Admin-



istrative structure varies somewhat from campus to campus. For specific information on the routing of such recommendations, see campus-specific documents. Campus vice presidents, chancellors, and academic deans, with the advice of faculty committees, are responsible for submitting tenure recommendations to the President. It shall be the responsibility of the President to submit to the Board of Trustees the names of those recommended for advancement to the tenured status.

The dossier constructed in consultation with the candidate provides the evidence upon which the tenure decision is to be made. If additional information is sought or received during the review of the dossier at any level, the candidate and all previous committees and reviewers must be notified and given the opportunity to respond to the additional information. The information and the responses shall then become part of the dossier.

*(University Faculty Council, April 23, 1991; Board of Trustees, June 20, 1991)*

### **Procedures for Librarians**

Recommendations for tenure shall be processed as follows:

1. Recommendations prepared by supervisor of person under consideration and forwarded to the head of the appropriate library division for action;
2. Recommendations of the head of each library division are forwarded to the appropriate Chancellor for review and recommended action;
3. Chancellor's recommendations are forwarded to the Vice President (Bloomington) for review by an All-University Librarians Tenure Committee appointed by the President in consultation with the Dean of University Libraries;
4. Recommendations of the All-University Librarians Tenure Committee are transmitted to the Vice President (Bloomington) for review by the Dean of University Libraries and for presentation to the Board of Trustees.

*(Board of Trustees, June 30, 1972)*

### **Policies Governing Reappointment and Non-Reappointment during Probationary Period**

#### ***1. Notice of Terms of Initial Appointment***

- a. Before a faculty member or librarian is appointed to rank in the University, the initial salary, rank, years in rank elsewhere countable towards tenure, and duration of the initial appointment and of the probationary period shall be stated in writing and placed in the possession of the University and the faculty member or librarian.
- b. The faculty member or librarian shall also be advised in writing, before or at the time of the initial appointment, of the criteria and procedures employed in recommendations and decisions about reappointment and the award of tenure specified in the handbook. Special procedures customarily employed in the department, school, program, division, or library unit of the University in which the faculty member or librarian is appointed shall be specified clearly.
- c. The faculty member or librarian shall acknowledge in writing at the time of acceptance of the appointment that the conditions and terms of the initial appointment, as well as the criteria and procedures for reappointment and tenure are agreed to.

## 2. *Annual Review*

- a. During the period of probationary appointment, the faculty member or librarian shall receive an annual review of professional performance under procedures adopted by the faculty within the department, school, program, division, or library unit in which the individual holds his or her appointment. At that time the faculty member or librarian shall be informed, customarily by the principal administrative officer of the unit of the University in which the individual holds his or her appointment, of all matters relevant to the eligibility for reappointment and the award of tenure.
- b. The faculty member or librarian shall cooperate with the principal administrative officer to insure that the file on which such a review is based contains all relevant materials. A written statement summarizing the substance of each annual review shall be kept in the file, and a copy given to the faculty member or librarian.

## 3. *Notice Requirements*

- a. Before any decision is made within a department, school, program, division, or library unit about whether to recommend reappointment or the award of tenure, the faculty member or librarian shall be notified that he or she is under such consideration and that within a properly specified and reasonable period of time the faculty member or librarian may submit materials which it is believed will be relevant to a consideration of his or her professional qualifications.
- b. The faculty member or librarian shall be notified as soon as possible of any decision by a department, school, program, division, or library unit not to recommend reappointment or tenure, and the individual shall be notified within stated deadlines of a decision by the University not to reappoint him or her.
- c. At the time that a faculty member or librarian is notified of a negative recommendation on reappointment or tenure, he or she shall be provided with a written statement of the "Policies Governing Reappointment and Non-Reappointment During Probationary Period," and the *Academic Handbook* statement on criteria for tenure, to insure that he or she be fully informed of his or her rights.

## 4. *Review of Decision of Non-Reappointment*

- a. Upon receiving notice of a negative recommendation or decision on reappointment or tenure, the first recourse of the faculty member or librarian shall be to request an oral explanation from his or her principal administrative officer.
- b. Upon written request, submitted within thirty days of notification of non-reappointment to the appropriate administrative officer, that officer shall provide the faculty member or librarian within a reasonable period of time with a written statement of the reasons for non-reappointment.
- c. The statement of reasons should reflect careful consideration of the qualifications of the faculty member or librarian in terms of the professional standards and needs of his or her department, school, program, division, or library unit or of the University.
- d. The faculty member or librarian who believes that a recommendation or a decision that he or she not be reappointed has resulted from inadequate consideration of professional competence or erroneous information may offer corrections and request reconsideration at the level at which the decision not to recommend reappointment was first made.

- e. If the faculty member or librarian is dissatisfied with the result of a request for reconsideration he or she may petition the Faculty Board of Review or All-University Librarians Review Board for a review of the procedures employed in the decision not to recommend reappointment. The petition should be initiated within a reasonable period following the receipt by the faculty member or librarian of the written statement of the reasons for non-reappointment.
- f. Before undertaking a review, the Faculty Board of Review or the All-University Librarians Review Board may seek to bring about a settlement of the issue satisfactory to both parties. In the course of the review, the Boards shall request reconsideration by the department, school, program, division, or library unit in which the faculty member or librarian holds an appointment or the offices of the Dean of Faculties, campus Chancellor, and other appropriate administrative officers who were involved in the decision, when it finds that inadequate consideration was given the faculty member's or librarian's qualifications, or that specified procedures were not observed, or that erroneous information substantially affected the decision. The Faculty Board of Review or the All-University Librarians Review Board shall provide copies of its report and recommendations to the faculty member or librarian, the principal administrative officer of the department, school, program, division, or library unit in which the faculty member or librarian holds an appointment, the Dean of the Faculties, the campus Chancellor, and other appropriate administrative officers.
- g. Whenever during his or her appointment a faculty member or librarian discovers that these provisions have not been followed, he or she may request, as soon as reasonably possible, that his or her department, school, program, division, or library unit of the University accord him or her the full benefit of the procedures. If his or her request is not granted, the faculty member or librarian may petition the Faculty Board of Review or the All-University Librarians Review Board for a review of the procedures followed in his or her case.
- h. Upon finding by the Faculty Board of Review or the All-University Librarians Review Board, accepted by the principal administrator of the campus in question, that the faculty member or librarian did not enjoy full benefit of the procedures through fault of an administrative officer or body of the University, the University shall, if necessary, to avoid prejudicing the rights of the faculty member or librarian, extend the probationary appointment for one year beyond its normal termination point, or take other appropriate measures agreeable to the faculty member or librarian.
- i. Recourse by a faculty member or librarian to the various rights of appeal, review, and reconsideration set forth above shall not be construed as precluding the University's right to give timely notice of non-reappointment as specified elsewhere in this handbook. In normal circumstances it is to be anticipated that reconsideration and review will occur before the effective date of termination.
- j. In light of the legitimate educational interests of students, faculty, colleagues, and others, it is the mutual obligation of the University administration and of the affected faculty member or librarian to observe promptly and fully the above procedures.

*(University Faculty Council, October 17, 1972; October 12, 1976; April 23, 1991; Board of Trustees, October 27, 1972; June 20, 1991)*

### **Duration of Tenure-Probationary Appointments**

Appointments and reappointments during a probationary period shall be limited to one year for Affiliate Librarians. Other tenure-probationary faculty may be appointed for not more than three years within the probationary period.

*(Faculty Council, December 3, 1968; Board of Trustees, July 27, 1969; June 30, 1972)*

### **Geographic Limitation of Tenure**

All of the foregoing principles, policies, and procedures relating to tenure are applicable in all University schools, departments, and library units on all campuses. The tenure of any faculty member, however, is specific to the campus unit in which he/she is serving at the time of acquisition of tenure. Consequently, it is the responsibility of each unit of the University to develop appropriate structures and administer the necessary procedures for the implementation of general University tenure policies.

In any case in which the position of a faculty member or librarian with tenure has been eliminated or has been removed from the jurisdiction of the University, the University will make every reasonable effort to place the faculty member or librarian in a comparable position elsewhere in the University. If no such comparable position is available, the University will make every reasonable effort to assist the faculty member in securing a comparable position at another institution.

*(Faculty Council, December 3, 1968; University Faculty Council, April 23, 1991; Board of Trustees, July 27, 1969; June 30, 1972; June 20, 1991)*

### **Criteria for Tenure**

After the appropriate probationary period, tenure shall be granted to those faculty members and librarians whose professional characteristics indicate that they will continue to serve with distinction in their appointed roles. The criteria for tenure and the criteria for promotion are similar, but not identical. (See 4.c under "Policies Governing Reappointment and Non-Reappointment during the Probationary Appointment Period," p. 67.)

Each campus on which tenure is held (and other units as appropriate, e.g., school, college, department) shall have a document that states with reasonable specificity the standards that will be used to evaluate whether candidates meet the criteria for tenure. The document(s) must comply with the standards of the University and should make their application more specific. The chief academic officer on each campus is charged with the responsibilities of (a) reviewing such documents with respect to whether they are consistent with such documents at higher levels, and (b) maintaining a current file of such documents. Each campus (or other unit) shall provide each probationary faculty member with a copy of the document at the beginning of the probationary service.

If the document changes during the faculty member's probationary period, the faculty member may choose to be evaluated for tenure under the written standards in effect at the time of appointment.

Tenure considerations must recognize the diversity of the missions and the contexts of the campuses of the University and must not ignore the mission of the particular unit as defined in its statement of criteria and procedures and the individual's contribution to that mission.

Tenure will generally not be conferred unless the faculty member or librarian achieves, or gives strong promise of achieving, promotion in rank within the University.

*(Faculty Council, December 3, 1968; University Faculty Council, February 10, 1976; November 30, 1976; April 23, 1991; Board of Trustees, July 27, 1969; June 20, 1991)*

### **Monitoring of Existing Policies and Practices**

The University, through actions of its administration and the University Faculty Council, shall keep under constant review all existing policies relating to reappointment, tenure, and administration of these policies to ensure that all persons are accorded equal opportunity.

*(Board of Trustees, June 29, 1974)*

## **Promotion Policies**

### **FACULTY PROMOTIONS**

#### **Procedures for Recommendations**

Before any decision is made within a department, school, program, or division about whether to recommend promotion, the appointee shall be notified that he or she is under such consideration and that within a properly specified and reasonable period of time, such as two to four weeks, he or she may submit materials which it is believed will be relevant to a consideration of his or her professional qualifications.

*(University Faculty Council, April 29, 1976)*

The departmental chairperson or director of an academic unit shall have the responsibility of submitting the names of those members of the department who are deemed worthy of promotion on the basis of the established criteria.

It shall be the privilege of any faculty member to submit a recommendation for the promotion of any faculty member, including himself or herself. These recommendations shall be properly documented.

Recommendations, whether submitted by individual faculty members or coming from chairpersons or directors, shall be submitted through the academic administration of each campus. For specific information on the promotion process, see campus-specific documents.

Academic administrators and Chancellors, advised by faculty committees, are responsible for submitting promotion recommendations to the President.

It shall be the responsibility of the President to submit to the Board of Trustees in time for consideration at their April meeting the names of those recommended for promotion. The President shall state in writing to the relevant Chancellor or Vice President the reasons for any changes made in the Chancellor's or Vice President's recommendations.

Where a candidate is not promoted, it shall be the obligation of the chairperson or dean to review with the candidate the reasons for the failure to promote, if such a request is made by the faculty member involved.

*(Faculty Council, April 1, 1952)*

## Criteria for Promotion

Teaching, research and creative work, and services which may be administrative, professional, or public are long-standing University promotion criteria. Promotion considerations must take into account, however, differences in mission between campuses, and between schools within some campuses, as well as the individual's contribution to the school/campus mission. The relative weight attached to the criteria above should and must vary accordingly. A candidate for promotion [or tenure] should normally excel in at least one of the above categories and be at least satisfactory in the others. In exceptional cases, a candidate may present evidence of balanced strengths that promise excellent overall performance of comparable benefit to the university. In all cases the candidate's total record should be assessed by comprehensive and rigorous peer review. Promotion to any rank is a recognition of past achievement and a sign of confidence that the individual is capable of greater responsibilities and accomplishments.

*Teaching.* The prime requisites of any effective teacher are intellectual competence, integrity, independence, a willingness to consider suggestions and to cooperate in teaching activities, a spirit of scholarly inquiry which leads the teacher to develop and strengthen course content in the light of developments in the field as well as to improve methods of presenting material, a vital interest in teaching and working with students, and, above all, the ability to stimulate their intellectual interest and enthusiasm. The quality of teaching is admittedly difficult to evaluate. This evaluation is so important, however, that recommendations for an individual's promotion should include evidence drawn from such sources as the collective judgment of students, of student counselors, and of colleagues who have visited other classes or who have been closely associated with his or her teaching as supervisor or in some other capacity, or who have taught the same students in subsequent courses.

*Research and Creative Activities.* In most of the fields represented in the program of the University, publications in media of quality are expected as evidence of scholarly interest pursued independently of supervision or direction. An original contribution of a creative nature is as significant or as deserving as the publication of a scholarly book or article. Quality of production is considered more important than mere quantity. Significant evidence of scholarly merit may be either a single work of considerable importance or a series of studies constituting a general program of worthwhile research. The candidate should possess a definite continuing program of studies, investigations, or creative works.

*Service.* Educated talent, technical competence, and professional skills are indispensable in coping with the complexities of modern civilization. Because most technical assistance is carried on by professional persons, and a high proportion of them have university connection, the University must provide people to fill this need. The performance of services for the University or for external organizations may retard accumulation of evidence for proficiency in research or teaching even while contributing to the value of the individual as a member of the University community. In such cases effective service should be given the same consideration in determining promotion as proficiency in teaching or research. The evaluation of the service should be in terms of the effectiveness with which the service is performed, its relation to the general welfare of the University, and its effect on the development of the individual.

*(Faculty Council, April 14, 1960; University Faculty Council, February 10, 1976; "Balanced Case" language approved by University Faculty Council, March 8, 1994; Modified by UFC Agenda Committee and reported to the UFC, April 12, 1994; Adopted by Board of Trustees, May 6, 1994)*

### **Promotion in Rank**

*[NOTE: Individuals with clinical and research appointments should refer to the specific promotion statements relating to their appointments elsewhere in this handbook.]*

When considered for promotion, the individual should be assessed in regard to all three criteria from the preceding section. Favorable action should result when the individual has demonstrated a level of competence or distinction appropriate to the proposed rank in one area of endeavor. Failure to promote may arise from unsatisfactory performance in the other areas.

*From Assistant Professor to Associate Professor.* This advancement is based on continued improvement, whether in quality of teaching, in scholarship, or in the performance of service roles.

If teaching is the primary criterion, it should be distinctly superior to that of effective teachers at this and other major institutions. If research or other creative work is the primary criterion, the candidate should have demonstrated a broad grasp of his or her own and related fields and should be establishing a national reputation as a scholar. A definite and comprehensive plan of future research covering a number of years and a beginning thereon which extends well beyond the limits of the doctoral dissertation should be evident. If service to the University, profession, or community is the primary criterion, it should be discharged with merit and should reflect favorably on the University and on the individual's academic status.

*From Associate Professor to Professor.* This promotion is based upon achievement beyond the level required for the associate professorship.

If teaching is the primary criterion, the candidate must have demonstrated an extraordinary ability to stimulate in students, either undergraduate or graduate, a genuine desire for scholarly work. Wherever feasible he or she should have demonstrated the ability to direct the research of advanced students.

If research or other creative work is the primary criterion, the candidate should have shown a continued growth in scholarship which has brought a national reputation as a first-class productive scholar. If administrative, professional, or academic service is the primary criterion, distinguished contributions must be evident.

*(Faculty Council, April 14, 1960)*

## **LIBRARIAN PROMOTIONS**

### **Criteria**

The criteria for promotion are (1) performance, (2) professional development, research and/or creativity, and (3) service. Promotion considerations must take into account, however, differences in mission among campuses, and among schools within some campuses, as well as the individual librarian's contribution to the school/campus mission. The relative weight attached to the criteria above should and must vary accordingly.

Promotion to any rank is a recognition of past achievement and a sign of confidence that the individual is capable of greater responsibilities and accomplishments.

*Performance.* A librarian must be, first and foremost, an effective librarian in the position she or he fills on the library staff. Evidence of effective accomplishment of professional responsibilities is provided by position descriptions and evaluations made in relation to them. Additional evidence may be provided by: (1) descriptions of innovative procedures, publications relative to performance, etc., and (2) evaluation by library users and colleagues.

*Professional Development.* A librarian who is responsive to the demands of the profession should make contributions through professional development, research and/or creativity. Evidence might include: (1) professional growth through additional formal or continuing education, (2) preparation of scholarly bibliographies, catalogues, indexes, or exhibits, (3) presentation of papers or lectures at conferences, (4) receipt of fellowships, grants, awards, or other special honors, (5) publication or research including that in process.

*Service.* A librarian is expected to assume service obligations. Fulfilling these obligations enhances the value of the librarian as a member of the University and library community. Evidence of this concern might include such activities as: (1) participation in professional or scholarly societies; (2) service on academic, professional, or scholarly committees; (3) professional consultation; (4) community service in organizations outside the University and/or outside the profession which enhances the image of the University (the relative weight attached to this kind of service varies according to the mission of the individual campus).

*(University Faculty Council, November 30, 1976)*

### **Librarian Appointments**

*Librarian* is the rank for librarians whose performance as Associate Librarians has been superior and whose professional development, research and/or creativity, and service have resulted in the attainment of state, regional, or national recognition in the library profession. Tenure normally accompanies this title.

*Associate Librarian* is the title for librarians who have excelled in performance as Assistant Librarians and whose professional development, research and/or creativity, and service show continued improvement. Tenure is normally attained in this appointment; however, promotions to this title may be made before the sixth year without granting tenure.

*Assistant Librarian* is the title for librarians who have had at least two years of appropriate experience; whose performance has met and fulfills the requirements of operational standards; whose professional development, research and/or creativity, and service have been satisfactory; and who show potential for meeting the criteria for promotion to Associate Librarian. Time spent as assistant librarian is counted toward tenure. In exceptional cases, librarians may be tenured in this appointment.

*Affiliate Librarian* is the title for librarians who have (1) a master's degree from an American Library Association accredited library school or the equivalent professional credentials or a graduate degree in other professional or scholarly fields where appropriate and (2) less than two years of appropriate experience. This title shall not be held longer



than three years. The second evaluation must be followed by a recommendation resulting in (1) promotion, (2) a one-year terminal appointment, or (3) continuation as affiliate librarian based on extenuating circumstances (e.g., illness) which shall be explained to justify such continuation. Time spent as affiliate librarian is counted toward tenure.

*(University Faculty Council, April 11, 1978)*

## **Regulation of Clinical and Lecturer Appointments**

*[EXPLANATION AND COMMENT: The regulation of lecturer and clinical appointments is intended to further the Trustees' policy regarding "associate faculty."*

*Associate faculty have played and will continue to play an important role in the teaching mission of Indiana University. For this reason, all campuses should establish formal policies treating the appointment, evaluation and professional development of such faculty.*

*Standards for appointment for associate faculty should guarantee that courses are taught by qualified individuals. Their teaching should be evaluated on a regular basis by customary measures of classroom effectiveness. Reappointment of associate faculty should be predicated on satisfactory teaching evaluations.*

*Schools and departments should take steps to integrate associate with full-time faculty and to promote their professional development. Such steps should include formal orientation of associate faculty to the university and to their specific teaching responsibilities. Associate faculty should be provided with resources adequate to promote their success as teachers and the enhancement of their pedagogical skills. Exceptional performance by associate faculty should be recognized by appropriate measures. (Board of Trustees, September 24, 1994)]*

## **CLINICAL FACULTY**

### **Use of Clinical Appointments**

Clinical appointments are appropriate for those who work primarily in the clinical setting. Clinical faculty may be involved in research that derives from their primary assignment in clinical teaching and professional service; however, continued appointment and advancement in rank must be based on performance in teaching and service.

*[EXPLANATION AND COMMENT: Clinical appointees teach and practice full-time in the clinical professional setting. It follows that clinical appointments will be limited to academic units (and departments within academic units) in the professional-client service disciplines. Clinical faculty may contribute to the research efforts of a unit through their clinical work, but they are not expected to do individual research. Faculty who, in addition to teaching and service, have portions of their time allocated to doing research for which they are a principal or co principal investigator, who have research laboratories, or who are otherwise expected to do individual research should be in tenured/ tenure-probationary positions. While individual faculty members hired in tenure-probationary appointments may switch to the clinical appointments during the first five years of their probationary period, such a switch must involve giving up the research component of their faculty work, except for their clinical role in collaborative research trials. Clinical appointments are not intended as a means of retaining tenure-probationary faculty members who will not be able to demonstrate the performance levels in teaching, research, and service required for the granting of tenure.]*

## Rights and Privileges

Clinical faculty are expected to follow and be protected by University policies, including those pertaining to faculty hiring and faculty annual reviews. The faculty salary policies of the University, campus, school, and department shall apply to clinical faculty. Clinical faculty have the right to petition the campus faculty board of review. Clinical faculty are not eligible for University sabbatical leave, but schools may provide sabbatical-like leaves for their clinical faculty to provide opportunities for professional learning and collaboration with colleagues.

Participation in University and campus faculty governance is governed by the Constitution of the Faculty of Indiana University and the faculty constitutions on each campus. The role of clinical faculty in governance within the unit shall be determined by vote of the tenured and tenure-probationary faculty of the unit, provided that where non-tenure track appointees have voting privileges, their voting participation must be structured in a way that reserves at least 60% of voting weight to tenure track faculty. The academic integrity of the school and its programs ultimately is the responsibility of tenured and tenure-probationary faculty.

The rights of clinical faculty and the regulations concerning their roles within each school shall be written and available to the school faculty. A copy of all rights and regulations shall be filed with the campus academic officer and with the campus faculty governance body.

*[EXPLANATION AND COMMENT: The University Faculty Constitution defines the voting faculty as “all faculty members on tenure or accumulating credit toward tenure.” The Constitution further states that “the voting members of individual campuses may extend voting privileges to others on matters of individual campus significance.” The rationale for the distributions of rights and privileges is to leave the responsibility for the preservation of the most basic academic interests of the institution in the hands of those with the greatest protection of their academic freedom for the purposes of teaching, research, and service including the service of faculty governance; i.e. those with tenure. Non-tenure track appointees otherwise should have as many faculty privileges as is consistent with their qualifications and responsibilities.]*

Clinical faculty are not eligible for academic administrative appointments at and above the department chair level.

*[EXPLANATION AND COMMENT: The integrity of the academic programs will be best served by requiring that those individuals holding administrative appointments with direct authority for academic programs have the full range of academic qualifications associated with the tenure track, as well as the fuller protection of academic freedom that tenure provides.]*

## Appointment and Advancement

The faculty of each unit using clinical appointments shall decide whether those appointments will be with the titles of Clinical Professor, Associate Clinical Professor and Assistant Clinical Professor, or Clinical Senior Lecturer and Clinical Lecturer. Initial clinical appointments should be at the level appropriate to the experience and accomplishments of the individual. The process for appointment with probationary status or appointment with a long-term contract shall go through the ordinary procedures for faculty appointments. Promotion in rank of Assistant and Associate Clinical

Professors should go through the normal faculty procedures appropriate to the unit of the university, including peer review by the primary unit, and campus promotion (and tenure) committees. The faculty of each unit using Assistant and Associate Clinical Professor appointments shall adopt criteria for promotion that are appropriate to the duties that may be assigned to clinical appointees. Those criteria must be written, available to unit faculty, and filed with the campus academic officer. Clinical Lecturers shall be promoted to Clinical Senior Lecturers upon their being appointed to long-term contracts following a probationary period.

### **Protection of Academic Freedom**

Clinical appointees are not eligible for tenure; however, in order to protect their academic freedom, individuals appointed as clinical faculty shall be given long-term contracts after a probationary period of not more than seven years. The exact mechanism for this shall be determined by the dean and the faculty governance body within each school using clinical appointments and be approved by the chancellor, but the mechanism should be a long-term contract of not less than five years or be some equivalent, such as a rolling three year contract. The criteria for granting long-term contracts after a probationary period shall be analogous to the criteria for granting tenure, except that clinical faculty shall earn the right to a long-term contract on the basis of their excellence only in those responsibilities that may be assigned to them. Each school will establish procedures and specific criteria for review of individuals concerning the renewal of long-term contracts or their equivalent.

Clinical faculty appointments during the probationary period shall be subject to the same policies and procedures with respect to appointment, reappointment, non-reappointment, and dismissal as apply to tenure-probationary faculty during the probationary period. After the probationary period, dismissal of a clinical faculty member holding a longer term contract which has not expired may occur because of closure or permanent downsizing of the program in which the faculty member teaches and serves; otherwise, dismissal of such clinical faculty shall occur only for reasons of professional incompetence, serious misconduct, or financial exigency. Non-reappointment of clinical faculty to a new contract term may occur for the foregoing reasons or may occur as well for reason of changing staffing needs of the clinical program. Non-reappointment decisions regarding clinical faculty holding a long-term contract after the probationary period must be made with faculty consultation through processes established by the school's faculty governance institutions. The jurisdiction of campus faculty grievance institutions includes cases of dismissal and non-reappointment of clinical faculty.

*[EXPLANATION AND COMMENT: Probationary periods for part-time faculty may be longer than seven years, where regulations adopted by the faculty of the academic unit so provide. University practice requires that probationary periods be served on a continuing basis unless a leave of absence has been applied for and been granted. The University is not obliged to relocate within the institution clinical faculty whose positions are eliminated because of closure, permanent downsizing, or changing staffing needs of their clinical programs. Where an instructional line is converted from non-tenure to tenure track, a clinical faculty member occupying the line may apply for the tenure-track position, but is not guaranteed appointment.]*

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## LECTURERS

### Use of Lecturer Appointments

Lecturers are academic appointees whose primary responsibility is teaching. Lecturers' assigned responsibilities may include research and service only in support of teaching.

*[EXPLANATION AND COMMENT: Those who teach should inquire into subject matter and pedagogy to maintain and advance the quality of their instruction, and those who conduct research should inform others of the product of their work. Further, inquiry (research) and communication (teaching) are fundamental rights that the University would not and cannot prohibit. Nevertheless, those who are assigned and undertake, on behalf of the University, the academic missions of teaching, research, and service in the full sense should have the status and protections of tenure-track appointments, and the assignments given to those in the various appointment classifications must be appropriately regulated.]*

### Rights and Privileges

Lecturers are expected to follow and be protected by University policies, including those pertaining to faculty hiring and faculty annual reviews. The faculty salary policies of the University, campus, school, and department shall apply to lecturers. Lecturers have the right to petition the campus faculty board of review. Lecturers are not eligible for University sabbatical leave, but schools may provide sabbatical-like leaves for their lecturers to provide opportunities for professional learning and collaboration with colleagues.

Participation in University and campus faculty governance is governed by the Constitution of the Faculty of Indiana University and the faculty constitutions on each campus. The role of lecturers in governance within the unit shall be determined by vote of the tenured and tenure-probationary faculty of the unit, provided that where non-tenure track faculty have voting privileges, their voting participation must be structured in a way that reserves at least 60% of voting weight to tenure-track faculty. The academic integrity of the school and its programs ultimately is the responsibility of tenured and tenure-probationary faculty.

The rights of lecturers and the regulations concerning their roles within each school shall be written and available to the school faculty. A copy of all rights and regulations shall be filed with the campus academic officer and with the campus faculty governance body.

*[EXPLANATION AND COMMENT: The University Faculty Constitution defines the voting faculty as "all faculty members on tenure or accumulating credit toward tenure." The Constitution further states that "the voting members of individual campuses may extend voting privileges to others on matters of individual campus significance." The rationale for the distributions of rights and privileges is to leave the responsibility for the preservation of the most basic academic interests of the institution in the hands of those with the greatest protection of their academic freedom for the purposes of teaching, research, and service including the service of faculty governance; i.e., those with tenure. Non-tenure track faculty otherwise should have as many faculty privileges as is consistent with their qualifications and responsibilities.]*

Lecturers are not eligible for academic administrative appointments at and above the department chair level.

*[EXPLANATION AND COMMENT: The integrity of the academic programs will be best served by requiring that those individuals holding administrative appointments with direct authority for academic programs have the full range of academic qualifications associated with the tenure track, as well as the fuller protection of academic freedom that tenure provides.]*

### **Appointment and Advancement**

Initial lecturer appointments should be at the level appropriate to the experience and accomplishments of the individual. The process for appointment with probationary status or appointment with a long-term contract shall go through the ordinary procedures for faculty appointments. Lecturers shall be promoted to Senior Lecturers upon their being appointed to long term contracts following a probationary period.

### **Protection of Academic Freedom**

Lecturers are not eligible for tenure; however, in order to protect their academic freedom, individuals appointed as lecturers shall be given long-term contracts after a probationary period of not more than seven years. The exact mechanism for this shall be determined by the dean and the faculty governance body within each school using lecturer appointments and be approved by the chancellor, but the mechanism should be a long-term contract of not less than five years or be some equivalent, such as a rolling three year contract. The criteria for granting long-term contracts after a probationary period shall be analogous to the criteria for granting tenure, except that lecturers shall earn the right to a long-term contract on the basis of their excellence only in those responsibilities that may be assigned to them. Each school will establish procedures and specific criteria for review of individuals concerning the renewal of long-term contracts or their equivalent.

Lecturer appointments during the probationary period shall be subject to the same policies and procedures with respect to appointment, reappointment, non-reappointment, and dismissal as apply to tenure-probationary faculty during the probationary period. After the probationary period, dismissal of a lecturer holding a longer term contract which has not expired may occur because of closure or permanent downsizing of the program in which the faculty member teaches and serves; otherwise, dismissal of such lecturer shall occur only for reasons of professional incompetence, serious misconduct, or financial exigency. Non-reappointment of lecturers to a new contract term may occur for the foregoing reasons or may occur as well for reason of changing staffing needs of the academic unit's program. Non-reappointment decisions regarding lecturers holding a longer-term contract after the probationary period must be made with faculty consultation through processes established by the school's faculty governance institutions. The jurisdiction of campus faculty grievance institutions includes cases of dismissal and non-reappointment of lecturers.

*[EXPLANATION AND COMMENT: Probationary periods for part-time faculty may be longer than seven years, where regulations adopted by the faculty of the academic unit so provide. University practice requires that probationary periods be served on a continuing basis unless a leave of absence has been applied for and been granted. The*

*University is not obliged to relocate within the institution lecturers whose positions are eliminated because of closure, permanent downsizing, or changing staffing needs of their academic programs. Where an instructional line is converted from non-tenure to tenure track, a lecturer occupying the line may apply for the tenure-track position, but is not guaranteed appointment.]*

*(University Faculty Council, February 13, 2001; Board of Trustees, May 4, 2001)*

## **Regulation of Research Appointments**

### **RESEARCH RANKS**

A three-rank system exists for those researchers who typically hold the terminal degree and postdoctorate experience (or its equivalent) and who are employed by Indiana University for strictly research responsibilities. It is suggested that the research ranks be given the following rank codes and titles:

IR97 *Assistant Scientist (or Assistant Scholar)\**

IR96 *Associate Scientist (or Associate Scholar)\**

IR95 *Senior Scientist (or Senior Scholar)\**

\*The choice of Scientist or Scholar would be determined by discipline.

A separate rank code and title should be used for those individuals with lesser qualifications who are assigned to research jobs which are routine and supervised but call for qualifications and responsibilities greater than those of technicians (rank code TE). In addition, persons working at Indiana University as postdoctoral fellows shall be designated as postdoctoral fellows (rank code IR98).

The three-rank system is regarded as a career ladder framework, with appropriate policies and procedures for appointment, annual review, and promotion. The creation of positions within the three-rank system, advertising for qualified candidates, selection and appointment procedures, annual review, promotion, and termination would be under well-defined procedures administered through Administration academic units by the Dean of the Faculties and the Vice President for Research and Dean of the University Graduate School, and further subject to the policies, rules, and procedures of the Campus Affirmative Action Plan as administered by the Affirmative Action Officer. Postdoctoral Fellows are eligible to apply for a position in one of the research ranks under certain conditions upon satisfactory completion of the terms of the postdoctorate. Qualified research appointees are eligible to apply for openings in the three-rank system but are not considered automatically for promotion to the beginning rank. The policies and procedures of the University Affirmative Action Plan would apply in determining eligibility for any of the research ranks and for determining eligibility of a person holding a research rank for any other University appointment.

*Qualifications for Rank.* The qualifications for each of the three research ranks are roughly equivalent to those set forth in the area of research for members of the faculty. Typically a candidate for the rank of Assistant Scientist would have to have completed the terminal degree in his or her discipline and, in some fields, have at least one year of successful postdoctoral research experience. A person at this rank would be fully capable of original, independent research work but would typically work under the direction of a senior faculty member or an Associate Scientist or a Senior Scientist.

A person at the rank of Associate Scientist would have begun to establish a national reputation through published work and would typically have responsibility for carrying out independently, as principal investigator, projects of his or her own devising. Normally a person should have achieved a minimum of three years of successful research as reflected in published work in refereed sources before attaining or being appointed to the rank of Associate Scientist.

A Senior Scientist would have shown a career of continued growth in scholarship which has brought a national or international reputation as a first-class researcher who has made substantial contributions to his or her discipline.

*(Board of Trustees, February 7, 1981; additional information was obtained from Bloomington Faculty Council March 18, 1980)*

*[NOTE: Since the date of policy adoption, the rank codes have changed to: Assistant Scientist or Assistant Scholar (RS1); Associate Scientist or Associate Scholar (RS2); Senior Scientist or Senior Scholar (RS3), Postdoctoral Fellow (RSP); and Research Associate (RSS).]*

## **PART-TIME**

The following additional title is used for part-time research appointees. Where ranks are included in the title, appointment should be at the rank that would be given were that individual being appointed as a research scientist. Changes from these appointments to regular research scientists should follow the customary University procedures. Where the individual is employed in these positions on a continuing or recurrent basis, reappointment and promotion in rank must go through normal University procedures.

The term “part-time” follows the designation of rank (e.g., Assistant Scientist—Part Time). These appointees devote only part of their time to the duties of a research scientist. They may also be gainfully employed in other activities, either with the University or elsewhere.

*(University Faculty Council, October 13, 1992; Board of Trustees, February 2, 1993)*

## **RESEARCH ASSOCIATES AND POSTDOCTORAL FELLOWS**

The title of Research Associate is limited to those research personnel who are not qualified for a research rank but whose positions call for full-time research under the supervision of a faculty member or a person holding a research rank. Persons working at the University as postdoctoral fellows shall be designated as postdoctoral fellows.

*(Board of Trustees, February 7, 1981)*

## **Principles and Practices Regarding Associate Faculty (Part-Time Faculty)**

Associate faculty have played and will continue to play an important role in the teaching mission of Indiana University. For this reason, all campuses should establish formal policies treating the appointment, evaluation and professional development of such faculty.

Standards for appointment for associate faculty should guarantee that courses are taught by qualified individuals. Their teaching should be evaluated on a regular basis by customary measures of classroom effectiveness. Reappointment of associate faculty should be predicated on satisfactory teaching evaluations.

Schools and departments should take steps to integrate associate with full-time faculty and to promote their professional development. Such steps should include formal orientation of associate faculty to the university and to their specific teaching responsibilities. Associate faculty should be provided with resources adequate to promote their success as teachers and the enhancement of their pedagogical skills. Exceptional performance by associate faculty should be recognized by appropriate measures.

*(Board of Trustees, September 24, 1994)*

## **Recognition of Outstanding Achievement**

### **DISTINGUISHED RANKS**

Faculty members who have reached a high level of distinction in their professions may be designated Distinguished Professors and/or may be given named chairs within departments. Prior to 1967, the ranks of Distinguished Service Professor, Research Professor, and University Professor were utilized for this purpose.

*(Board of Trustees, June 12, 1953; and subsequent actions)*

In the fall of each year nominations for distinguished ranks, and supporting documentation, are solicited from all members of the faculty by the Office of the President. The qualifications of nominees are examined by a committee which reports and makes recommendations to the President. The newly designated holders of distinguished rank are announced in the spring of each year.

*(Administrative Practice)*

### **RESOLUTION**

WHEREAS, there has existed confusion between those faculty members who have named chairs or professorships through endowments and those who have been elected to the specific rank of Distinguished Professor by University-wide procedures; and

WHEREAS, Distinguished Professors are University-wide appointments; and

WHEREAS, the present system of complex titles proves misleading in some cases;

NOW THEREFORE BE IT RESOLVED, that the committee name be changed to "Distinguished Professorship committee";

BE IT FURTHER RESOLVED, that titles henceforth be "Distinguished Professor," dropping any field or disciplinary designation from the title;

BE IT ALSO RESOLVED, that all current distinguished Professorship titles will be updated to reflect this change.

*(Board of Trustees, January 23, 1998)*



## TRUSTEE PROFESSORSHIP

*Resolution of the Trustees of Indiana University Authorizing the Creation of a Trustee Professorship.*

WHEREAS, there is a need for a titled professorship for the highest-level administrators who return to teaching;

AND WHEREAS, this position would recognize contributions to the University and provide an appropriate position and title when these individuals return to faculty status;

NOW, THEREFORE IT BE RESOLVED that the Board of Trustee create a Trustee Professorship, and direct the President of the University to develop terms and provisions related to the position. Said provisions may vary from time to time.

Provisions of the Trustee Professorship:

1. The President of the University or the Trustees may initiate recommendations for Trustee Professorships.
2. Trustee Professorships require the approval of the Board of Trustees.
3. Trustee Professorships are University-wide positions.
4. Trustee Professorships are for a five-year renewable term. The Trustees retain the authority to rescind this title and its privileges at any time.
5. Trustee Professors are to be engaged in teaching and research. Trustee Professors are expected to engage in some teaching for each semester in residence. With the concurrence of the appropriate dean, Trustee Professors may teach in departments, schools or campuses other than their home departments, schools and campuses.
6. Trustee Professors shall also undertake special assignments, as identified by the President of the University or by the Trustees. Such special assignments might include chairing a high-level search committee or assisting the Indiana University Foundation in a specific fund-raising effort.
7. Trustee Professors shall receive a supplement of \$25,000 per year in addition to their academic salary, if any, with the final amount to be determined by the Trustees. This supplement will be provided only when it is consistent with the 18/20 Retirement Plan.

*(Board of Trustees, May 4, 2001)*

## THE TRUSTEES' TEACHING AWARD

Be it Resolved by the Board of Trustees of Indiana University, that:

1. The Teaching Excellence Recognition Award (TERA) is abolished.
2. The Trustees' Teaching Award is hereby established.
3. The Trustees' Teaching Award shall be awarded before the completion of each academic year, beginning with 2000–2001, to the following:
  - a. tenured and tenure-track faculty, and
  - b. full-time lecturer and clinical faculty whose primary duty is teaching, who have demonstrated that they are the best teachers.
4. The recipients of the award shall receive the sum of \$2,500.00
5. Winners of the Trustees' Teaching Award are eligible to receive the award in subsequent years.
6. The chancellor of each campus, after consulting with elected faculty representatives, shall:

- a. determine whether the awards shall be given at the campus level by schools.
  - b. establish rules so that the method of selecting the winners is fair.
  - c. disseminate widely the availability of the award and the criteria for selection.
  - d. provide a means to recognize the winners, which shall, at a minimum, include a permanent plaque.
7. The money heretofore dedicated to the TERA awards is now dedicated to fund the Trustees' Teaching Award on each campus for six percent (6%) of tenured and tenure-track faculty and six percent (6%) of full-time lecturer and clinical faculty whose primary duty is teaching, with the balance of the TERA money dedicated to provide base budget support to FACET.

*(Board of Trustees, June, 23, 2000; February 23, 2001)*

### **FACET AWARDS FOR TEACHING**

The Faculty Colloquium on Excellence in Teaching (FACET; established in 1989) recognizes the University's most exemplary teaching faculty and librarians and encourages teaching excellence across the University by creating a network of distinguished scholar-mentors. With representatives from all IU campuses, the group holds workshops, an annual retreat, and a broad range of campus-specific and University-wide teaching colloquies and policy discussions. Participants must be full-time tenure-track or clinical-rank faculty members or librarians. Nominations are solicited annually by campus academic affairs offices.

### **INDIVIDUAL AWARDS FOR OUTSTANDING TEACHING**

The University gives a number of awards for outstanding teaching by faculty members. The recipients of the awards are recommended by the University Committee on Distinguished Teaching Awards. This committee, composed of previous award winners, bases its selections on nominations it solicits annually from throughout the University, with careful consideration of suggestions made by students, alumni, and faculty colleagues of each nominee. Awards are made each spring at the Founders Day ceremony.

Each of these awards for outstanding teaching carries with it both a certificate and a substantial cash award. The amount of the cash award becomes a permanent supplement to the awardee's salary in subsequent fiscal years for as long as the awardee remains employed at Indiana University.

*(Administrative Practice since Spring 1994)*

***Frederic Bachman Lieber Award.*** The oldest of Indiana University teaching awards was established in 1954 by Mrs. Katie D. Bachman in memory of her grandson and was further endowed by Mrs. Herman Lieber. The award is a citation and placement of the recipient's name on a permanent plaque in the Indiana Memorial Union.

***Herman F. Lieber Award.*** Established in 1961, this award was first sponsored by the IU Foundation and is now sponsored by Mrs. Herman Lieber of Indianapolis. All regular members of the faculty with ranks from Instructor through Professor are eligible for the award.

***President's Award.*** Established in 1974, these awards can be given to faculty members at any professorial rank.

*Sylvia E. Bowman Award.* This award is normally given to recognize distinguished teaching in fields relating to American civilization, broadly interpreted to include not only U.S. literature and history, but also any subject that treats any aspect of our country such as geography, geology, economics, and comparative literature.

*Lieber Associate Instructor Awards.* Initiated in 1961, these awards have been presented each year to outstanding teachers among the University's graduate students who combine their programs of advanced study with instructional employment in their schools and departments. They receive a one-time cash award.

## INDIVIDUAL AWARDS FOR OUTSTANDING SERVICE

*W. George Pinnell Award.* The University Faculty Council established the W. George Pinnell Award for Outstanding Service by faculty and librarians to the university, to a profession or discipline, or to the public. Multiple awards may, but need not, be given. Nominations are solicited annually and are reviewed by a selection committee consisting of one member from each campus. In order to be eligible, an individual shall have been on faculty appointment with no more than 50% administrative appointment/responsibilities during the five consecutive years leading up to the time of nomination. Recipients of this service award will be recognized at the Founders Day ceremony with an award of \$1,000, to be funded by the IU Foundation.

*(By action of the University Faculty Council, October 13, 1992)*

*John W. Ryan Award for Distinguished Contributions to International Programs and Studies.* The award honors a member of the University who holds faculty rank for exceptional contributions to enhancing the University's international programs and studies. Nominations are solicited and winners selected by a University-wide committee appointed annually by the Vice President for International Affairs. The IU Foundation provides the one or two recipients of this annual award with \$1,000 and a certificate at the Founders Day ceremony.

## Review Policies

### ANNUAL REVIEWS

The professional performance of each faculty member at the rank of Associate Professor or below and each librarian at the rank of Associate Librarian or below shall be reviewed annually under procedures adopted by the faculty within the department, school, program or division or library unit in which the individual holds his or her appointment. At that time the appointee shall also be informed of matters relevant to eligibility for promotion.

The appointee shall cooperate with the principal administrator to ensure that the file on which such a review is based contains all relevant materials.

In the case of a *non-tenured appointee*, a written statement summarizing the substance of each annual review should be kept in the file, and a copy given to the appointee. In the case of a *tenured appointee*, the principal administrator shall confirm in writing, to the appointee, and to the Dean of the Faculties, that an annual review or evaluative discussion with the appointee has taken place. The appointee has the right to request and

receive a written statement from the principal administrator summarizing the substance of the review or discussion; the principal administrator may, at his or her discretion, provide such a written statement even though it is unrequested. If a statement is written, copies must both be placed in the file and be given to the appointee.

*(University Faculty Council, April 29, 1976; Oct. 9, 1979; April 23, 1991; Board of Trustees, June 20, 1991)*

## **GUIDING PRINCIPLES FOR FACULTY REVIEW**

The quality and integrity of academic programs depend upon the performance of individual faculty. Indiana University as an institution and its faculty members have a mutual and reciprocal commitment to ensure the ongoing productivity of individuals throughout their academic careers. Peer review is an essential aspect of continued improvement and faculty development.

Each campus shall have:

1. Procedures for annual merit review of faculty performance that comply with Principles Guiding Indiana University Faculty/Librarian Salary Policy.  
*(University Faculty Council, April 25, 1989)*
2. Procedures for evaluation of faculty performance on occasion of reappointment, appointment with tenure, and promotion in rank that comply with the provisions on Academic Advancement (standards, procedures, and annual review) in the *Academic Handbook*.
3. Procedures, adopted by faculty governance, for review, remediation, and sanction (including sanction of dismissal) of faculty conduct that violates the rules of the University or fails to meet generally understood and accepted standards of professional conduct.

The procedures for review, remediation, and sanction of faculty conduct shall:

- A. Preserve academic freedom.
- B. Protect due process.
- C. Recognize situational differences of diverse faculty.
- D. Establish professional development as a goal.
- E. Define a mechanism for initiating the in-depth review process.
- F. Rely upon peer review at all steps in the process.
- G. Incorporate existing faculty review mechanisms.
- H. Include the concept of intermediate sanctions prior to dismissal proceedings.
- I. Establish dismissal process consequent to misconduct or incompetence.
- J. Specify outcome criteria for assessment of the effectiveness of the policy at the time of implementation of the policy.

*(University Faculty Council, February 9, 1999)*

Be It Resolved by the Board of Trustees of Indiana University, That:

*Section I:* The procedures for review, remediation, and sanction of faculty conduct as adopted by the University Faculty Council on February 9, 1999, are approved.

*Section II:* The Board of Trustees, or a committee thereof so authorized by the Board, shall ensure that each campus adopts procedures pursuant to these standards

*Section III: The authority under section II is hereby delegated to the University Policies Committee of the Board.*

*(Board of Trustees, March 26, 1999)*

## **General Policies**

### **EQUAL EMPLOYMENT OPPORTUNITY**

#### **Equal Opportunity/Affirmative Action Policy**

Indiana University pledges itself to continue its commitment to the achievement of equal opportunity within the University and throughout American society as a whole. In this regard, Indiana University will recruit, hire, promote, educate, and provide services to persons based upon their individual qualifications. Indiana University prohibits discrimination based on arbitrary considerations of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status.

Indiana University shall take affirmative action, positive and extraordinary, to overcome the discriminatory effects of traditional policies and procedures with regard to the disabled, minorities, women, and Vietnam-era veterans.

*(University Faculty Council, October 13, 1992; Board of Trustees, November 21, 1969; December 4, 1992; Reaffirmed by Board of Trustees, January 31, 2003.)*

The University administration and faculty governance regularly review policy to maintain compliance with current EEOC regulations and guidelines.

*(Administrative Practice)*

### **ACADEMIC APPOINTEES WITH DISABILITIES**

#### **Background and Summary**

Prior to 1990, the University complied with the nondiscrimination provisions of Sections 503 and 504 of the Rehabilitation Act of 1973. The Americans with Disabilities Act (ADA), Public Law 101-336, was enacted on July 26, 1990, “to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities.” This latter federal legislation requires equal treatment of all persons in employment, public services and transportation, public accommodations, and telecommunication services.

Indiana University, a public institution as set forth in the Americans with Disabilities Act, is subject to its requirements. Title I of the ADA prohibits discrimination against qualified individuals with disabilities in employment practices. Title II of the ADA prohibits discrimination against qualified individuals with disabilities with regard to the services, programs, and activities at the university.

## **Indiana University Policy Regarding People with Disabilities**

Indiana University historically has been committed to the principles of affirmative action that guarantee fair and equitable treatment of all persons, including the mentally and physically disabled. The University provides equal employment opportunities to all employees and applicants for employment who are qualified.

The University has instituted various administrative policies, practices, and procedures to ensure nondiscrimination. These have been amended to comply with the requirements of the ADA. Accordingly, “no qualified individual with a disability shall, by reason of such disability, be either excluded from participation in or be denied the benefits of the services, programs, or activities” of Indiana University. Moreover, no qualified individual with a disability shall be discriminated against because of the disability of that individual with regard to job application procedures, the hiring or discharge of employees, compensation, advancement, job training, and other terms, conditions, and privileges of employment.

## **Compliance Responsibility and Complaint Procedures**

Responsibility for coordinating the University’s compliance with the requirements of the ADA resides with the Affirmative Action Officer of the University and the Affirmative Action officers of the campuses.

Individuals who have complaints regarding the University’s compliance with particular provisions of the ADA should contact the Affirmative Action Officer. Additional information on policy or complaint procedures is available in the Affirmative Action Offices.

*(Administrative Practice)*

## **VETERANS**

The University guarantees that qualified disabled veterans and veterans of the Vietnam Era shall not be refused educational opportunity, employment, or advancement for reasons unrelated to specific job performances.

*(Excerpt from Affirmative Action Plan Supplement; University Faculty Council, February 13, 1979; Board of Trustees, March 3, 1979)*

## **SEX DISCRIMINATION**

Indiana University complies with the Sex Discrimination Guidelines issued by the Equal Employment Opportunity Commission in 1968, and amended in 1969 and 1972. Policies relating to recruitment, development opportunities, working conditions, fringe benefits, pregnancy and childbirth shall not discriminate based on the sex of applicants, appointees, or students.

The Guidelines specifically preclude:

1. separate lines of progression and seniority systems based on gender;
2. discrimination against married women;
3. advertisements which indicate a preference, limitation, specification or discrimination based on sex;
4. pre-employment inquiries as to sex unless made in good faith for a nondiscriminatory purpose;

5. fringe benefits (medical, hospital, accident, life insurance and retirement plans; profit sharing and bonus plans; leave plans; other terms, conditions, and privileges of employment) which discriminate between men and women;
6. written or unwritten employment policies or practices which exclude from employment applicants or employees because of pregnancy, childbirth or related medical conditions;
7. sexual harassment.

Concerns about compliance with the Guidelines should be brought to the attention of the Campus Affirmative Action Officer. Because of the sensitive and discriminatory nature of sexual harassment charges, specific provisions and procedures have been established.

*(University Faculty Council, April 26, 1988)*

## **SEXUAL HARASSMENT**

Harassment on the basis of sex is a violation of federal and state law. Indiana University does not tolerate sexual harassment of its faculty, staff, or students. Individuals who believe they are victims of sexual harassment, as well as those who believe they have observed sexual harassment, are strongly urged to report such incidents promptly. Indiana University will investigate every sexual harassment complaint in a timely manner and, when there is a finding of sexual harassment, take corrective action to stop the harassment and prevent the misconduct from recurring. The severity of the corrective action, up to and including discharge or expulsion of the offender, will depend on the circumstances of the particular case.

Once a person in a position of authority at Indiana University has knowledge, or should have had knowledge, of conduct constituting sexual harassment, the university could be exposed to liability. Therefore, any administrator, supervisor, manager or faculty member who is aware of sexual harassment and condones it, by action or inaction, is subject to disciplinary action.

### ***A. Definitions***

Following federal guidelines, Indiana University defines sexual harassment as follows. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
2. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

### ***B. Application***

This University policy is designed to protect all members of the University community. It applies to relationships among peers as well as to superior/subordinate relationships. It also applies to all individuals, regardless of their gender or sexual orientation.

### *C. Provisions*

1. Faculty, staff, and students have the right to raise the issue of sexual harassment. Further harassment against complainants or retaliation against complainants or others who participate in the investigation of a complaint will not be tolerated. Appropriate and prompt disciplinary or remedial action will be taken against persons found to be engaging in such further harassment.
2. The university will deal with reports of sexual harassment in a fair and thorough manner, which includes protecting, to the extent possible, and to the extent permitted by law, the privacy and reputational interests of the accusing and accused parties.
3. Education is the best tool for the prevention and elimination of sexual harassment. Each dean, director, department chair, and/or administrative officer is responsible within his/her area of jurisdiction for the implementation of this policy, including its dissemination and explanation.
4. It is the obligation and shared responsibility of all members of the University community to adhere to this policy.

### *D. Enforcement Principles*

Enforcement and implementation of this sexual harassment policy will observe the following principles:

1. Each campus must have procedures—consistent with notions of due process—for implementing this policy including where complaints are made, who investigates complaints, how complaints are resolved, what procedures are available for appeals, and how records are kept.
2. The Campus Affirmative Action Officer shall serve as a resource with regard to interpretation of sexual harassment guidelines.
3. Confidentiality of information relating to investigations of complaints of sexual harassment shall be maintained to the extent practical and appropriate under the circumstances and to the extent permitted by law. Individuals charged with implementing this policy shall share information with regard to given incidents of sexual harassment only with those who have a “need to know” in order to implement this policy.
4. Investigations must be conducted promptly and thoroughly.
5. Whether particular actions constitute sexual harassment will be determined from the facts, on a case-by-case basis. The university will look at the record as a whole, as well as the context in which the alleged misconduct occurred.
6. Both the charging party and the respondent will be notified of the outcome of the investigation.
7. In the event it is found that sexual harassment has occurred, corrective action, up to and including discharge or expulsion of the offender, will be taken through the appropriate channels of the university. The corrective action will reflect the severity and persistence of the harassment, as well as the effectiveness of any previous remedial action. In addition, the university will make follow-up inquiries to ensure the harassment has not resumed and the complainant has not suffered retaliation.

*(University Faculty Council, March 10, 1998; Board of Trustees, June 15, 1998)*



## **SUBSTANCE FREE WORKPLACE**

The Drug Free Workplace Act of 1988 and the federal Drug Free Schools and Campuses Act of 1990, prohibits the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol, including controlled substances, on Indiana University's premises, or while conducting university business off university premises. In addition to possible penalties under federal and state law, failure to comply with this policy may result in any of the following sanctions:

1. reprimand, suspension, or termination
2. required completion of substance abuse treatment or substance abuse education program

In addition, an employee must notify his/her dean or chair of his/her conviction for violations occurring on or off university premises while conducting university business. This must be done within 5 calendar days after the conviction.

The abuse of alcohol and other drugs increases the risk for a number of health related problems. In addition, alcohol and drug abuse can contribute to a number of social, behavioral and academic work performance problems. Indiana University encourages individuals with alcohol or other drug related problems to seek assistance through their health care provider or the Employee Assistance Program at 888-234-8327.

## **RECRUITMENT**

### **Recruiting Faculty from Other Institutions**

The University adheres to and abides by the Policy Guidelines of the Association of American Colleges and Universities with respect to recruitment of new faculty from other institutions. (These guidelines, approved by the American Association of University Professors (AAUP), appear on pp. 113–115 of *AAUP Policy Documents and Reports*, 1995 edition.) The general tendency of these guidelines is to encourage recruitment by institutions early in the academic year, and to urge faculty members considering resignation to make their decisions as early as is feasible.

### **Filling Late Resignation Vacancies**

Whenever possible, vacancies resulting from late resignation should be filled on a visiting or acting short-term basis, thereby permitting Affirmative Action procedures to be followed in filling the positions on a long-term basis.

*(Administrative Practice)*

## **NEPOTISM**

### **1. General Provisions**

- a. No person shall be recommended for employment on an appointment basis who is related by blood or marriage to a member of the State Board of Education, or to a member of the Board of Trustees of Indiana University.
- b. It is contrary to University policy that any full-time, part-time, or temporary employee be employed in or transferred to a position which establishes an immediate supervisor/employee relationship between two individuals who are related by blood or marriage.

- c. The degrees of relationship included in the above restrictions are as follows. By blood: Parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin. By marriage: Husband, wife, stepparent, stepchild, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-sister, half-brother, uncle, aunt, nephew, niece.
  - d. Determination of "immediate supervision" in each instance is made by the appropriate Vice President or Chancellor, who takes into account the day-to-day functions of supervision and whether or not the supervisor is the sole person competent to judge such issues as hiring, retention, promotion, and salary. The Vice President or Chancellor brings to the attention of the Board of Trustees, before appointment or transfer, instances in which two members of the same family will be employed in the same unit; the Vice President or Chancellor will demonstrate that immediate supervision is not involved.
2. In the event of marriage between University appointees creating a relationship not in accord with the provisions of paragraph 1.b., one of the persons affected must give up that position by end of the fiscal year or within six months from the date the relationship was established, whichever is the greater period, but may be re-employed in another position compatible with the provisions of paragraph 1.b.
  3. In the recruitment of new academic appointees, the University adheres strictly to its current anti-nepotism policy. Because the implementation of this policy may work a severe hardship on *current* employees and may tend to cause more of an adverse impact upon one sex than another, the administration is authorized to institute alternative procedures on a trial basis to cover situations of potential nepotism involving *current* employees. These procedures are to be carefully monitored and evaluated.
  4. Stipends to students as scholarships, fellowships, or assistantships shall not constitute employment within the provisions of this regulation.

*(Board of Trustees, May 31, 1940; March 26, 1960; June 29, 1974)*

5. Whenever a person recommending, or considering the acceptance of, an appointment to a staff, faculty, or other position has reason to believe that a relationship by blood or marriage of the kind described exists or may exist, he should report the facts to the Office of University Counsel and campus Chancellor or Vice President of the unit so that a determination may be made prior to the actual appointment.

*(Administrative Practice)*

#### **APPROPRIATE DUTIES OF EMPLOYEES (GHOST EMPLOYEES)**

Indiana law prohibits the hiring by any public institution of any person who is not assigned duties or is assigned duties not related to the operation of such institution when such person is paid by public funds. No person is knowingly to receive public funds in compensation with no duties or for duties not related to the operation of the public employer. Penalties are provided by law which may fall both on the employee and upon the authority who appoints such an employee or permits such payment for duties not related to the public employer.

Any situation which seems to be proscribed by the law, as stated above, should be brought to the attention of the Office of University Counsel so that a determination may be made and appropriate action may be recommended.

*(Conforms to State Statute, I.C. 35-44-2-4)*

### **Appointment Dates**

This policy is followed for determination of the precise span of time during which the mutual obligations of an employer/employee relationship exist for the purpose of proration of pay, when such proration is necessary, and for fringe benefit entitlements.

Appointments for the academic year and for the first semester begin seven days prior to the first day of classes on each campus. Appointments for the second semester begin seven days before the first day of classes at the campus but never earlier than January 1. Appointments for the first semester terminate on December 31. Appointments for the academic year terminate on the day of commencement for the campus. Appointments for various summer sessions begin on the first day of classes and terminate on the last day on which final grades are due on each campus.

*(Administrative Practice)*

### **Appropriate Use of Information Technology**

Use of Indiana University information technology resources is restricted to purposes related to the university's mission of research and creative activity, teaching and learning, and civic engagement. Eligible individuals are provided access in order to support their studies, instruction, duties as employees, official business with the university, and other university-sanctioned activities. Individuals may not share with or transfer to others their university accounts including network IDs, passwords, or other access codes that allow them to gain access to university information technology resources.

Indiana University technology resources may not be used in a manner that violates the law, for private commercial activities that are not approved by the university, for personal private gain, or for political campaigning and similar activities that are inconsistent with the university's tax-exempt status.

Incidental personal use (e.g. personal messages to family and friends) is an accepted and appropriate benefit of being associated with Indiana University's rich technology environment. Appropriate incidental personal use of technology resources does not result in any measurable cost to the university, and benefits the university by allowing personnel to avoid needless inconvenience. Incidental personal use must adhere to all applicable university policies. Under no circumstances may incidental personal use involve violations of the law, interfere with the fulfillment of an employee's university responsibilities, or adversely impact or conflict with activities supporting the mission of the university.

### **ELECTRONIC MAIL**

Indiana University electronic mail (e-mail) users are required to comply with State and Federal law, University policies, and normal standards of professional and personal ethics, courtesy, and conduct. All communications via e-mail will be consistent with

all pertinent sections of the Code of Student Ethics, the Academic Handbook, and all other applicable administrative policies.

Under normal circumstances, when an individual's affiliation with the University ends, eligibility to use a University-provided e-mail account also ends. The University may elect to continue the account for use by the individual as necessary to further University missions.

Unless inappropriate use stems from technical or other problems outside of the individual's control, persons to whom Indiana University e-mail accounts are assigned are responsible for actions taken with their accounts. Accounts and account passwords are not to be sold, rented, or shared with any other person, including friends, family, roommates, supervisors, technical staff, vendors, etc.

Unless an individual or an organization has explicitly solicited anonymous input or comments, all communications sent using any Indiana University technology service or facility must clearly identify the actual sender by a valid address in the basic header (From:) or in the message text. Forged communications are prohibited under any circumstance.

No one may state or imply in an e-mail that they represent or speak on behalf of Indiana University or any organizational element of Indiana University, unless they are tasked to do so by virtue of their assigned duties or they have been formally designated to do so by the Board of Trustees of Indiana University or by University executive administration.

Electronic mail will not be sent by members of the University community to persons with whom the sender does not have an established mutually-accepted personal, business, or academic relationship.

Sensitive institutional and personal information will not be sent via e-mail, unless specific steps are taken to confirm that the transmission is secure.

University electronic mail will not be used for personal commercial purposes or for personal financial or other gain.

All mailing lists supported by University resources will be owned and maintained by members of the Indiana University community, and each list will have a stated purpose and policy. Mailing lists will be moderated so that inappropriate postings are intercepted and rejected, and electronic mailing lists will be protected as far as technically possible from commercial exploitation. Communications to mailing lists will be in accordance with the stated purpose and policy, and list members who consistently experience inappropriate postings may unsubscribe even if membership was initially required. Requests from individuals to be unsubscribed from these and from voluntary lists must be honored.

Further information about these policies can be found at: (<http://informationpolicy.iu.edu/policies/>).

## **VACATIONS, LEAVES, AND SEPARATION**

The University recognizes the need for and has made provision for a number of types of leaves of absence. Reimbursements for travel and other research-related expenses while on leave should follow normal internal guidelines with the deans and unit heads

determining if the expenditure is appropriate, “that the primary beneficiary of the expenditure is the University.” The same University policies apply to travel and research-related expenses charged to individual faculty research accounts that apply to expenses charged to any other University account.

### **Vacation Policy for Twelve-Month Academic Staff**

1. Vacations are allowed and encouraged for the purpose of increasing individual efficiency and usefulness of the academic staff.
2. All twelve-month academic appointees are entitled to one month’s vacation with full compensation for each calendar year.
3. Vacation time is not cumulative, i.e., if vacation time is not taken during one year the individual is not entitled to two months’ vacation during the next year.
4. During a vacation period for which an individual receives his or her regular monthly compensation, it is understood that he or she shall not accept or receive compensation for full time employment elsewhere.
5. Although vacations need not be taken at the same time each year, the vacation period in any year should not follow immediately the vacation period of the preceding year.
6. No academic appointee can expect additional compensation in lieu of vacation.

*(Faculty Council, March 7, 1967; Board of Trustees, April 21, 1967)*

### **Vacation Policy Amendment**

The Faculty Council has recommended a change in vacation policy for academic staff on twelve months’ appointment to allow them one month’s vacation with full compensation for each calendar year, not to be accumulative. The present statement has been interpreted by some departments to mean that no person on a twelve months’ academic appointment could have terminal leave, and this revision is intended to correct the inequities and inconsistencies that have arisen in interpretation of the policy.

*(Board of Trustees, April 21, 1967)*

### **Sabbatical Leaves Program**

The following is a general description of the University’s program. Specific details as to the routing of sabbatical leave applications, the functions of committees on sabbatical leaves, the roles of deans and chairpersons in determining eligibility—these and similar matters are described in the campus-specific documents.

#### **SABBATICAL LEAVES FOR FACULTY**

*Purpose.* A faculty member has two academic functions, teaching and research. Travel to use other libraries or research centers, to work with other scholars, or to conduct field research is generally necessary for scholarly endeavor. The sabbatical leave program is undertaken to provide time for such scholarly research and any travel incident thereto and to allow members of the faculty to keep abreast of developments in their fields of service to the University.

A sabbatical leave is not a leave which a faculty member automatically “earns” by having been employed for a given period of time. Rather, it is an investment by the University in the expectation that the sabbatical leave will significantly enhance the faculty member’s capacity to contribute to the objectives of the University. For this reason, all periods of sabbatical leave count as full-time service to the University and will be approved only if there is adequate reason to believe that they will achieve this purpose.

A statement of proposed use of time is required to indicate the manner of achieving these general objectives. Acceptable programs for the use of time may include:

1. Research on significant problems
2. Important creative or descriptive work in any means of expression, for example, writing, painting, and so forth
3. Postdoctoral study along a specified line at another institution
4. Other projects satisfactory to the responsible committees and/or deans

Adherence to an approved plan is expected of a faculty member. At the termination of the leave, and not later than three months after returning to the campus, the faculty member shall submit a report of activities undertaken, which will be used in evaluating future applications for sabbatical leave of persons who have had one or more sabbatical leaves.

*Terms of Leave.* Sabbatical leave will be for one semester at full salary or for one year at half salary. A sabbatical leave need not be taken in a single academic year but may be divided over several academic years. The sabbatical leave program requires that persons on sabbatical leave devote full time to the scholarly activity for which leave is granted and will receive no salary or stipend from other sources than the University except that (1) persons on leave for a year at half pay may engage in other scholarly activity consistent with that for which leave is granted and receive salary, stipend, or honoraria from other sources in such amounts that total salary, stipend, and honoraria do not exceed approximately the annual income normally earned, and (2) persons on leave may receive grants from other sources for travel and research expenses incident to their scholarly activity.

*Eligibility.* A faculty member is eligible for one sabbatical leave during each period of seven years’ full-time service in faculty rank (including time on sabbatical leave), following the completion of the first six years of full-time service as a faculty member at Indiana University. For example, a faculty member may be granted one sabbatical leave in the seventh, eighth, ninth, tenth, eleventh, twelfth, or thirteenth year of service, and one in the fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, or twentieth year of service. Ordinarily, however, a sabbatical leave will not be granted within less than four years following a preceding sabbatical leave. For example, a faculty member who is granted sabbatical leave in the twelfth year would not again be eligible until the seventeenth year. Leaves without pay do not count as part of the period by which eligibility for sabbatical leave is determined, except that recipients of nationally or internationally competitive fellowships may count up to one year toward their next sabbatical leave. The sabbatical leave program applies only to persons who agree to return to their positions at Indiana University for at least one academic year following a period of sabbatical leave. A sabbatical leave will not be granted to a faculty member denied reappointment for the academic year immediately following the proposed leave. A sabbatical leave will not be granted for the last year of a faculty member’s service

prior to retirement, or for a person who fully intends to resign at the end of the year for which sabbatical is requested.

*(Board of Trustees, June 2, 1939; December 5, 1981; Faculty Council, November 15, 1949; May 25, 1956; and May 5, 1964; and University Faculty Council, October 13, 1981; April 27, 1982)*

To be eligible for sabbatical leave, a faculty member must agree to reimburse Indiana University for any salary, retirement contributions, and insurance premiums paid during the sabbatical leave in the event that the faculty member does not return to the University for at least one academic year immediately following the leave.

*(Administrative Practice)*

*Scheduling.* As far as possible, departmental schedules should be arranged so as to permit eligible members of the staff to take leaves. In arranging schedules, an attempt should be made to minimize the cost of substitute instruction and the disruption of the departmental program. [Deadline dates relevant to these scheduling issues are to be found in the campus-specific documents.]

*(Faculty Council, November 15, 1949)*

After appropriate review procedures on each campus have been completed, the approved applications shall be forwarded through the President to the Board of Trustees. Final approval rests with the Board of Trustees, but a favorable recommendation by the appropriate Vice President or Chancellor and the President establishes sufficient likelihood of a grant of leave so that applicants are justified in proceeding with plans and arrangements for leave.

*(Administrative Practice)*

## **SABBATICAL LEAVES FOR LIBRARIANS**

A leave program was established for librarians to be administered as part of the faculty sabbatical leave program. The policies and criteria applied to faculty applications for leave apply also to requests from librarians.

*(Board of Trustees, February 25, 1952)*

As with faculty members, a statement of proposed use of time is required to indicate the objectives of the proposed sabbatical leave program. Acceptable sabbatical leave proposals for librarians include scholarly and pedagogical research, creative work, postmaster's study such as a second master's degree or doctorate (normally undertaken at another institution), and other projects satisfactory to the responsible committees and/or deans. The terms of librarians' sabbatical leave are that the leave will be for one semester at full salary or for one year at half salary. For purposes of reckoning the time for librarians, a semester is computed as five months and a year as ten months. Eligi-

bility for librarians is calculated in the same manner as eligibility for faculty members. In matters such as scheduling, eligibility for fringe benefits while on leave, filing of reports, and reimbursement agreements, procedures for librarians are the same as those for faculty members.

*(Administrative Practice)*

## **BENEFITS WHILE ON SABBATICAL LEAVE**

*Group Life Insurance.* The University continues this coverage, and the related benefits, based on the fulltime salary rate and at no cost to the faculty member for either a one-year or a one semester sabbatical leave.

*Group Medical Insurance.* Medical insurance, which is in any case optional for faculty members, will be automatically continued during the semester or year in question, if it was in force immediately prior to that semester or year. The individual's contribution will continue by payroll deduction, and the University will make its normal contribution.

*(Administrative Practice)*

*IU Retirement Plan Contributions.* For a faculty member taking a one-semester sabbatical leave at full pay, the University will make the full retirement plan contribution for the semester in question.

For a full-year sabbatical leave at one-half salary, the normal University contribution is the customary amount payable on that one-half of the faculty member's salary. Thus, a faculty member taking such a leave coupled with some type of external financial support should look to this external source for any retirement plan contributions supplemental to the one-half of normal contributions paid by the University. For more information, the faculty member should consult the Dean of Faculties Office and the Benefits Office on his or her campus.

*(Administrative Practice)*

## **Leave Without Pay**

### **REQUEST FOR LEAVE**

When a faculty member or other academic employee wants to take such a leave (LWOP), he or she should initiate a request through normal administrative channels. This request should be accompanied by a brief statement of the reasons for which the leave is sought. Leaves of absence without pay are limited to one year. Under unusual circumstances, exceptions can be approved.

*(Administrative Practice)*

### **STATUS OF TIME SPENT ON LEAVE WITHOUT PAY**

A year or semester on LWOP does *not normally* count as a year or semester of service to the University, except in the case of recipients of nationally or internationally competitive fellowships. This policy means that such leave *will not* be counted in reckoning:



1. University obligations to make contributions to retirement funds.
2. Year's credit toward tenure, except that it may be counted if the leave is spent as a full-time faculty member at some other institution.
3. Year's credit towards sabbatical eligibility.
4. Years of service which may be relevant under any other University regulations, such as those concerned with early retirement.

*(Faculty Council, May 5, 1964; December 3, 1968; July 25, 1969)*

## **BENEFITS WHILE ON LEAVE WITHOUT PAY**

*Group Life Insurance.* During leave without pay, the University will continue the insurance in force for three months. If the leave extends for more than three months, the insurance will be suspended unless the employee elects its continuance by the advance payment of premiums at the campus Personnel Office. If the insurance is suspended during the leave, when the appointee returns it will be automatically reinstated in accordance with the plan certificate.

*Group Medical Insurance.* It is the policy of the University to continue its contributions toward medical insurance for faculty or staff members on leave of absence without pay for as long as the appointee continues paying the employee share of the premium. The appointee must make arrangements with the University in advance of the beginning of the leave to pay the employee's share of medical insurance premiums. Continuation in the plan is optional. If it is dropped, re-enrollment procedures are necessary to re-enter the plan, either immediately upon return from leave, or at the annual open enrollment date.

*(Administrative Practice)*

*IU Retirement Plan Contributions.* It is the policy of the University not to make retirement plan contributions while an appointee is on leave without pay. A participant in an IU retirement plan who plans to take leave of absence without pay should make appropriate arrangements with his or her prospective employer or grantor agency to cover his or her contributions. Such contributions can be made directly to the plan provider by the employing institution whether or not that institution participates in that particular program. Alternatively, the employing institution could set the level of compensation at a figure which would permit the individual to make payments to the plan provider, although tax disadvantages would usually result from such an arrangement.

*(Administrative Practice)*

## **Other Leaves and Absences (See also FMLA, Appendix B)**

### **MILITARY TOURS OF DUTY**

The policy on short-term leaves of absence for military duty conforms to the following regulation of the Indiana General Assembly concerning state employees in general: Those persons "who are members of the Indiana National Guard or of the reserve components or the retired personnel of the naval, air, or ground forces, shall be entitled to leave of absence

from their respective duties, without loss of time or pay for such time as the members of the National Guard are in the military service on training duties of the state of Indiana under the order of the governor as commander-in-chief, or as members of any reserve component under the orders of the component authority thereof, for periods not to exceed fifteen days in any one calendar year.”

*(Board of Trustees, October 20, 1961)*

## **JURY DUTY AND SUBPOENAED WITNESSES**

An academic appointee of the University called for jury duty will be allowed absence with pay for the period of service as a juror. An academic appointee who has been subpoenaed will be allowed absence with pay when serving as a witness.

*(Board of Trustees, December 20, 1942)*

## **SICK LEAVE**

In case of illness of any full-time academic appointee he or she shall be paid six weeks' full salary during the illness and 50% for the balance of the semester in case the illness continues that long. Where prognosis for early recovery is favorable, the University may, upon recommendation of the chairperson or immediate supervisor followed by concurrence of the appropriate dean or Vice President or Chancellor, extend the period of sick leave beyond the limits of one semester to a total maximum of six weeks at full pay and nine additional weeks at one-half pay. Beyond such periods or upon recognition that the illness will be more prolonged, the individual shall be placed on leave without pay. Time spent on medical leave counts toward service to the University.

*(Board of Trustees, January 20, 1973)*

## **PREGNANCY AND CHILDREARING LEAVES**

Medical disabilities of any employee resulting from pregnancy (including predelivery, delivery, and post-partum medical needs, and complications of pregnancy and/or childbirth, and termination of pregnancy whether by miscarriage or by abortion) are to be treated as are any other temporary medical disabilities for purposes of granting sick leave, regardless of marital status.

A pregnant academic appointee may take, but is not required to take, a leave, to be known as a pregnancy leave, extending from up to two weeks prior to expected delivery date through up to four weeks following delivery and such additional time as is medically required. Such pregnancy leave shall be considered to be necessitated by disabilities resulting from pregnancy.

Appointees on pregnancy leave shall be paid up to six weeks' full salary during the leave and 50% for the balance of the semester when medically required. Upon recommendation of the chairperson or immediate supervisor followed by concurrence of the appropriate dean or Vice President or Chancellor, the period of pregnancy leave can be extended beyond the limits of a semester to a total maximum of six weeks at full pay and nine additional weeks at one-half pay when medically required. Beyond such periods or upon recognition that the disability will be more prolonged, the individual shall be placed on leave without pay.

A reasonable number of childrearing leaves shall be available under rules normally governing leaves without pay to both mothers and fathers, under conditions mutually agreed upon between an individual and his or her department head.

Pregnancy and childrearing shall be considered a permissible purpose for applying for a leave without pay and shall be available as prescribed by the policy on leave without pay, to all academic appointees.

*(Board of Trustees, June 29, 1974)*

## **Indiana University Family Leave Policy**

### **GENERAL STATEMENT**

Indiana University supports an environment that offers solutions to the complex issues academic appointees face in balancing their work and family commitments. Family leave provides eligible academic appointees with up to twelve weeks of fully paid leave, as needed for either or both of the following events:

- the birth or adoption of a child by the academic appointee or the academic appointee's spouse or domestic partner,
- the primary care of an eligible family member with a serious health condition.

Family leave is not intended to be a supplemental pay plan. It is a policy which allows for an academic appointee to take necessary time off from work without undue financial hardship. People may need six weeks, or they may need twelve weeks, depending on their situation. It is expected that paid leave periods will vary by need and circumstance and may extend across semesters. An appointee should not be expected to perform duties while on leave, to make up time/work, or to be on call in clinical settings. The leave is intended to relieve the appointee of responsibilities so he or she may attend to the family need. Family leave is separate from and in addition to sick leave. (See Relationship to Sick Leave Policy.) Leave taken pursuant to this policy shall count as all or part of the federal Family and Medical Leave Act requirement.

### **ELIGIBILITY**

Both 10- and 12-month academic appointees are eligible for family leave after two years of continuous full-time Indiana University service. Visiting, adjunct, part-time, post-doctoral, and intermittent appointees are not eligible for family leave.

This policy applies only to salaries paid by the University; it has no application to salaries or other compensation from other sources, including professional practice plans.

Notwithstanding the foregoing criteria for eligibility, for the period of one calendar year after the adoption of this policy, the continuing duties of a clinical faculty member in the School of Medicine during the period of leave shall be negotiated by the academic appointee and the dean of the School of Medicine or designee of the dean, and said continuing duties shall approximate the proportion of salary received during the leave. Upon return from leave, such clinical faculty member shall not be required to assume more duties than usual. At the end of the calendar year period, clinical faculty members in the School of Medicine will be eligible for family leave on the same terms as otherwise eligible academic appointees.

## **ELIGIBLE FAMILY MEMBERS**

Spouse, domestic partner, parent, dependent child, or dependent child or parent of the appointee's spouse or domestic partner.

## **LEAVE FREQUENCY**

Academic appointees may take family leave up to twice every five years, but the appointee must return to full-time service for at least one fall or spring semester between leaves. Appointees in non-teaching appointments must return for at least five months. Family leave for the birth or adoption of a child must be concluded within twelve months of the birth of the child or the date on which the child is placed in the physical custody of the academic appointee. The first week of any family leave begins the period for calculating both the twelve weeks and five-year eligibility period.

## **SHORT TERM ABSENCES**

Short term absences of three weeks or less should continue to be arranged informally within a department.

## **BREAK PERIODS AND VACATION TIME**

All semester breaks (i.e., Thanksgiving, Winter and Spring breaks) count in the leave period. For persons on twelve-month appointments, any accrued vacation time for which an appointee is eligible does not count in the total twelve-week eligibility period.

## **FLEXIBILITY AND TEACHING ASSIGNMENTS**

1. When a proposed leave under this policy would prevent an appointee from carrying out his or her regular teaching responsibilities in two consecutive semesters, he or she must reach an agreement with the relevant academic unit that meets the needs of both the appointee and the academic unit. Agreements may include a reduced teaching schedule in one or more semesters, partial-semester teaching schedules, additional non-teaching duties, or a combination of paid and unpaid leave. Appointees and academic units are encouraged to be creative and flexible in developing solutions that are fair to both the individual and the University.
2. All agreements must be committed to writing, signed by the appointee and the head of the relevant academic unit, and approved by the Dean of the Faculties or Vice Chancellor of Academic Affairs. It shall be the responsibility of the Dean of the Faculties or Vice Chancellor of Academic Affairs to ensure that all agreements entered into are entirely voluntary and fair to both the appointee and the University.

## **RELATIONSHIP TO SICK LEAVE POLICY**

Sick leave is intended to cover periods of time when the appointee is sick or medically unable to perform the duties associated with a position. Pregnancy is treated as any other temporary medical condition for the purposes of granting sick leave. Sick leave, including pregnancy, is separate from family leave.

## **TENURE CLOCK**

As with sick leaves, the tenure clock stops during a family leave unless the academic appointee requests otherwise. Failure to perform duties during the leave period shall not be considered in the evaluation for reappointment, tenure, promotion, or merit pay.

## **IMPLEMENTATION**

The Dean of the Faculties or Vice Chancellor of Academic Affairs shall provide information, interpretation, documentation, and enforcement of this policy on each campus. The Dean of the Faculties or Vice Chancellor of Academic Affairs shall annually provide a report on the utilization of this policy to the agenda committee of their respective campus faculty councils and shall be available to answer questions of the council concerning the policy.

## **EFFECTIVE DATE**

This policy takes effect on July 1, 2008, and it applies to leaves commenced on or after that date.

The Vice President and Chief Financial Officer will prepare and present to the Board of Trustees an annual report showing the incremental cost of paid leave under this policy, the baseline cost to be the 2007-2008 academic year. This policy shall expire on June 30, 2011, unless the Board takes action to renew or revise the policy. In the event that the policy expires under the terms of this paragraph and no other family leave policy is adopted by the Board, the Indiana University Partially Paid Family Leave Policy that was in effect on June 20, 2008, will again go into effect.

*(Board of Trustees, June 20, 2008)*

## **Permanent Separation**

## **RESIGNATION**

Prompt notice of resignation should always be given. In no case should a notice of resignation be submitted later than May 15 or 30 days after receiving notification of the terms of continued employment the following year, whichever date occurs later. When negotiations which may lead to a resignation are in progress, a faculty member is expected, wherever feasible, to keep his or her chairperson or dean informed of the progress of such negotiations.

*(Administrative Practice)*

## **RETIREMENT**

### **Policy on Retirement Age and Retirement Policy for Executives, High Policymakers, and Administrative Officers**

As permitted by law, individuals holding administrative positions that are bona fide executive or high policymaking positions may be required to retire from their administrative positions at the end of the academic year in which they turn 65. The following are bona fide executive or high policymaking positions: President, Vice Presidents,

Chancellors, Vice Chancellors, Deans of Academic Schools, Dean of the Libraries, and the President and CEO of the Alumni Association.

On occasion it may be determined that other positions may be bona fide executive or high policymaking positions, and therefore, subject to administrative retirement at age 65. The determination whether an administrative position is a bona fide executive or high policymaking position will be made based upon the authority and responsibilities of the position and applicable legal standards. The determination will be made by the President and the individual holding the position will be notified of the determination as soon as it is made.

Where administrative officers also hold tenured faculty or library rank, they can continue to serve in their non-administrative capacity.

The University may waive the requirement for administrative retirement. The waiver must be approved by the President of the University, or in case of the waiver of the retirement requirement for the President, by The Board of Trustees of Indiana University. Waivers shall be for one year or for another specified period and may be extended on a year-to-year basis, if approved by the President, or in case of the waiver of the retirement requirement for the President, by The Board of Trustees.

This policy shall exist for a period not to exceed five years, during which time it is understood that the administration and faculty will work together to establish an effective performance review process for administrative positions. A progress report shall be presented at the May, 2003, meeting of the University Policies Committee. In the event an effective performance review process is not achieved, this policy shall continue in effect.

This policy is applicable only to the named positions and shall not be extended to other positions unless they are newly created positions.

*(Board of Trustees, May 3, 2002)*

### **Occasion Of Retirement**

Each campus arranges an occasion in the spring of each academic year to honor academic appointees who are retiring, along with those already retired.

*(Faculty Council, May 15, 1956)*

### **Status And Privileges**

The campuses of Indiana University extend various privileges to retired appointees. There is, of necessity, some variation from campus to campus, so interested individuals should consult the campus-specific documents.

*(Administrative Practice)*

### **Employment Of Retirees**

Persons who have retired under the 18-20 plan or the regular retirement program are not eligible for re-hiring by the University. This policy applies to early retirees as well as those who have reached full retirement from any plan.

Exceptions may be made for retired academic or non-academic appointees at the invitation and option of the University on a year-to-year basis. The re-employment of such

persons shall be exclusively on the basis of ability to perform in response to the actual needs of the University in teaching, research and related areas. At the option of the University, a complete physical examination may be required when such reemployment is under consideration. (See Retention Incentive Pay policy below.)  
(*Administrative Practice*)

## NON-REAPPOINTMENT

### Official Notice Of Non-Reappointment

For lecturers, faculty members, and librarians on full-time appointments, notice of non-reappointment shall be given in writing in accordance with the following standards:

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

(*Faculty Council, December 3, 1968; Board of Trustees, July 27, 1969*)

## DISCHARGE FOR CAUSE

### Dismissal From The Faculty Or Libraries

Dismissal shall mean the involuntary termination of a tenured faculty member's or librarian's appointment prior to retirement or resignation, or the termination of the appointment of a non tenured faculty member or librarian prior to the expiration of the term of appointment. *Dismissal* is thus to be distinguished from the *non-reappointment* of a probationary faculty member. Dismissal shall occur only for reason of (a) incompetence, (b) serious personal or professional misconduct, or (c) extraordinary financial exigencies of the University. No faculty member or librarian shall be dismissed unless reasonable efforts have been made in private conferences between the faculty member and the appropriate administrative officers to resolve questions of fitness or of the specified financial exigency. If no resolution is attained, the faculty member or librarian to be dismissed shall be notified of dismissal in writing by the Vice President or Chancellor one year before the date the dismissal is to become effective, except that a faculty member or librarian deemed guilty of serious personal misconduct may be dismissed upon shorter notice, but not on less than ten days' notice. Upon receipt of the dismissal notification, a faculty member or librarian must be accorded the opportunity for a hearing. A statement with reasonable particularity of the grounds proposed for the dismissal shall be available in accordance with the provisions of the Faculty Constitution. A faculty member or librarian shall be suspended during the pendency of dismissal proceedings only if immediate harm to himself, herself, or others is threatened by continuance. Any such suspension shall be with pay.

(*Faculty Council, December 3, 1968; Board of Trustees, July 27, 1969*)

## CONDITIONS OF WORK

### Annual Reports

All faculty members and librarians at Indiana University are required to report annually on their professional activities and accomplishments during the preceding year. Such reports shall cover activities and accomplishments in the areas of instructional activity, scholarship and creative work, and University and public service. Reports need not be limited to these areas, however, and additional information and comment are often sought or volunteered.

It is the responsibility of the Vice Presidents and Chancellors to devise the format, routing, and timing of these Annual Reports. If it is especially desired that a report, or some aspect of a report, reach an officer of the campus or of the central University administration, this fact and the officer in question should be prominently indicated on the report or on the relevant section thereof.

*(Administrative Practice)*

### Oversight and Support Of Associate Instructors and Associate Faculty (Part-Time Faculty)

1. Responsibility for oversight of associate instructors and associate faculty should be placed in an office on each campus. The office need not be the same for both categories of instructors. On those campuses with large numbers of associate instructors and/or associate faculty it would be appropriate to designate an officer within a school to report to the campus office. Each chancellor should, after consulting with faculty representatives as appropriate, forward the name of the designated office to the vice president for academic affairs.
2. The office designated by a chancellor to provide oversight for associate instructors shall, working with the appropriate faculty council committee(s), insure that all associate instructors are properly trained, supervised and evaluated.
3. The office designated by a chancellor to provide oversight for associate faculty shall oversee the process for appointment, evaluation and professional development of such faculty, including implementation of those standards and procedures established by University Faculty Council.

*(Board of Trustees, September 24, 1994)*

### Policy Governing Access to and Maintenance of Academic Employee Records

#### I. DEFINITIONS AND PRINCIPLES

- A. This policy shall apply to all academic employees.
- B. The terms “record” and “file” shall be understood to mean any items or collections of information on individual academic employees including transcripts of conversations, recorded and stored in any medium under personal name or by any equivalent identifying number or symbol.



- C. Inasmuch as the organization of records may vary from office to office, every office which has the responsibility for the maintenance of records shall draw up a general statement of the nature and organization of the records kept by that office.
- D. Each academic employee shall upon request obtain from the Dean of the Faculties or the Dean for Academic Affairs of the campus a list of all places where records concerning the employee are maintained by the University.

## **II. PUBLIC ACCESS TO ACADEMIC EMPLOYEE RECORDS**

According to state law, the public shall have access to the following information from the academic employee's file: Name, compensation, application for employment or appointment, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency.

## **III. ACCESS TO ACADEMIC EMPLOYEE RECORDS BY UNIVERSITY ADMINISTRATORS**

- A. Setting aside the academic employee's access to his or her own file, the files of academic employees (other than the information contained in them as listed in Section II above) shall be accessible only to University administrators and other employees who need to know the contents of these files for such purposes as personnel action recommendations, annual reviews, salary adjustments and equity reviews, or as part of search and screen procedures for University offices.
- B. Normally during the examination of an employee's file, this file shall remain under the direct supervision of the employee (or of his or her designated agent) officially charged by the University with the responsibility for the maintenance of this record.

## **IV. ACCESS TO PERSONNEL FILE BY THE ACADEMIC EMPLOYEE**

- A. Every academic employee shall have access to his or her personnel file. The file shall be made available upon request by the employee. (See IV.B. below.)
- B. The right of an employee to inspect his or her personnel file shall not be restricted in any way by the University except for:
  - 1. Letters of evaluation solicited by the University under an explicit or implicit promise of confidentiality for purposes of recommendation on initial appointment, reappointment, promotion or tenure, written prior to January 1, 1984.
  - 2. Statements of evaluation in connection with appointment, reappointment, promotion, or tenure decisions or reviews, which were written under an explicit or implicit promise of confidentiality by departmental or school administrators or faculty review committees before November 1, 1983.
  - 3. Letters or statements from students solicited by the University and written prior to November 1, 1983, which comment on the academic employee's performance as a teacher, scholar, or advisor.
    - a. However, unsolicited letters and statements from students written prior to November 1, 1983, which comment on the academic employee's performance as a teacher, scholar, or advisor may be disclosed to the employee only if in the judgment of the responsible administrator disclosure will not jeopardize the students' academic or professional careers.

- C. After November 1, 1983, all requests from the University soliciting comments in connection with a recommendation for initial appointment, reappointment, promotion, or tenure shall include the following statement. "Although letters of recommendation are not normally disclosed to candidates, a state law permits employees to gain, upon request, access to their own personnel files, including such letters."
- D. The following stipulations govern an employee's access to his or her own records:
  - 1. When an employee requests his or her records, the custodian of the records shall note the employee's name, the date of the request, and the records requested.
  - 2. An employee's records shall be made available to him or her as soon as possible, but not more than five working days after receipt of the request.
  - 3. Upon payment of a reasonable charge for the service, the employee shall be provided with a single copy of the record or any part thereof.
  - 4. The employee may respond in writing to any item in his or her record. Such written response shall become part of the record.

## **V. MAINTENANCE OF RECORDS OF ACADEMIC EMPLOYEES**

- A. Unsolicited communications containing evaluative or judgmental statements about the employee's performance, qualifications, or character (other than those described in V.B.) shall not be placed in an employee's record unless:
  - 1. The employee is the provider of the item or
  - 2. The employee has received a copy of the item in its entirety prior to its being placed into the file.

The office employee in control of the record shall notify the academic employee whose record is at issue of the receipt of unsolicited communications. The academic employee shall be provided with an opportunity to respond in writing to any statement in any unsolicited communication. The response shall become part of the record.
- B. Unsolicited communications from an employee's present or former students may be filed and collected by the administrator to whom they are addressed. The contents of such communications and the names of their authors shall not be given to the employee if such action, in the judgment of the responsible administrator, may jeopardize a student's academic or professional career, unless the information is to be used as a basis of formal action against the employee.
- C. With the exception of formal student evaluations of teaching, anonymous communications shall not be included in any record, nor shall they be stored or maintained. Such anonymous communications shall not be considered or referred to in matters of promotion, tenure, reappointment, or salary determination.
- D. Disputes about access to and maintenance of academic employee records shall be resolved through the grievance and review procedures generally applicable to the employee involved.

*(In Compliance with State Statute IC 5-14-3; University Faculty Council, October 11, 1983)*

## Salary Policy

In recognition of differing salary conditions in various units of the University and differing conditions within units from year to year, this salary policy contains principles to guide decision-making in any unit of the university which allocates resources to faculty/librarian salaries. These principles are intended to foster flexibility, openness, fairness, and faculty/librarian participation in the formulation and monitoring of unit salary policies. These principles assume that those closest to the situation usually can make the most informed and fair salary decisions through the process of peer interview. Each campus may adopt its own salary policy in accordance with these principles, and each unit may adopt written guidelines for implementing these principles. These policies and guidelines shall be subject to periodic review.

1. Salary policies for all faculty/librarians including part-time administrators should be determined by responsible administrators with the participation of appropriate elected faculty/librarian bodies or committees appointed by those elected faculty/librarian bodies.
2. Elected faculty/librarian bodies and administrators may exercise flexibility in responding to local circumstances. At all levels, allocations of resources to salaries should balance two principles:
  - a. Rewarding comparable performance, distinction, and experience with comparable salary and
  - b. Providing the support necessary to achieve the missions of the university.
3. Factors affecting the allocation of resources to salaries are:
  - a. Merit and
  - b. Adjustments for salary minima (where they exist), remedial equity, inflation, recruitment, and retention.Merit has primacy among these.
4. Salary resources may be used to remedy inequities resulting from:
  - a. Changing market conditions
  - b. Inappropriate merit judgments
  - c. Inadequate funding and
  - d. Discrimination.
5. Salary decisions should avoid inappropriate widening of the disparities between low and high salaries, especially those resulting from the use of percentage increments. Salary increments may be made in either percentages or fixed-dollar amounts.
6. Salary minima (where they exist) should increase in step with the percentage increases in salary resources distributed by the campus as a whole.
7. Salary policies at every level should be written and available for inspection and other appropriate uses. A unit's responsible administrator shall report annually on salary policy implementation to the faculty/librarians in the unit.
8. A part-time administrator's performance as a faculty member/librarian shall be judged by the review process applicable to faculty/librarians, and performance as an administrator shall be judged by the review process applicable to administrators. If the part-time administrator receives an administrative salary supplement, the supplement leaves the salary base when the administrator resumes full-time faculty/librarian status.

*(University Faculty Council, April 25, 1989)*

Those appointed for an academic year are paid on the basis of ten equal payroll checks (five for each semester). It is sometimes necessary to prorate pay because of resignation, termination, illness, or death. The calculation will be based on the number of calendar days falling within a semester. The relevant item is the ratio of calendar days prior to the cessation of work to the total in the semester.

*(Administrative Practice)*

### **Policy for Faculty Members Holding Administrative Positions**

The following policy shall apply to Provosts, Vice Provosts, Vice Presidents, Chancellors, Vice Chancellors, Deans, Directors—and individuals in other administrative positions as identified by the Chancellors, Provost, or President—who were not in one of these positions on June 30, 2004. It shall be used to determine the salary of an individual who holds both a faculty and administrative position when the individual relinquishes or is removed from the administrative position.

At the time an individual assumes both faculty and administrative positions, a memorandum shall be created that sets forth the 12-month salary of the individual. A determination shall then be made by the appointing official that establishes the portion of the salary that shall be considered the faculty component of the individual's salary and the portion of the salary that shall be considered the administrative component of the salary. From year to year, as raises may be given, the raises shall be apportioned between the faculty component of the salary and the administrative component of the salary. These figures shall be maintained by the appointing official with a copy provided to the faculty member/administrator and to the appropriate campus faculty records office.

At such time as a faculty member relinquishes or is removed from the administrative position, the faculty member's salary shall return to the faculty component of the salary and the faculty member shall no longer be entitled to the administrative component. In addition, the faculty component of the salary shall revert to ten twelfths (10/12) of the faculty component if the individual returns to an academic year teaching position.

**Procedure:** Beginning fiscal year 04/05, salaries for new faculty administrators (Provosts, Vice Provosts, Vice Presidents, Chancellors, Vice Chancellors, Deans, Directors and other administrative positions) will have two components to the salary. One component will be the traditional 12-month base amount and will be budgeted on object code 2000. The specific amount tied to the second component "Administrative," will be budgeted on object code 2000, sub-object code ADM. Twelve-month administrators that will be partially funded from their 10-month faculty line, should be converted, spreading their 10-month salary over 12 months (e.g., 25% of the 10-month rate will actually be 20.83 FTE of the 12-month rate). The administrative component of the salary is to be incurred on the administrative office account. Each component of the salary will be incremented annually in compliance with the campus budget salary guidelines. The Administrative component will be removed if the administrator returns to the faculty and the full faculty salary component should revert back to 10 months.

*(Administrative Practice)*

## **Policy on Financial Conflicts of Interest in Research**

The trustees, administration, faculty, and staff of Indiana University all bear the responsibility of serving the research mission of the University. That mission is enhanced by the sustained, active interaction of members of the University community with business, government, not-for-profit groups, professional societies, academic institutions, and other individuals and organizations. Moreover, the University recognizes that the members of the University community participate actively in community, political, religious, and cultural activities and institutions, and other personal and economic endeavors.

These many interactions inherently create the potential for conflicts of interest in which University employees' external activities, income or other interests affect—or reasonably would appear to affect—the manner or extent to which those individuals pursue research within the University. Such real or apparent conflicts, when not appropriately disclosed and addressed, can undermine public and professional confidence in the integrity of University research and sponsored programs. The existence of a real or apparent conflict of interest does not necessarily mean that the outside activity at issue must be avoided or discontinued. Often, conflicts of interest can be dealt with effectively through disclosure or other steps to resolve or manage the conflict.

This document sets forth University policy on the avoidance, disclosure, management, and resolution of financial conflicts of interest regarding University research and sponsored programs. Recognizing the broad variety of both professional settings in which conflicts may occur and means of responding to them, this policy specifies only the basic principles that should guide the resolution of financial conflicts of interest. Specific requirements necessary to conform with federal law regarding financial conflicts of interest in federally funded research, including the conflicts of interest regulations issued by the National Institutes of Health at 42 C.F.R. Part 50.601 et seq., and the National Science Foundation in its Grant Policy Manual at Section 310, are detailed in a separate Statement of Compliance with Federal Conflicts of Interest Rules. (See below for statement.)

It is the responsibility of the Chancellors to ensure that each Campus, or all of the Schools or Departments within a Campus, adopt specific conflict of interest procedures, consistent with University policy and Federal and State law. This document only addresses financial conflicts of interest in research, whether externally sponsored or internally funded, and sponsored programs. There are other areas in which financial conflicts may arise, such as the assignment to Indiana University students of textbooks or materials for which a faculty member received royalties, and other types of conflicts, such as conflicts of commitment, when outside activities interfere with someone's fulfillment of his or her University responsibilities. These matters are addressed in other University policies.

### ***1. Applicability***

This Policy applies to all persons at IU who are “Investigators” on University research projects or sponsored programs, as defined in Section 2 below. An “Investigator” is anyone who participates in designing research, collecting research data or performing other substantive research activities, or reporting research; and anyone who participates in designing, conducting, or reporting with respect to a sponsored program. Investigators may include: (1) academic appointees; (2) staff or students who are involved in

the design, conduct, or reporting of research or sponsored programs; and (3) emeritus faculty to the extent that they still actively perform research or sponsored programs under the auspices of the University.

## 2. Definitions

- a. *Activities outside of the University* and *outside activities* are defined as activities not directly undertaken to fulfill the research, teaching, and service mission of the University.
- b. *University activities*, by contrast, are defined as activities that are undertaken directly to fulfill one's research, teaching, or service responsibilities within the University.
- c. *University responsibilities* are defined as the responsibilities of a University employee to perform University activities as defined by University or unit policy, contract, or collective bargaining agreement.
- d. A *Conflict of Interest* exists when a Covered Person's Significant Financial Interests, or the interests of outside entities in which a Covered Person holds a Significant Financial Interest, reasonably would appear to affect or be affected by the Covered Person's research or sponsored programs.
- e. *Covered Persons* means persons to whom this Policy applies, as specified in Section 1.
- f. *Dependent* is defined as any person who receives more than one-half of his or her annual support from an employee, whether or not related to that employee.
- g. *Disclosure Period* means the one-year period immediately following the date on which the Covered Person completes a disclosure of outside significant financial interests.
- h. *Family Members* are defined as the member's spouse or domestic partner under Indiana University procedures and dependent children.
- i. *Financial Interest* is defined as anything of monetary value, including, but not limited to, salary, commissions, consulting fees, honoraria, equity interests, interests in real or personal property, dividends, royalties, rent, capital gains, intellectual property rights, and forgiveness of debt, other than:
  - compensation from Indiana University, except that royal income distributed under the University Intellectual Property Policy shall be considered a "Financial Interest";
  - income from seminars, lectures, or other educational activities sponsored by not-for-profit entities;
  - income from service on advisory committees, or review panels for public or not-for-profit entities; or
  - any financial interest arising solely by means of investment in a mutual, pension, or other institutional investment fund where the Covered Person does not exercise control over the management and investments of such fund;
  - any ownership interests in an entity that is an applicant under Phase I of the SBIR or STTR Programs. Ownership interests in entities that apply for funding under later phases of the SBIR or STTR Programs, however, are included in the definition of "financial interest."
- j. *Indiana University* or the *University* shall refer to Indiana University and to any foundation associated with Indiana University.
- k. *Investigator* means the principal investigator and any other person who participates in the design, conduct, or reporting of research.

- l. A financial interest is *significant* if:
  - it is an equity interest the value of which exceeds \$10,000 from one enterprise or entity, or represents more than a 5 percent ownership interest in any one enterprise or entity, when aggregated for the member and his or her Family Members for the Disclosure Period; or
  - it is salary, royalties, or similar payments which exceed, or are expected to exceed, \$10,000 within any one-year period, when aggregated for the member and his or her Family Members. However, Covered Persons engaged in medical or clinical trial research shall disclose all financial interests of themselves, or of outside entities in which they hold significant financial interests, that reasonably would appear to affect or be affected that research, without regard to any monetary threshold.
- m. *Research* means a systematic investigation designed to develop or contribute to generalizable knowledge. The term encompasses basic and applied research and product development. As used in this Policy, “research” includes both externally and internally funded activities.
- n. *Sponsored Programs* means projects or activities, other than research, undertaken within the University pursuant to funding from an external source.
- o. *SBIR Program* means the Small Business Innovation Research Program, an extramural research program for small business that is established under federal law.
- p. *STTR Program* means the Small Business Technology Transfer Program, which is a part of the SBIR Program.

### ***3. Responsibility of Covered Persons***

- a. University personnel and students who are covered by this Policy share an obligation to conduct their professional affairs in a manner consistent with the University’s mission and to conduct their relationships with each other and with the University with candor and integrity.
- b. Pursuant to that obligation, covered persons share an obligation to identify and, when possible, avoid financial conflicts of interest. When conflicts cannot be avoided, covered persons must disclose outside financial relationships that create, or reasonably appear to create, conflicts of interest, and work with University officials to manage or resolve those conflicts.
- c. Accordingly, covered persons must disclose any significant financial interest of themselves or their Family Members that reasonably would appear to affect, or be affected by, the University research activities or sponsored programs in which they are engaged, and any financial interest of themselves or their Family Members in external companies or other organizations whose financial interests reasonably would appear to affect, or be affected by, their University research and sponsored program activities.
- d. Disclosures under this Policy shall be made as soon as possible after a significant financial interest that meets the disclosure standard of (c) arises. Disclosure shall be made to the official designated by the applicable policies and procedures on conflicts of interest.
- e. If any application for external funding is involved, covered persons shall ensure that they have disclosed all significant financial interests related to the proposed research

or sponsored program, prior to submitting the application to the applicable University sponsored research office, and as soon as possible thereafter if a new significant financial interest meeting the disclosure standard of (c) arises. Disclosures shall also be updated as soon as possible when an existing significant financial interest ends or materially alters.

#### ***4. Federally Funded Research***

Federal regulations require institutions receiving federal funding to have in place a written, enforced policy and process to identify and manage, reduce, or eliminate conflicts of interest of persons engaged in the design, conduct, or reporting of federally funded research. The purpose and specific requirements of Federal law are detailed in the Statement of Compliance. This policy, the Statement of Compliance (which is incorporated into this handbook), and the procedures adopted by campuses to implement this Policy and the Statement of Compliance, are intended to meet the requirements of federal law.

#### ***5. Disclosure Policies and Procedures***

- a. Disclosure shall be made pursuant to the applicable Campus, School, or Department procedures on conflicts of interest. These procedures shall be designed to facilitate the local resolution or management of any conflict, and minimize administrative burden.
- b. All such procedures shall be consistent with the following:
  - i. It is the obligation of each covered person to disclose real or apparent conflicts of interest.
  - ii. Covered persons shall disclose annually all significant financial interests that meet the standards of Section 3(c) above, and they shall update these disclosures within the annual period as soon as possible whenever (a) they acquire a new significant financial interest that reasonably would appear to affect or be affected by their University activities, or (b) an existing significant financial interest ends or materially alters.
  - iii. Covered persons shall not be subject to burdensome or random disclosure requirements; however, this shall not restrict the use of disclosure as a tool for avoiding, resolving, or managing an on-going conflict of interest.
  - iv. Disclosure shall be made to the official designated by the applicable procedures on conflicts of interest. Disclosure policies should require no more information than is necessary.
  - v. Disclosure should not be part of the collection of unrelated data (e.g., annual reports). Disclosure documents shall be destroyed as soon as appropriate and in accordance with applicable legal requirements.

#### ***6. Conflict Resolution and Management***

- a. Conflicts of interest shall be avoided, resolved, or managed, as needed, pursuant to applicable policies and procedures on conflicts of interest. These policies and procedures shall be designed to meet applicable legal requirements, facilitate the local resolution or management of any conflict, minimize administrative burden, and protect the privacy of University employees and their Family Members.



- b. Any University employee may request advice about a potential conflict of interest from the relevant campus faculty council's conflicts of interest committee, or other office or entity given this authority under local policies and procedures, without being required to disclose his or her name or identifying details of the potential conflict. Any unit of the University may request advice about a potential conflict of interest from the university designated official or a campus conflicts of interest committee, provided that no more identifying information than necessary should be disclosed unless required by law or University policy.
- c. Real or apparent conflicts of interest shall be avoided, resolved, or managed, as needed, locally whenever possible. Each Campus shall determine at what level (Department, School, or Campus) "local" responsibility for conflicts of interests shall reside. Should any unit at a level responsible for managing or resolving conflicts of interest fail to enact appropriate procedures, employees within that unit shall be subject to the conflict of interest procedures of the next highest level (e.g., a School without procedures would follow the procedures of the Campus on which it is located). If a Campus has not enacted conflicts of interest procedures, employees on that Campus shall be subject directly to this Policy and to those procedures applicable to the Bloomington campus.
- d. In the event it is not possible to resolve a conflicts issue successfully at the Campus level, the matter shall be referred to the university designated official, advised by the relevant campus conflicts of interest committee or other office or entity given relevant authority under local policies and procedures.
- e. The campus Conflicts of Interest Committees or other offices or entities given relevant authority under local policies and procedures, shall be charged with monitoring and recommending changes, as necessary, to the University Policy on Financial Conflicts of Interest; advising units of the University on the development of local conflict of interest procedures; facilitating discussion within the University about, and awareness of, conflict of interest issues; and recommending measures for resolving or managing specific conflict of interest cases.

## ***7. Enforcement***

- a. Enforcement of this Policy on Financial Conflicts of Interest is the ultimate responsibility of the President and the Board of Trustees, who may delegate that responsibility to other University officials pursuant to this Policy and procedures enacted by individual Campuses, Schools, or Departments. Principal responsibility for implementation and enforcement of this Policy shall reside with the university designated official, advised by the relevant campus conflicts of interest committees or other campus officials with authority for conflicts matters.
- b. Violations of this Policy and implementing procedures, including the failure to file timely disclosures; filing incomplete, erroneous, or inaccurate disclosures; or failure to comply with prescribed procedures for managing or resolving conflicts of interest, will be dealt with in accordance with applicable University policies and procedures.
- c. Appeals from administrative decisions concerning conflicts of interest are subject to applicable University policies and procedures concerning review of administrative decisions.

(University Faculty Council, September 12, 2000; March 9, 2004; April 27, 2004;  
Board of Trustees, September 15, 2000; March 3, 2006)

## STATEMENT OF COMPLIANCE WITH STATE LAW ON CONFLICTS OF INTEREST AND FEDERAL LAW ON FINANCIAL CONFLICTS OF INTEREST IN RESEARCH

### *Introduction*

This Statement describes Indiana state law on conflicts of interest and University procedures designed to protect federally-funded research from any bias that can reasonably be expected to arise from the financial interests of research investigators. These procedures comply with rules and regulations on investigator conflicts of interest for awardee institutions promulgated by several federal agencies.

### *Definitions*

An *External Entity* includes any person, trust, organization, enterprise, or other entity (including government agencies) that is not an entity under the control of or under common control with the University.

A *Family Member* of an individual includes his or her spouse and dependent children.

A *Financial Interest* is anything of significant monetary value including but not limited to salary or other payments for services (e.g., commissions, consulting fees, or honoraria), equity interests (e.g., stocks, stock options, or other ownership interests), allowance, forbearance, forgiveness of debt, interest in real or personal property, dividends, royalties derived from the licensing of technology (other than receipt of a royalty under Indiana University royalty-sharing policies), rent, capital gain, and intellectual property rights (e.g., patents, copyrights, and royalties from such rights).

Whether a Financial Interest is “significant” will depend upon the facts of the situation, but monetary value will be considered significant according to the following guidelines: (1) an equity interest is significant if it exceeds \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value or represents more than a 5% ownership interest in any single entity, when aggregated for the Investigator and his or her Family Members; (2) salary, royalties, or other payments are significant if they are expected to exceed \$10,000, when aggregated for the Investigator and his or her Family Members over the twelve months following the date of the disclosure.

The term does not include:

1. salary, royalties, or other remuneration from Indiana university;
2. income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities; or
3. income from service on advisory committees or review panels for public or nonprofit entities.

An *Investigator* is any person, including but not limited to any person holding an academic or professional staff appointment at Indiana University, who is engaged in the design, conduct, or reporting of Research or externally-supported educational activities through a Sponsored Program.

*Research* means a systematic investigation designed to develop or contribute to generalizable knowledge. The term encompasses basic and applied research and product development.

*Sponsored Programs* means research, training, and instructional projects involving funds, materials, gifts, or other compensation from External Entities under agreements with the University.

*State Law on Conflict of Interest* refers to Indiana State Statute IC 35-44-1-3.

### ***Implementation***

*State.* Indiana law generally declares it a crime for a public employee to knowingly or intentionally derive a pecuniary benefit from transactions between the employee and his or her public employer. The law provides certain defenses to a charge of conflict of interest, including disclosure of the conflict to and acceptance of the disclosure by the public employer. To avoid criminal penalties, therefore, University employees should disclose to the Board of Trustees of Indiana University any situations likely to result in a contract involving a purchase, sale, or services or other matter, between the University and the employee or employee's dependents. This law does not apply to the normal contract of employment. Advance approval of a transaction by the University's trustees insulates the transaction from criminal prosecution. The law defines "dependents" as (1) the employee's spouse; (2) a child, stepchild, or adoptee of the employee who is unemancipated and less than 18 years of age; and (3) any individual more than one-half of whose support is provided during a year by the employee (from Indiana State Statute IC 35-44-1-3).

*University Rules for All Federally-funded Sponsored Programs.* Investigators are responsible for disclosing their Financial Interests and those of their Family Members (1) that would reasonably appear to be affected by Sponsored Programs in which they are engaged and/or which are funded or proposed for funding by a federal source or (2) in External Entities whose Financial Interests would reasonably appear to be affected by such activities. Disclosures are to be made in accordance with the procedures established under the Policy. A conflict of interest exists when the reviewer of Investigator disclosures reasonably determines that a significant Financial Interest of an Investigator or his or her Family Members could directly and significantly affect the design, conduct, or reporting of the Research or educational activities funded or proposed for funding by a federal source.

*AAUP Statement on Government-Sponsored Research.* A statement of conflict situations in government-sponsored work has been prepared jointly by the American Association of University Professors and the American Council on Education and is subscribed to by Indiana University. It appears as an Appendix to this Policy and is meant to be a general policy statement only.

### ***Authority***

Campus Chancellors are responsible for establishing procedures for:

1. Investigators on their campuses to make the required disclosures.
2. Review of disclosures by appropriate University official(s) and/or committee(s) to determine whether a conflict of interest exists.
3. Resolution of conflicts of interest, including determination of any conditions or restrictions that should be considered in order to manage, reduce, or eliminate a conflict.
4. Regular updating of disclosed information.

5. Enforcement of this Policy and dealing with noncompliance.
6. Maintenance and retention of records of disclosures and conflicts of interest. Records must include all actions taken by the University with respect to each conflicting interest.
7. Reporting to the Vice President for Research any identified conflicts of interest and whether and in what manner they have been resolved.

The Vice President for Research Administration of Indiana University is responsible for:

1. Overseeing the implementation of this Policy throughout Indiana University.
2. Reporting to applicable federal agencies identified conflicts to the extent and in the manner required by federal law.

### *Timing*

All disclosures of Financial Interests must be made prior to submission of proposals for funding from federal External Entities. In addition, further requirements imposed by External Entities, including but not limited to resolution of conflicts of interest prior to submission of proposals or within other specified time frames, must also be met.

### *Retention of records*

Records relating to conflicts of interest are to be retained by the University for at least three years after the later of:

1. The termination or completion of the contract or award to which they relate (as determined by the funding agency); or
2. The resolution of any action involving those records.

### *Enforcement*

The Vice President for Research has ultimate responsibility for confirming compliance by all Investigators with University policy. Instances of deliberate breach of this Policy, including failure to file or knowingly filing incomplete, erroneous, or misleading disclosures, violation of the guidelines, or failure to comply with prescribed monitoring procedures will be evaluated in accordance with applicable policies and procedures or Indiana University.

If a conflict of interest involves government-sponsored Sponsored Programs, the University may be obligated under federal, state, or local law to report any corrective action taken.

### *Procedure Guidelines*

The Chancellors may approve separate procedures for one or more Schools [*NOTE: For the purposes of this document, the College of Arts and Sciences on the Bloomington campus is referred to herein as a "School".*] Each set of procedures must adhere to the requirements set forth in the Policy, and must contain the following specific elements:

1. The disclosure requirements may be no less restrictive than those provided for in this Policy.
2. Enforcement mechanisms must be consistent with this Policy.
3. Confidentiality must be assured; disclosures should be available only to those charged with responsibility for review, subject to any restrictions on confidentiality imposed by Indiana State law on Access to Public records (IC 5-14-3).

4. Financial Interests and other activities reportable under this Policy must be disclosed at least annually, and at other times when conflicts arise or when circumstances change. Activities that must be reported or approved prior to their commencement shall be defined in campus procedures.
5. In the case of Investigators who hold administrative positions (e.g., Vice president, Chancellor, Vice Chancellor, Dean, Department Chair, Director), disclosure of activities reportable under this Policy will be made to the academic unit in which the officer has his or her appointment and will be reviewed according to the procedures applicable to that unit. Disclosure and review of reportable activities by Investigators who do not also hold an academic appointment shall be handled by the appropriate campus on an ad hoc basis.
6. The person to whom disclosures are reported may initiate an inquiry when he or she believes a conflict of interest may exist.
7. Final authority for determining whether or not and on what conditions a specific activity covered by this Policy may be undertaken rest with the campus Chancellor.
8. Investigators shall be entitled to respond to recommendations at every stage of the review process.
9. Procedures adopted by the Chancellors shall provide Investigators with the opportunity for a second level of review of decisions recommending action to manage, reduce, or eliminate a conflict of interest.
10. Examples of conditions or restrictions that might be imposed to manage, reduce, or eliminate conflicts of interest include but are not limited to the following:
  - a. Public disclosure of significant financial Interests.
  - b. Monitoring of Sponsored Programs by independent reviewers.
  - c. Modification of the Research plan or instructional project for the Sponsored Programs.
  - d. Disqualification from participation in all or a portion of the Sponsored Program that would be affected by the significant Financial Interests.
  - e. Divestiture of significant Financial Interests.
  - f. Severance of relationships that create conflicts of interest.

Certain federal agencies (e.g., NSF) permit research or instructional activities to go forward without imposing such conditions or restrictions under the following or similar circumstances: when the reviewer(s) determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant Financial Interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare. Other agencies (e.g., PHS) do not allow such exceptions.
11. A copy of each set of campus procedures is to be submitted to the Vice President for Research Administration.

## APPENDIX

### AAUP Statement on Government-Sponsored Research

*(Revised April, 1990)*

#### *I. Favoring of Outside Interests*

When a university staff member (administrator, faculty member, professional staff member, or employee) undertaking or engaging in government-sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, it is important to avoid actual or apparent conflicts of interest between government-sponsored university research obligations and outside interests and other obligations. Situations in or from which conflicts of interest may arise are the following:

1. Undertaking or orientation of the staff member's University research to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the University and to the sponsoring agency;
2. Purchase of major equipment, instruments, materials, or other items for University research from the private firm in which the staff member has the interest without disclosure of such interest;
3. Transmission to the private firm or other use for personal gain of government sponsored work products, results, materials, records, or information that are not made generally available (this would not necessarily preclude appropriate licensing arrangements for inventions, or consulting on the basis of government-sponsored research results where there is significant additional work by the staff member independent of the government-sponsored research);
4. Use for personal gain or other unauthorized use of privileged information acquired in connection with the staff member's government-sponsored activities (the term "privileged information" includes, but is not limited to, medical, personnel, or security records on individuals; anticipated material requirements or price actions; possible new sites for government operations; and knowledge of forthcoming programs or of selection of contractors or subcontractors in advance of official announcements);
5. Negotiation or influence upon the negotiation of contracts relating to the staff member's government-sponsored research between the university and private organizations with which the staff member has consulting or other significant relationships;
6. Acceptance of gratuities or special favors from private organizations with which the university does, or may conduct, business in connection with a government sponsored research project, or extension of gratuities or special favors to employees of the sponsoring government agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties.

## *II. Distribution of effort*

There are competing demands on the energies of faculty members (for example, research, teaching, committee work, outside consulting). The way in which a faculty member divides his or her effort among these various functions does not raise ethical questions unless the government agency supporting the research is misled in its understanding of the amount of intellectual effort the faculty member is actually devoting to the research in question. A system of precise time accounting is incompatible with the inherent character of the work of faculty members, since the various functions they perform are closely interrelated and do not conform to any meaningful division of a standard work week. On the other hand, if the research agreement contemplates that a faculty member will devote a certain fraction of effort to the government-sponsored research, or the faculty member agrees to assume responsibility in relation to such research, a demonstrable relationship between the indicated effort or responsibility and the actual extent of the faculty member's involvement is to be expected. Each university, therefore, should—through joint consultation of administration and faculty—develop procedures to ensure that proposals are responsibly made and complied with.

## *III. Consulting for Government Agencies or Their Contractors*

When the staff member engaged in government-sponsored research also serves as a consultant to a federal agency, such conduct is subject to the provisions of the Conflict of Interest Statutes (18 U.S.C. 202–209 as amended) and the president's memorandum of May 2, 1963, *Preventing Conflicts of Interest of the Part of Special Government Employees*. When the staff member consults for one or more government contractors, or prospective contractors, in the same technical field as the staff member's research project, care must be taken to avoid giving advice that may be of questionable objectivity because of its possible bearing on the individual's other interests. In undertaking and performing consulting services, the staff member should make full disclosure of such interests to the university and to the contractor insofar as they may appear to relate to the work at the University or for the contractor. Conflict-of-interest problems could arise, for example, in the participation of a staff member of the university in an evaluation for the government agency or its contractor of some technical aspect of the work of another organization with which the staff member has a consulting or employment relationship or a significant financial interest, or in an evaluation of a competitor to such other organization.

*(University Faculty Council, April 11, 1995)*

## **Policy on Conflicts of Commitment Involving Outside Professional Activities**

### *1. Rationale*

All Academic Appointees are required to fully meet the professional obligations of their appointments. Full-time Academic Appointees are expected to devote their primary professional time and energy to carrying out teaching, research, and service responsibilities on behalf of Indiana University. Academic appointees should avoid conflicts of commitment, which arise either when an appointee undertakes outside professional activities that interfere with fulfilling the obligations of his or her academic appoint-

ment, or when an appointee undertakes, on behalf of another organization, activities that would ordinarily be performed on behalf of Indiana University.

Consistent with the provisions of this University policy, each campus will establish its own procedures for implementation.

## ***2. Policy***

- a. Academic Appointees may engage in Outside Professional Activities, provided that these activities do not constitute a Conflict of Commitment and comply with all other applicable University policies.
- b. Full-time tenure-track faculty shall be permitted to spend, on average, one non-weekend day each week during the period of appointment, not including official university holidays, on Outside Professional Activities.
- c. Academic Appointees shall not use University resources in the performance of Outside Professional Activities without the written permission of their dean or unit head and without compensating the University. Where resource usage is de minimis and the cost difficult or impossible to calculate, such use of University resources shall not require reimbursement.
- d. An Academic Appointee's compliance with this policy shall not be determined on the basis of income earned from Outside Professional Activities or the percentage of the appointees' University compensation that such income constitutes, unless required by law.

## ***3. Examples of possible Conflicts of Commitment that must be disclosed***

- a. An outside professional activity that may substantially reduce the time available for the appointee to carry out the primary obligations of his or her appointment.
- b. Teaching for another educational institution, including online teaching.
- c. Undertaking externally funded research activities where the financial sponsorship is managed entirely outside Indiana University.
- d. Undertaking activities that compete, or have the potential to compete, with Indiana University in areas that are part of the appointee's University Responsibilities.

## ***4. Implementation***

All Academic Appointees at Indiana University must disclose, to their dean or unit head, activities that may represent a Conflict of Commitment.

All disclosure statements are to be submitted in writing to the appropriate dean or unit head. The dean/unit head or his/her designee will review submitted disclosure statements within 30 days and will work with the Academic Appointees to determine if a Conflict of Commitment exists and if so, what steps must be taken to eliminate or properly manage that conflict. Administrative decisions will be documented in writing. If the dean/unit head and Academic Appointee disagree, they may seek additional advice regarding the proposed activity from the campus Dean of the Faculties. Appeals from administrative decisions concerning conflicts of commitment are subject to applicable University policies and procedures.



### **5. Compliance**

Instances of deliberate breach of policy, including failure to file or knowingly filing an incomplete, erroneous, or misleading disclosure, or failure to comply with prescribed procedures for managing an identified conflict of commitment, will be adjudicated in accordance with the Code of Academic Ethics and applicable misconduct policies and procedures at the appropriate campus of Indiana University.

### **6. Application**

This policy shall apply to all Academic Appointees, both full-time and part-time. The potential for conflicts of commitment is likely to rise in proportion to the particular commitment that exists between an individual Academic Appointee and the University. For example, the kinds of external activities likely to compete with a full-time appointee's primary duties may not apply to part-time appointees. Accordingly, this policy defines in a consistent manner the types of situations that could pose conflicts and that should be reported. The evaluation of potential conflicts will take into account the particular facts of individual situations, including the nature of the relationship that the University and the Academic Appointee have with each other.

### **7. Definitions**

A *Conflict of Commitment* arises when an Outside Professional Activity interferes with an Academic Appointee's performance of University Responsibilities.

*Academic Appointee* refers to any person who has either a full- or part-time academic appointment in the University.

*University Responsibilities* refers to the responsibilities of an Academic Appointee to perform University Activities as defined by University policy (or in a contract).

*University Activities* refers to activities related to the research, teaching, and service mission of the University. Service activities include service to the appointee's profession and service to the community that is related to the appointees' professional qualifications.

*Outside Professional Activities* refers to external activities within the scope of the appointee's professional qualifications that are not undertaken in fulfillment of the University Responsibilities of an Academic Appointee, but which enhance the performance of those responsibilities.

*Indiana University* or *University* refers to Indiana University and to any foundation associated with Indiana University.

*(University Faculty Council, November 29, 2005; March 28, 2006;  
Board of Trustees, April 7, 2006)*

## **Outside Activities and Extra Compensation**

### **STATE-WIDE POLICY**

1. The policy here outlined is understood as applying only to full-time academic members when they are on the payroll.
2. The total amount of time devoted to outside work by an individual faculty member shall not exceed an average of one day a week during the period on the payroll. A

faculty member may engage in such outside research and consulting activities only provided the nature of the activity is compatible with the broad objectives of the University and will enhance his or her effectiveness as a teacher and scholar. In all cases departmental duties and one's obligations to the University must take priority over any outside commitments of an income-producing character.

3. A faculty member's compliance with the general rules regarding time devoted to outside activities for which there is compensation shall be the joint responsibility of the individual faculty member, the departmental chairperson, and the dean or director of the division.
4. To insure accountability and control of all funds expended by the University, outside funds will not be commingled with the General Fund. It is understood that projects, which are supported by contracts or grants and in which it is expected that full-time faculty members may be asked to participate, will be established in accounts other than the General Fund and must be under full control of the University.
5. No payment in addition to his/her budgeted salary may be made to an individual faculty member from the General Fund except for programs traditionally accepted and approved, such as extension teaching.
6. Faculty members devoting part-time to projects supported by contracts and grants will receive General Fund salary support only for that portion of their time devoted to regular University programs of instruction and research. In no case will the total salary components from General Fund and contract or grant sources exceed 100% of the faculty member's normal, budgeted salary rate.

*(Agreement among four State Universities, 1966)*

## **Intellectual Property**

### **STATEMENT OF PRINCIPLES ON INTELLECTUAL PROPERTY**

*[NOTE: Where these Principles are in conflict with the Policy on Intellectual Property, the Policy governs.]*

In the recent past, universities have undergone a profound transition in their attitudes toward and interactions with a variety of organizations external to the university. Policies concerning intellectual property rights, conflicts of interests, and patents/licenses agreements, to name but a few, have begun to consume enormous amounts of time and thought. Some academic institutions have all but abandoned their traditional role as the place in society for free and independent generation and critique of ideas. In contrast, others have taken time to examine their role and to reaffirm their commitment to basic principles.

Indiana University hereby reaffirms its commitment to certain basic principles appropriate to the pursuit of its academic goals. These principles stand before and make subservient to them all other rules, guidelines, procedures, etc., which the university might make in the areas of intellectual property rights.

*Principle 1.* Indiana University is first and foremost an academic institution. Its fundamental missions are research, teaching, and service in furtherance of its principle aim of the advancement of knowledge and toward the ultimate aim of the greater public good.

All decisions concerning the operation of the university, including those on funding and resource allocation, shall be made in line with this principle.

*Principle 2.* Academic freedom is one of the most basic principles governing academic institutions and in maintaining their role in society as independent critic. It must not be abridged.

The rights of individual scholars to select their topics of research and sources of research support, draw conclusions for which they bear sole responsibility, and be protected from impositions on their work of external goals or criteria are paramount to this academic community.

It is understood that funding constraints play a role in ultimately determining what research an individual may actually be able to do. The basic choice, however, as to which ideas to pursue, how to pursue them, and how to communicate them must remain with the individual researcher.

It is also understood that, although faculty have the complete freedom to select and pursue their own studies, periodic evaluation of this work for purposes such as promotion, tenure, and salary review will take into account criteria developed by the faculty for the judgment of such work, such as quality and extent of the work.

*Principle 3.* The free and open exchange of ideas and information is fundamental to the very reason for being of a university. Faculty must be free to discuss their ideas with whomever they wish without fear of reprisal from any quarter. They must be free to publish, in whatever form they deem appropriate, their results, conclusions, and interpretations, subject only to constraints of protection of privacy or confidentiality of personal data, protection of sponsor's confidential information, and, in some cases, brief delays for the protection of intellectual property rights.

Indiana University policies do not permit the acceptance of secret research, i.e., classified government research. The names and affiliations of all research sponsors and the general purposes of the research are to be made public. Agreements requiring the protection of confidential information are to be approved by the Vice President for Research under guidelines developed by the Policy Committee on Intellectual Property consistent with the principle of free and open exchange of ideas.

If individuals, or institutions, begin to restrict the free flow of information, for profit or for any other reason, the long-term risks of loss of independence are greater than any short term gain.

*Principle 4.* Stewardship of intellectual property shall be consistent with the teaching, research, and service missions of Indiana University.

Indiana University policies concerning intellectual property ("University Intellectual Property Policies") shall be developed by the Policy Committee on Intellectual Property, approved by the University Faculty Council, and adopted by the Board of Trustees. Commercial exploitation of intellectual property shall be subject to University Intellectual Property Policies and to applicable law. There shall be no requirement that any intellectual property be exploited commercially. Every effort should be encouraged to commercially develop valuable intellectual property to provide revenue to the University and serve the public good.

Faculty may be required to assign title or ownership of the intellectual property to Indiana University or the Indiana University Foundation under four conditions:

1. Assignment is required by law;
2. Assignment is required by contractual arrangements to which the creator/faculty member has previously agreed;
3. Commercial development is sought of intellectual property created with significant University resources, other than traditional works of scholarship and creativity (e.g., scholarly articles, journal articles, research bulletins, monographs, books, plays, poems, works of art) and instructional materials (e.g., textbooks, syllabi, study guides); or
4. The creator/faculty member desires to assign intellectual property to Indiana University or to the Indiana University Foundation.

All assignments by faculty of intellectual property to Indiana University are subject to five qualifications:

1. The University shall not assign title (e.g., ownership) to intellectual property without the permission of the creator/ faculty member;
2. All licensing of intellectual property shall be subject to written agreements developed in accordance with University Intellectual Property Policies;
3. The creator/faculty member retains the right to be identified, or to refuse to be identified, as the creator by the University and by subsequent licensees or assignees, except as required by law;
4. The creator/faculty member shall have the right to share in the proceeds, after deducting expenses, resulting from commercial development by the University, including assignment or licensing; and
5. The creator/faculty member shall retain responsibility for the intellectual stewardship of the work, including the right to pursue related research or creative activity, determine methodologies, draw conclusions, and disseminate information to students, colleagues, other scholars, and the public, provided that such dissemination does not breach any duty of confidentiality or violate any intellectual property commitments to which the creator/faculty member has agreed.

Implementation of University Intellectual Property Policies shall be carried out by the Vice President for Research and the Office of Technology Transfer with the advice of the Policy Committee on Intellectual Property and the Technology Transfer Advisory Committee. The Policy Committee on Intellectual Property shall report annually to the University Faculty Council and to the Board of Trustees.

Before being appointed by the Board of Trustees or as soon thereafter as possible, each faculty member shall be informed of the University Intellectual Property Policies, this Statement of Principles, and of Indiana University's resources for protecting and marketing the intellectual property of the faculty and shall acknowledge in writing that the faculty member has been so informed.

*(University Faculty Council, April 13, 1993; Board of Trustees, March 31, 1994)*

## INTELLECTUAL PROPERTY POLICY

*This policy implements the Indiana University "Statement of Principles on Intellectual Property." The policy has five basic elements: definitions, categories of intellectual property, the distribution of revenues, dispute resolution within the university, and implementation. Under this policy, the primary division of intellectual property is between patentable and*

*copyrighted works. Generally speaking, ownership of patentable work is vested in the University. Copyrighted works are subdivided into Traditional Works of Scholarship, ownership of which remains with the creator of the work, and University Works, as to which the University retains ownership. The revenues from intellectual property owned by the University are distributed according to the formula set out in this policy.*

### ***1. Definitions***

- A. *Creators* are any persons who create intellectual property using University resources.
- B. *Indiana University* and *University* refer to Indiana University or to its subdivisions, as appropriate.
- C. *President* means the President of Indiana University or his or her designee.
- D. *The Indiana University Research and Technology Corporation (IURTC)* is the organization assigned by Indiana University to hold and manage the University's intellectual property. References to IURTC include its offices and subdivisions, and include any successor organization.
- E. *Externally Funded Works* are copyrighted works resulting from funds given to the University by external sources.
- F. *Patentable Intellectual Property* describes inventions, discoveries, and manufacturing designs that have been reduced to practice, and are novel, useful, and non-obvious, and therefore likely to be subject to protection under United States patent law.
- G. *Copyrighted Intellectual Property* describes original works of authorship that have been fixed in a tangible medium of expression, including books, articles, artwork, music, software, traditional or electronic correspondence, and on-line instructional materials, that are likely to be subject to protection under United States copyright law.
- H. *Traditional Works of Scholarship* are copyrighted scholarly and creative works regardless of their form, other than patentable intellectual property, which are created by academic appointees or students, and which have not been the subject of Exceptional University Support or external contracts or grants. Examples of Traditional Works of Scholarship include scholarly publications, journal articles, research bulletins, monographs, books, play scripts, theatrical productions, poems, works of music and art, instructional materials, and non-patentable software.
- I. *University Works* are copyrighted works (including on-line instructional materials) that have been specifically commissioned by a University office, that have been developed with Exceptional University Support, or that constitute Externally Funded Works.
- J. *Exceptional University Support*
  - i. Exceptional University Support is financial or other support for research and teaching activities that exceeds the norm for a faculty member or student's research or for teaching in his or her field or department.
  - ii. No support shall be deemed Exceptional University Support in the absence of a written agreement between the University and the Creators that specifies ownership of copyright in all resulting works and the allocation of associated rights.
  - iii. Exceptional University Support does not include:

- (a) sabbatical funding;
  - (b) the award of competitive internal research or teaching grants;
  - (c) ordinary library services;
  - (d) clerical or administrative support;
  - (e) office or laboratory supplies and equipment;
  - (f) funding for endowed chairs; or
  - (g) merely assigning a faculty member to teach a course that uses instructional materials that are provided to students electronically, including through the internet.
- iv. For on-line instruction, Exceptional University Support does not include:
    - (a) ordinary use of University servers and software platforms;
    - (b) basic instruction in web composing;
    - (c) basic orientation to the operation of online instructional techniques and processes;
    - (d) occasional technical troubleshooting assistance; and
    - (e) consultation with relevant University offices with respect to the Creator's rights under this Policy
  - v. For on-line instruction, Exceptional University Support includes:
    - (a) provision of designated technical assistance, such as audio-visual department personnel or a qualified graduate assistant, to assist development of an online course, or provision of specialized software purchased for a particular online project, which exceeds normal University support for traditional courses, or
    - (b) commissioned by the University by the provision of release time or other compensation to a faculty member as an adjustment to normal assigned duties for the purpose of creating an online course, which exceeds normal University support for traditional courses.
- K. *On-line instruction* means instruction that is distributed to students exclusively through the internet.
  - L. *On-line instructional materials* are works, including courseware, that are created and distributed in connection with on-line instruction.
  - M. *Net revenue* is that remaining after deducting all legal fees and expenses necessary for obtaining and maintaining protection for, and licensing, applicable intellectual property.

## 2. *Categories of Covered Intellectual Property*

### A. Patentable Intellectual Property

- i. The University shall have the sole right to determine the disposition of patentable intellectual property under this Policy, including decisions concerning patent licensing and sale. Determination of those dispositions shall take into account the interests of the University, the public, and the Creator, including the Creator's professional or ethical convictions concerning the use of intellectual property.
- ii. Creators shall disclose promptly to IURTC any potentially Patentable Intellectual Property on forms made available by IURTC. IURTC shall report all disclosures to the President, and shall provide to Department Chairs and School Deans quarterly lists of disclosures relevant to their units.

- iii. IURTC shall assess all disclosures submitted to it in a timely fashion, normally within sixty days, to determine whether the University should seek patent protection for the intellectual property. IURTC shall promptly notify the Creator of the intellectual property of the results of its assessment.
  - iv. Distribution of revenues derived from patentable intellectual property shall be governed by the distribution schedule stipulated in Section 3 of this policy, unless legal requirements or contractual agreements require otherwise.
- B. Traditional Works of Scholarship
- i. Except as provided in section 2.C.v, the University shall assert no claims to copyright ownership in or to distribution of revenue from Traditional Works of Scholarship.
  - ii. The University may use Traditional Works of Scholarship, including on-line instructional materials, created for ordinary classroom and program use, such as syllabi, assignments, and tests, for administrative purposes, which may include course equivalency assessments for transfer purposes, accreditation agency reviews, and other functions that allow the University to fulfill its responsibilities for accountability.
- C. University Works
- i. The University retains all rights to use and commercialize University Works. The University may choose to forego or modify its ownership of a University Work and associated rights, through a written agreement with the Creator(s) of the work.
  - ii. In the absence of contractual or legal restrictions to the contrary, the University grants Creators non-exclusive rights to non-commercial use and distribution of University Works they have authored. Creators who leave the University may continue to use such works at another non-profit institution for teaching, research, and other non-commercial purposes.
  - iii. Revisions of University Works
    - (a) The University will respect the rights of Creators of University Works in considering and undertaking revisions.
    - (b) The University shall either withdraw obsolete University Works from use or seek revisions.
    - (c) Creators may initiate a request for withdrawal or revision in order to protect academic integrity.
    - (d) The University shall offer Creators employed by the University the opportunity to make revisions before requests are made of others.
    - (e) The University shall in good faith consult Creators no longer employed by the University.
  - iv. The University shall acknowledge all Creators who have made a substantial contribution to a University Work, unless those individuals request otherwise. Creators may request to have their names removed from works.
  - v. The distribution of revenue arising from marketing, licensing, and protecting University Works, and from the sale of their copyright or associated rights, shall be distributed in accord with the schedule stipulated in Section 3, unless the University and Creators agree otherwise.
  - vi. Copyright of University Works is held by the University in the name of the Trustees of Indiana University.

vii. Protection of and Liability for Copyright

(a) IURTC and the Office of University Counsel, as appropriate, shall investigate allegations of unauthorized use or copyright infringement of University Works, and shall recommend appropriate action. If the University initiates legal action in response to an unauthorized use or infringement, all costs of such action shall be borne by the University, which shall control the action. If IURTC decides not to initiate legal action, the Creator(s) may appeal the decision to the President, whose decision shall be final.

(b) In the event third parties assert unauthorized use or copyright infringement claims relating to a work in which the University has asserted ownership against the University or the Creator(s), the University shall assume responsibility for the defense and control of any legal action arising from such claims, in accordance with the University's Indemnification Policy.

viii. In the case of all copyrightable University Works, the unit or units of the University that have commissioned the work or provided Exceptional University Support shall file a report with IURTC as to the existence of such University Work and the opinion of the unit(s) as to such University Work's commercial potential. IURTC will assess the commercial potential and determine whether it wishes to manage commercialization of the work and management of the copyright. If IURTC does not deem the work marketable, it shall transfer the management responsibilities back to the commissioning unit(s). In these cases, the unit(s) may undertake management of the copyright, in consultation with the Office of the University Counsel, including the granting of non-royalty bearing licenses and other agreements involving permission for use.

D. Externally Funded Works Externally Funded Works shall be considered University Works for all purposes, except that the terms of their respective sponsorship agreements or applicable laws shall take priority over this policy.

E. On-Line Instructional Materials

i. On-line instructional materials are considered Traditional Works of Scholarship, unless they were:

(a) specifically commissioned by the University from a faculty member or any other person,

(b) created using Exceptional University Support, or

(c) created by non-faculty staff within the scope of their employment, in which case they are considered University Works. This policy only applies to the aspects of the materials that are separable from other protected intellectual property that is incorporated into or utilized by the online materials.

ii. Faculty creators of instructional materials that are provided to students electronically (including through the internet) and which qualify as Traditional Works of Scholarship may commercialize such works, so long as the University's name is not used other than to identify the faculty member's position at the University.

iii. The copyright in instructional materials created by students and submitted to meet course requirements, and which would otherwise qualify as Traditional Works of Scholarship under section 2.E.i above, is owned by the student creator.



Neither the course instructor nor the University shall distribute student owned on-line instructional materials for purposes beyond those of the course in which they are submitted or for appropriate for administrative purposes (such as accreditation agency reviews, assuring academic integrity, and other functions that allow the University and instructors to fulfill their responsibilities for accountability), without obtaining the written permission of the student.

### ***3. Revenue Distribution***

#### **A. Monetary Proceeds**

- i. All monetary proceeds from the transfer or commercialization of applicable intellectual property shall be distributed as follows, unless legal requirements or contractual agreements require otherwise:
  - (a) The Creator(s) (or heirs, successors, and assigns), shall receive 35% of net revenues arising from the applicable intellectual property. The Creator's share shall be divided equally among joint Creators, absent a written agreement among the Creators to the contrary.
  - (b) The laboratory, or other applicable ongoing research, teaching, or service project entity in which the intellectual property originated, shall receive 15% of net revenues for the period during which the entity continues to function and the Creator(s) remain associated with the University. If the intellectual property did not originate through such an entity, or if the Creator(s) cease to be associated with the University, this portion shall be assigned to the originating administrative unit (department, center, etc.). If the laboratory or other project entity ceases to exist while the Creator(s) remains at the University, this portion shall be assigned to an account in support of research managed by the Creator(s) and supervised by the originating administrative unit. In the case of multiple Creators, this full share shall continue to be allocated undiminished so long as a single faculty Creator remains at the University; this includes Creators holding emeritus status who continue to maintain a University research, teaching, or service project, subject to annual approval by the relevant dean and the President.
  - (c) Campus units that have been involved in the development of the intellectual property, such as departments in which the Creator holds FTE appointment, centers initiating or managing project contracts and grants, and the relevant school, shall share 15% of net revenues. Campus faculties shall develop policies governing the distributions of such revenues among campus units in a manner appropriate to the campus, and adhering to the principle that a unit's degree of direct engagement in intellectual property development shall be reflected in its share of revenues. These policies permit and encourage units that cooperate in support of projects that generate intellectual property to execute agreements in advance concerning distribution of the campus units' share of revenues.
  - (d) The University and IURTC together shall receive 35% of net revenues, to support further intellectual property creation as determined by the President and to cover the expenses associated with management of intellectual property and to support further activities of the IURTC Office of Technology Transfer devoted to intellectual property creation and protection. The division of this amount

between the University and IURTC shall be negotiated between the University and IURTC. A report shall be made annually to the Intellectual Property Policy Council on the division of revenues and the activities of the University and IURTC in support of intellectual property creation and protection.

<i>Academic</i>				<i>Administration</i>	
	Creators	Labs, etc.	Campus Units	University	IURTC
Net Revenue = gross LESS legal fees and expenses	35%	15%	15%	35%	

- ii. In the absence of a written agreement to the contrary, multiple Creators shall receive equal portions of the Creator’s share of revenue, and cases involving multiple laboratories, units, schools, and the like shall follow the principle of equal portions.

B. Equity Interests

- i. IURTC may negotiate for equity interests in lieu of or in addition to monetary consideration as a part of an agreement between IURTC and an external entity relating to intellectual property. Such negotiations shall comply with federal and state statutes, University policies on conflicts of interest and commitment, and other applicable University policies.
- ii. IURTC shall own the equity interests. If and when monetary proceeds are generated by the sale of equity interests, those proceeds shall be distributed according to the policies set forth above for revenue distribution. IURTC does not act as a fiduciary for any Creator concerning equity interests or other non-monetary consideration received under the terms of this policy and no Creator shall have any interest in, or legal right to, such equity interests or non-monetary consideration.
- iii. A Creator may propose to IURTC an equity interest in the intellectual property in exchange for his or her own distribution (all other distributions being proportionately increased). IURTC shall negotiate with the Creator in good faith; however, it is not required to reach agreement with the Creator for an arrangement other than the equity and distribution arrangements in the prior paragraphs.

#### *4. Dispute Resolution*

- A. All appeals of decisions of the University or IURTC under this policy will be referred to an Intellectual Property Policy Council.
- B. The Intellectual Property Policy Council shall consist of
  - (i) Six faculty members, selected as follows:
    - (a) two faculty members appointed annually—one by the IUPUI Faculty Council Executive Committee and one by the Bloomington Faculty Council Agenda Committee—from the membership of campus Research Affairs Committees or other relevant standing committees of the Councils;
    - (b) one faculty member from a regional campus shall be appointed annually by the UFC Agenda Committee from the membership of the UFC Research Affairs Committee.
    - (c) two at-large faculty members appointed by the University Faculty Council Agenda Committee, in consultation with the President
    - (d) a faculty chair designated by the University Faculty Council Agenda Committee, in consultation with the President; and
  - (ii) The associate deans for research or equivalent from:
    - (a) the School of Medicine;
    - (b) the College of Arts and Sciences, and
    - (c) two other schools—one each from the Indianapolis and Bloomington campuses—designated annually by the President.
- C. Creators may appeal actions or decisions of the University or IURTC within thirty (30) days after the action or decision, unless good cause is shown for delay. The Council shall make a determination within thirty (30) days of the appeal. The University, the IURTC, or the Creators may appeal the Council's determination to the President, whose decision will be final. The President shall submit a report to the Council explaining the basis for his or her decision.

#### *5. Implementation*

- A. This policy is to be interpreted and implemented so as to avoid infringement on academic freedom or restrictions on the ability of researchers to publish and present the results of their research.
- B. Intellectual Property Policy Council.
  - 1. The University or IURTC (as appropriate) shall consult with the Intellectual Property Policy Council in developing implementation policies for this policy. The University or IURTC may request a recommendation from the Intellectual Property Policy Council regarding the disposition of the intellectual property.
  - 2. All exceptions to the terms of this policy shall require the written consent of the President, after consultation with the heads of directly affected units and schools, the chair of the Intellectual Property Policy Council or his or her designee, and the Creators. Individual agreements among parties concerning the distribution and relinquishing of rights or revenues are not exceptions under this policy.
  - 3. The Intellectual Property Policy Council shall submit a written summary of its activities annually to the University Faculty Council and shall specifi-

cally address the effectiveness of the University and IURTC in utilizing the revenues that it receives under this policy to serve the interests of Creators and the University.

- C. Written agreements related to revenue distributions, licenses, and exemptions that were executed prior to the effective date of this policy shall not be affected by this policy.
- D. The Office of the University Counsel is the only source of legal advice within the University and shall only provide legal advice to the University, not to individual authors with respect to works in which they own the copyright. IURTC directs all intellectual property litigation under this policy on behalf of the University.
- E. The President and the Creators may by written agreement modify the terms of ownership and distribution of revenues.
- F. This policy takes effect on July 1, 2008, and replaces the intellectual property policy adopted by the Board of Trustees on May 9, 1997. For copyrighted works, the effective date shall be determined as the date of the creation of the work in its final form. For potentially patentable works, the effective date shall be determined as the date that the work was or should have been disclosed as required by this policy.
- G. The Intellectual Property Policy Council shall assess the effectiveness of this policy and the appropriateness of its revenue distribution at intervals of not more than five years. It shall report its findings to the University Faculty Council and the President.

*(University Faculty Council, April 8, 1997; Board of Trustees, May 8, 1997; May 2, 2008)*

## **Policy and Procedures on Research Misconduct**

### **Introduction**

The primary mission of the university is to search for truth, and its members are strongly committed to this mission. Research conducted under the aegis of the university, therefore, must be guided by norms which facilitate this search, and which foster a spirit of creativity and honesty in the process. Because the conduct of research rests on the foundation of intellectual honesty, violations call into question not only the validity of the particular research project but the social context in which it is conducted. Scholars must be able to trust their peers, students must be able to trust their teachers, and citizens must be able to trust the integrity of the results of research performed in institutions of higher education.

The major responsibility for maintaining standards of intellectual integrity rests with individual scholars and with the departments in which they work. Accordingly, it is incumbent upon faculty members to exercise active leadership in their supervisory roles in mentoring, collaborating with, or directing junior colleagues, staff, or students.

The larger institution has a major role to play in three respects: (1) providing an environment for open inquiry in which research can be conducted appropriately, (2) declaring the standards which must not be abrogated, and (3) enforcing the standards on those occasions where violations may have occurred.

The purpose of this document is to set forth the policies and procedures by which Indiana University seeks to maintain and enforce such standards through impartial

fact-finding and fair adjudication of allegations of research misconduct. Policy and procedures described below are steps in an academic peer review and fact-finding process and are not intended or designed to represent rules of a judiciary proceeding or hearing. Principles of basic fairness and confidentiality shall be observed in these peer-review procedures.

## Definitions

*Charge.* A written allegation of misconduct that triggers the procedures described by this Policy.

*Complainant.* A person who submits a Charge of Research Misconduct. Deciding Official. (“DO”). Deciding Official shall be the university official appointed by the President to implement and oversee this policy on a particular campus in a manner that is consistent with applicable federal regulations.

*Good Faith Charge.* A Charge of Research Misconduct made by a Complainant who believes that Research Misconduct may have occurred. A Charge is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the Charge.

*Inquiry.* The process under the Policy for information gathering and preliminary fact-finding to determine if a Charge or apparent instance of Research Misconduct has substance and therefore warrants an Investigation.

*Investigation.* The process under the Policy for the formal examination and evaluation of all relevant facts to determine whether Research Misconduct has occurred, and, if so, the responsible person and the seriousness of the misconduct.

*Investigator.* Any person, including but not limited to any person holding an academic or professional staff appointment at Indiana University, who is engaged in the design, conduct, or reporting of Research.

*Misconduct.* See “Research Misconduct.”

*ORI.* The Office of Research Integrity within the Department of Health and Human Services.

*PHS.* The unit of Public Health Services with the Department of Health and Human Services.

*Research.* A systematic investigation designed to develop or contribute to generalizable knowledge. The term encompasses basic, applied demonstration and research, as well as research training activities.

*Research Integrity Officer (RIO).* A person identified by the DO to have primary responsibility for assuring adherence to these procedures.

*Research Misconduct.*

1. Research Misconduct means fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results.
  - a. Fabrication is making up data or results and recording or reporting them.
  - b. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
  - c. Plagiarism is the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.

2. On all campuses, except IUPUI\*, Research Misconduct also includes (in addition to those acts specified in paragraph 1 above):
  - a. material failure to comply with applicable federal requirements for protection of researchers, human participants, or the public; or for ensuring the welfare of laboratory animals;
  - b. material failure to disclose all real or perceived conflict of interests; or
  - c. an abuse of confidentiality, such as the use (or release to others) of ideas or preliminary data of others which were given in the expectation of confidentiality, such as those gained from
    - i. access to privileged information through the opportunity for editorial review of manuscripts submitted to journals; and
    - ii. the opportunity for peer review of proposals by external entities or by internal committees such as the Human Subjects Committee, the Institutional Biosafety Committee or other committees through which one gains access to privileged research-related information.

Research Misconduct does not include disputes regarding honest error or honest differences in interpretations or judgments of data, and is not intended to resolve bona fide scientific disagreement or debate. Research misconduct is also not intended to include “authorship” disputes such as complaints about appropriate ranking of co-authors in publications, presentations, or other work, unless the dispute constitutes plagiarism (as defined above).

*Research Record.* Any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of a Charge of Research Misconduct. A Research Record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; printed or electronic correspondence; memoranda of telephone calls; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

*Respondent.* The person against whom a Charge of Research Misconduct is directed, or the person whose actions are the subject of an Inquiry or Investigation.

*RIO.* See “Research Integrity Officer.”

*Sponsored Programs.* Research, training, and instructional projects involving funds, materials, gifts, or other compensation from external entities (including any individual and government agencies) under agreements with the University.

*\*IUPUI has in place alternative mechanisms for dealing with the types of research misconduct described in paragraphs 2(a), 2(b) and 2(c).*

## Applicability

This policy applies to (i) all individuals who hold university appointments and all graduate students who are engaged in the conduct of research, whether or not the research is funded, and to (ii) anyone affiliated with Indiana University engaged in research through a Sponsored Program to the extent of that research. Except as provided in clause (ii) above, academic misconduct of undergraduate students shall be dealt with

through the Code of Student Rights, Responsibilities, and Conduct.

The Research Integrity Officer (RIO) may, in consultation with the Dean of the Graduate School, determine that an allegation of research misconduct on the part of a graduate student is more appropriately referred to the disciplinary channels provided in the Code of Student Rights, Responsibilities, and Conduct or such other disciplinary process duly established by the campus or an academic unit to take the place of the Code of Students Rights, Responsibilities, and Conduct.

The procedures adopted pursuant to the policy set forth in this document will apply to all allegations of unethical research practices unless specifically prohibited by an applicable negotiated settlement or by another disciplinary procedure established by the University.

### **Multi-Campus Jurisdiction**

Cases involving multiple Respondents who are subject to the jurisdiction of different Indiana University campuses shall be handled through a single investigatory process pursuant to these Research Misconduct Procedures. The DO(s) of the involved campus(es), in consultation with the provost or chancellor(s) of the involved campus(es), shall determine which campus process will be used. If the DO(s) and provost/chancellor(s) of the involved campuses are unable to reach agreement, then the President shall determine which campus process will be used. Such determinations shall be final.

### **Duty to Cooperate**

All persons to whom this Policy and Procedures apply, including those accused of misconduct, are obligated to cooperate with the process set forth in this document. Such cooperation shall include providing Research Records and other relevant information to the DO or his or her designee, and refraining from actions that are retaliatory or other actions that impair the process set forth in this Policy.

### **Limitation of Actions**

Allegations must be raised within six years of the date on which the alleged Research Misconduct occurred unless (i) the Respondent continues or renews any incident of alleged research misconduct that occurred before the six-year limitation through the citation, republication or other use for the potential benefit of the Respondent of the research record that is alleged to have been fabricated, falsified, or plagiarized; or (ii) if DO, following consultation with ORI, determines that the alleged misconduct, if it occurred, could possibly have a substantial adverse affect on the health or safety of the public.

### **Confidentiality**

This Policy and Procedures shall be carried out in such a way as to protect the privacy and confidentiality of Complainants and Respondents to the extent possible consistent with protecting the public health and safety and with carrying out the Inquiry or Investigation. If the Complainant requests anonymity, the University will strive to honor the request within the limits set by applicable policies and regulations and federal, state, and local law.

### **Restoring Reputations**

The University will make diligent efforts, as appropriate, to restore the reputations of persons alleged to have engaged in Research Misconduct when Charges are not confirmed.

### **Bad Faith Charge**

A person who makes a charge of Research Misconduct in bad faith may be subject to sanctions if either the inquiry committee (if no further investigation is recommended) or the investigation committee finds bad faith to exist.

### **Retaliation**

The University will make diligent efforts to protect the positions and reputations of those persons who, in Good Faith, make Charges and those who cooperate with an Inquiry or Investigation into Charge of Research Misconduct. Instances of apparent retaliation will be reviewed by the DO for appropriate action consistent with the University's Whistleblower Policy. Appropriate preventative measures also may be instituted.

### **Role of Counsel**

The University (including the RIO, DO, or others acting on the University's behalf in the investigatory process) may consult with the University Counsel on procedural matters at any stage of the proceedings. The Respondent may be accompanied by counsel of his or her choice when interviewed in the course of an Inquiry or Investigation. Respondent's counsel may provide the Respondent advice, but may not participate in the proceedings.

### **Conflict of Interest**

At each stage of handling an Inquiry or subsequent Investigation, all persons involved shall be vigilant to prevent any real or perceived conflict of interest, or personal conflicts or relationships between colleagues, from affecting the outcome of the proceedings and resolution of the charges. Possible conflicts of interest may include co-authorship of work within the recent past with any of the individuals directly involved with the alleged misconduct, or professional or personal relationship with the Respondent beyond that of mere acquaintances or colleagues. If such relationships are present, the individual shall recuse himself or herself from any investigative or decisional role in the case. If any prospective Committee member at any point in the process presents a conflict of interest, that committee member shall be replaced by another appointee of the appointing authority. If the DO has a conflict of interest, the campus provost or chancellor shall recommend a replacement to the President. The President shall name the replacement who will carry out the functions required of the DO under this Policy for the particular matter that creates a conflict for the DO. Conflicts of interest on the part of deans or department chairs shall be dealt with by the DO. If it becomes necessary to appoint a replacement during the course of the process, the new appointee shall be fully informed regarding earlier procedures and evidence secured, but it shall not be required that any of the process commence anew.



## Procedures

The following Procedures shall be used in connection with the reporting, inquiry, investigation and resolution of all Charges of Research Misconduct on all campuses of the University.

### 1. *Rights and Responsibilities*

- a. *Research Integrity Officer*. The RIO will have primary responsibility for assuring adherence to these procedures. The RIO is responsible for initially assessing Charges of Research Misconduct, determining when such Charges warrant Inquiries, and for overseeing Inquiries and Investigations. The RIO may seek the advice and assistance of the Standing Committee on Research Integrity. The RIO will assist Inquiry and Investigation Committees, and will also assist members of the University community in complying with these procedures and with relevant standards imposed by government or other entities, such as professional associations. The RIO will ensure that all reporting requirements are met. The RIO is responsible for maintaining files of all documents and evidence and for the confidentiality and security of the files.
- b. *Complainant*. The Complainant shall have an opportunity to be interviewed by the Inquiry and Investigation Committees, to review portions of the Inquiry and Investigation reports pertinent to those interviews, to be informed of the results of the Inquiry and Investigation, and to be protected, to the extent possible, from retaliation. The Complainant is responsible for making Charges in Good Faith, maintaining confidentiality, and cooperating with any subsequent Inquiry or Investigation conducted as a result of information he or she has brought to the attention of the University.
- c. *Respondent*. When an Inquiry is initiated, the Respondent shall be informed, in writing, of the Charges and shall be notified in writing of the final determinations and resulting actions. The Respondent shall also have the opportunity to be interviewed by, and present evidence to, the Inquiry and Investigation Committees, to review and comment on draft Inquiry and Investigation reports, and receive copies of the final reports. The Respondent is responsible for maintaining confidentiality and for cooperating with the conduct of an Inquiry or Investigation. The Respondent shall refrain from retaliating against Complainants who raise Charges in Good Faith or against other persons who cooperate in inquiries and Investigations.
- d. *Deciding Official (DO)*. The DO is responsible for implementation and oversight of these procedures. The DO retains final decision-making authority over all actions related to these procedures. The DO will appoint Standing Committees on Research Integrity on the IUPUI and Bloomington campuses with the advice of faculty councils and other bodies representing the faculty. The Committee on the Bloomington campus shall serve the Bloomington Campus and the Northwest, South Bend, Kokomo, East and Southeast campuses and shall have appropriate representation from the campuses. The DO will appoint the committees to conduct Inquiries and Investigations. The DO will ensure that the necessary and appropriate expertise is secured to carry out a thorough and authoritative evaluation of the relevant evidence in an Inquiry or Investigation. The DO will also ensure the interim administrative actions are taken, as appropriate, to ensure compliance with all relevant government regulations.

- e. *Members of the University Community.* All members of the University community have a duty to cooperate with the Inquiry and Investigation Committees and provide relevant evidence to the Committees and the RIO in the course of Research Misconduct proceedings.

## ***2. Standards of Review***

A finding of Research Misconduct requires that:

- a. There be a significant departure from accepted practices of the relevant research community; and
- b. The Research Misconduct be committed intentionally, knowingly, or recklessly; and
- c. The allegation be proven by a preponderance of the evidence.

## ***3. Preservation of Evidence***

- a. Either before or when the RIO notifies the Respondent of a Charge, the RIO shall promptly take all reasonable and practical steps to obtain custody of all the Research Records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence, and sequester them in a secure manner. Where the Research Records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments.
- b. Where appropriate, the RIO shall give the Respondent copies of or reasonable, supervised access to the Research Records.
- c. The destruction, absence of, or Respondent's failure to provide Research Records adequately documenting the questioned research is evidence of Research Misconduct when the University establishes by a preponderance of the evidence that the Respondent had Research Records and intentionally, knowingly, or recklessly destroyed them, had the opportunity to maintain the records but did not do so, or maintained the records and failed to produce them in a timely manner and that the Respondent's conduct constitutes a significant departure from accepted practices of relevant research community.

## ***4. Initiation of the Process***

Charges of Research Misconduct may be filed by anyone, whether associated with the University or not. Such charges may be made to:

- (i) the RIO; or
- (ii) the dean of the school in which the Respondent holds principal appointment; or
- (iii) the campus chancellor or provost.

Prior to submitting a formal Charge, a potential Complainant is encouraged to consult informally with the RIO. Any such consultation shall be confidential within the limits set by applicable policies and regulations and federal, state, and local law. The consultation helps to distinguish whether the case involves questions of Research Misconduct, is to be resolved by other deliberative or mediation procedures, or does not warrant further actions.

If a potential Complainant consults with the RIO, the RIO will inform him or her of the need to file written Charges if he or she wishes the matter to go forward. If the Complainant does not file a written Charge, after consulting with the RIO, the matter will be dropped, unless the RIO believes there may be sufficient cause and evidence to warrant an Inquiry in which case the RIO may submit written charges. The Complainant will also be informed of his or her obligation to cooperate in any Inquiry or Investigation that may take place.

Any administrator who receives credible information that Research Misconduct may have occurred, including unwritten information or information submitted anonymously, shall notify the RIO of such information. When such information comes to the attention of the RIO, the RIO shall reduce the concern to a written Charge and apply these Procedures.

- a. *Submission of Formal Allegation.* Any written allegations received by the administrators other than the RIO shall be forwarded to the RIO.
- b. *Receipt of Formal Allegation.* On receipt of a written Charge of Research Misconduct, the RIO shall, in consultation with the Standing Committee, determine whether the Charge is frivolous, does not raise questions of Research Misconduct, is more appropriately resolved by other deliberative or mediation procedures, or does not warrant further action. In such a case, the RIO may, at his or her discretion, handle the matter informally or refer it to the appropriate person or process. Such process may include the involvement of the Standing Committee in those instances where the Charges involve the responsible conduct of research, but do not constitute Research Misconduct.
- c. *Disposition of the Case.* If the Charge does not raise questions of Research Misconduct, does not warrant further action, is determined to be frivolous, or is determined to be more appropriately resolved by other deliberative or mediation procedures, the Complainant and anyone else known to be aware of the Charge will be so notified. If the Charge is determined to be non-frivolous or is not more appropriately resolved by other deliberative or mediation procedures, an Inquiry shall be initiated.

### 5. *The Inquiry*

The purpose of an Inquiry is to determine whether there is sufficient credible evidence of possible Research Misconduct to warrant conducting an Investigation.

- a. *Appointment of Inquiry Committee.* The Inquiry shall be carried out by a committee of no fewer than three persons appointed by the DO. The DO shall promptly appoint the Inquiry Committee after receiving the RIO's determination that an Inquiry should be initiated. Members of the committee shall have no Conflicts of Interest with the Respondent or with the case in question, shall be unbiased, and shall, together, possess sufficient expertise to enable the Committee to conduct the Inquiry and to evaluate the evidence and issues related to the Charge(s). Appointees are expected to notify the DO of any known Conflict of Interest or of an inability to render unbiased judgment. Wherever feasible, one member of the Inquiry Committee shall be from the department in which the Respondent holds primary appointment and one member shall be a faculty member from elsewhere in the University. One member of the Inquiry Committee must be a member of the Standing Committee. If necessary (e.g., to obtain appropriate expertise), the

DO may appoint an individual from outside the University. Any exception of the designated composition of the Inquiry Committee shall be made only for good cause and shall be documented in the Inquiry report. The DO shall designate a chair, who shall be a University appointee who is not from the unit in which the Respondent holds primary appointment.

b. Notification of Initiation of Inquiry.

1. Notification of the Complainant.

The RIO shall notify the Complainant in writing of the initiation of the Inquiry, including a statement of the Charges and related issues that will be the subject of the Inquiry and the membership of the Inquiry Committee. The RIO shall include with the notification a copy of these procedures and an explanation of the rights and responsibilities. The RIO shall explain that while every attempt will be made to maintain anonymity through the Inquiry phase of the process (if requested by the Complainant), the Complainant's identity in most instances will be made known to the Respondent if an Investigation ensues.

2. Notification of the Respondent.

Upon initiation of the Inquiry, the RIO shall meet with the Respondent to present the Respondent with written notification of the Charges and related issues and the membership of the Inquiry Committee; review the contents of the Charges; describe the process that will be followed; and promptly take possession of or otherwise secure the Research Record. The RIO shall include with the notification a copy of these procedures and an explanation of the Respondent's rights and responsibilities, including his or her right to submit a written response to the Charges. The RIO shall remind the Respondent of his or her obligation to cooperate with the investigative process and to provide all relevant materials and information.

3. Notification of the Dean.

The Dean of the School in which the Respondent holds primary appointment shall be notified of the initiation of any Inquiry.

c. Objections to Committee Membership. The notifications shall state that the Respondent and the Complainant may object, in writing, to any of the proposed appointees on the grounds that the person does not meet the criteria stated in paragraph 5(a). Any objections shall be submitted to the DO within 5 working days of receipt of the notification. The DO shall consider the objection, and if it is reasonable, the DO shall replace the person with one who meets the stated criteria. The DO's decision as to whether the challenge is reasonable shall be final.

d. Charge to the Inquiry Committee. The RIO shall convene the first meeting of the Inquiry Committee, review the Charges, and describe appropriate procedures for conducting an Inquiry. The Inquiry Committee may consult with RIO as necessary during the course of the Inquiry. If issues of Research Misconduct that fall outside of the charge to the Inquiry Committee arise during the course of the Inquiry, the Inquiry Committee shall so inform the RIO, including in its communication the evidence on which its concerns are based. The RIO, in consultation with the Standing Committee, will consider the issues raised and, if warranted, amend the Charges accordingly. The Respondent and Complainant shall receive appropriate notification of any such amendments.

- e. Interviews. Whenever possible, interviews should be conducted with each individual involved either in making the Charge or against whom the Charge is made. The Inquiry Committee may interview others and examine relevant Research Records and materials, as necessary to determine whether there is sufficient credible evidence of Research Misconduct.
- f. Provision of Documents. The Inquiry Committee shall have the authority to require submission to the Committee of any documents or materials it deems necessary to the conduct of the Inquiry.
- g. Timing. The Inquiry (including the DO's determination whether an Investigation should be initiated) shall be completed within 60 calendar days after its initiation. Commencement of the Inquiry is defined as the first meeting of the Inquiry Committee convened by the RIO. If an inquiry takes longer than 60 days, the Inquiry Report must state the reasons of the extension of time.
- h. The Inquiry Report. The Inquiry Committee shall document its findings in a report that states the Charges, summarizes relevant interviews, and states the conclusions reached and the evidence on which it reached those conclusions. Where it finds that an Investigation is not warranted, the report and other retained documentation must be sufficiently detailed as to permit a later assessment of the reasons for the recommendation not to conduct an Investigation. The Inquiry report may be drafted with the assistance of the RIO. If the report recommends that an Investigation be conducted, it shall propose the subject matter to be included in the Investigation.

The draft Inquiry report shall be distributed to the Respondent. The RIO shall make available to the Complainant the draft report or relevant portions of the report (i.e., those portions that address the Complainant's role and opinions in the Inquiry) if the Complainant is identifiable. The RIO may establish reasonable conditions for review to protect the confidentiality of the draft report. The Complainant and Respondent may submit written comments regarding the facts and findings to the RIO within 10 working days, which will be made a part of the final Inquiry record. Based on any comments received, the Inquiry Committee may revise the report, as the Committee deems appropriate.

The final Inquiry report, together with the Respondent's and Complainant's comments, if any, shall be forwarded to the DO for action.

#### ***6. Disposition of the Case Following an Inquiry***

Within 10 working days of receipt of the Inquiry report, including the comments, if any, the DO shall decide whether the findings from the Inquiry provide sufficient evidence of possible Research Misconduct to justify conducting an Investigation. If the DO's decision varies from the conclusion reached by the Inquiry Committee, the DO shall prepare a report explaining in detail the basis for his or her decision. The report shall document the DO's findings, stating the conclusions reached and the evidence on which the DO reached those conclusions, and shall be distributed to the Respondent, the Complainant, the Inquiry Committee, and the Standing Committee within the 10 working day period.

If the DO decides that the matter is not to be pursued further, the RIO will act to ensure that all reference to the matter is expunged from the Respondent's personnel

file. A single copy of the records from the case sufficient to permit a later assessment of the reasons for the decision not to conduct an Investigation shall be maintained in a secure manner by the Office of the DO for a period of seven years after the termination of the Inquiry. Anyone known to have knowledge of the Inquiry (including the Respondent, the Complainant, the dean, chancellor, provost, the Standing Committee, and all persons who have been interviewed or otherwise informed of the Charges) shall be informed that the matter has been dropped because it was determined not to warrant an Investigation.

## ***7. The Investigation***

The purpose of an Investigation is to determine whether the alleged Research Misconduct occurred and, if so, to recommend appropriate sanctions.

a. Notification of Initiation of Investigation. The RIO will notify the Respondent and the Complainant in writing that an Investigation will take place and remind them of their obligation to cooperate in the conduct of the Investigation. The RIO will also notify external funding agencies and appropriate governmental offices, in the manner and to the extent required by law.

b. Timing of Investigation.

1. the Investigation shall commence within 30 calendar days after it is determined by the DO that an Investigation is warranted.

2. the Investigation should be completed within 120 calendar days of its initiation, which shall be the date of the first meeting of the Investigation Committee convened by the RIO.

This includes conducting the Investigation, preparing the report of findings, making that report available for comment by the Respondent and the Complainant and, if required, submitting the report to governmental funding sources.

Extensions of time must be approved by the DO, and if the case involves PHS funding, the approval of ORI. The reasons for the extension must be documented in the Investigation report. The Respondent shall be notified of any extensions of time.

c. Investigation Process. The Investigation may be conducted through private interviews or, at the option of either the Investigation Committee or the Respondent, at a hearing at which the Respondent shall be invited to be present. Requests for hearings shall be made in writing within 15 working days of receipt of the notice of the Investigation.

1. Notice of Hearing

RIO shall notify the Respondent at least 15 working days before the hearing concerning the following:

(i) The date, time, and place of the hearing;

(ii) That the Respondent is required to provide to the RIO the names of all persons he or she wishes to have interviewed or whose statements may be offered as evidence no later than 10 working days prior to the date of the hearing;

(iii) That the RIO will provide the Respondent with the names of all additional interviewees who will give evidence at the hearing and will make available to the Respondent any statements or other material that will be presented during

- the hearing no later than 10 working days prior to the date of the hearing;
- (iv) That the Respondent is entitled to raise questions for the Investigation Committee to pose to each interviewee about the information provided by that interviewee and about the Charges;
- (v) That the Respondent is entitled to be accompanied at the hearing by counsel or an advisor of his or her choice and at his or her expense, who may provide the Respondent advice but may not participate in the proceedings;
- (vi) That the Respondent may make a statement, either orally or in writing to the Investigation Committee at the commencement of or at the end of the proceedings (at the Respondent's choice) concerning the Charges;
- (vii) That the hearing will be closed to the public unless both the Respondent and the DO agree to have the hearing open to the public as provided in (8) below; and
- (viii) That the Respondent may attend the presentation of evidence at the hearing, but not the Committee's deliberations.

d. Appointment of Investigation Committee

The Investigation shall be conducted by an Investigation Committee of no fewer than five persons appointed by the DO. The DO shall appoint the Investigation Committee promptly upon the completion of the Inquiry. Members of the Investigation Committee shall have no Conflicts of Interest with the Respondent or the case in question, shall be unbiased, and shall, together possess the necessary expertise to enable them to evaluate authoritatively the relevant evidence of the alleged Research Misconduct and to conduct an Investigation. Committee members must have been uninvolved in the prior processes and must have no intimate knowledge of the case. Appointees are expected to notify the DO of any known Conflict of Interest or of an inability to render unbiased judgment. At least one member of the Committee shall be a peer of the Respondent from outside the University. The DO shall designate a chair of the Committee, who shall be a tenured member of the University faculty who is not from the unit in which the Respondent holds primary appointment. Where the Respondent is a member of the faculty, all appointees to the Investigation Committee shall be tenured faculty from this or another university.

e. Notification of Appointment of Investigation Committee

The Respondent and Complainant shall be notified of the Committee membership and shall be given an opportunity to object to the Committee membership on the grounds that one or more members do not meet the above-stated criteria. Objections shall be made in writing to the DO within 5 working days of notification of the Committee's membership. The DO shall consider the objection, and if it is reasonable, the DO shall replace the person with one who meets the stated criteria. The DO's decision as to whether the challenge is reasonable shall be final.

f. Charge to Investigation Committee; Standard of Review

The DO shall provide the Investigation Committee with a written charge of the subject matter to be considered in the Investigation. The charge will state that the Committee is to evaluate the evidence to determine whether, based on a preponderance of the evidence, Research Misconduct occurred and, if so, to what extent, who was responsible, and its seriousness.

If issues of Research Misconduct that fall outside of the charge arise during the course of the Investigation, the Committee shall so inform the DO, including in its communication the evidence on which its concerns are based. The DO, in consultation with the RIO and the Investigation Committee, will consider the issues raised and, in the DO's discretion, provide the Investigation Committee with an amended charge. The Respondent shall be notified of any such amendments.

g. Due Process

In all of its proceedings the Investigation Committee shall be governed by principles of due process and orderly procedures for ensuring the impartial examination by the Committee of all pertinent facts, University policies and procedures, and the legitimate interests of all parties involved.

h. Collection of Information During the Investigation

The Respondent shall have the right to be interviewed by the Investigation Committee and accompanied by legal counsel or other advisor of his or her choice (who may provide the Respondent advice but not participate with proceedings); shall be permitted to identify persons who might have material information about the Charge, each of whom shall be interviewed by the Committee; to identify other relevant evidence, which shall be reviewed by the Committee; where the Respondent has requested a hearing, to hear all interviewees; to raise questions for the Investigation Committee to pose to each interviewee about the information provided by that interviewee and the Charge of Research Misconduct; and to respond to all written evidence.

The Committee shall interview the Complainant, if available, and shall review all pertinent documentary evidence. Before and during the Investigation the Committee may request and secure further information in writing from the Respondent which it thinks to be pertinent to the case. The Committee may also request that persons not identified by the Respondent provide information pertinent to the case either through interviews or in statements prepared for the Committee. These statements, if they are not presented during a hearing, shall be made available to the Respondent. The Respondent may request that a hearing be reconvened in order to add or to respond to such newly solicited material and information. The decision made by the Committee and any subsequent decision by University administrators shall be made only on the basis of evidence presented during the Investigation or solicited by the Investigation Committee and to which the Respondent has had the opportunity to respond. The Respondent may submit a written statement at the close of a hearing.

i. Complainant's Confidentiality

If a Complainant who has requested that his or her identity be kept confidential declines to appear to be interviewed at a hearing, the Investigation may nevertheless go forward if the Investigation Committee determines that there is credible evidence of possible Research Misconduct apart from the Complainant's statements regarding the Charge of Research Misconduct.

j. Open vs. Closed Hearings

Any hearings will be closed to the public unless both the Respondent and the DO agree to have the hearing open to the public. A request by the Respondent for an open hearing shall be made to the RIO in writing no later than 10 working days prior to the date set for the hearing.



k. Record of Interviews; Transcripts

An audio tape recording of Investigation interviews shall be made. A copy of the audiotape or a transcript thereof shall be provided to each interviewee for his or her review to identify errors. The recording or transcript and any changes requested by the interviewee shall together constitute the record of the interview. If transcripts are created, they shall be maintained as the rest of the record of the case.

l. Committee Recommendation

The Investigation Committee shall render a written report within 15 working days of completion of hearing. If there was no hearing, the Investigation Committee shall provide its written report within 15 working days of concluding its interviews or other investigative process. The Committee's report should specify the Charges, summarize the relevant information provided by persons interviewed by the Committee, make explicit findings of fact with respect to each Charge and list the evidence relevant to the findings and whether each Charge was proven by a preponderance of the evidence. The Report should provide the Committee's conclusions as to whether any proved Charge constitutes Research Misconduct.

It should also include a recommendation as to who was responsible for the Research Misconduct and its seriousness. The Committee shall also make recommendations of procedures to be undertaken by University administrators to achieve appropriate remedies. The report and other retained documentation must be sufficiently detailed as to permit a later assessment of the Investigation.

m. Review of Committee Report by Respondent and Initiator

A draft of the Committee's report shall be forwarded to the Respondent. The draft report or relevant portions thereof (i.e., those portions that address the Complainant's role in the Investigation) also shall be made available to the Complainant for review. The Respondent and Complainant may submit written comments to the RIO within 15 working days, which will be made a part of the final Investigation record. The Committee's report, together with the Respondent's and Complainant's comments shall then be forwarded to the DO.

n. Factual Findings are Conclusive

The factual findings of the Investigation Committee shall be conclusive and binding on any later proceeding convened for other purposes (e.g., grievances to the Faculty Board of Review relating to sanctions imposed).

### ***8. Disposition of the Case Following an Investigation***

Within 10 working days of receipt of the Investigation report, the DO shall decide what action to take or recommend.

a. Concurrence with the Committee

1. No Misconduct

If the DO concurs with an Investigation Committee's recommendation that the Charges have not been proven by a preponderance of the evidence, the RIO will act to ensure that all reference to the matter is expunged from the Respondent's personnel file.

2. Misconduct

If the DO concurs with an Investigation Committee's recommendation that Research Misconduct has been proven by a preponderance of the evidence,

the Respondent shall be notified in writing of the DO's decision. If the DO determines that a sanction should be imposed, the DO shall either take such action as is within the DO's authority or make recommendations for action to the appropriate person or decision-making body, as prescribed by University policy. Whether or not sanctions are imposed, the DO may prescribe corrective action responsive to the Research Misconduct and take any other appropriate action. The DO's findings shall be conclusive and binding on any later proceeding convened for other purposes (e.g., grievances to the Faculty Board of review relating to sanctions imposed).

- b. DO's Decision at Variance With Committee's Recommendation. If, on review of the Investigation report, the DO disagrees with the Investigation Committee's recommendation, the DO shall prepare a report explaining in detail the basis for his or her concerns. The basis of the DO's concerns may be procedural or substantive. The DO shall provide the Investigation Committee with the statement of concerns and the Committee shall have 10 working days in which to address them. The Committee may, for example, gather additional evidence, deliberate further in light of the concerns raised by the DO, or correct the procedural problem(s) identified by the DO. The Committee may request and obtain from the DO extensions of time, as may be reasonably necessary for addressing the issues. The Investigation Committee shall provide the DO an amended Investigation report in response to the statement of concerns. The Respondent shall be provided a copy of the amended Investigation report, together with the DO's statement of concerns, and shall be given an opportunity to respond to the amended report and DO's statement of concerns. Relevant portions thereof (i.e., those portions that address the Complainant's role and opinions in the Investigation), shall be made available to the Complainant for review, and the Complainant shall have 10 working days to comment in writing on the amended report.

If the DO concurs with the recommendation in the amended Investigation report, the procedures specified in Section 8a shall be followed. If the DO's decision varies from the recommendation made by the Investigation Committee in the amended report, the DO shall prepare a report explaining in detail the basis for his or her decision. The report shall document the DO's findings, stating the conclusions reached and the evidence on which the DO reached those conclusions. The report should make explicit findings of fact with respect to each Charge. The DO's decision shall be based solely on evidence elicited in the Investigation and to which the Respondent has had the opportunity to respond. The DO's findings shall be conclusive and binding on any later proceeding convened for other purposes (e.g., grievances to the Faculty Board of Review relating to sanctions imposed). The Respondent shall be notified in writing of the DO's decision.

- c. Restoration of reputation of the Respondent, Complainant and Others. Where the DO determines that the Respondent did not engage in Research Misconduct, the DO shall consult with the Respondent and take any action which the DO deems necessary to restore the Respondent's reputation. At the conclusion of any Investigation, the DO shall also consult with the Complainant and take any action which the DO deems necessary to restore the position or reputation of the Complainant.

### *9. Appeals*

Through the process provided in this section, the Respondent may appeal a Research Misconduct determination or sanction. Appeals may be taken to the review body available to persons in the Respondent's appointment classification for the purpose of hearing employment grievances [e.g., the Faculty Board of review (in the case of academic appointees), the appropriate Graduate School body (where applicable in the case of graduate students), or the processes established by the University Personnel Policies relating to employee conduct (in the case of staff employees)].

- a. Submission of Appeals. Appeals must be in writing and must be submitted to the appropriate body within 10 working days of receipt of notice of the DO's decision. The Respondent shall submit a copy of the appeal to the DO.
- b. Subject of Appeals. Appeals shall be limited to: (1) claims that the process was flawed in a way that creates a significant risk that the outcome was erroneous; or (2) grievances of sanctions imposed as a result of a finding of Research Misconduct. The appeal must specify the nature of any claimed procedural error. The factual record established during the Investigation shall constitute the factual record for the purposes of the Appeal. The Appeal body may not review the factual finding of misconduct.
- c. Exclusive Process. The procedures described in this document constitute the exclusive process for raising and resolving charges of Research Misconduct.
- d. Time Frame. If PHS funding is involved, the appeal must be completed within 120 days, unless an extension is received from the Office of Research Integrity.

### *10. Severance of University Relationship*

Severance of the Respondent's relationship with the University, whether by resignation or termination of employment, completion of or withdrawal from studies, or otherwise, before or after initiation of procedures under this policy, will not preclude or terminate Research Misconduct procedures. Ongoing Inquiries and Investigations shall be conducted, and appropriate internal and external notifications of the proceedings and of their outcome will be made.

### *11. Notifications*

- a. The DO shall notify federal funding entities if he/she believes that any of the following conditions exist:
  1. an immediate health hazard;
  2. an immediate need to protect federal funds or equipment;
  3. an immediate need to protect the interests of the Complainant or Respondent as well as the Respondent's co-investigators or associates, if any;
  4. a probability that the alleged incident is about to be publicly reported; or
  5. developments during an Investigation disclose facts that may affect current or potential funding of the Complainant or that the entity needs to know to ensure appropriate use of federal funds and protection of the public interest.
- b. The DO shall determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which deceptive reports may have been published, collaborators of the Respondent in the work, or other concerned parties, should be notified of the outcome of a case. The RIO will be responsible

for compliance with all requirements for notification of funding or sponsoring agencies.

### ***12. Disposition of File***

After completion of the case and all ensuing related actions, the RIO shall prepare a complete file, including the original records of all proceeding conducted by the Inquiry and Investigation Committees and copies of all documents and other materials furnished to the RIO or to the Inquiry or Investigation Committee. The RIO shall seal the file and retain it for 7 years after completion of the proceeding or the completion of any PHS proceeding involving the Research Misconduct allegation. Access to the materials in the file shall be available only upon authorization of the DO for good cause.

The RIO shall return all original documents and materials to the persons who furnished them.

After seven years from the completion of the Investigation and all ensuing related actions, if any, the RIO will destroy the file unless the RIO makes a written finding that there is reason to retain it. The finding will state explicitly the reasons why and the period during which the file is to be maintained, and will be entered in the file. The Respondent shall receive either a notice that the file has been destroyed or a copy of the written finding that the file will be retained.

### ***13. Procedural Changes***

- a. **Deadlines.** Due to the sensitive nature of allegations of misconduct, each case shall be resolved as expeditiously as possible. The nature of some cases may, however, render normal deadlines difficult to meet. If at any time an established deadline cannot be met, a report shall be filed with the DO setting out the reasons why the deadline cannot be met and estimating when that stage of the process will be completed. A copy of this report shall be provided to Respondent.
- b. **Other Procedural Changes.** Particular circumstances in an individual case may dictate variation from the normal procedures deemed in the best interests of the University. Any change from normal procedures must ensure fair treatment of the Respondent. Any significant deviation from the procedures described in this document shall be made only with the written approval of the DO.

*(University Faculty Council, April 24, 2007)*

## **Policy on Fair Use of Copyrighted Works for Education and Research**

As an institution devoted to the creation, discovery, and dissemination of knowledge to serve the public, Indiana University is committed to complying with all applicable laws regarding intellectual property. That commitment includes the full exercise of the rights accorded to users of copyrighted works under the “Fair Use” provision of federal copyright law.

It therefore is the policy of Indiana University to facilitate the exercise in good faith of full Fair-Use rights by faculty, librarians, and staff, in furtherance of their teaching, research, and service activities. To that end, the University shall:

1. inform and educate its faculty, librarians, and staff about their Fair-Use rights and the application of the four factors for determining those rights set forth in 17 U.S.C. Section 107;
2. develop and make available through the office of the University Counsel, the Copyright Management Center, and other appropriate units, effective resources concerning Fair-Use and intellectual property laws generally and the application of Fair Use in specific situations;
3. avoid adopting or supporting policies or agreements that would restrict Fair-Use rights; and
4. defend and indemnify faculty, librarians, and staff in accordance with provisions of the Officers Liability Insurance resolution, dated May 22, 1971, or any successor indemnification policy.

*(University Faculty Council, October 14, 1997; Board of Trustees, December 5, 1997)*

### **Policy on Use of the Name And Trademarks of Indiana University**

Permission to use the name and trademarks of Indiana University is vested in the Board of Trustees of The University and delegated through the President, and the Vice President for Administration, to the Committee on the Commercial Use of Institutional Identity.

Implementation of University standards relating to the commercial use of the University's name and trademarks is delegated to the Advanced Research and Technology Institute. For campus-specific issues relating to the commercial use of the University's name and trademarks, IURTC may delegate campus-specific implementational authority as appropriate. IURTC has authority to review any and all records to assure compliance with standards established by the Committee. IURTC is responsible for documenting and communicating throughout the University and to all campuses those standards.

*(Administrative Action, January 1, 1997)*

### **Protection of Human Subjects in Research**

Indiana University is committed to protecting the rights and welfare of human participants recruited to participate in research conducted under its auspices. Pursuant to federal law and University policy, all research conducted by Indiana University investigators involving human subjects, recombinant DNA, or biohazardous materials must be reviewed and approved by an IU Institutional Review Board (IRB). These boards review research plans and monitor ongoing research to insure full compliance with federal regulations and University policies.

At the time of this printing, the IRBs were in the process of being reorganized. Questions regarding campus-specific review procedures should be directed to the local representatives for the Vice President for Research Administration which vary by campus. It is the responsibility of any appointee conducting or planning to conduct research involving human subjects to inform himself or herself fully of University policies in this area and to insure that the actual or planned research is in full compliance with these policies. Strict adherence to these policies is required whether or not the research in question has or is envisioned as having external sponsorship and funding.

Full statements of the relevant University policies and procedures are available from the offices of the President, the Chancellors, the Vice President (Bloomington and Indianapolis), and the Vice President (Indianapolis), the Vice President for Research Administration, the Vice Provost for Research, and from the chairpersons of the IRBs.

*(Administrative Practice)*

## **Policy on Animal Use and Care**

Fulfillment of Indiana University teaching and research missions requires a variety of approaches, among which is the use of animals. Living animals are used only when there is no valid alternative to their use, or when use may be required by law in a particular experiment or test.

Animals, in order to yield valid results, must be healthy and comfortable. For these reasons, as well as for humaneness, it is the policy of Indiana University that animals required for teaching and research shall be housed, cared for, and used in accordance with the highest standards of comfort and cleanliness, as required by regulations and guidelines of the Animal Welfare Act, the National Institutes of Health, and the Public Health Service.

Federal assurances require that Indiana University provide for the humane care and use of all animals used in research or instruction. All proposals involving vertebrate animals in teaching and research activities must be reviewed and approved by the appropriate Institutional Animal Care and Use Committee (IACUC) before such studies are initiated to determine that the use of animals is appropriate and that the proposed methods minimize pain and discomfort. Please refer to campus-specific committees and the Office of the Vice President for Research Administration for details of review procedures.

*(Administrative Practice)*

## **Policy on Contacts With Federal and State Government Officials and Agencies**

### **PREFACE**

Indiana University has established certain policies, guidelines and procedures pertaining to contacts being made on behalf of the university with federal and state government officials and agencies. In addition, policies, guidelines and procedures related to the scheduling of political campaign activities and events on university property have also been established. These policies, guidelines and procedures are designed to ensure compliance with legal requirements; to enhance the effectiveness of governmental contacts; and, to facilitate coordination and communication within the university.

All members of the Indiana University community- faculty, staff, and students- are expected at all times to distinguish between when they speak or act in their personal capacity (including when they speak or act on behalf of professional societies and other organizations) and when they speak or act on behalf of the University's interests.

## **PERSONAL AND PROFESSIONAL CONTACTS**

Personal contacts (including those on behalf of professional societies and other organizations) with elected officials or governmental agencies, whether in person or in writing, should be done in the name of the individual or the professional society. Indiana University letterhead must not be used and any reference to affiliation with the University should be made only as an aid to identify the individual making the contact. It should be made clear that the request is not being made on behalf of the University.

## **POLICY ON CONTACTS WITH FEDERAL OFFICIALS**

Indiana University is registered as a lobbying organization in accordance with the federal Lobby Disclosure Act of 1995. The Lobby Disclosure Act was amended by the Honest Leadership and Open Government Act (Public Law 110-81) and new Congressional ethics rules were adopted related to gifts, travel, and events to honor members of Congress and staff. Indiana University is now required to report in more detail about federal lobbying activities and contacts with certain federal elected and appointed individuals, including all elected members of Congress, all congressional staff, and all federal Schedule C employees.

In order to help ensure compliance with the revised federal law and regulations, Indiana University has established a policy and quarterly reporting procedure for those who may be in contact with the aforementioned categories of federal elected officials and appointed staff/employees. Only individuals approved in accordance with the IU Policy on Federal Contacts are authorized to lobby or represent Indiana University's interests with these federal officials. The responsibility for authorizing such persons rests with the Office of the Vice President for Public Affairs and Government Relations. This office is also responsible for the preparation and submission of the required federal reports associated with lobbying activities. Please consult the Office of the Vice President for Public Affairs and Government Relations website at ([www.gov.indiana.edu/federal/lobbying/index.shtml](http://www.gov.indiana.edu/federal/lobbying/index.shtml)) for the IU Policy on Federal Contacts and additional information about the compliance procedures.

It is also important to note that there are separate federal guidelines related to legislative contacts and lobbying procedures for persons who have been awarded federal grants. Information about these guidelines is available in Contracts and Grants Administration Important Notice 95-10 which can be found at ([http://www.fms.indiana.edu/cg/imp\\_notice/95-10.asp](http://www.fms.indiana.edu/cg/imp_notice/95-10.asp)).

## **GENERAL PROCEDURES FOR CONTACTS WITH STATE OFFICIALS AND AGENCIES**

The Office of the Vice President of Public Affairs and Government Relations is charged with the responsibility of providing leadership for Indiana University's governmental relations activities. It will only be able to effectively fulfill its responsibilities if it is aware that members of the university community are planning to make contacts on behalf of the university. Thus the following procedures are designed to help ensure communication and coordination within the institution and to maximize the effectiveness of any proposed contact. It is recognized that such contacts with state officials and agencies may take several forms including individual or group meetings; testimony before executive or legislative bodies; presentation of written materials or electronic transmissions;

invitations to visit campuses; and, responses to requests for information.

Individual or group meetings with executive and legislative elected officials and staff: If such meetings are for the purpose of representing the interests of Indiana University, including specific funding requests or grant proposals, they must be coordinated with and approved by the Office of the Vice President for Public Affairs and Government Relations. If an individual or group is representing a personal interest (including professional organizations) and is not representing the university, the Office of the Vice President of Public Affairs and Government Relations would appreciate being notified of the meeting for information purposes only, but there is no specific requirement for such notification.

Appearances before executive and legislative bodies including committees, study groups, commission: If such appearances are for the purpose of representing the interests of Indiana University, the Office of the Vice President of Public Affairs and Government Relations must be notified and must grant approval for such representation. As referenced above, if the appearance is personal (including professional organizations) and it made clear that the presenter is not representing IU, the Office of the Vice President of Public Affairs and Government Relations would appreciate being notified of the appearance for information purposes only, but there is no specific requirement for such notification.

Written Materials or Electronic Transmissions: It is useful for officials to receive official University publications and periodicals, however it is important to coordinate such distributions to avoid duplication and other problems that may result from overloading officials with such material. Therefore, the distribution of materials to officials should be coordinated with the Office of the Vice President for Public Affairs and Government Relations.

Invitations to visit campuses: The University welcomes visits by elected officials and staff, whether they visit as private citizens or in their capacities as government officials. Invitations to elected officials to visit any campus of the University in their official capacity are to be approved in advance by the Vice President or Chancellor of that campus, who will then inform the Office of the Vice President for Public Affairs and Government Relations.

Responses to requests for information, reports, and data from elected officials and staff: When requests for information, reports and data related to the university have been made to the campuses or to individual faculty and staff members of the university community, responses to such requests are to be coordinated through the Office of the Vice President for Public Affairs and Government Relations.

*(Administrative Practice)*

## **Political Activities of Academic Personnel**

### **POLICY**

The University recognizes the right of academic appointees to engage in political activities beyond those normally entailed in voting and participating in routine community, state, and national programs, provided that the participation does not prevent the full discharge of the faculty member's academic responsibilities.



## PRINCIPLES AND PROCEDURES TO BE OBSERVED

1. Academic personnel of Indiana University shall be free to participate in political activities on the national, state, or local level such as running for political office, managing political campaigns, and assuming leadership roles in political organizations, providing that the participation does not prevent full discharge of their academic obligations to the University. If such participation does prevent full discharge, the individual will be required to request a leave of absence for the period of the activity.
2. In any such activities the academic appointee must make clear that he or she is acting as a private citizen and is in no way representing the University.
3. The academic appointee who proposes to engage in political activities shall be required to inform his or her departmental chairperson, the school dean, and the Dean of Faculties.
4. Should a disagreement arise between the faculty member and any of the above administrative officers regarding the faculty member's ability to discharge academically related obligations, the faculty member shall be entitled to appeal to the Faculty Board of Review, which shall make the final decision. Other academic appointees have other means of appeal.

*(Faculty Council, May 21, 1963; Board of Trustees, June 3, 1963)*

## POLITICAL CAMPAIGN INVITATIONS, EVENTS, AND ACTIVITIES GUIDELINES

For information related to these guidelines please contact the Office of the Vice President of Public Affairs and Government Relations.

## Travel

The University, within the limits of its means, tries to provide travel funds for the staff whenever such travel can be justified as part of the necessary or desirable work of the institution.

## TRAVEL ON UNIVERSITY BUSINESS

Allowance for institutional travel is made when representation of the University is considered necessary. Full travel is allowed, including per diem allowance. The appropriate dean determines whether or not a proposed trip is to be considered institutional travel.

## TRAVEL TO PROFESSIONAL MEETINGS

Travel allowances support travel to professional meetings within the continental limits of the United States. Each *campus*, and in some cases each *school*, in the University has its own regulations regarding travel to professional meetings.

## TRAVEL TO OVERSEAS CONFERENCES

Those wishing to attend international conferences may apply for partial travel support to the Overseas Conference Fund, which is administered through the Office of International Programs and funded by the IU Foundation. Within the limits of available funds, support will be forthcoming when it is demonstrated that attendance at the conference will benefit both the participant and the University.

*(Administrative Practice)*

## **Indiana University “Whistleblower” Policy**

The general purpose of this policy is to protect any Indiana University employee or other member of the Indiana University community (hereinafter “Individuals”) who makes a good faith disclosure of suspected wrongful conduct. More specifically it:

1. encourages an atmosphere that allows Individuals to meet their obligations to disclose violations of law and serious breaches of conduct covered by University policies,
2. informs Individuals how allegations of wrongful conduct may be disclosed,
3. protects Individuals from reprisal by adverse academic or employment action taken within Indiana University as a result of having disclosed wrongful conduct, and
4. provides Individuals who believe they have been subject to reprisal a process to seek relief from retaliatory acts that fall within the authority of Indiana University.

### **STATEMENT OF POLICY**

Individuals are expected to abide by state and federal laws and regulations as well as University policies. Furthermore, an Indiana University employee cannot be compelled by a supervisor or University official to violate a law or University policy. In the interest of the University, Individuals who have knowledge of specific acts which he or she reasonably believes violates the law or University policy must disclose those acts to an appropriate University official.

This policy supplements the existing Indiana state statute (IC 20-12-1-8) and protects reporting Individuals who make a good faith report (as defined in section 2.0 of this policy) from retaliatory academic or employment action including discharge, reassignment, demotion, suspension, harassment, or other discrimination.

The University shall devise procedures for handling a Good Faith Report of Wrongful Conduct and for responding to complaints of reprisal or retaliation against Individuals making such reports. Such procedures shall conform to the guidelines detailed below. These procedures should be published in University and campus handbooks, as well as on applicable websites.

### **WRONGFUL CONDUCT/GOOD FAITH REPORT**

“Wrongful Conduct” is defined in this policy to be:

1. a violation of applicable state and/or federal laws and regulations
2. a serious violation of University policy
3. the use of University property, resources, or authority for personal gain or other non University-related purpose except as provided under University policy.

“Good Faith Report” is defined in this policy to be an allegation of Wrongful Conduct made by Individual who believes that Wrongful Conduct may have occurred. However, an allegation is not in Good Faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

### **MAKING DISCLOSURES**

If the University has existing policies and procedures for maintaining standards of conduct and disclosing Wrongful Conduct, those policies should be followed to disclose such Wrongful Conduct. Relevant policies include but may not be limited to:

1. Indiana University Policy on Research Integrity
2. Indiana University Financial Management Services Policy on Fiscal Misconduct (I-30)

### 3. Indiana University Financial Management Services Policy on Fraud (I-35)

The above policies should be used to report any wrongful conduct covered by those policies. Unless the complainant believes the responsible office may be involved, other instances of wrongful conduct should be reported to the university or campus office responsible for the policy area (e.g., NCAA violations should be reported to the campus athletics compliance officials and sexual harassment should be reported to the Office of Affirmative Action).

### **COMPLAINTS OF REPRISAL**

Individuals who have been subjected to an adverse academic or employment action based on his or her Good Faith Report of alleged Wrongful Conduct may contest the action by filing a written complaint of reprisal with the Office of University Counsel, Human Resources, or the Dean of Faculties office

Nothing in this policy is intended to interfere with legitimate employment decisions.

### **STATE STATUTE REFERENCE**

Indiana University employees enjoy whistleblower protection under Indiana Code 20-12-1-8. Nothing in this policy shall be construed in such a way as to conflict with other reporting obligations under state or federal law, or the provisions and protection of the Indiana Code, as set forth below:

### **IC 20-12-1-8 PROTECTION OF EMPLOYEES REPORTING VIOLATIONS OF FEDERAL, STATE, OR LOCAL LAWS; DISCIPLINARY ACTIONS; PROCEDURES**

- a. An employee of a state educational institution (as defined in IC 20-12-0.5-1) may report in writing the existence of:
  1. a violation of a federal law or regulation;
  2. a violation of a state law or rule;
  3. a violation of an ordinance of a political subdivision (as defined in IC 36-1-2-13);or
  4. the misuse of public resources; first to a supervisor or appointing authority, unless the supervisor or appointing authority is the person whom the employee believes is committing the violation or misuse of public resources. In that case, the employee may report the violation or misuse of public resources in writing to either the supervisor or the appointing authority or to any official or agency entitled to receive a report from the state ethics commission under IC 4-2-6-4(b)(2)(G) or IC 4-2-6-4(b)(2)(H). If a good faith effort is not made to correct the problem within a reasonable time, the employee may submit a written report of the incident to any person, agency, or organization.
- b. For having made a report under subsection (a), an employee may not:
  1. be dismissed from employment;
  2. have salary increases or employment related benefits withheld;
  3. be transferred or reassigned;
  4. be denied a promotion that the employee otherwise would have received; or
  5. be demoted.

- c. Notwithstanding subsections (a) and (b), an employee must make a reasonable attempt to ascertain the correctness of any information to be furnished and may be subject to disciplinary actions for knowingly furnishing false information, including suspension or dismissal, as determined by the employee's appointing authority or the appointing authority's designee. However, any employee disciplined under this subsection is entitled to process an appeal of the disciplinary action under the procedure set forth in any personnel policy or collective bargaining agreement adopted by the state educational institution.
- d. An employer who violates this section commits a Class A infraction.

*(Administrative Practice, April 19, 2007)*

## **BENEFITS**

In addition to employee's pay, university-sponsored benefit plans are a significant part of IU's total compensation package. These plans help sustain and build the academic and staff strength and vitality essential for the university to carry out its mission. Indiana University is committed to providing benefits that help protect employees' health and welfare, strengthen their financial well-being, and provide paid time away from work. Because these plans are subject to change by actions of the administration and of the Trustees of Indiana University and by legislation, individuals should contact their local Human Resource Services Office or the University Benefits Office for more current details. See also: ([www.indiana.edu/~uhrs/benefits/](http://www.indiana.edu/~uhrs/benefits/)) and for domestic partner coverages, ([www.indiana.edu/~uhrs/dp/dp.html](http://www.indiana.edu/~uhrs/dp/dp.html)).

*[NOTE: A table of benefits for academic employees is provided in Appendix A of this handbook.]*

### **Domestic Partner Coverages**

Registered domestic partners of IU employees are treated as spouses for the purposes of the following benefit plans: medical and dental coverages, Fee Courtesy benefit, Basic Life Insurance, and Personal Accident Insurance.

## **Insurance**

### **HEALTH CARE COVERAGE (For Full-Time Employees)**

The university offers employees comprehensive health care coverage, with a significant portion of plan costs paid by the University. Enrollment in these coverages is typically effective from the date of hire. Employee premiums are deducted before taxes, which results in tax savings. Coverage is available at four membership levels: employee, employee with child(ren), employee with spouse, or registered domestic partner and family.

### **MEDICAL CARE**

Indiana University offers a variety of medical care plans to employees, based on the availability of these plans near the employee's place of residence. All of these plans

provide comprehensive coverages and no pre-existing exclusion limits for services and medical needs, such as:

- a. Inpatient and outpatient treatments
- b. Primary care and specialist physicians
- c. Organ and tissue transplants
- d. Prescription drugs
- e. Mental health treatments
- f. Emergency room and urgent care
- g. Wellness, including eye exams

Employees may choose from three plans offered: Blue Preferred Primary POS, IU PPO-Plus, and IU PPO \$900 Deductible. Each plan has designated preferred providers, deductibles, copays, and other distinguishing features.

During active employment, the University pays a significant portion of the premium. Academic year appointees whose regular appointments terminate at the end of the academic year but who are continuing their services throughout the summer may continue membership in the plan during the summer session, provided they pay their share of the premium through their campus Human Resource Services Office.

Federal law (COBRA) allows employees or their dependents to continue in the group health care insurance plan, for specified periods, upon termination of employment, divorce, death, or dependent children reaching the cut-off age.

Plan descriptions and details are available from each campus Human Resource Services Office.

## **DENTAL CARE**

Employees may enroll in the IU Dental Plan. Members may receive dental care from any licensed dentist; however, a higher level of benefit is paid when a network dentist is used. This plan has annual maximum benefits for each enrolled member and for child orthodontia.

## **LIFE INSURANCE**

### **Basic Life Insurance**

The University provides group life insurance to formally appointed full-time employees in positions of expected duration of one academic year (or a minimum of nine months, if not a teaching position) who have actively commenced and continue compensated employment. The University bears the full cost of premium payments.

Employees age 65 and under are insured for an amount two times base salary to a maximum of \$50,000 of insurance. After age 65, and for retirees, the amount of insurance is reduced.

### **Other Provisions of the Group Life Insurance Contract**

- a. Spouses/registered domestic partners of employees are insured for \$3,000 and dependent children for \$1,000. Each child must be at least 14 days of age and under age 20, or a full-time student under age 24.

- b. A covered employee who becomes totally and permanently disabled before the sixtieth birthday may receive life insurance benefits in equal monthly disability installments. The number and amount of these are determined by the Master Policy, but the total amount thus paid is not to exceed the first \$20,000 of coverage.
- c. When a covered employee suffers accidental death or dismemberment the designated beneficiary, or the employee, normally receives an additional benefit, over and above the regular coverage.
- d. If an employee has a terminal illness in which life expectancy is 12 months or less and the employee meets other requirements, the employee may elect to accelerate the payment of group life insurance in advance of death.
- e. Insured, academic-year appointees whose regular appointment has terminated at the end of the academic year but who continue services throughout the summer, will continue to be insured over the summer.
- f. When a covered employee is terminated, group coverage may be converted to individual coverage with the same insurance carrier and without evidence of insurability. Premiums are paid by the individual based on attained age. Application for such conversion must be made within thirty days after termination.
- g. After certain conditions of achieved age and length of University service, the employee's membership in the group may continue after retirement.

#### **Insurance is Continued for Employees**

- a. On sabbatical leave of absence to the end of 12 months or, if earlier, the end of such leave
- b. On leave of absence due to sickness or injury to the end of 12 months after the disability began
- c. On an approved family medical leave to the end of six months or, if earlier, the end of such leave
- d. On leave of absence without pay for reasons other than sickness or injury to the end of 12 months or, if earlier, the end of such leave, provided that after the first three months of such leave, the covered employee has applied for continuance of such insurance and has made payment of the group premium to Indiana University in advance, at quarterly or greater intervals.

### **SUPPLEMENTAL LIFE INSURANCE**

#### **Optional Supplemental Life Insurance**

Optional supplemental life insurance augments the Basic Life Insurance provided by IU. The amount of supplemental coverage depends on which option an employee chooses. The options available range from one to four times the base salary up to specified maximum amounts. Enrollment must be made within 60 days of first eligibility, or upon proof of medical evidence of insurability.

#### **Basic Accidental Death and Dismemberment Insurance**

In addition to Basic Life Insurance, the university provides basic accidental death and dismemberment insurance, 100 percent of which is paid by IU. In the event of an employee's accidental death, the amount of this benefit is equal to twice the employee's base annual salary, up to a maximum benefit of \$50,000.

### **Optional Personal Accident Insurance**

Personal Accident Insurance (PAI) pays benefits in the event of accidental loss of life or dismemberment. Employees can purchase coverage for themselves or for themselves and family members. Additional benefits are available for various situations. Eligible employees can purchase coverage from \$30,000 to \$500,000. Travel assistance services are available to plan enrollees.

### **Optional Long-term Disability Insurance**

Long-term Disability (LTD) pays a significant percentage of an employee's salary should an enrolled employee become disabled and cannot work. This plan replaces 60 percent of one's salary, up to a maximum of \$10,000 per month, less Social Security and other individual disability benefits. Benefits are paid as long as a total disability continues, until age 65 (or to a later age if disability occurs after age 60).

## **FEDERAL SOCIAL SECURITY**

Most employees of Indiana University are entitled to two categories of benefits: Old Age, Survivors, and Disability Insurance (OASI) and Medicare health insurance. By law, the University and the employee share equally in the payment of the Federal Income Contribution Act (FICA) tax on salary and wages. The tax rate is set by Congress and may be changed from time to time. In 2008, it was 7.06% of each employee's pay for OASI up to the annual limit of \$102,000; plus 1.45% of each employee's pay for Medicare, with no annual limit.

### **OLD AGE, SURVIVORS, AND DISABILITY INSURANCE (OASI)**

In the most general terms, Social Security benefits in this category are payable to (a) retired employees, 62 years or older; (b) dependents of employees who are disabled, retired, or deceased; (c) employees who have become disabled before reaching retirement age.

### **MEDICARE**

This program provides hospital and medical insurance benefits for persons 65 years or older, the disabled, and those suffering from chronic kidney diseases. It is important to know that each person—employee and spouse separately, whether working or not—should file application for coverage with the Social Security Administration about three months before the 65th birthday if they are not yet receiving Social Security benefits to assure prompt coverage. For detailed information contact the local office of the Social Security Administration or ([www.socialsecurity.gov](http://www.socialsecurity.gov)).

## **WORKERS' COMPENSATION AND OCCUPATIONAL DISEASE ACT**

State law requires all employers to provide specific benefits for employees who are injured or diseased in the line of duty of their employment. The cost of the benefits is borne entirely by the University. Injuries should be reported to the employee's immediate supervisor and by the supervisor to the office on each campus which is responsible for property and casualty insurance. Medical expenses covered by this law are not covered under the health care benefits otherwise provided through University employment.

## UNEMPLOYMENT COMPENSATION

The Federal Social Security Act requires extension of the Indiana Employment Security Act to employees of the University who are not primarily students. Such employees are entitled to unemployment compensation under the same conditions that are provided by the Indiana law for employees of private industry, except that University employees in an instructional, research, or principal administrative capacity on a 10-month basis are not entitled to benefits during the interval between two successive semesters, terms, or academic years of employment.

## Retirement Programs

Indiana University sponsors a number of retirement plans. These include university-funded base retirement plans and several optional plans for employee contributions, along with university and employee contributions to Social Security.

## RETIREMENT AGE

As of 1/1/94 federal law prohibits the setting of a mandatory age at which employees must retire from the University. Retirement benefits are determined by the retirement plan for which the appointee is eligible. For faculty, the IU Retirement Plan does not reference age, except for 18/20.

*(Board of Trustees, May 18, 1959; April 5, 1986; Administrative Practice)*

## INDIANA UNIVERSITY RETIREMENT PLANS

The Trustees of Indiana University approved the original Retirement Plan on May 18, 1937; the Revised Plan incorporating a TIAA deferred annuity contract on June 30, 1947; and major revisions on May 18, 1959; April 5, 1986; October 14, 1988; and October 30, 1998. Other changes have been made periodically and now include investment funds at TIAA-CREF and Fidelity.

Descriptions of the five IU Retirement Plans (Plan 15, Plan 12, Plan 11.25, Plan 10, and PERF) follow. Details on the available investment venues may be obtained from the University Benefits Office (855-1286) or ([www.indiana.edu/~uhrs/benefits/index.html](http://www.indiana.edu/~uhrs/benefits/index.html)).

Participants are immediately vested in IU contributions and any investment earnings.

### IU Retirement Plan 15

*Eligibility.* Full-time employees with a commencement date of 12/31/88 or earlier were eligible as follows: Professors, associate professors, assistant professors, librarians, associate librarians, assistant librarians, senior scientists/scholars, associate scientists/scholars, assistant scientists/scholars, and full-time clinical appointees are eligible immediately upon appointment. Persons in administrative and professional positions ranked at level 16 or above and University physicians are eligible immediately upon appointment for a term of one or more years. *(Board of Trustees, June 30, 1947; November 17, 1950; April 20 1951; April 25, 1970; June 30, 1972; April 5, 1980; February 7, 1981; October 14, 1988)*



*University Contribution.* IU Contribution to individual participant-directed accounts equal to 11% of the first \$7,800 of Base salary (not including salary for summer appointments or supplemental pay) plus 15% of the remainder, not to exceed IRS limits. (*Board of Trustees, July 1, 1960; October 14, 1988*)

*Retirement.* Participants are eligible for the 18-20 Early Retirement Plan as revised on 10/14/88. (*Board of Trustees, May 18, 1937; April 5, 1986; October 14, 1988*)

*Long-Term Disability.* Participants are eligible for the University-funded Long-Term Disability Income Continuation Plan. (*Board of Trustees, June 17, 1977*)

## **IU Retirement Plan 12**

*Eligibility.* Full-time employees with a commencement date of 1/1/89 to 6/30/99 are eligible as follows: Professors, associate professors, assistant professors, librarians, associate librarians, assistant librarians, senior scientists/scholars, associate scientists/scholars, assistant scientists/scholars, and full-time clinical appointees are eligible immediately upon appointment. Affiliate librarians are also eligible immediately upon appointment provided they are appointed with tenure or for a term of one or more years. Persons in administrative and professional positions ranked at level 16 or above, as well as University physicians, are eligible immediately upon appointment for a term of one or more years. Visiting faculty and visiting professional librarians are excluded from eligibility for Retirement Plan 12. (*Board of Trustees, June 30, 1947; November 17, 1950; April 20, 1951; April 25, 1970; June 30, 1972; April 5, 1980; February 7, 1981; April 4, 1981; October 14, 1988; Administrative Practice*)

*University Contribution.* IU Contribution to individual participant-directed accounts equal to 12% of Base Salary (not including salary for summer appointments or supplemental pay), not to exceed IRS limits. (*Board of Trustees, July 1, 1960; October 14, 1988; Administrative Practice*)

*Retirement.* Participants are eligible for the Supplemental Early Retirement Plan (IUSERP). Participants are not eligible for the 18-20 Early Retirement Plan. (*Board of Trustees, May 18, 1937; April 5, 1986; October 14, 1988; May 3, 1996*)

*Long-Term Disability.* Participants are eligible for the University-funded Long-Term Disability Income Continuation Plan.

(*Board of Trustees, June 17, 1977*)

## **IU Retirement Plan 11.25**

*Eligibility.* All academic and staff employees who are permanent residents of the United States with a commencement date of July 1, 1989; to June 30, 1999; who (1) are not eligible to participate in Retirement Plan 12 or Retirement Plan 15, and (2) are appointed to positions of at least 50% FTE on a 12-pay schedule, or 60% FTE on a 10-pay schedule are eligible immediately upon appointment; and all academic and staff employees with a commencement date prior to July 1, 1989; who were enrolled in PERF prior to that date and who do not choose to remain in the PERF Retirement Plan. (See below.) (*Administrative Practice*)

*University Contribution.* IU contribution to individual participant-directed accounts equal to 11.25% of total Annual Salary, not to exceed IRS limits. (*Administrative Practice*)

*Retirement.* Participants are not eligible for early retirement plans. (*Board of Trustees, October 14, 1988*)

*Long-Term Disability.* Participants are eligible to apply for the employee-funded voluntary Long-Term Disability Plan. (*Administrative Practice*)

### **IU Retirement Plan 10**

*Eligibility.* IU employees with an Academic or Professional Staff Appointment of 50% or more, effective July 1999; or later.

*Plan Type.* Defined contribution plan in accordance with IRC Section 403(b)

*University Contribution.* IU contribution to individual participant-directed accounts equal to 10% of Base Salary (not including salary for summer appointments or supplemental pay), not to exceed IRS limits.

*Investment Options.* Investment fund options approved by Indiana University at TIAA-CREF and Fidelity Investments.

*Long-Term Disability.* Participants are not eligible for the University-funded Income Continuation Plan but may apply for the employee-funded voluntary Long-Term Disability Plan.

(*Board of Trustees, October 30, 1998; Administrative Practice*)

### **PERF Plan**

*Eligibility.* The Public Employees' Retirement Fund (PERF) is a mandatory State Retirement Plan for employees who are citizens or permanent residents of the United States who are not eligible for any of the other IU Retirement Plans or who enrolled in PERF prior to July 1, 1989; and are eligible to, but do not choose to transfer to IU Retirement Plan 11.25. It consists of two separate benefit provisions: a pension benefit and an annuity savings account benefit. (*State Regulations; Administrative Practice*)

*Pension.* The pension benefit is an annual benefit payable for life. Participants must have at least 10 years of PERF service to have a vested right to this pension benefit. The annual retirement benefit is defined as 1.1% of the average annual earnings for the five highest years multiplied by years of creditable service. In addition, a portion of the value of the participant's annuity account, based on the value of the account at retirement and the cost of purchasing a lifetime income given retirement age, is added to the employer pension benefit. Participants with 15 or more years of service are eligible for early retirement between the ages of 50 and 65 at reduced benefits. (*State Regulations*)

*Annuity.* The plan is a combination of defined contribution of the employee (3% of earnings, paid by the University) for the generation of a retirement annuity plus a retirement benefit provided by the State, with the University making a contribution to the State Fund of 8.5% of earnings. Employees are immediately 100 percent vested in contributions and account earnings, which are tax deferred until withdrawn.

*Long-Term Disability.* With five or more years of service, participants who qualify for disability benefits from the Federal Social Security Administration are eligible to receive a monthly disability from PERF based on years of service, average salary, and the amount in the annuity account. Participants are eligible to apply for the employee-funded Voluntary Long-Term Disability Plan. (*State Regulations; Administrative Practice*)

## EARLY RETIREMENT PLANS

### 18-20 Year Retirement Plan

The 18-20 Plan is not available to any employee with a commencement date later than December 31, 1988. If a participant has completed 20 years of full-time service at Indiana University, and 18 years of participation in the TIAA-CREF Annuity Plan, and if he or she becomes retired on or after the sixty-fourth birthday and prior to the seventieth birthday, the University plans to pay:

To the member—an “interim benefit” which (with benefit then available from Worker’s Compensation and Occupational Disease Insurance, if any) will result in a total that is equal to benefits “expected five years from the date of retirement or at age 70, whichever comes first” as defined below.

To TIAA-CREF—annuity premiums for the recipient’s account based on terminal salary which is the average annual base salary received during the final five years of employment at Indiana University.

It should be noted, however, that payment by the University of interim benefits and annuity premiums terminates on the earliest of the following dates:

- a. the date of the recipient’s death;
- b. the date gainful employment is resumed, and for the period of such employment;
- c. five years from the date of retirement or the recipient’s 70th birthday, whichever comes first, at which time TIAA-CREF retirement annuity benefits may begin.

*Definition.* Benefits “expected five years from the date of retirement or at age 70, whichever comes first,” refers to the single life annuity from regular contributions made under this plan, calculated assuming that all regular contributions were divided equally between TIAA and CREF. The assumption regarding the division of contributions, however, does not restrict the retiree from exercising options regarding actual allocations of investments between the fund options available under the TIAA system. Retirees may receive no more than 100% of their terminal base salary from Indiana University.

*(Board of Trustees, May 18, 1959; April 5, 1986; October 14, 1988)*

*Conditions and Procedures.* In administering the 18-20 Year Rule, the following conditions and procedures apply.

#### I. General Conditions

- A. An 18-20 Rule Retirement Benefit Application must be filed and duly approved before benefit payments begin.
- B. The qualifying period of service must be continuous or with only one interruption of not more than two years, unless otherwise approved with the knowledge of The Trustees.
- C. Interim benefits payable to the retiree shall be made monthly, on a 12-month basis, regardless of whether active service appointment was on an academic-year or 12-month basis. Check-mailing will normally commence at the end of the first month of the retirement year, unless there are deductible provisions as described in paragraph D.
- D. For persons retiring from academic-year appointment the “retirement year” will begin January 1 for those retiring at the close of the first semester, and on July

1 for those retiring at the close of the second semester.

[NOTE: This presumes that an academic-year appointee becoming retired in a Summer month might have rendered compensable service up to the beginning of the retirement year. Under all other conditions the “retirement year” will begin on the first day of the first month following the last month in which compensable service was (or might have been) rendered, provided that regular and terminal vacation pay (but not staff Honorary Service Vacation pay) up to but not exceeding the amount of the interim benefit shall be deducted from the interim benefit payment for each month or partial month of credited vacation time.]

- E. The check mailed at the end of the last month before the 70th birthday, five years from the date of retirement, or death, whichever comes first, will be the final interim benefit check. The final TIAA/CREF contribution will be likewise determined.

## II. Interpretation of the “Gainful Employment” Proviso of the 18-20 Rule.

- A. Restrictions on gainful employment will be limited to employment by Indiana University or institutions, agencies, or governmental units that are funded by the State of Indiana.
- B. In the event that a retiree is employed by a state supported institution or agency, the payment of all benefits, including TIAA contributions will cease until the gainful employment rule is complied with.

## III. Gainful Employment Reporting

- A. All retirees will be asked to file a quarterly statement regarding gainful employment.
- B. The retiring person who anticipates any gainful employment that will result in a stoppage of the Interim Benefit during the first quarter of retirement should file a Gainful Employment Report before the commencement of Interim Benefit payments to avoid excess payment in the tax year.

*(Board of Trustees, May 18, 1959; April 5, 1986; October 14, 1988)*

## **Indiana University Supplemental Early Retirement Plan (IUSERP)**

*[NOTE: The Trustees of Indiana University discontinued the IUSERP (IU Supplemental Retirement Plan), a qualified IRC Section 401(a) plan, for new hires and newly promoted individuals, effective July 1, 1999.]*

*(Board of Trustees, October 30, 1998)]*

IUSERP (referred to as FERP before its implementation) is intended to provide plan participants with financial resources to supplement other retirement assets, giving participants an opportunity to initiate retirement earlier than other assets would by themselves allow.

*Eligibility:* Full-time Appointed Faculty/Academic employees and Staff employees Grade 16 or above hired January 1, 1989; to June 30, 1999; are participants in the IU Retirement Plan 12 and are also eligible for benefits under IUSERP.

*Plan Benefit:* IUSERP benefits are determined by the participant's account accumulations at the time of distribution. These account accumulations are based on Indiana University's contribution of 2.4% of the participant's actual base salary, which is deposited into the participant's chosen investment fund immediately following each pay period. Investment fund options are TIAA-CREF and Fidelity, each of which includes many fund options. University contributions under this Plan will be directed initially to either TIAA-CREF or Fidelity, whichever selection the participant made for the IU Retirement Plan 12.

IRS regulations dictate that employees with initial plan participation after December 31, 1996; are limited to a set annual compensation considered for IUSERP contributions. For current limit, contact the University Benefits office.

IRS regulations also dictate that annual contributions for both employer and employee to all retirement plans (such as IUSERP, IU Retirement Plan and Tax Deferred Annuity Plan) are limited to the lesser of \$30,000 or 25% of compensation for the year.

Upon obtaining vesting rights and termination from Indiana University, plan benefits will be distributed to the participant in the form of a cash withdrawal, a "rollover" into a personal IRA, or in the case of TIAA-CREF, converted to an individual contract.

*Vesting Criteria:* Participants are 100% vested in their account accumulations upon obtaining age 55 in an active employee status before terminating from the University. Termination of employment prior to age 55, for any reason other than total disability, will result in forfeiture of all IUSERP account accumulations. A participant who becomes totally disabled prior to age 55 shall be 100% vested upon reaching age 55 if he/she remains totally disabled through that date. Participants who begin employment following age 55 shall be 100% vested in their account accumulations upon termination from Indiana University. If a non-vested participant with at least 10 years of full-time service with Indiana University terminates employment with Indiana University due to death, the entire amount in her or his IUSERP account shall be 100% vested. Distribution of the vested participant account shall be made to the beneficiary within a reasonable period of time after the participant's death, but in no event later than the sixtieth (60th) day after the last day of the year in which the death of a participant occurs.

During a paid leave of absence, Plan contributions will continue to be made for a Participant on the basis of actual base salary then being paid by the University. No Plan contributions will be made during an unpaid leave of absence.

If a participant is on unpaid leave at the time of the 55th birthday, then he/she would not become vested until after having returned to active employment for a period of at least 9 months before termination from employment. Participants who take unpaid leaves from the University prior to age 55 should be sure to check with the Dean of the Faculties Office before extending the leave beyond 12 consecutive months. This is to ensure that they avoid being considered terminated for the purpose of determining vesting under this plan. Prior approval and the existence of special circumstances may allow for the extension (for a total of 60 consecutive months of unpaid leave) beyond the usual limit of 12 months.

If a former participant whose benefits were forfeited due to non-vestiture is reemployed as an Eligible employee within six months of termination from IU, his/her forfeited account accumulation will be restored to its value at the time of termination.

*(University Faculty Council, April 23, 1991; Board of Trustees, May 3, 1991; March 3, 2006)*

## **Supplemental Retirement Plans**

Employees (50% or more FTE) can participate in either or both of these plans.

### **IU Tax Deferred Annuity Plan, a voluntary 403(b) plan**

- Employees may make voluntary salary deferral contributions up to IRS-allowed maximums.
- Contributions and account earnings are tax deferred until withdrawn.
- Withdrawals may only begin after age 59½ or after termination of employment with the university.
- Employees can choose from investment opportunities at TIAA-CREF, Fidelity Investments, AUL, and AIG VALIC.
- Effective July 1, 2008 all full-time new hires are automatically enrolled at five percent of salary, invested in age-appropriate TIAA-CREF Lifecycle® Funds

### **IU Retirement Savings Plan, a voluntary 457(b) plan**

- Employees may make voluntary salary deferral contributions up to IRS-allowed maximums.
- Contributions and account earnings are tax deferred until withdrawn.
- Withdrawals may only begin after termination of employment with the university.
- Employees can choose from investment opportunities at TIAA-CREF and Fidelity Investments.

## **CASHABILITY**

1. Participants in any of the approved IU retirement plans who have terminated employment with the University through separation or retirement may elect to receive up to 100% of accumulations in cash, subject to any restrictions applied by the investment vehicle.
2. Such participants may elect to take either one pay-out or several pay-outs spread over a period of years.
3. No restrictions shall be placed on any funds so removed from an approved retirement plan.
4. No in-service distributions shall be available to active employees.
5. Participants (and spouses) shall be required to sign a “hold-harmless” agreement, stating that the University is not responsible for any misuse or poor management of the funds removed from the retirement plan.

*(University Faculty Council, April 23, 1991; Board of Trustees, May 3, 1991)*

## **TRANSFERABILITY**

As of May 1, 1994, the IU Retirement Plan was modified to include a Transferability provision. This enhancement provides participants with more levels and patterns of investment diversification by allowing transfers between all investment options. This transfer option applies to all accumulations under the IU Retirement Plan and the TDA Plan (IU and employee contributions). Additional information regarding transferability provision can be obtained from each campus Human Resources Office.

## Long-Term Disability Income

### PLAN 15 AND PLAN 12 PARTICIPANTS

The Long-Term Disability Income Continuation Plan is a University-operated and funded plan.

- A. *Participation*: This plan is for employees who are participants in the IU Retirement Plan 15 or Plan 12 who have fulfilled the following service requirements:
  - 1. Professors, associate professors, assistant professors, instructors, librarians, associate librarians, assistant librarians, and affiliate librarians must have completed at least five years of service and must have acquired tenure.
  - 2. The President, the vice presidents, and the deans must have completed at least five years of service.
  - 3. Others enrolled in Plans 15 or 12, including administrative officers and junior administrative officers, must have completed at least seven years of service.
- B. *Monthly Disability Income Benefit*: If two physicians employed by the University to evaluate a disability claim attest that a person who fulfills the conditions listed above is totally disabled (as defined below), the University plans pay a monthly disability income benefit to begin on the first of the month after the employee has been totally disabled for a period of six consecutive months. The monthly disability income benefit shall be paid during each month of continuing total disability. The University may at any time require evidence that total disability continues.
- C. *Size of Disability Benefit*: The monthly disability income benefit payable under this plan shall be equal to 60% of the covered employee's monthly salary (as defined below), except that the benefit otherwise payable shall be reduced:
  - 1. By the amount of excess by which the sum of the monthly disability income benefit and the primary monthly Social Security disability income benefit exceeds 70% of covered monthly salary.
  - 2. By the single life annuity then available from the fund provider from standard premiums paid during Indiana University employment assuming that all such premiums were made to the fund provider.
  - 3. By any monthly disability benefit available under any workmen's compensation, occupational disease or similar law. Provided, however, after age 65 no disability income benefit, derived from Indiana University employment, shall exceed the benefits that would have been payable under an Indiana University retirement plan at age 70 had the employee's career not been interrupted or terminated by disability.
- D. *Cost-of-Living Adjustments*: During payment of the monthly disability income benefit, cost-of-living adjustments to the sum of the retirement plan calculated annuity and the supplemental retiring allowance shall be determined annually as of July 1 and added to the monthly disability income benefit beginning on the following January 1 based on consideration of the annual increase in compensation of full-time faculty, but not to exceed in accumulative total the Consumer Price Index accumulated increase since July 1 of the fiscal year of disability retirement.
- E. *Definitions*:
  - 1. An employee shall be considered totally disabled
    - a. For the first five years from the date benefits first become payable if and while

such employee is completely unable to engage in the regular occupation or profession he would be expected by the University to pursue in the absence of his disability and assuming continuing employment in the position occupied at the time of disablement.

- b. After the first five years in any period of continuous disability if and while such employee is completely unable to engage in any reasonable gainful occupation for which the employee is suited by education, training, or experience, with due regard being given to the nature of the employee's occupation at the time disability shall have begun and to the employee's prior average earnings.
  - c. In the following circumstances: The entire and irrecoverable loss of the sight of both eyes, or of the power of speech, or of the use of both arms or of both legs or of one arm and one leg shall always be acceptable as constituting total disability as long as such loss continues; and upon the occurrence of any such loss described in this sentence the benefits for total disability will vest from the date of such total disability even though the six-month waiting period referred to in paragraph B has not expired. Speech means audible communication of words, with or without artificial assistance.
2. Covered employee's monthly salary, as referred to above, shall be one-twelfth of base salary. Base salary shall mean the accumulated compensation over 10 months or 12 months as entered in the annual budget and in the salary or appointment letters to the employee.

F. *Exclusions:*

1. Injury or sickness resulting from war, declared or undeclared.
2. Intentional self-inflicted injury or sickness, whether the individual be sane or insane.
3. Due to any act of international armed conflict, or conflict involving the armed forces of any international authority.
4. Incurred while in the armed services of any country or international authority.

*(Board of Trustees, June 17, 1977)*

## **Voluntary Long-Term Disability Plan**

All full-time appointed employees are eligible to participate in the Voluntary Long-Term Disability Program, a program funded by the employee. The program offers payroll deduction group rates based on age, salary, and plan selected. New employees may enroll within 60 days without proof of insurability, but after the 60 day period expires the applicant must be in good health to qualify. After meeting the waiting period for the plan selected, the disability income benefit payable is 60 percent of budgeted salary with \$10,000 maximum benefit per month; the income benefit will be reduced by any disability payments from Social Security or employer sponsored pension plans. The Long-Term Disability Plan also includes an optional level of benefits that provides for additional retirement annuity accumulations (as well as income benefits) and is not limited by a cap. Details are available from campus Human Resources offices and the University Benefits Office Web site at ([www.indiana.edu/~uhrs/benefits/index.html](http://www.indiana.edu/~uhrs/benefits/index.html)).



## **Tax Saver Benefit Plan**

This is a voluntary plan available to full-time employees which exempts certain insurance premiums, and health and dependent care expenses from federal, state, local and Social Security (FICA) taxes. The plan has three distinct parts:

*Part A* allows payment of the employee's share of the premium for any IU Group Medical, Dental, or Personal Accident Insurance Plan by payroll reduction, on a *before* tax basis, thus lowering the net taxable income.

*Part B* is for reimbursement of expenses for health and dental care not covered by insurance.

*Part C* reimburses expenses for dependent care (child and elder) during working hours. Under Parts B and C, employee's taxable salary is reduced by an agreed amount which is placed on account to reimburse the employee for eligible expenses after they are rendered.

Enrollment is permitted only within 60 days of initial appointment, and during the month of November for the following calendar year. Employees must re-enroll each November to continue participation in Parts B and C.

*(Board of Trustees, March 8, 1986)*

## **Pre-Tax Commuting Expense Plan**

This plan covers all IU employees with a regular salary, taking advantage of changes in IRS regulations by reducing income and FICA taxes for certain amounts related to commuting to and from employment at the University. The plan consists of two components: Pre-tax Parking Expenses and Pre-tax Mass Transit Expenses.

### **Pre-tax Parking Expenses (effective July 1, 1999):**

1. Pre-tax expenses for parking, up to IRS maximum
2. Automatic payroll "salary reduction" for new/renewed parking permits
3. Option to pay fees directly to Parking Operations with after-tax funds

### **Pre-tax Mass Transit Expenses (effective January 1, 2000)**

1. Pre-tax expenses for bus and train, up to IRS maximum
2. Payroll "pre-tax credit" upon submission of applicable receipts. Expenses related to both plan components are exempt from federal and state income and FICA taxes, resulting in an increase in take home pay. These pre-tax benefits do not impact other University benefits such as retirement and life insurance, except maximum employee contributions to TDA plan may be slightly reduced.

*(Administrative Practice)*

## **Retention Incentive Pay**

Indiana University offers departments the opportunity to retain productive Academic employees who would otherwise terminate and begin receiving 18/20 Plan payments through a retention incentive pay program. Department-designated individuals who are potential 18/20 Plan recipients are eligible to receive the following Retention Incentive Pay allocations/payments:

- At age 64, a \$5,000 allocation for research and professional development
- From age 65 to 70, a 20% base salary supplemental payment.

Retention Incentive Pay is neither automatic nor an employee entitlement. Deans, Chairs, or Directors submit requests for the incentive to their respective Chancellors or Vice Presidents for consideration. Questions regarding these provisions should be directed to University Human Resource Services.

## **Fee Courtesy**

Eligible individuals may receive an IU subsidy toward the tuition costs associated with attending Indiana University classes.

The following categories of individuals associated with Indiana University are eligible for the Fee Courtesy benefit and the IUHS tuition waiver:

- Appointed full-time (100%) Faculty and Staff employed by the end of the first week of the semester or session.
- Appointed full-time (100%) Faculty and Staff on an approved leave of absence.
- Individuals with IU Retiree status.
- Disabled former employees receiving long-term disability benefits from a University-sponsored plan, Social Security Administration, or PERF.
- The spouse, registered domestic partner, and dependent children of an individual in any of these categories.

Excluded from fee courtesy are special fees such as those for applied music, student teaching, laboratories, education early experience, dissertation research (G901 and B798), rental of special equipment or facilities, and fees for non-credit courses.

## **EMPLOYEE AND SPOUSE OR REGISTERED DOMESTIC PARTNER**

The benefit is a subsidy of covered tuition up to a dollar maximum per semester (both summer sessions combined are considered one semester) based on the Indiana resident per-credit-hour rates at each campus, and in the case of some employees, on class standing (undergraduate, graduate, or professional). Covered tuition does include independent study and audit hours. Dollar maximums for each campus can be found at ([www.indiana.edu/~uhrs/benefits](http://www.indiana.edu/~uhrs/benefits)) and are adjusted from time to time.

## **DEPENDENT CHILDREN**

A dependent child is defined as a child, stepchild, or a child whose legal guardian is an eligible individual, or a child of a deceased parent or legal guardian who was an eligible employee at the time of death (provided the child was a legal dependent at the time of the parent or guardian's death), and on the first day of the session for which fee courtesy is being sought:

- is 23 years of age or under, and
- is unmarried, and
- meets the IRS Support test as a dependent of the employee, spouse or registered same sex partner

The fee courtesy for dependent children is a subsidy of 50% of the Indiana resident undergraduate rate, for a maximum of the first 140 credit hours (which includes transfer hours) or the first baccalaureate degree.

Fee courtesy will be discontinued at the end of the semester or session in which the child ceases to be a dependent, or in which the employee's employment is terminated for reasons other than retirement, disability, or death.

### **GRADUATE FEE TAXATION**

Fee Courtesy for graduate level courses is treated as taxable income under 1996 Federal legislation. In accordance with IRS regulations, the University withholds these taxes from the employee's pay.

### **INDIANA UNIVERSITY HIGH SCHOOL**

Fee courtesy benefits extend to enrollment in Indiana University High School (IUHS). IUHS is a virtual high school that provides individual courses as well as a fully accredited high school diploma through distance learning offered by the IU School of Continuing Studies. IUHS is accredited through the North Central Association and accepted for college admission by Indiana University and Big Ten schools, as well as many other universities nationally.

IUHS can be used by adults as an alternative to a GED education, by parents home schooling their children, as a supplement to regular high school programs, and by faculty or staff who wish their children to complete a domestic high school degree while overseas.

The benefit provides a 25 percent waiver of course tuition for eligible employees and their dependents who enroll in courses offered through IUHS.

# III. ADMISSIONS AND INSTRUCTIONAL POLICIES

## POLICY AND TEMPLATE AND GUIDELINES FOR CAMPUS ADMISSION POLICIES

The faculty of each campus shall set the policies and standards for admission of students to that campus consistent with Indiana Code.

In order to establish a minimum level of uniformity among admission policies of campuses of Indiana University and to facilitate inter-campus transfers for the benefit of Indiana residents, the faculties of the campuses of Indiana University are encouraged to follow the template and guidelines in the UFC document “Indiana University Policy and Template and Guidelines for Campus Admission Policies” (UFC Circular U9-2006) in setting admission policies for their campuses.

### Template and Guidelines

#### 1. INTRODUCTION

Indiana University is committed to the goals of quality, full diversity, and access in its admissions policies. The University will strive to have an undergraduate student body whose members are well-qualified for the University’s courses and programs and who represent the full range of diversity within our state, nation, and world.

Indiana University will base its admission decisions on the academic quality of the applicants; no one will be denied admission on grounds of sex, age, race, religion, ethnic origin, veteran status, disability, and sexual orientation. In its admission policies, Indiana University supports and complies with Affirmative Action regulations.

Indiana University will base its admission decisions on an overall evaluation of applicants’ merits, strengths, and weaknesses. Applicants should demonstrate combinations of academic preparation, aptitude, motivation, and maturity that promise success in Indiana University’s academic programs. Indiana University does not use a rigid set of rules. Admission to the University is at the discretion of the University.

#### 2. ACADEMIC PREPARATION

Indiana University has adopted the following standards for academic preparation to ensure that its undergraduate students are properly prepared for college work.

All persons applying for admission to baccalaureate programs should complete, before they matriculate, at least thirty (30) courses/credits of college-preparatory courses, advanced placement courses, and/or college courses [*NOTE: the phrase “one course/credit” means a typical, one-semester course, such as a one semester course in high school, a three credit-hour college semester course, or a four credit-hour college quarter course*], including:

- eight credits of English, of which one credit may be speech and one credit may be journalism;

- four credits of algebra and two credits of geometry or an equivalent six credits of integrated algebra and geometry;

four credits of social science consisting of two credits of U.S. history and two credits of world history/civilization/geography;

four credits of science including two credits of biology and two credits of chemistry or physics or integrated chemistry-physics or college-preparatory science; and

eight credits of additional college-preparatory courses - courses in foreign/world languages, mathematics, physical and biological sciences, and social sciences are recommended.

If a student's high school does not offer the courses needed to meet one or more of these course requirements, then alternative college-preparatory courses may be substituted for those courses that are not available.

If the requirements of a student's high school diploma preclude satisfying these course requirements, then alternative college-preparatory courses may be substituted where necessary, but the student should satisfy as many of these requirements as possible.

Indiana residents should complete a Core 40 high school diploma or equivalent, or a Core 40 Academic Honors high school diploma or equivalent.

Campuses and degree programs of Indiana University may require courses in addition to those specified above.

### **3. ACADEMIC ABILITIES, ACHIEVEMENTS, MOTIVATION, AND MATURITY**

Academic success at the college level depends upon a range of factors including not only academic preparation but also verbal, quantitative, and reasoning abilities; academic motivation, work, and persistence; and academic maturity. Accordingly, campuses and programs may, and should, require applicants to submit evidence of these factors. The evidence should include performance on nationally standardized exams (e.g., SAT, ACT, and SAT subject area exams, and ACP exams) and performance in high school (e.g., high school rank, high school grades, and high school GPA), and may include essays, extra-curricular activities, letters of recommendation, community service, work experience, etc. All campuses and programs should follow the guidelines in Section 8 Setting Guidelines for SAT/ACT scores, High School Rank, GPA, and Grades for First-Time Undergraduates.

### **4. FIRST-TIME UNDERGRADUATE STUDENTS**

Applicants for admission as first-time undergraduate students should have followed or be following a program of study that will meet the standards in Section 2 Academic Preparation and should demonstrate their academic abilities, achievements, motivation, and maturity by the means set forth in the preceding section - Section 3 Academic Abilities, Achievements, Motivation, and Maturity - as adopted by the respective campuses and schools and academic programs to which they apply.

Admission decisions may also take account of known strengths and weaknesses of applicants' college-preparatory programs and the trends of applicants' grades in college-preparatory courses.

U.S. residents who are not home-schooled should, under normal and ordinary circumstances, complete a high school diploma.

For applicants who are at least twenty-one years old or have been out of high school three or more years, admission can be based also on factors such as a General Educa-

tional Development (GED) diploma, maturity, work experience, and military service, as determined by the respective campuses and schools and academic programs to which they apply. Applicants who are at least twenty-one years old or have been out of high school three or more years may be admitted without scores on nationally standardized exams.

For applicants who were home-schooled and/or did not graduate from a high school, admission can be based also on factors such as a General Educational Development (GED) diploma, scores on national standardized exams, maturity, work experience, and military service, as determined by the respective campuses and schools and academic programs to which they apply.

Each campus, at its discretion, may admit a student on a probationary basis and/or through faculty sponsorship.

## **5. EXTERNAL TRANSFER STUDENTS**

Applicants who have previously attended one or more community colleges, colleges, and/or universities should have satisfied, either in high school or in their prior college studies, the course requirements in Section 2 Academic Preparation, as adopted by the respective campuses to which they apply, and must satisfy the following requirements:

Applicants must submit official transcripts from all institutions previously attended. For applicants who have attended a community college, college or university within the past three years, the transcripts for all recently attended institutions must demonstrate a cumulative grade point average of at least 2.0 on a 4-point scale for Indiana residents and for non-residents for whom there are applicable tuition-reciprocity agreements and at least 2.5 on a 4-point scale for others. For applicants who have not attended a community college, college, or university within the past three years, admission can be based on factors such as a General Educational Development (GED) diploma, maturity, work experience, and military service, as determined by the respective campuses and schools and academic programs to which they apply.

Applicants who have fewer than 26 transferable semester hours should also satisfy the guidelines in Section 3 Academic Abilities, Achievements, Motivation, and Maturity as adopted by the campuses to which they apply.

Campuses and academic programs may have higher standards and specific requirements in addition to those mentioned here.

Each campus may, at its discretion, admit a student on a probationary basis and/or through faculty sponsorship.

## **6. INTER-CAMPUS TRANSFER STUDENTS**

Applicants for transfer between campuses of Indiana University must have an Indiana University cumulative grade point average of at least 2.0 and should have satisfied, either in high school or in their prior college studies, the course requirements in Section 2 Academic Preparation, as adopted by the respective campuses to which they wish to transfer. For applicants who have not attended a community college, college, or university within the past three years, admission can be based on factors such as a maturity, work experience, and military service, as determined by the respective campuses and the schools and academic programs to which they apply.

Applicants who have fewer than 26 semester hours of Indiana University credits (including accepted transfer credit) should also satisfy the guidelines in Section 3 Academic Abilities, Achievements, Motivation, and Maturity as adopted by the respective campuses and schools and academic programs to which they wish to transfer.

Campuses and academic programs may have higher standards and specific requirements in addition to those mentioned here.

Each campus may, at its discretion, admit a student on a probationary basis and/or through faculty sponsorship.

## **7. NON-ADMITTED APPLICANTS**

Applicants who are not admitted should be advised of what steps to take in order to be reconsidered at a later date.

## **8. SETTING GUIDELINES FOR SAT/ACT SCORES, HIGH SCHOOL RANK, GPA, AND GRADES FOR FIRST-TIME UNDERGRADUATES**

If a campus sets admission guidelines for high school rank, high school grades and GPA, and SAT/ACT scores, then these guidelines should aim to meet both the campus' need for its students to be adequately prepared and qualified to succeed in the academic work required of its first-time undergraduates and the applicants' needs to have a realistic indication of the preparations and qualifications required to succeed in the academic work required of first-time undergraduates. Of course, there are not sharp borderlines between the levels of ranks, grades, and scores that are necessary for success (i.e., almost everyone below these levels does not succeed) and the levels that are sufficient for success (i.e., almost everyone above this level succeeds). Rather, there is gray area in between. Each campus, to meet its ethical obligations to its faculty and to its applicants, should aim for a realistic middle ground in its guidelines (if any) for high school rank, high school grades and GPA, and SAT/ACT scores.

Historically, Indiana University's goal has been that its first-time undergraduate students should have scored above the median score of all Indiana high school students on the SAT or ACT exams and should have had a high school rank in the upper half of their class if an Indiana resident and in the upper one-third of their class if not an Indiana resident.

## **9. RESPONSIBILITIES AND ACCOUNTABILITY**

As provided for by the Constitution of the Faculty of Indiana University, the faculty of a campus shall have responsibility for setting admission policies, standards, goals, and guidelines for that campus.

The chief academic officer of a campus shall be responsible for the admission procedures followed on that campus, for ensuring compliance with the admission policies, standards, goals and guidelines adopted by that campus and the Board of Trustees, and for achieving satisfactory levels of student academic quality and success.

*(University Faculty Council, April 28, 1987; January 31, 2006;  
Board of Trustees, August 4, 1987; March 3, 2006)*

# Principles and Procedures for Undergraduate Intercampus Transfers

*The faculty of Indiana University supports the equivalent application of comparable courses toward degree requirements, regardless of the campus where the course was completed.*

## I. ADMINISTRATIVE PRINCIPLES

- A. Each campus shall develop appropriate application procedures, forms, and deadlines for students wishing to transfer home campus within the IU system, and exchange such information.
- B. Each campus shall designate an office to provide initial information to students considering transfers to other campuses, to ensure that prospective incoming Undergraduate Inter-Campus Transfers (ICTs) are provided with appropriate procedural and academic guidance and advising, including guidance on the appropriate use of computer-accessible advising records in exploring ICT options, and to coordinate receipt of and action on incoming ICT applications.
- C. Decisions concerning ICT approval to any campus are determined by the appropriate office on the receiving campus, and governed by criteria approved by that campus.
- D. Students will be expected to give notification of decisions to accept or decline ICT approval, according to deadlines set by the receiving campus. Offices on both the home and receiving campuses of an ICT student shall share information concerning ICT approval and student decisions to transfer campuses.
- E. Wherever specified procedures fail clearly to apply to individual cases, decisions should be based on the best educational interests of the student; exceptions granted on the basis of individual cases shall not constitute precedents.

## II. COURSE EQUIVALENCIES AND DEGREE REQUIREMENTS

- A. Computerized records shall be maintained so as to allow students to use the university's student records system to assess, at the time of ICT application, how inter-campus transfer will likely affect their progress towards a degree. Each campus shall develop procedures for course equivalency decisions that will ensure that prospective ICTs will be fully aware of how courses will apply towards degree progress at the time of transfer approval.
- B. Courses at the 100 and 200 levels should apply to degree requirements on any campus equivalently, regardless of the campus of origin. Distribution requirements should be treated with flexibility as long as intended goals are met.
- C. Courses offered on different campuses with identical numbers should be comparable enough in content and requirements to allow equivalent applicability towards degree requirements on any campus.
  - 1. Beginning with the Fall 2001 term, identically numbered courses at the 100 and 200 levels are treated as equivalently applicable towards degree requirements on any campus.
  - 2. The UFC-EPC shall review the process whereby the Master Course Inventory is maintained and used, and recommend to the UFC changes that will ensure that identically numbered courses taught on different campuses will be adequately



- equivalent in content and requirements to allow equivalent applicability towards degree requirements on any campus.
3. In cases where a unit's external accreditation can be shown to the UFC ICT Committee to be affected by ICT policy, that unit may limit the applicability of courses taken on a campus other than its own to the minimal degree necessary to maintain compliance with accreditation standards.
- D. For courses that are not identically numbered, Recorders' Offices for each campus, school, or division shall maintain lists of equivalencies for courses on all IU campuses. All equivalency decisions should be made by the most appropriate school, division, department, or program on a campus, and should apply for all programs on that campus. Courses that fulfill similar educational goals in terms of content and proficiency training should fulfill degree program requirements regardless of the campus on which they are offered. When substantive curricular changes occur in courses that may affect equivalence decisions, corresponding programs on other IU campuses should be notified. Equivalency designations will apply between courses as offered on specific campuses.
  - E. Prospective ICTs may request reviews of the IUCARE equivalency indications for specific courses from the campus to which they wish to transfer. The review should be made by the appropriate degree-granting unit, and a substantive explanation of any negative decision should be recorded. Positive equivalency decisions should be reported to unit Recorders and coded. Campuses should designate an appropriate faculty committee to which negative decisions may be appealed. Equivalency reviews and appeals should be conducted in a timely fashion. A sustained review judgment will not be subject to further appeal for a period of five years.
  - F. An ICT student is responsible for meeting all specific requirements for the major field as defined by the degree-granting unit on the receiving campus; departmental and school residency requirements may necessitate the completion of additional hours beyond the normal minimal requirement. Exceptions granted to students prior to transfer should, whenever possible, be honored by the degree-granting school.

*(University Faculty Council, November 14, 2000)*

### **Transfer of Credit from Two-Year Institutions**

Credits earned at undergraduate institutions other than Indiana University in courses at first or second-year levels (100/200-level courses or courses completed in two-year institutions) and transferred for IU credit may not be recorded as equivalent to IU course credits at advanced (300/400) levels, or applied to degree requirements normally fulfilled only by advanced level course credits.

*(University Faculty Council, March 27, 2001)*

### **Student Athletes**

All student athletes must meet Indiana University admissions requirements. To be a Qualifier, student athletes must:

1. Graduate from high school.
2. Achieve a GPA in 16 core courses which meets NCAA Initial eligibility sliding scale of GPA and ACT/SAT scores.

3. Be certified by NCAA Initial Eligibility Clearinghouse after submitting an application and paying the required fee.
  4. Sign a 10.1 (final amateur certification) statement.
- Test scores must now be sent from the testing agency and can no longer appear on a high school transcript.

## **INTERCOLLEGIATE ATHLETICS PROGRAMS POLICY**

### **I. Mission and Goals**

- A. The mission of intercollegiate athletics at Indiana University is to provide athletics programs committed to integrity, fairness, and competitiveness that enhance student life and that contribute in an effective and meaningful manner to the achievement of the broader goals of the University. The objective of intercollegiate athletics is to promote the matriculation, retention, and graduation of students and to develop pride, loyalty, and support among students, faculty, staff, alumni, and the community at large.
- B. The fundamental goals of intercollegiate athletics programs are the following:
  1. To put academics first, ensuring that all student-athletes progress each year toward graduation, culminating with the awarding of a bachelors degree.
  2. To facilitate the integration of the intercollegiate athletics departments and student athletes into the university community.
  3. To play each sport at a competitive level.
  4. To maintain well-rounded, balanced programs that ensure gender and racial equity and that respond to student interests.
  5. To comply fully with governing athletics association (NCAA or NAIA), conference, and institutional rules.
  6. To operate fiscally sound and prudent athletics programs.
  7. To maintain programs that serve as models in intercollegiate athletics, on which the University community, the State of Indiana, and other universities may look with pride.
  8. To promote interaction between citizens and the University, so as to develop widespread public identity with and pride in Indiana University and its many programs.

### **II. Principles of Authority and Responsibility**

- A. While final authority over all units of the University rests with the President and the Trustees, governance decisions regarding intercollegiate athletics shall be made with the advice of the appropriate campus athletics committee(s).
- B. Generally, authority and responsibility for intercollegiate athletics programs shall be delegated to the campuses. Because of historical tradition and the size of the program, the athletics program at the Bloomington campus shall be called the "University Athletics Program," and be governed by the President, the University Athletics Director, and the Bloomington campus athletics committee. The President shall govern the athletics programs on the other campuses as well, except that each

campus' Chancellor would normally represent the President. Governance on each of the campuses shall also include the campus Athletics Director and the campus athletics committee.

- C. The University Athletics Director shall have operational authority for the University Athletics Program (based at Bloomington) and oversight responsibility for all campus intercollegiate athletics programs.
- D. The Athletics Coordinating Council shall serve to ensure consistency, resolve conflicts, and foster communication among the intercollegiate athletics programs of Indiana University.

### **III. Campus Athletics Committees**

#### **A. Structure**

- 1. *Reporting:* The chairperson of each campus's Athletics Committee shall submit a report annually to the campus faculty council and to the Chancellor (or President at Bloomington) on the status of campus intercollegiate athletics (or University intercollegiate athletics at Bloomington).
- 2. *Membership:* The Chancellor (or President at Bloomington) shall appoint the campus athletics committee on the recommendation of the campus faculty council. The campus athletics committee voting membership shall have a majority of faculty. Faculty members shall be elected by the faculty, appointed by the campus faculty council, or appointed by the Chancellor (or President at Bloomington) from among a list submitted by the campus faculty council. The number of faculty members, the exact means of selection, and the terms of membership shall be determined by the campus faculty council in consultation with the Chancellor (or President at Bloomington).

Other members of the athletics committee shall include the Athletics Director (ex officio, non-voting), the Faculty Athletics Representative to the intercollegiate conference (ex officio, voting), student members, and alumni members. The Athletics Committee may also include additional members as determined by campus governance. The exact membership and terms of membership, including means of selection and voting rights of student, alumni, and additional members, shall be determined by the campus faculty council in consultation with the Chancellor (or President at Bloomington) and shall be in compliance with the rules of the appropriate athletics associations and conferences.

The chairperson of the campus athletics committee shall be a faculty member appointed by the Chancellor (or President at Bloomington) in consultation with the campus faculty council.

- 3. *Quorum:* To guarantee faculty control of athletics, committee action may not be taken unless the majority of voting committee members present, in person or by proxy, are faculty members.
- 4. *Relationships:* The campus athletics committee should maintain strong liaison relationships with the campus faculty council committees on academic affairs and student affairs.
- 5. *Personnel Subcommittee:* The Campus Athletics Committee shall appoint a Personnel Subcommittee consisting of the Chair, the Faculty Athletics Representative, and two other faculty members from the Campus Athletics Committee.

At the discretion of the campus faculty council, one non-faculty member of the Athletics Committee may be added to the Personnel Subcommittee.

B. Functions of the Campus Athletics Committee

The Campus Athletics Committee:

1. Serves to foster University community confidence in the intercollegiate athletics program by ensuring that the program is striving to meet the mission and goals for intercollegiate athletics at Indiana University;
2. Studies the athletics program and its relation to academic affairs of the University and campus and recommends to the campus faculty council and the administration policies relative to intercollegiate athletics;
3. Monitors the program's compliance with policies relating to admissions, the academic performance and progress of student athletes toward graduation, and the integrity of the course of study of student athletes, seeking appropriate review of cases in which it appears that there has been abuse of academic integrity in order to promote athletics programs;
4. Participates in the development of and approves general athletics policies related to academic matters, including academic eligibility policy, academic concerns relating to recruiting, missed class time policy, student drug use policy, and team competition and practice schedules within the scope of athletics conference and association rules;
5. Participates in the development and recommends approval of the plans for addition/elimination of sports or programs, plans for significant revision of athletics facilities and physical plant, policies regarding the use of athletics facilities, athletics awards policy, and ticket pricing;
6. Participates in the evaluation of the campus Athletics Director (University Athletics Director for the Bloomington committee) and the selection of the Athletics Director;
7. Advises in personnel matters:
  - a. Evaluates, either as a full committee or through a designated subcommittee of the full committee, coaches in regard to the impact of programs on the students' academic life;
  - b. Consults, through its personnel subcommittee, regarding the selection of coaches and the dismissal of coaches or of the Athletics Director. (While the President has the authority to dismiss the Athletics Director, to the extent practical s/he should consult in a timely manner with the personnel subcommittee when such actions are contemplated. In such cases, the personnel subcommittee will serve as a confidential advisory group.)
  - c. Recommends general policy regarding coaches' contractual arrangements.
8. Serves in an advisory capacity regarding the athletics budget, media contracts, and institutional votes on association and conference legislation;
9. Meets at least annually with the Chancellor (or President at Bloomington) to report and confer regarding the affairs of the committee and the intercollegiate athletics department.

## **IV. Athletics Coordinating Council**

### **A. Structure**

1. *Reporting:* The council reports to the President.
2. *Membership:* The membership of the council shall comprise nine individuals: the University Athletics Director, the IUPUI Athletics Director, an Athletics Director from one of the other campuses (the position to be rotated among those campuses through a process agreed upon by those campuses), two faculty members from each of the athletics committees at the Bloomington and at the IUPUI campuses, and two faculty members to represent the other campuses (the position to be rotated among those campuses through a process agreed upon by those campuses). The faculty members shall be chosen by their respective athletics committees. There shall be a chairperson appointed by the President.

### **B. Function of the Athletics Coordinating Council**

1. The Athletics Coordinating Council:
  - a. Serves to ensure consistency in norms and principles of NCAA Division I athletics programs at Indiana University;
  - b. Serves as a forum to assist in resolving inter-campus conflicts;
  - c. Convenes at least annually a meeting of the heads of athletics programs and campus athletics committees from all campuses for the purpose of communication and mutual understanding.

*(University Faculty Council, March 10, 1998; April 22, 2003;  
Board of Trustees, May 8, 1998; June 11, 2004)*

## **STUDENT AFFIRMATIVE ACTION POLICY**

Indiana University, pursuant to its obligations under Title VI and Title IX, will not exclude any person on the basis of race, color, national origin, gender, or sexual preference from participation in its programs or activities or deny any of these persons the benefits of any program or activity.

Indiana University is committed to correcting the effects of any past discrimination. The University is involved in efforts to increase the number of minority group students and to eliminate gender inequities at both the undergraduate and graduate levels. Each campus of Indiana University develops its own programs to deal with the needs of its students.

*(Board of Trustees, June 29, 1974; Updated language, June 1997)*

### **Students with Disabilities**

The University provides reasonable accommodation and auxiliary services which facilitate the higher education of qualified students with temporary or permanent disabilities. The extent to which these services are supplied is based on an individual student's need and academic requirements. There are administrative offices on each campus to assist students with disabilities.

*(Administrative Practice)*

## **Veterans**

Each campus has an office to assist veterans. For information contact the Dean of Students' office or its equivalent on each campus.

## **Accommodation for Religious Observances**

### **INTRODUCTION**

WHEREAS, It is the standing policy of Indiana University that its practices should be in accordance with relevant federal or state legislation, it is arguable that the current practice of merely RECOMMENDING to course directors (both regular faculty and AI's) that they make reasonable accommodations for those students who, because of their religious observances, cannot submit a particular graded assignment at the time it is due is in violation of legislation GUARANTEEING full freedom of religion and or religious observance to all in this country,

And WHEREAS, While now current relevant legislation might someday be rescinded, we at IU shall want to do what is morally right in such matters,

And WHEREAS, Even the current practice of circulating a memo to all IU course directors to alert them to the need to schedule exams and other requirements around the holidays or to make an accommodation for those students who request alternate arrangements has not been entirely effective, so that complaints of non compliance are received on at least some of our campuses each semester,

THEREFORE, The Affirmative Action Committee recommends adoption of the following policy:

### **POLICY**

Indiana University respects the right of all students to observe their religious holidays. Accordingly, course directors are to make reasonable accommodation, upon request, for such observances. It is the responsibility of the students involved to notify their course directors in a timely manner concerning their need for such accommodation. The detailed procedures for the implementation of this policy are to be determined by the faculty governing body on each campus.

*(University Faculty Council, March 28, 2000)*

## **Sexual Harassment**

Indiana University does not tolerate sexual harassment of students or employees and responds to every complaint, providing proper remediation when harassment is determined.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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

*(Sex Discrimination Guidelines, EEOC, March 30, 1972)*

Individuals who believe that they have been sexually harassed should notify either their supervisor, an academic or student services dean or official, and/or the campus affirmative action officer.

*(Excerpt from University Faculty Council, April 26, 1988)*

## **ROTC**

The Trustees reaffirm their support for the Reserve Officer Training Corps (ROTC) programs at Indiana University, because they provide scholarship opportunities for students who might otherwise be unable to attend the University, and because those programs ensure that some commissioned officers in the armed forces will be educated at IU and similar institutions of higher education, and because it provides an important service to our country.

The Trustees reaffirm their support for the Code of Student Ethics, including section 1.A.2.c. [NOTE: now the *Code of Student Rights, Responsibilities, and Conduct*, section I.B.], which provides that “the university will not exclude any person from participation in its programs or activities on the basis of arbitrary considerations of such characteristics as age, color, disability, ethnicity, sex or gender, marital status, national origin, race, religion, sexual orientation, or veteran status.” and also reaffirm that this section does not preclude ROTC programs at the University.

The Trustees encourage the University administration, working through appropriate national organizations, to urge the Defense Department to re-examine military policies of discrimination based on sexual orientation.

The Trustees encourage the University administration to support scholarly research by IU faculty, perhaps with faculty at other colleges or universities, concerning the impact on workplaces comparable to military workplaces of policies precluding discrimination based on sexual orientation, with a view toward sharing the results of that research with the Defense Department and the public.

*(Board of Trustees, May 3, 1991)*

## **STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT**

Faculty should be familiar with the *Indiana University Code of Student Rights, Responsibilities, and Conduct*, published separately, approved by the University Faculty Council and by the Board of Trustees, and previously known as the Code of Student Ethics. The current version of the code can be found at: (<http://dsa.indiana.edu/Code/index.html>).

## **GRADES AND GRADING POLICY**

### **Academic Distinction**

1. To graduate with academic distinction, baccalaureate and associate degree candidates must rank within the highest 10% of the graduating class of their respective degree-granting units. Additionally, baccalaureate degree candidates must have completed a minimum of 60 hours at Indiana University. Associate degree candidates must have

completed at least half of the hours required for their degree at Indiana University.

2. The determination of students eligible for graduation with academic distinction will be done by degree-granting units so that students will be ranked with classmates who receive the same type of degrees.
3. Each degree-granting unit shall determine the appropriate GPA requirements for the three levels of recognition: distinction, high distinction, and highest distinction.
4. In the application of this policy, questions about ties and fractions shall be decided by the degree-granting unit. To go beyond the 10% restriction in the event of a tie should not be construed as a violation of this policy.
5. This policy shall apply to students first matriculating at Indiana University in the fall semester of 1983–84 and thereafter. Those who matriculated prior to that time shall be eligible for degrees with academic distinction under the guidelines which prevailed at the time of their matriculation in the degree-granting unit in question.
6. The standards recommended here are minimum standards, and any degree granting unit may adopt standards that are in excess of these.

*(University Faculty Council, April 26, 1983; November 27, 1984)*

## **Honors**

Students admitted to an Honors Degree Program within an academic unit, who complete the honors degree curriculum, are awarded the degree with honors.

*(Administrative Practice)*

## **Grading System**

The current grade code for Indiana University is:

- A Highest passing grade
- B
- C
- D
- F Failed
- FN Failed/Non-Attendance  
[see a) below]
- FX Failed/Retaken [see b) below]
- I Incomplete
- R Deferred grade [see c) below]
- S Satisfactory [see d) below]
- W Withdrawn [see e) below]
- P Passed [see f) below]

*(Faculty Council, January 4, 1949; December 1, 1953;  
and subsequent actions cited below)*



- a) FN (Non-Attendance) Policy. This grade is used to indicate failure due to student non-attendance in class, and will provide a distinction between an “F” grade awarded for failing performance and an “F” grade assigned for non-attendance in compliance with the 1953 Faculty Council policy stating that “failure to complete a course without an authorized withdrawal will result in the grade of ‘F’.” When an “FN” grade is assigned, an “F” will appear on the student’s transcript. The “N” portion of the “FN” grade and the last attendance date will be retained on the student’s record as internal notations only.

*(University Faculty Council, March 30, 1999)*

- b) FX (Failed/Retaken) Policy. Any undergraduate who has retaken a course previously failed shall have only the second grade in that course counted in the determination of his or her grade-point average. The student’s transcript shall record both grades. Any grade-point average calculated in accord with this policy shall be marked with an asterisk denoting that an F grade has been replaced by the grade in the course when taken subsequently.

*(University Faculty Council, December 9, 1975; and March 13, 1979)*

#### Validity and Limitations:

1. The FX Option is honored by all undergraduate schools and divisions on all Indiana University campuses.
2. A student may exercise this FX Option for no more than three courses, totaling no more than 10 credits.
3. A student may use the FX Option only once for a given course.

#### Procedures:

1. Upon successful completion of the repeated course, the grade of FX will replace the grade of F that the student originally received in the course. The FX will be defined in the transcript explanations as representing an F grade in a course that has been removed from GPA calculations by a subsequent retaking of the course.
2. The policy pertains only to undergraduate students.
3. Although the policy went into effect the first semester 1976–77, undergraduate students may repeat courses in which they received an F at any time prior to that semester.
4. The policy of re-enrollment pertains only to a course in which an F was previously received.
5. The grades of WF and F (under the P/F option) are considered the same as an F grade.
6. In retaking the course the student must receive a regular letter grade of A, B, C, D, F, P, or S to change the original F to an FX. The grades of W, I, or NC will not qualify for removal.
7. Students who wish to repeat a course in which they received an F must secure the approval of the dean of their school or the chairperson of their division prior to repeating the course. The course in which the student re-enrolls should be the same course in which an F was previously received. Account, however, should be taken

of the fact that course numbers and titles are occasionally changed.

8. After final grades for the semester have been processed, the dean's office will enter the newly-received grade on a form, approve the form, and forward it to the campus Registrar for processing.
9. Enforcement of the FX policy shall be the responsibility of the school or division which certifies the student's fulfillment of degree requirements. Problems relating to the policy shall be referred to the school dean or the administrator fulfilling the equivalent responsibility on the campus.

*(University Faculty Council, April 10, 1984; Report to UFC November 27, 1984; April 28, 1987)*

*[NOTE: Details of the FX policy may vary from campus to campus per UFC action which gave each campus the authority to develop campus-specific policies for transcript grade representation, grade replacement, and the timing of automatic withdrawals (University Faculty Council, April 12, 1994). Several campuses (including IUB and IUPUI) have since expanded the FX policy to other grades (A- through D-) using an option called the "Extended X Policy."]*

- c) R (Deferred Grade) Policy. The grade R (Deferred Grade) used on the final grade report indicates that the nature of the course is such that the work of the student can be evaluated only after two or more terms. The grade R is appropriate in thesis and research courses in which the student's work is evaluated when the thesis or research is completed. It may also be used at the end of the first term of a two-term course or a course that overlaps two terms if the course is announced as a Deferred Grade course in the *Schedule of Classes*. The grade R is appropriate only so long as there is work in progress. This procedure will assure the approval of the department and the willingness of the students to take both terms of the course before getting a grade.

At the end of the second term of a Deferred Grade course or when a thesis or research project is complete, the instructor shall submit the student's grade for the last term on the grade sheet for that term and/or send a Removal-of-Deferred-Grade card through the office of the dean of the student's school to the Office of the Registrar. If work is interrupted due to extenuating circumstances, a special arrangement between student and instructor must be made on a term-to-term basis. If a student drops out of a course before the work is complete, the instructor must assign a regular grade for the course

*(University Faculty Council, February 8, 1977)*

- d) S/F (Satisfactory/Fail) Policy. Prior permission must be sought from the School Dean and the Dean of the Faculties to offer a course on a Satisfactory/Fail basis. The grade of S may be awarded only for such approved special courses; S and F are the only grades which may be awarded to enrollees in such a course.

*(Faculty Council, February 2, 1954)*

- e) W (Withdrawn) Policy. The W grade may not be recorded by an instructor unless the student has officially withdrawn from the course. See also “Grades given upon withdrawal from courses” below

*(Administrative Practice)*

- f) P (Pass) Policy. The grade P (Pass) is a grading option a student may elect with the approval of the student’s dean, under the procedure established by the school or division. Instructors of undergraduate students are not notified of students registering for this option; all instructors should record a regular letter grade, which if D or higher, will be changed to P when grades are processed by the Registrar. The P grade cannot subsequently be changed to a grade of A, B, C, or D.

*[NOTE: Following University Faculty Council approval to allow use of + and - distinctions with grades of A through D for both undergraduate and graduate courses, the lowest passing grade converting to P (Pass) is D- (see item (g) below).]*

*(Administrative Practice; Initially approved by the faculties of the undergraduate schools of the University, April 18, 1967; and by the Graduate Council, May 25, 1967.)*

- g) Instructors in undergraduate and graduate courses may use a grading system which includes plus and minus grades. The Registrar will use the following numerical equivalents in computing GPAs:

A+ or A	=	4.0
A-	=	3.7
B+	=	3.3
B	=	3.0
B-	=	2.7
C+	=	2.3
C	=	2.0
C-	=	1.7
D+	=	1.3
D	=	1.0
D-	=	0.7
F	=	0.0

*(University Faculty Council, March 29, 1977)*

## **Implementation Procedures**

1. One of the above grades must be turned in at the end of the term for each student enrolled in a course.
2. If a final grade roster is not received by the processing deadline published by the Registrar each term, a notation of NR will be printed for that course on all student grade notifications. *(Administrative Practice)*
3. Once a grade sheet has been received by the Registrar, no grade, except that of Incomplete (I) or Deferred (R), contained thereon may be changed except with the

written consent of the dean or his or her authorized representative of the college or school in which the instructor or professor is a faculty member and with a report to the faculty of the respective college or school.

*(Faculty Council, February 17, 1953)*

*[NOTE: Grade changes are now handled through an on-line automated process. (Administrative Practice)]*

4. Faculty members or instructors may request a change of a non-temporary grade such as A, B, etc., by submitting an on-line eGrade document. The document is routed electronically for necessary approvals. Campus participation varies; check with campus-specific Registrar's offices for questions about grade change submission procedures.

*(Administrative Practice)*

## **Incompletes**

### **CIRCUMSTANCES PERMITTING INCOMPLETES**

The grade of Incomplete used on the final grade reports indicates that the work is satisfactory as of the end of the semester but has not been completed. The grade of Incomplete may be given *only* when the completed portion of a student's work in the course is of passing quality. Instructors may award the grade of Incomplete upon a showing of such hardship to a student as would render it unjust to hold the student to the time limits previously fixed for the completion of his/her work.

*(Faculty Council, November 5, 1952; February 19, 1963)*

### **UNIFORM HANDLING OF INCOMPLETES**

#### **Departmental Records**

Each academic unit shall maintain a record of Incomplete grades recorded in its courses. This record, completed by the instructor, should include (1) the name of the student and the student's identification number, (2) the course number, section number, and hours of credit, (3) semester and year of enrollment, (4) the signature of the instructor, (5) a brief statement of the reason for recording the Incomplete, and (6) an adequate guide for removal of the Incomplete grade (with a suggested final grade) in the event of the departure or extended absence of the instructor from the campus.

*(Faculty Council, February 19, 1963; updated language, June 1997)*

#### **Removal of Incompletes**

*Methods.* A grade of Incomplete may be removed (a) by the student completing the course within the time limit and the instructor sending the appropriate Removal of Incomplete form to the Office of the Registrar, or (b) by the dean of the student's school authorizing the change of Incomplete to W.

*(Faculty Council, February 19, 1963)*

*Limits.* The time allowed for the removal of an Incomplete is one calendar year from the date of its recording, except that the dean of the student's college or school may authorize adjustment of this period in exceptional circumstances. By assigning an Incomplete an instructor implicitly authorizes and requires the "I" to be changed to an "F" at the end of the appropriate time period, if that instructor does not otherwise act to remove the "I". The Registrar will automatically change the "I" to "F" at the end of the appropriate time period except when an adjustment of the period has been authorized or the student has received a degree since that date. Both the student and the instructor in whose course the student received the Incomplete will be notified of this change of grade.

*(University Faculty Council, February 8, 1977)*

A student may not re-enroll in a course in which a grade of Incomplete has been recorded.

The student may be denied the right to make up an Incomplete if it seems to the unit dean and the instructor that it is impractical for the student to complete the course. In this case, the student should be given the opportunity to withdraw from the course.

*(Faculty Council, November 5, 1952)*

### **Absence from Final Examinations**

See campus bulletins and schedules of classes for more information.

### **Grades for Credit Earned by Examination**

When credit is earned by examination, only the grades of S and A will be used in recording. The grade of S will ordinarily be used and the grade of A will be assigned only in instances of clearly superior performance.

*(Faculty Council, April 21, 1964)*

### **Grades Given Upon Withdrawal From Courses—Undergraduates Only**

#### **WITHDRAWAL DURING DROP AND ADD PERIOD**

The permanent record will not show withdrawals made during the period of Drop and Add.

*(University Faculty Council, October 15, 1974)*

#### **WITHDRAWAL DURING AUTOMATIC WITHDRAWAL PERIOD**

A grade of W is given to the student who withdraws during the automatic withdrawal period of any semester or term. The grade is assigned on the date of withdrawal.

*(Administrative interpretation of action by Faculty Council, May 18, 1965)*

## **WITHDRAWAL AFTER AUTOMATIC WITHDRAWAL PERIOD**

After the automatic withdrawal period a student may withdraw only with the permission of his or her dean. This approval is given only for urgent reasons relating to extended illness or equivalent distress. To qualify for the grade of W, a student must be passing the course on the date of withdrawal. If the student is failing, the grade recorded on the date of withdrawal will be F.

*(Faculty Council, May 18, 1965; University Faculty Council, February 8, 1977)*

## **ABSENCE DURING LAST WEEKS OF A SEMESTER**

If a student is not in attendance during the last several weeks of a semester, the instructor may report a grade of I if there is reason to believe that the absence was beyond the student's control; otherwise, he or she shall record a grade of F. Failure to complete a course without an authorized withdrawal will result in the grade of F.

*(Faculty Council, December 1, 1953)*

## **Grade-Point Average**

The grade-point average (GPA) is determined by multiplying the semester hours of a particular course times the credit points equivalent to the grade of the course, then by dividing the sum of the credit points by the total number of semester hours completed.

*(Administrative Practice)*

## **Midterm Class Reports**

From two to four weeks prior to mid-semester, members of the faculty receive in the mail "pink sheets" or class lists on which are listed the names of all students in their various classes. On some campuses, access to on-line copies of the enrollment rosters is provided via electronic mail. Instructors make corrections on the list (or electronic roster) to indicate students not present in the class or present and not enrolled, and return (or submit) it to the Office of the Registrar, which researches discrepancies, makes changes, and notifies students of possible problems, so that class lists for final grades at the end of the academic session are correct.

*(Administrative Practice)*

## **Grade Reports**

### **MIDTERM GRADE REPORTS**

Faculty members are expected to give each undergraduate a written evaluation of performance as early as compatible with the nature of the course, but not later than after two-thirds of the semester or summer session has elapsed. This evidence will normally consist of a letter grade, but it could also be recorded in a different manner (e.g., written critique of a paper, written evaluation of the student's total performance). In certain types of courses such as senior or honors seminars, the evaluation might be given orally.

*(Faculty Council, January 10, 1967)*

## FINAL GRADE REPORTS

At the end of the semester, the faculty members are provided written and/or email notice of the availability of their final grade rosters to which class grades must be recorded, approved by the instructor, and submitted to the Registrar:

1. Faculty members are given instructions as to how to enter and submit their grades. The electronic grade reporting system checks for permissible grades and reports apparent errors back to the instructor for immediate correction. Faculty receive an on-line confirmation when grades are submitted and an email confirmation when their grades are accepted and posted by the Registrar. Grades can be viewed after submission, but cannot be modified on-line. (*Administrative Practice*)
2. These grade reports are due in the Office of the Registrar 48 hours after the final examination or last class meeting, whichever is later. If academic considerations justify such a change, each campus may elect to extend the present 48-hour examination rule to no more than 72 hours. It shall be the joint responsibility of the campus Vice President/Chancellor, faculty governing body, and the campus Registrar to determine the appropriate time interval and to establish this as campus policy. (*Faculty Council, December 5, 1967; University Faculty Council, March 26, 1985*)
3. If grade reports are turned in after the deadline, the Registrar cannot be responsible for informing the deans and students of the late grade, and the faculty member is required to so inform them. (*Administrative Practice*)
4. If the final grade sheet carries the grade of W or F already printed upon it when it is received by the instructor, in no case is this grade to be changed without discussion with the Registrar.

(*Faculty Council, May 18, 1965*)

## POSTING OF GRADES

Generally, student grades should not be posted where they can be viewed by anyone other than the instructor and the individual student receiving the grade.

(*Administrative Practice.*)

When faculty members need to post the grades of students, the grades should be identified by code unique to the students in the class and not by the names of the students or other recognizable identifiers. Student social security numbers or portions thereof may not be used.

(*Faculty Council, May 15, 1956; Administrative Practice in compliance with Federal law, 1997*)

## Discussion of Grading Policy

The faculty of every department or division shall, for the guidance of new faculty and the mutual understanding of all, discuss regularly the practice and standards of the departmental faculty in the assessment of student performance, including academic expectations and the awarding of letter grades. A written summary of the discussion shall be filed in the office of the Dean of the Faculties or Vice Chancellor for Academic Affairs.

(*Board of Trustees, May 3, 1996*)

## **Additional Information on Instructional Policies**

Other important information regarding instructional policies is available in the Schedule of Classes publication for each campus and in school bulletins.

## **CHEATING AND PLAGIARISM**

### **General Principles and Policy**

The faculty member has a responsibility to foster the intellectual honesty as well as the intellectual development of students. He or she should carefully scrutinize methods of teaching and assignments in order to be sure that they encourage students to be honest. If necessary, the faculty member should explain clearly the meaning of cheating and plagiarism as they apply to the course. The faculty member's obligation is particularly serious in connection with examinations. It is his or her duty to arrange for careful supervision of all examinations and class exercises. Should the faculty member detect signs of plagiarism or cheating, it is his or her most serious obligation to investigate these thoroughly, to take appropriate action with respect to the grades of students, and in any event to report the matter to the Dean for Student Services [or equivalent administrator]. The necessity to report every case of cheating, whether or not further action is desirable, arises particularly because of the possibility that this is not the student's first offense, or that other offenses may follow it. Equity also demands that a uniform reporting practice be enforced; otherwise, some students will be penalized while others guilty of the same actions will go free.

A university is devoted to the discovery and communication of knowledge. In this endeavor, intellectual integrity is of the utmost importance, and correspondingly, its absence is taken very seriously. By enrolling at Indiana University, students commit themselves to its ideals and must expect to find these ideals actively fostered and defended.

In practical terms, in addition to the preceding moral considerations, the University must determine whether its teaching is effective and give due recognition, which includes valuable fellowships and scholarships, to those students who have succeeded in learning. In order to encourage learning and to judge its quality, examinations and assignments are employed. To evaluate these with justice and fairness, it is necessary that they be executed with complete honesty. In the interest of protecting the honest student and making an accurate evaluation of every student's performance, the University has adopted the following regulations governing cheating and plagiarism.

*(Faculty Council, May 2, 1961)*

### **Cheating**

Dishonesty of any kind with respect to examinations, course assignments, alteration of records, or illegal possession of examinations shall be considered cheating.

It is the responsibility of the student not only to abstain from cheating but, in addition, to avoid the appearance of cheating and to guard against making it possible for others to cheat. Any student who helps another student to cheat is as guilty of cheating as the student he or she assists. The student also should do everything possible to induce



respect for the examining process and for honesty in the performance of assigned tasks in or out of class.

*(Faculty Council, May 2, 1961; University Faculty Council, March 11, 1975; Board of Trustees, July 11, 1975)*

## **Plagiarism**

Honesty requires that any ideas or materials taken from another source for either written or oral use must be fully acknowledged. Offering the work of someone else as one's own is plagiarism. The language or ideas thus taken from another may range from isolated formulas, sentences, or paragraphs to entire articles copied from books, periodicals, speeches, or the writings of other students. The offering of materials assembled or collected by others in the form of projects or collections without acknowledgment also is considered plagiarism. Any student who fails to give credit for ideas or materials taken from another source is guilty of plagiarism.

*(Faculty Council, May 2, 1961; University Faculty Council, March 11, 1975; Board of Trustees, July 11, 1975)*

## **Policy on Student Academic and Personal Misconduct**

Faculty are required to report all incidents of academic misconduct to the Dean of Students and may report incidents of personal misconduct, such as classroom incivility. For information about policies and procedures, see the *Code of Student Rights, Responsibilities, and Conduct*, especially Part II, Sections G, H, and I, and Part III. Copies of the code can be obtained from the Dean of Students. The code is also accessible at ([www.dsa.indiana.edu/Code/](http://www.dsa.indiana.edu/Code/)).

*(University Faculty Council, April 24, 1990; April 13, 1993; May 12, 1993; October 8, 1996; April 12, 2005; Board of Trustees, May 4, 1990; December 4, 1992; June 5, 1993; December 13, 1996; June 24, 2005)*

## **Policy on Faculty Misconduct**

Students are to have clear procedures to follow when they believe that any of their rights, as defined in the *Code of Student Rights, Responsibilities, and Conduct*, Part I, have been violated by a member of the university community. The local campus offices of the dean of students, affirmative action, and faculty affairs, as appropriate, will assist students in addressing their complaints. See *Code of Student Rights, Responsibilities, and Conduct*, Part III: Procedures for Implementation of the Code. ([www.dsa.indiana.edu/Code/](http://www.dsa.indiana.edu/Code/)).

*(University Faculty Council, April 24, 1990; April 13, 1993; May 12, 1993; October 8, 1996; April 12, 2005; Board of Trustees, May 4, 1990; December 4, 1992; June 5, 1993; December 13, 1996; June 24, 2005.)*

## STUDENT RECORDS

In compliance with Section 438 of the “General Education Provisions Act” (as amended) entitled “Family Educational Rights and Privacy Act,” the following constitutes the institution’s policy which instructs the student in the procedures available to provide appropriate access to personal records, while protecting their confidentiality.

- A. Certain definitions and principles contained in the law and proposed guidelines are specifically adopted in the policy:
1. “Student” is defined as one who has attended or is attending Indiana University and whose records are in the files of the University.
  2. “Educational records” do not include records retained by individuals which are not accessible to any other person except a substitute faculty/staff member.
  3. “Public information” is limited to name; address; e-mail address; phone; major field of study; dates of attendance; admission or enrollment status; campus; school, college, or division; class standing; degrees and awards; activities; sports; and athletic information. Records of arrests and/or convictions and traffic accident information are public information and may be released to anyone making inquiry.
  4. “Record” means any information or data recorded in any medium, including but not limited to: handwriting, print, tapes, film, microfilm, microfiche, and electronic media.
- B. Public information shall be released freely unless the student files the appropriate form requesting that certain public information not be released. This form is available at: [See campus-specific documents for location.]
- C. All students have records in one or more of the following offices and maintained by the administrative officer listed: [See campus-specific documents for appropriate offices, locations, and officers for permanent record, school or college files, etc.]
- D. Some departments maintain records separate from the school or college. A list of departments which have separate records, their location, and person responsible for the record may be obtained from the office of the dean of the school or college in which the department is located.
- E. Students may also have records in the following places: [See campus-specific documents for a list of appropriate offices such as financial aid, bursar, placement, and police.]
- F. The privacy of all records may be broken at a time of emergency defined in terms of the following considerations:
1. The seriousness of the threat to health or safety
  2. The need for access to the record in meeting the emergency
  3. Whether the person requesting the records is in a position to deal with the emergency
  4. The extent to which time is of the essence in dealing with the emergency
- G. A student’s record is open to the student, with the following exceptions:
1. Confidential letters of recommendation placed in files prior to January 1, 1975
  2. Records of parents’ financial status
  3. Employment records; see #H below
  4. Medical and psychological records; see #I below

5. Some items of academic record under certain conditions; see #J below
- H. The employment records excluded from accessibility are records kept in the normal course of business which relate exclusively to persons as employees and are not used for any other purposes.
- I. Medical and psychological records are presently governed by State Statute, *Burns Indiana Statutes*, 1971 Code Edition, 34-1-14-5 and 25-33-1-17 which rigidly protects their confidentiality. They are not available to anyone other than those providing treatment, but can be reviewed by a physician or appropriate professional of the student-patient's choice.
- J. To ensure the validity and confidentiality of references prepared off-campus and on-campus, certain documents may carry waivers, signed by the student relinquishing the right of access to the document.
1. Waivers are subject to the following conditions:
    - i. Waivers can be signed only for the specific purposes of application for admission, candidacy for honor or honorary recognition (including financial aid based at least in part on merit), and candidacy for employment.
    - ii. Waivers cannot be required.
    - iii. The student shall be told, upon request, the names of those supplying references.
  2. All items in the academic record not covered by waivers are open to the student. Material not covered by waivers may not be protected by keeping it out of the student's file.
- K. Student records are open to school officials who have a legitimate educational interest in their contents, except where access is prohibited by special policies such as those governing medical and psychological records.
1. A "School official" is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. Faculty members are considered to be advisors with a legitimate educational interest for all students currently enrolled in their classes or seeking enrollment, and others that they may be advising on an assigned basis.
  2. The determination of "a legitimate educational interest" will be made by the person responsible for the maintenance of the record. This determination must be made scrupulously and with respect for the individual whose records are involved.
  3. Academic documents inaccessible to students (because the documents have been filed before January 1, 1975, or are segregated by waivers) are to be used only for the purpose for which they were prepared.
- L. The University has established the following procedures enabling the student to have access to his record and has provided for interpretation and challenge:
1. The student may see his or her record by filling out a request form at the office where the record of interest is maintained.
  2. Access is to be granted promptly and no later than thirty days from the date of request.

3. The student may make the request in person or by mail.
4. The student may obtain copies upon request (for which the University may charge).
5. The student may request and receive interpretation of his or her record from the person (or designee) responsible for the maintenance of the record.
6. If the student considers the record faulty, he or she can request and receive an informal and/or formal hearing of the case to the end that the record will be corrected if judged faulty or in violation of privacy:
  - i. The informal hearing will be in conference with the person (or his or her designee) responsible for the maintenance of the record and—where appropriate—the party or parties authoring the record segment in question.
  - ii. The student may request a formal hearing by obtaining from the Dean for Student Services' Office a request form on which he or she must designate the location of the record in question and a brief explanation of the reason for faulting the record. A panel of not fewer than ten Hearing Officers will be appointed by the chief administrative officer for each campus. The Dean for Student Services will forward a copy of the request to the person responsible for the record and will provide the student and the keeper of the record with three names of Hearing Officers. The parties (student and keeper of the record in challenge) shall each strike one name; the remaining Hearing Officer shall conduct an administrative hearing with both parties present.

The hearing shall be held within a reasonable period of time; notice of the date, place, and time must be given reasonably in advance. The student shall be afforded a full and fair opportunity to present relevant evidence and may be assisted or represented by any person of his or her choosing (including an attorney at his or her own expense). A written decision based solely upon the evidence presented shall be prepared within a reasonable amount of time and shall include a summary of the evidence and the reasons for the decision. The judgment of the Hearing Officer shall be final, and the record shall be changed or retained as recommended.

If the institution decides the information is accurate, it shall inform the student of his or her right to place in his or her educational record a statement commenting upon the information, and/or noting any reasons for disagreeing with the decision. Any statement of this sort shall be maintained as long as the student's educational record or contested portion is maintained; if the student's educational record or contested portion is disclosed to any party, the student's statement shall also be disclosed.

- M. Normally, records can be released—or access given—to third parties (i.e., anyone not a school official) only at the written request of the student.
1. Without the consent of the student releases to third parties may be given only as follows:
    - i. To parents of students who are dependents as defined by IRS standards
    - ii. To federal officers as prescribed by law
    - iii. As required by state law
    - iv. To research projects on behalf of educational agencies for test norms, improving instruction, etc. (provided that the agencies guarantee no personal identification of students)

- v. To accrediting agencies carrying out their functions
  - vi. In response to a judicial order or lawfully issued subpoena (provided that the student is notified prior to compliance or provided that a reasonable attempt to notify the student has been made)
  - vii. By IU Police to other law enforcement agencies in the investigation of a specific criminal case
- 2. A student may secure from the Registrar's Office a "consent form" authorizing the release of specified records to specific individuals.
  - 3. A notification of releases made to third parties must be kept in the student's record. This notification is open only to the student and the person in charge of the record.
  - 4. The third party must be informed that no further release of personally identifiable data is authorized without the written consent of the student.
- N. Nothing in this policy requires the continued maintenance of any student record. However, if under the terms of this policy a student has requested access to the record, no destruction of the record shall be made before access has been granted to the student. Persons in charge of records should ensure that only pertinent items are retained in student files.

*(University Faculty Council, March 29, 1977; October 2, 2001)*

## **IV. ACADEMIC SUPPORT AND SERVICES**

### **OFFICE OF THE VICE PRESIDENT FOR RESEARCH ADMINISTRATION**

The mission of the Office of Research Administration (ORA), headed by the Vice President for Research Administration, is to provide exceptional support for IU's research community in order to catalyze research productivity and protect the institution and its research community from risk. ORA accomplishes this mission by minimizing the impediments to research activity, promoting research conduct that meets the highest standards of ethical integrity, and ensuring that research activity is compliant with all local, state and federal regulations.

The Office of Research Administration provides IU's research community with the following services:

#### **Research Ethics, Policy and Education**

- Responsible Conduct of Research Education
- Research Policy Coordination
- Compliance Education

#### **Sponsored Project Administration Services**

- Grants and Contracts Support Services
- Sponsored Project Cash Management
- Sponsored Project Compliance Oversight
- Clinical Trials Office
- Sponsored Project Analysis and Reporting

#### **Compliance Services**

- Human Subject Protections
- Animal Use Compliance
- Radiation Safety
- Biological Safety
- Chemical Safety
- Clinical Trial Billing Compliance
- Privacy Act (HIPAA) Compliance
- Export Control Compliance
- Research Conflict of Interest

#### **Research Systems and Decision Support**

- Quali Research Administration
- Decision Support
- Internal Systems
- COEUS IRB System

Further details of the Office and its services can be found at:  
([www.researchadmin.iu.edu](http://www.researchadmin.iu.edu)).

## OFFICE OF THE VICE PROVOST FOR RESEARCH (OVPR)

### Overview

The mission of the Office of the Vice Provost for Research is to support ongoing research and creative activities, to incubate new interdisciplinary initiatives, and to maximize the potential of Indiana University faculty to accomplish path-breaking work. The OVPR provides funds and infrastructure to enhance opportunities for federal, state, and private support. OVPR cultivates external relationships, both in the public and private sector, as well as supports intellectual property protection and technology transfer.

### Internal Funding Opportunities

OVPR provides resources for research, scholarly and creative activities for faculty through a variety of internal funding programs. A list of the currently sponsored OVPR funding opportunities can be found at: ([www.research.iu.edu](http://www.research.iu.edu)).

### Research Centers, Institutes and Museums

The Office of the Vice Provost for Research oversees a number of research centers and institutes. For a complete listing go to: (<http://research.iu.edu/centers/index.html>).

Indiana University centers, institutes, and museums provide special environments for research, scholarly and creative activities, and teaching. Many of the centers and institutes bridge the boundaries of traditional academic departments. Indeed, it is the ability to connect the previously disparate, to cross-fertilize separate fields, and to amalgamate ideas and approaches into new and effective combinations, that underlies many of the achievements and great productivity of these units.

The university values the maintenance of tradition while it invites and stimulates the excitement of change. In many ways the existence of academic departments helps to maintain the continuity of traditional intellectual disciplines. Institutes and centers, on the other hand, can be formed as needed to pursue a novel avenue of inquiry, or to attack problems with different combinations of research tools. In this sense, research centers and institutes can be an efficient way to reconstitute intellectual organization without undoing existing academic foundations.

The capabilities of diverse but specialized groups often enable researchers to secure external funds that otherwise might not be available to an individual through specific departments and/or schools. Several of the research centers and institutes have achieved national prominence that provides recognition as well as attracts top scholars to the university. They also make it possible to offer many special courses, and to provide space for a diversity of educational endeavors that benefit the entire university. OVPR also maintains a directory of all research centers and institutes at Indiana University.

### The Cox Research Scholars Program

To expand educational opportunities at IU, OVPR administers a full four-year scholarship program which offers a remarkable research opportunity to Indiana students. The program enables IU to compete successfully with other leading universities for Indiana high school students ranking in the top 10% of their graduating class and provides these students with scholarly interactions and research work that will enhance their future employment opportunities.

## **Research & Creative Activity**

This magazine, published twice a year by the Office of the Vice Provost for Research, tells the story of the diverse programs of research, scholarship, and creative activities conducted across the campuses of Indiana University. The magazine offers readers inside and outside the university an opportunity to learn more about the professional accomplishments of faculty, scholars, and students. The current issue, as well as archived issues of the magazine can be found at ([www.research.iu.edu](http://www.research.iu.edu)) under News and Publications and Events.

## **INDIANA UNIVERSITY RESEARCH AND TECHNOLOGY CORPORATION (IURTC)**

The Indiana University Research & Technology Corporation (IURTC) is a not-for-profit agency that facilitates collaborations between industry and Indiana University research and technology. IURTC stimulates growth in Indiana's technology sectors by helping companies develop commercially viable technology, with the ultimate goal of creating jobs and growing the state's economy. IURTC works closely with faculty on all IU campuses to promote technology transfer and new business creation.

As a technology transfer center, IURTC works to help businesses develop and to commercialize new technologies. In addition, a strategic focus for IURTC is to create new companies and provide support services for those companies. IURTC's support of commercially promising research and technology development is of direct benefit to the economic vitality of Indiana, the Midwest, and the United States. IURTC owns and operates the Indiana University Emerging Technologies Center (IUETC), a biotechnology business incubator in downtown Indianapolis.

## **Technology Transfer**

The Office of Technology Transfer provides a number of services to assist University inventors in the technology patenting and licensing processes. In addition to staffing an office to assist inventors, the University provides monetary incentives to researchers who successfully transfer their discoveries to the commercial sector. In accordance with the University's patent policy, a portion of net income from inventions is distributed to the inventor's department, school, and lab, and to the University.

## **UNIVERSITY FACULTY COUNCIL RESEARCH AFFAIRS COMMITTEE (UFC-RAC)**

Approved by the University Faculty Council in October 2003, the UFC-RAC replaces the former University Research Policy Committee (URPC). Its purposes are:

1. to develop university policy and practice related to research and
2. to address issues affecting support for research activities.



## **OFFICE OF THE VICE PRESIDENT FOR PLANNING AND POLICY (OVPPP)**

The Office of the Vice President for Planning and Policy coordinates and articulates the planning and policies of Indiana University in order to enable the university to fulfill its educational and research missions and to achieve its objectives of excellence and engagement. OVPPP accomplishes its mission by undertaking university-level planning and reporting, managing statewide academic relations (including relations with the Indiana Commission for Higher Education), conducting institutional research and reporting for accountability, supporting the academic and faculty relations responsibilities of the President (including relations with the University Faculty Council), creating and managing a university-wide infrastructure for access to policies and policy development, and coordinating executive review and recruitment.

## **OFFICE OF THE VICE PRESIDENT FOR DIVERSITY, EQUITY, AND MULTICULTURAL AFFAIRS (DEMA)**

The Vice President for Diversity, Equity, and Multicultural Affairs has responsibility for a diverse array of programs, services, and activities that transcend campus, academic, and administrative boundaries. These include the campus diversity offices, the Center on Diversity, the FACET Diversity Initiative, Campus Retention Coordinators, and IUPUI Office of Institutional Effectiveness. The work of this division is characterized by collaboration and cooperation to ensure that students realize their full potential and Indiana University fulfills its mission and achieves its vision.

## **OFFICE OF THE VICE PRESIDENT FOR INTERNATIONAL AFFAIRS (OVPIA)**

The Office of the Vice President for International Affairs' (OVPIA) mission is to serve all eight campuses of the university, provide leadership and advocacy for their international programs, projects, and activities, and coordinate the resources necessary to sustain their development and growth. Its services and programs offer many avenues that enable students, faculty, and staff to pursue their quest for international knowledge and experience. To implement its mission, the office:

- Provides system-wide support and immigration services for international students, faculty, and visiting scholars, including regulatory compliance
- Develops and administers study abroad programs
- Develops and administers system-wide exchange programs and other off-shore relationships between IU and universities abroad for faculty and students
- Increases the university's capacity to provide institution-building abroad through externally funded technical and development assistance projects
- Offers grant opportunities for research, collaboration, and travel by IU faculty and graduate students

- Supports efforts to internationalize the faculty and curricula on all campuses
- Facilitates the university's outreach activities to local, state, and regional schools and organizations that request information on international topics
- Manages a number of internationally-focused academic programs

The units and activities of the OVPIA are described in the section below.

### **The Office of International Services (OIS)**

OIS insures that the 5,500 international students and 1,200 international faculty and staff on all IU campuses are in compliance with the increasingly demanding visa regulations of the Department of Homeland Security. Through the development of iOffice, IU has taken the lead among U.S. universities in automating SEVIS reporting and visa compliance requirements. An important part of its mission is to conduct week-long orientation programs for new international students and to provide advising and support for their financial aid, insurance, and other academic and personal needs throughout their time at Indiana University. OIS also oversees the activities of the Dowling International Center on the IUB campus which provides cultural and social opportunities for international students, scholars, and their dependents. The Associate Vice President for International Services also plays a major role with IU administrators on policy decisions related to financial aid and loan programs, recruitment strategies, health insurance negotiations, and admissions issues for international students on all campuses.

### **The Office of Overseas Study (OVST)**

OVST manages more than 200 programs that provide opportunities for over 2,000 IU undergraduate students on all campuses to participate in study abroad programs around the world. These programs can range from academic year, semester, summer, to shorter term experiences. OVST provides pre-departure orientation, academic program advising, assignment of academic credit, and general oversight of the students' experiences abroad. It continually monitors the safety of students while abroad, and considers potential risk in approving new programs. In addition, the Office continues to encourage and guide IU faculty in the development of new programs as the demand for study abroad experiences in different parts of the world increases. OVPIA requires that all proposals for any student activities abroad must be approved by the Overseas Study Advisory Council (see: <http://www.indiana.edu/~overseas/policies/proposal.shtml>). The Associate Vice President for Overseas Study also supervises the Honors Program in Foreign Languages, which provide eight summer language immersion and cultural programs in four countries for Indiana high school students.

### **The Office of International Research & Development (IRD)**

IRD is responsible for identifying international, externally funded contract and grant opportunities on behalf of IU departments and faculty. The office assists faculty in preparing grant proposals, advising on the potential for funding, drafting proposal budgets and narratives. If the scope of a particular project extends beyond individual schools, the IRD prepares the proposals on behalf of the OVPIA. In addition, if those proposals submitted by OVPIA are funded, the IRD also manages the implementation of the awarded grants. In recent years, there have been many multi-year, multi-million dollar grants for development activities in countries around the world.

## **IU's Exchange Relationships and Affiliations**

OVPIA manages IU's exchange relationships and affiliations, specifically the exchange agreements between IU schools and departments and overseas partners, and it oversees the process of developing and approving new exchange agreements. The university-wide exchange relationships are managed by this unit, including the selection of IU exchange participants and receiving the incoming graduate student and faculty exchangees. In addition, this unit of OVPIA is also responsible for the development and update of the Register of International Affiliations, a database that lists all IU affiliations with institutions abroad. During 2007-08, procedures for approval of new or renewed exchange agreements have been introduced which require IU schools and departments to indicate the specific purposes and sustainability of the proposed exchange, as well as the stature of the potential partner.

## **Academic Programs**

### **THE CENTER FOR THE STUDY OF GLOBAL CHANGE**

The center is a federally-funded National Resource Center which focuses on global issues cutting across all world areas and involves many IU campuses and schools. The Center holds conferences and seminars, engages in outreach activities to Indiana schools and businesses, and awards foreign language and area studies fellowships. In addition, it provides funding to IU faculty to develop study groups on global topics and also provides funding for the IU Library to expand its global studies-related holdings. It has developed international majors and minors at the undergraduate and graduate levels on the IUB campus. The Center is funded by a Title VI grant from the U.S. Department of Education as well as IUB and OVPIA general fund support.

### **THE POLISH STUDIES CENTER**

The center is responsible for the implementation of IU's exchange agreements with Warsaw University and the Jagellonian University in Poland. The Center not only hosts visiting faculty and graduate students from these institutions, but also organizes conferences focusing on Polish history and culture, and also supports the activities of the Polish language program at IU. The Polish Studies Center is funded from the OVPIA UA general fund budget.

### **THE HUNGARIAN CHAIR**

This unit provides an opportunity for a distinguished Hungarian scholar to be in residence at IU to promote Hungarian studies. In addition, the Hungarian Chair holds conferences which focus on academic issues associated with Hungarian history, culture, or science. The Hungarian Chair is funded by an endowment from the Hungarian Academic of Sciences as well as IUB and OVPIA support.

## **Other OVPIA Activities**

### **INTERNATIONAL AGREEMENTS**

Indiana University's international affiliation and exchange agreements have long been a productive part of research and learning for the university. Over the years, the relationships established through many of these agreements have flourished and have enabled faculty and students to reach out to institutions and colleagues in different parts of the world. Indiana University must select peer institutions as partners that complement the university's strengths and further IU's fundamental missions of teaching and research. Established procedures govern and facilitate the review of all such agreements by the Office of the Vice President for International Affairs (OVPIA) for final approval by the President. The Board of Trustees in a 1987 resolution mandated that all international agreements require the approval and signature of the President of the university and that this approval process be part of the OVPIA's responsibilities. Guidelines and applications for establishing new international affiliation and exchange agreements can be found on the OVPIA website. The OVPIA also maintains an online database of all of the existing international affiliation and exchanges agreements at their website.

### **INTERNATIONAL FACULTY EXCHANGE PROGRAMS**

The University, through the OVPIA, supports a variety of short-term international faculty and graduate student exchanges with selected partner institutions abroad. These provide opportunities for IU scholars to conduct research, consult with colleagues, or offer lectures or short courses at these institutions. Reciprocal arrangements allow participants from partner institutions to visit IU campuses, contributing to the internationalization of those campuses. The amounts and terms of these programs vary, depending on the nature of the reciprocal agreements between the University and its partner institutions.

### **GRANT OPPORTUNITIES FROM THE OVPIA**

The OVPIA manages a number of professional development grant programs for both faculty and graduate students at IU. The programs enable faculty to attend conferences abroad, engage in research activities overseas, receive funding to learn a foreign language, bring international visitors to the IU campuses, and sponsor international conferences. A complete listing of these grant programs, the funding criteria, and application procedures are listed on the OVPIA website at: ([www.indiana.edu/~ovpia/ovpia/](http://www.indiana.edu/~ovpia/ovpia/)).

OVPIA also offers grants for IU graduate students to provide opportunities for language study and research abroad through the Pre-dissertation Travel Grant and the International Enhancement Grant programs.

In addition, OVPIA manages the IIE and US Department of Education Fulbright programs for graduate students and the CIES and US Department of Education Fulbright programs for faculty to conduct research and teach abroad.

The OVPIA also plays a coordinating role with the area studies centers (African Studies, Latin American & Caribbean Studies, International Business Education and Research, Southeast Asia, East Asian Studies, Languages of the Central Asia Region, India Studies, Inner Asian & Uralic, Russian & East European, Middle Eastern & Islamic Studies, West European Studies) which are responsible for teaching about

different world areas, providing scholarships for graduate students, and establishing courses in less commonly taught languages. These centers, many of whom have received funding from the U.S. Department of Education and have been designated as National Resource Centers, are an important component of the international scholarship and research which forms the basis for much of the international activity of the IUB campus. The OVPIA assists in organizing and funding joint projects among centers.

## **OFFICE OF THE VICE PRESIDENT FOR INFORMATION TECHNOLOGY (OVPIT) AND UNIVERSITY INFORMATION TECHNOLOGY SERVICES**

The Office of the Vice President for Information Technology (OVPIT) provides leadership for the continued development of a modern information technology environment across the university. Its responsibilities include university-wide IT policy, security, and information infrastructure assurance; the Pervasive Technology Labs; and the regional campus chief information officers. The CIO for the IU School of Medicine reports to the OVPIT, as does University Information Technology Services (UITS). For more information see [ovpit.iu.edu](http://ovpit.iu.edu)

UITS, with offices on the Bloomington and Indianapolis campuses, develops and maintains the information technology environment across the university that supports IU's vision for excellence in research, teaching, creative activity, outreach, and lifelong learning. Tools and services provided support the academic and administrative work of the university, including a high-speed campus network with wireless access, central web hosting, a rich selection of free and low-cost software for personal use, tools and support for instruction and research, and supercomputers for data analysis and visualization. Under the leadership of Associate Vice Presidents and Associate Deans, UITS offers services in several divisions, including research technologies, learning technologies, networks, enterprise software, enterprise infrastructure, and support.

Select major services include:

- Leveraging the buying power of the university to help maintain a campus-wide infrastructure of current desktop productivity tools (desktop computers, printers, operating systems, and common software), as well as license agreements with major software vendors, providing low- and no-cost software to IU faculty, staff, and students.
- Maintaining and evolving the infrastructure of IT used in classrooms, in computing labs and common areas, and in residence halls.
- Creating and supporting a rich IT-informed learning environment to help promote the transformation of teaching and learning through the innovative use of technology.
- Providing a broad spectrum of resources in support of research, and research in the life sciences, including advanced computation, storage, and visualization facilities, and consulting. Among notable resources is the Big Red supercomputer.
- Providing wired and wireless network access to university resources and to local, national, and international networks in support of the work of the university. Resources include the I-Light fiber-optic network that connects Indiana schools and

universities to each other and to the Internet, and the Global Research Network Operations Center, which provides management and engineering services to major national and international networks, including Internet2.

- Providing a university-wide IT infrastructure and enterprise software in support of the university's business.
- Providing human and technology-enabled support to aid in the use of IT resources.

Information about all UITs services is available at: ([www.uits.iu.edu](http://www.uits.iu.edu)).

## **OFFICE OF THE VICE PRESIDENT FOR PUBLIC AFFAIRS AND GOVERNMENT RELATIONS**

The Office of the Vice President for Public Affairs and Government Relations supports IU's mission by providing professional communications and marketing services that enhance the University's relationships with its many publics, and supporting IU initiatives at the state, federal, and grass-roots level. Its five offices—Community Relations, Creative Services, University Communications, University Marketing, and Government Relations—offer expertise in media relations, marketing, branding, broadcast technology, print and electronic publications, and community and government cooperation and partnerships.

### **THE OFFICE OF COMMUNITY RELATIONS**

The office is dedicated to building beneficial relationships with local government, private and non-profit organizations, giving timely answers to community inquiries, providing links to campus resources, and facilitating partnerships based on our educational mission.

### **THE OFFICE OF CREATIVE SERVICES**

Restructured in the fall of 2005, the office prepares promotional and informational materials for all departments of Indiana University. Areas of expertise include planning, writing, editing, information architecture, design, photography, illustration, and production management.

The Office of Creative Services is responsible for editing and producing the university's academic bulletins. In addition, the office prepares posters, flyers, brochures, booklets, advertisements, calendars, maps, folders, and all communications materials, both print and electronic, at reasonable rates. The staff works to ensure that all communications are both useful and memorable.

The staff, the work process, and samples of work may be viewed on (<http://creativeservices.iu.edu>) The office may be contacted at (812) 855-5121.

### **THE OFFICE OF UNIVERSITY COMMUNICATIONS**

The office is a centralized outlet for news and information concerning all IU campuses, departments and schools. It is responsible for disseminating official administrative news, and it communicates with the news media in crisis situations. It also shapes awareness of IU, its faculty, research and events in local, regional and national forums.

The Office communicates daily with reporters, producers and editors at newspapers, radio and TV stations, magazines and other media outlets. It plans and conducts press conferences, and issues news releases, tip sheets, emails and electronic newsletters. Staff members also respond to media inquiries and supervise media in attendance at university events.

For internal audiences the Office of University Communications throughout the academic year publishes *IU Home Pages*, providing staff and faculty on all eight IU campuses with information about university programs, initiatives, history and tradition. The publication appears online at ([www.homepages.indiana.edu](http://www.homepages.indiana.edu)).

The Office of University Communications is available by phone at (812) 855-3911 or via email at ([iuinfo@indiana.edu](mailto:iuinfo@indiana.edu)).

## THE OFFICE OF UNIVERSITY MARKETING

This is the integrated marketing communications agency for Indiana University. Its mission is to enhance and guide the image of Indiana University by providing research, marketing strategy, and planning support to constituents throughout the university. Its activities include coordination and implementation of university marketing campaigns and initiatives; production of multimedia content for radio, television, and the Internet; marketing research; the distribution of IU News e-zine, the free bi-weekly e-mail newsletter highlighting IU people and programs that advance the state; and oversight responsibility for key university tools, including the IU Gateway site ([www.indiana.edu/](http://www.indiana.edu/)), IU Updates, and the Life Sciences initiative Web site (<http://lifesciences.iu.edu/>).

University Marketing works in partnership with university units, drawing upon its in-house resources, other university resources, and outside service providers to meet the unit's objectives. University Marketing is available by phone at (812) 855-7201.

## THE OFFICE OF GOVERNMENT RELATIONS

The office advances the strategic interests of Indiana University among national and state elected officials, their staff members, constituents, and with governmental agencies at all levels.

The IU government relations team coordinates all IU campus government relations efforts at the state, federal, and grassroots levels, focusing on the following areas:

1. Appropriations: steering IU funding requests and projects through Congress, the Indiana General Assembly, and various governmental agencies.
2. Strategic planning and political strategy: assisting IU units in assessing the linkages between their objectives and opportunities at the national and state level and then developing a university-wide plan for pursuing institutional priorities in Washington and Indianapolis.
3. Policy and legislative affairs: working with IU units to assess the impact of legislation and regulatory proposals and explaining the impact of regulatory policies on higher education and Indiana University.
4. Grass roots advocacy: increasing public, student, faculty, staff, and alumni awareness for IU's needs and mobilizing broad support for addressing those needs.

Led by the Vice President for Public Affairs and Government Relations, the IU

government relations team is organized into three “practice groups:”

1. State Relations ([www.gov.indiana.edu/state/index.shtml](http://www.gov.indiana.edu/state/index.shtml)): serves as the primary liaison between Indiana University and the legislative and executive branches of Indiana government, including the Indiana General Assembly, Office of the Governor, the Indiana Commission for Higher Education, the State Budget Agency, and other relevant units of state government. The state relations team also works closely with other universities and higher education groups in Indiana.
2. Federal Relations ([www.gov.indiana.edu/federal/index.shtml](http://www.gov.indiana.edu/federal/index.shtml)): serves as the primary link to the federal government, working regularly with Congress, the White House, and federal agencies on matters that affect IU and higher education.
3. Hoosiers for Higher Education ([www.gov.indiana.edu/hhe/index.shtml](http://www.gov.indiana.edu/hhe/index.shtml)): engages Indiana University alumni, students, faculty, staff, parents, and friends to make the case connecting the importance of higher education and Indiana’s future, and supporting IU’s needs and priorities.

## UNIVERSITY GRADUATE SCHOOL

The mission of The University Graduate School (UGS) is to promote and support excellence in graduate education for individual students, faculty, departments, and the university as a whole. It administers graduate programs on five different campuses of the Indiana University system. Members of the UGS faculty ultimately determine standards of admission, set the general requirements for degrees, pass upon the specific requirements of programs, approve courses for graduate credit, and certify candidates for degrees. These functions are executed by the Graduate Council and the dean and administrative staff. UGS faculty serve on advisory and research committees for doctoral students, direct master’s theses and doctoral dissertations, and elect members of the Graduate Council.

The Graduate Council serves as an executive advisory body to the dean and administrative staff on policy matters. It receives the reports of the school’s standing faculty committees; it acts upon recommendations for changes in admission, the curriculum, degree requirements, and procedures for the administration of student programs; it receives and acts upon the recommendations of ad hoc committees appointed by the dean; it gives advice on ways to improve the quality of graduate work; and it seeks ways to coordinate the programs of The University Graduate School with other graduate programs in the university.

The UGS sponsors a variety of fellowship and recruiting programs that are designed to attract and retain outstanding students, as well as mentoring and Preparing Future Faculty programs designed to ensure that students are integrated into their academic programs and prepared for the full range of professional responsibilities they will encounter in their careers. The UGS also maintains a Web-based repository of resources for students, including information on research grants for students, as well as information for faculty regarding topics such as graduate mentoring and academic misconduct.



## INSTRUCTIONAL SUPPORT SERVICES

Under the aegis of the Office of Academic Affairs and Dean of the Faculties, Instructional Support Services is dedicated to providing faculty with a range of instructional support—from teaching consultation and assessment to classroom graphics production.

- BEST (IUB Evaluation Services & Testing), 855-1595, provides assistance to faculty, students, and administrators in assessment, evaluation, and testing;
- Campus Instructional Consulting, 855-9023, provides assistance to faculty and departments with teaching, course development, and classroom innovations;
- the Campus Writing Program, 855-4928, assists faculty and departments with incorporating writing into courses;
- the Office of Service Learning, 856-6011, connects campus and community through service and assists faculty as they fold service-learning into their courses;
- Graphics and Publications, 855-4047, produces visuals designed for classroom instruction, research, and administrative support.

To ensure that faculty on all campuses receive the instructional support services they need to offer outstanding courses, every campus offers such services to the faculty, overseen by the Dean of Faculties and/or the Vice Chancellors for Academic Affairs.

## UNIVERSITY LIBRARIES

The Indiana University Libraries comprise one of the leading academic research library systems in North America, providing strong collections, quality service and instructional programs, and leadership in the application of information technologies. The Indiana University Libraries system includes libraries and archives on all IU campuses across the state: Bloomington (IUB), Columbus (IUPUC), Fort Wayne (IPFW), Gary (IUNW), Indianapolis (IUPUI), Kokomo (IUK), New Albany (IUSE), Richmond (IUE), and South Bend (IUSB).

All university libraries are open to the residents of the state as well as to IU faculty, IUPUI/IPFW faculty, and students of all campuses. Library staff members are available to assist users in locating materials and to teach effective methods of information retrieval and use. The system holdings include over 10.5 million bound volumes in 2007, more than half of which are found on the Bloomington campus.

The university's libraries provide users with access to a wide range of scholarly information resources in all formats, from traditional books and journals to online databases, multimedia, and internet resources from within the IU Libraries, their homes, and offices. These databases include: the IU Libraries' online catalog describing library materials statewide; other library catalogs in the state, country, and the world; indexes to journal and newspaper articles, databases containing full-text articles from many core journals and newspapers, multimedia collections of traditional and digital images, maps, moving images and sound recordings for use in instruction.

The IU Libraries offer many services to faculty and users, such as interlibrary loan, renewals, and reference assistance, as well as connections to many helpful research sites. Faculty members can participate in instructional workshops, schedule instruction in library and information use for their classes, seek personalized research consultation,

and suggest materials for purchase or subscription by the IU Libraries. Libraries also provide digital library services to enhance the ability of faculty and users to create, distribute, and preserve their scholarship.

## **INDIANA UNIVERSITY FOUNDATION**

Faculty benefit from private-sector gift support that helps attract and retain outstanding colleagues, bring in top graduate and undergraduate students, and provide the facilities and resources needed for research, teaching, and service. Donors are often inspired to give by faculty and their work, either because of experiences they had as IU students or because they are alumni or friends captivated by the promise and importance of a faculty member's work. Many IU faculty members have been instrumental in securing major gifts for IU.

The Indiana University Foundation is a not-for-profit corporation dedicated to maximizing private-sector gift support for IU. Indiana University consistently ranks among the top twenty universities in the nation in support received from the private sector, and among the top fifteen public universities in the market value of its endowment.

The Foundation and its IU partners annually raise an average of more than \$100 million from more than 100,000 donors. The Foundation is also responsible for University-wide oversight of fund raising operations and campaigns, for investing IU's \$1 billion endowment, and for providing administrative services to donors and to IU. With offices in Bloomington, Indianapolis, and Chicago, the Foundation partners with and serves all campuses of Indiana University.

## **RADIO AND TELEVISION SERVICES—WTIU & WFIU**

The Indiana University Radio and Television Services (RTVS) is located in the Radio and Television Building on the Bloomington campus. Its purpose is to assist the University to make effective use of electronic communications technology as part of its educational mission: teaching, on and off campus; research and creative endeavor; and public service. The services of the RTVS are available for a fee to all campuses. The RTVS consists of Educational Services, WFIU and WTIU.

The Educational and Production Services division of RTVS provides television gateways through which Indiana University instruction reaches a wide audience. Educational television services are delivered over the Indiana Higher Education Telecommunications System, satellite links, and the campus cable system. It also provides 2-way television connections among the Radio/TV Building, the School of Education, and eight public schools in Monroe County.

WFIU is an NPR member station. It specializes in news from NPR and BBC, arts, culture, and classical music. The station produces local programs heard around the country and around the world such as the Harmonia Early Music program, Moment of Science, Nightlights, and Congressional Moments. The station is a strong supporter of area non-profits, priding itself on being one of Indiana's primary information and cultural resources.

WTIU is a PBS member station. The television station carries an extensive lineup of award-winning children's programs, as well as news, documentaries, and local programs. Each week it produces the award-winning children's program, The Friday Zone, which introduces pre-teens to the world around them. In addition, the station produces The Weekly Special, a public affairs program, nightly local news briefs, the Third House legislative forum, and a variety of documentaries unique to the area.

For any information about the services of the office please visit (<http://www.indiana.edu/~radiotv>).

## **EMERITI HOUSE**

The mission of Emeriti House, under the aegis of the Office of Academic Affairs and Dean of the Faculties, is "to provide an environment to support the continuation of the intellectual and creative activities of retired faculty, to help maintain their connections with the University, and to encourage the use of their talents as a continuing resource for the University." Academic and cultural activities are the highest priority for the use of House facilities and services, along with personal use by individual emeriti for their professional and academic projects, and social interactions to develop a more vital IU retirement community.

Emeriti House maintains an active program schedule which features research and creative activities of emeriti, musical events, visitors from the Institute for Advanced Study, Patten Lectureship Program and International Programs, book discussions with authors, and many other events. The faculty Oral History Project, which collects histories of emeritus faculty on DVD, and regular Life-Writing Workshops are also sponsored by the House. Emeriti House is available to and welcomes all emeritus faculty and librarians of Indiana University, including their widows and widowers, spouses, partners and guests.

Further information on the Emeriti House can be found at: ([www.indiana.edu/~emeriti](http://www.indiana.edu/~emeriti)) or by calling 855-3773.

## **DUAL CAREER NETWORK**

Under the aegis of the Office of Academic Affairs and Dean of the Faculties, the Dual Career Network program offers up to two years of free individualized job search assistance to spouses and partners of those moving to Bloomington to take Indiana University faculty or senior staff positions. The office cannot guarantee placement, but uses all of its resources to serve as a liaison between the spouse or partner and a potential employer. Specific forms of assistance include: providing information about Indiana University Human Resources employment opportunities; identifying employment opportunities in the Bloomington region business community and the greater Indianapolis area; suggesting contact information for city, county, and state governments; and describing agencies, non-profit organizations, and community service groups. More information about the office can be found at the Dean of Faculties website or by calling 855-6618.

## **OTHER SERVICES**

### **Student Financial Assistance**

All forms of financial assistance for undergraduates, including scholarships, grants in-aid, and long- and short-term loans, are administered by the IU Campus Financial Aid offices located on each campus. Financial planning and counseling services are available to both students and parents. Only loans and part-time employment are available to graduate students through this office. All students, without regard to financial need or grade-point average, can be referred to the appropriate IU Campus Financial Aid office for information and financial assistance. A list of campus offices is available at: (<http://ses.indiana.edu/campusInfo/fnAid.cfm>).

### **University Press**

Indiana University Press is a major international scholarly publisher with headquarters on the Bloomington campus of Indiana University. The Press's mandate is to serve the world of scholarship and culture as professional publisher and also to represent and reflect the major strengths of all the campuses of Indiana University. Founded in 1950, Indiana University Press is the largest university press in the Big Ten. IU Press has over 2,000 titles in print, publishes approximately 140 new titles a year and more than 30 journals. The Press is a not-for-profit operation, its programs being financed by income from sales supplemented, to a minor extent, by support from Indiana University and by gifts and grants from a variety of outside sources.

The Press is especially active in the areas of African, African American, Asian, cultural, Jewish and Holocaust, Middle East, Russian and East European, and women's and gender studies; anthropology, film, history, bioethics, music, paleontology, philanthropy, philosophy, and religion. It also features an extensive regional publishing program under its Quarry Books imprint.

Indiana University Press books have won many awards for scholarly merit and design, including two National Book Awards, five Herskovits Awards in African studies, and several National Jewish Book Awards. Numerous IU Press titles are selected every year by Choice as outstanding academic books. Faculty interested in publishing with the Press or elsewhere are encouraged to contact Press staff members.

### **Printing Services**

Printing Services, located on the Bloomington campus, has a modern printing facility equipped to produce the University's diverse printing needs, from high quality four color process and multiple color printing to the most economical forms of digital printing and color copying. Complete bindery, addressing, mailing, and delivery services are provided. Customer service specialists are available to provide consultation and price estimates, as well as assistance with graphic design. Any printing request, regardless of the dollar amount, may be submitted directly to Printing Services for production. Departments are not required to contact the Purchasing Department for competitive bids if they choose to deal directly with Printing Services.

## **Indiana University Conferences**

Indiana University Conferences provides professional meeting support to internal and external clients planning conferences for business trade, public sector, and academic organizations. The medium of the conference (short course, institute, workshop or seminar) has proved to be a singularly successful method of disseminating information. Indiana University Conferences collaborates with planners from all campuses, and many external program planners, to stage successful conferences at the venue of choice. The staff is skilled in budgeting to meet financial goals, vendor negotiations, marketing and promotion, handling registrations, and providing comprehensive on-site management. The services are available for conferences planned locally, nationally, or internationally.

## **Credit Unions**

A credit union is a not-for-profit organization of people who have common bonds, such as a common place of employment. Credit unions are organized to promote savings and provide a convenient source for borrowing funds at a reasonable interest rate.

The Indiana University Employees Federal Credit Union began in 1956 as an undertaking of Indiana University employees, and is now a full-service financial institution with 10 branches throughout the state of Indiana, at IU campus locations. IU Credit Union provides a wide range of financial services to faculty, staff and students of Indiana University, to their family members, and other select employee groups.

Credit Union services include a variety of savings and checking options, certificates, mortgages, loans for almost any reason, and credit cards. Convenient electronic services include Web Home Teller Internet banking, 24-hour EXPRESS Bank-by-Phone, ATMs and debit cards, and online loan applications and bill payment. With IU Credit Union Investment Services, Inc., investments, retirement planning and insurance products are also available. Sentinel Funds through IU Credit Union Investment Services are an IU-approved choice for IU 403b contributions. The University provides Direct Deposit and payroll deductions for Credit Union deposits or the repayment of financing.

Credit Union facilities differ somewhat from campus to campus. Any individual interested in joining the IU Credit Union should consult the statement of Credit Union facilities in campus-specific documents.

**V. Appendix A**

**BENEFIT SUMMARY TABLES for ACADEMIC APPOINTEES**

## Academic Instructional\*

<b>Title</b>	<b>Term of Appointment</b>	<b>Termination Notice Due</b>	<b>Retirement Plan**</b>	<b>Insurance for 100% FTE Appointments</b>
<b>FT1–3</b> Faculty **** Professor Associate Prof Assistant Prof	<b>Non-Tenured</b> Initial appt 1–3 years Subsequent, 1 academic yr  <b>Tenured:</b> Indefinite	<b>Non-Tenured</b> 1st yr, 3 mo 2nd yr, 6 mo thereafter, 12 mo  <b>Tenured:</b> Not applicable	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>FL5</b> Lecturer	Initial appt 1–3 yrs, subsequent, 1 academic yr for a maximum probationary period not to exceed 7 yrs; long-term contract thereafter; adj for P-T appts	1st yr, 3 mo 2nd yr, 6 mo thereafter, 12 mo	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>FS5</b> Senior Lecturer	Initial appt 1–3 yrs, subsequent, 1 academic yr for a maximum probationary period not to exceed 7 yrs; long-term contract thereafter; adj for P-T appts	1st yr, 3 mo 2nd yr, 6 mo thereafter, 12 mo	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)

\* All full-time 12-month academic appointees are entitled to a one-month vacation. This is generally interpreted as 22 working days.

\*\* All non-student academic positions, part-time and full-time, are covered under the Federal Social Security Program (FICA).

\*\*\* Available to those with 2 years of service.

\*\*\*\* These policies and practices also apply to faculty members who assume administrative positions.

\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

<b>Sabbatical Leaves</b>	<b>Leaves Without Pay</b>	<b>Sick Leave / Paid Family Leave</b>	<b>Tenure</b>	<b>Annual Review</b>
<b>Non-Tenured</b> Eligible in 7th yr, given favorable tenure decision <b>Tenured:</b> Eligible for 1 sabbatical during each 7 yr period of full-time service (adj for P-T appts)	<b>Non-Tenured and Tenured:</b> Eligible to apply	<b>Non-Tenured and Tenured:</b> Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	<b>Non Tenured:</b> Tenure decision must be made prior to the end of 6th year of full-time service in this status, with tenure effective beginning of 8th year (adj for P-T appts)	Required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	<b>Non-Tenured and Tenured:</b> Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	<b>Non-Tenured and Tenured:</b> Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Required

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## Academic Instructional (Continued)\*

<b>Title</b>	<b>Term of Appointment</b>	<b>Termination Notice Due</b>	<b>Retirement Plan**</b>	<b>Insurance for 100% FTE Appointments</b>
<b>FA1–5</b> Adjunct Faculty & Lecturers	Normally 1 yr renewable annually	At least 1 pay period prior to end of present appointment; notice comparable to that required for faculty is encouraged	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>FV1–5</b> Visiting Faculty & Lecturers	1 yr or less (2 yr max)	At least 1 pay period if term-ed prior to end of contract	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>FC1–5</b> Clinical Faculty and Lecturers	Initial appt 1–3 yrs, subsequent, 1 academic yr for a maximum probationary period not to exceed 7 yrs; long-term contract thereafter; adj for P-T appts	1st yr, 3 mo 2nd yr, 6 mo thereafter, 12 mo	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)

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<b>Sabbatical Leaves</b>	<b>Leaves Without Pay</b>	<b>Sick Leave / Paid Family Leave</b>	<b>Tenure</b>	<b>Annual Review</b>
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay	Not eligible	Not required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Not Eligible	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay	Not eligible	Not required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible	Required

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\*\*\* Available to those with 2 years of services.

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\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

## Academic Non-Instructional\*

<b>Title</b>	<b>Term of Appointment</b>	<b>Termination Notice due</b>	<b>Retirement Plan**</b>	<b>Insurance for 100% FTE Appointments</b>
<b>RS1–3</b> Senior, Associate, Assistant Scientist/Scholar	Long-term as permitted by funding	At least 1 pay period prior to end of present appointment. Notice comparable to that required for faculty is encouraged	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>RSS</b> Research Associate	Normally 1 yr renewable annually as permitted by funding	At least 1 pay period prior to end of present appointment. Notice comparable to that required for faculty is encouraged	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>UAS</b> Academic Specialist	Initial appt 1–3 yrs, subsequent, 1 academic yr for a maximum probationary period not to exceed 7 yrs; long-term contract thereafter; adj for P-T appts	1st yr, 3 mo 2nd yr, 6 mo thereafter, 12 mo	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)

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\*\*\* Available to those with 2 years of services.

\*\*\*\* These policies and practices also apply to faculty members who assume administrative positions.

\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

<b>Sabbatical Leaves</b>	<b>Leaves Without Pay</b>	<b>Sick Leave / Paid Family Leave</b>	<b>Tenure</b>	<b>Annual Review</b>
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Encouraged but not required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Encouraged but not required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Required

\* All full-time 12-month academic appointees are entitled to a one-month vacation. This is generally interpreted as 22 working days.

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\*\*\* Available to those with 2 years of services.

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\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

## Academic Non-Instructional (Continued)\*

<b>Title</b>	<b>Term of Appointment</b>	<b>Termination Notice Due</b>	<b>Retirement Plan**</b>	<b>Insurance for 100% FTE Appointments</b>
<b>RSP</b> Postdoctoral Fellow	1 yr or less (3 yr maximum)	At least 1 pay period prior to end of present appointment; notice comparable to that required for faculty is encouraged	<b>Plan 10</b> if appointed a 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>UMD</b> Health Center Physicians	Normally 1 yr, renewable annually (indefinite by special arrangement)	At least 1 pay period prior to end of present appointment; notice comparable to that required for faculty is encouraged	<b>Plan 10</b> if appointed a 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>UCH</b> Teacher (pre-college)	Normally 1 yr, renewable annually (indefinite by special arrangement)	At least 1 pay period prior to end of present appointment; notice comparable to that required for faculty is encouraged	<b>Plan 10</b> if appointed a 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maximum till age 65  <b>Medical:</b> Optional (IU pays a portion)

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\*\*\* Available to those with 2 years of services.

\*\*\*\* These policies and practices also apply to faculty members who assume administrative positions.

\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

<b>Sabbatical Leaves</b>	<b>Leaves Without Pay</b>	<b>Sick Leave / Paid Family Leave</b>	<b>Tenure</b>	<b>Annual Review</b>
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Encouraged but not required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Required
Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	Not eligible: time in this appointment will not count toward sabbatical if subsequently converted to faculty appointment	Required

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## Librarians\*

<b>Title</b>	<b>Term of Appointment</b>	<b>Termination Notice Due</b>	<b>Retirement Plan**</b>	<b>Insurance for 100% FTE Appointments</b>
<b>LT1–4</b> Librarians: Librarian Associate Lib Assistant Lib	<b>Non-Tenured</b> Initial appt 1–3 years Subsequent, 1 academic yr  <b>Tenured:</b> Indefinite	<b>Non-Tenured</b> 1st yr, 3 mo 2nd yr, 6 mo thereafter, 12 mo  <b>Tenured:</b> Not applicable	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maxi- mum till age 65  <b>Medical:</b> Optional (IU pays a portion)
<b>LV1–4</b> Visiting Librarians	1 yr or less (2 yr maxi- mum)	At least 1 pay period if term- ed prior to end of contract	<b>Plan 10</b> if appointed at 50% FTE or greater	<b>Life:</b> ***** Provided by IU, 2 X salary to \$50,000 maxi- mum till age 65  <b>Medical:</b> Optional (IU pays a portion)

\* All full-time 12-month academic appointees are entitled to a one-month vacation. This is generally interpreted as 22 working days.

\*\* All non-student academic positions, part-time and full-time, are covered under the Federal Social Security Program (FICA).

\*\*\* No accumulation of time countable toward sick leave.

\*\*\*\* These policies and practices also apply to faculty members who assume administrative positions.

\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

\*\*\*\*\* Eligible if appointed at 100% FTE for 9 months or longer.

<b>Sabbatical Leaves</b>	<b>Leaves Without Pay</b>	<b>Sick Leave / Paid Family Leave</b>	<b>Tenure</b>	<b>Annual Review</b>
<b>Non-Tenured:</b> Eligible in 7th yr, given favorable tenure decision <b>Tenured:</b> Eligible for 1 during each 7 yr period of full-time service	<b>Non-Tenured and Tenured:</b> Eligible to apply	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay *** Paid Family Leave—12 wks, limited to 2 leaves within 5 yr period	<b>Non-Tenured:</b> Tenure decision must be made prior to end of 6th yr of full-time service in this status. Effective for 8th yr.	Required
Not eligible: time in this appointment will not count toward sabbatical if subsequently changed to non-visiting	Not eligible	Sick—6 wks @ full pay; 9 wks or balance of semester @ half pay	Not eligible	Not required

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\*\* All non-student academic positions, part-time and full-time, are covered under the Federal Social Security Program (FICA).

\*\*\* No accumulation of time countable toward sick leave.

\*\*\*\* These policies and practices also apply to faculty members who assume administrative positions.

\*\*\*\*\* Optional accident insurance and supplemental life insurance plan available at employee's expense.

\*\*\*\*\* Eligible if appointed at 100% FTE for 9 months or longer.



## VI. Appendix B

### THE FAMILY AND MEDICAL LEAVE ACT OF 1993

#### The Family and Medical Leave Act of 1993

(U.S. Department Of Labor Program Highlights. Fact Sheet No. ESA 93-24. USGPO 1993-353-844)

The Family and Medical Leave Act of 1993 (FMLA) was enacted on February 5, 1993.

The new law is effective on August 5, 1993, for most employers. If a collective bargaining agreement (CBA) is in effect on that date, the Act becomes effective on the expiration date of the CBA or February 5, 1994, whichever is earlier.

The U.S. Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces FMLA for all private, state and local government employees, and some federal employees.

FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave each year for specified family and medical reasons. An eligible employee's right to FMLA leave begins on August 5, 1993; any leave taken before that date does not count as FMLA leave.

The law contains provisions on employer coverage; employee eligibility for the law's benefits; entitlement to leave, maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and, protections for employees who request or take FMLA leave. The law also requires employers to keep certain records.

The law was amended on January 8, 2008, to extend its provisions to care for an immediate family member (spouse, child, or parent) with a serious health condition, qualifying exigency, or injury\illness related to military service.

#### Employer Coverage

FMLA applies to all:

- public agencies, including state, local and federal employers, local agencies (schools), and
- private-sector employers who employed 50 or more employees in 20 or more work-weeks in the current or preceding calendar year and who are engaged in commerce or in any industry or activity affecting commerce—including joint employers and successor of covered employers.

#### Employee Coverage

To be eligible for FMLA benefits, an employee *must*:

1. work for a covered employer;
2. have worked for the employer for a total of at least 12 months;
3. have worked at least 1,250 hours over the previous 12 months; and
4. work at a location where at least 50 employees are employed by the employer within 75 miles.

Most federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the U.S. Office of Personnel Management and the Congress.

### Leave Entitlement

A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- for the birth or placement of a child for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- to take medical leave when the employee is unable to work because of a serious health condition.

Spouses employed by the same employer are jointly entitled to a *combined* total of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not parent-in-law) who has a serious health condition.

Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently—which means taking leaves in blocks of time, or by reducing their normal weekly or daily work schedule. If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to the employer’s approval. FMLA leaves may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Also, subject to certain conditions, employees or employers may choose to use accrued paid leave (such as sick or vacation leave) to cover some or all of the FMLA leave. The employer is responsible for designating if an employee’s use of paid leave counts as FMLA leave, based on information from the employee. In no case can use of paid leave be credited as FMLA leave after the leave has ended.

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility;
- any period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

“Health care provider” means:

- doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices; or
- podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law; or,

- nurse practitioners and nurse-midwives authorized to practice, and performing within the scope of their practice, as defined under state law; or
- Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, MA.

As of January, 2008, a covered employer must also grant an eligible employee up to 26 weeks of unpaid leave to care for spouses, children, parents, or next of kin who are service members with serious illness or injuries incurred during active duty in the Armed Forces. This leave is available only during one, 12-month period and is combined with all other FMLA leaves in that period.

Eligible employees may also take up to 12 weeks of unpaid FMLA leave in a 12-month period to deal with “any qualifying exigency” that arises from the active duty of a spouse, child, or parent, including an order or call to duty.

### **Maintenance of Health Benefits**

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangement will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

### **Job Restoration**

Upon return from FMLA leave, an employee must be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. In addition, an employee’s use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

Under specified and limited circumstances where restoration of employment will cause substantial and grievous economic injury to its operations, an employer may refuse to reinstate certain highly-paid “key” employees after using FMLA leave during which health coverage was maintained. In order to do so, the employer must:

- notify the employee of his/her status as a “key” employee in response to the employee’s notice of intent to take FMLA leave;
- notify the employee as soon as the employer decides it will deny job restoration and explain the reasons for this decision;
- offer the employee a reasonable opportunity to return to work from FMLA after giving his notice; and
- make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

A “key” employee is a salaried “eligible” employee who is among the highest paid ten percent of employees within 75 miles of the work site.

### **Notice and Certification**

Employees seeking to use FMLA leave may be required to provide:

- 30-day advance notice of the need to take FMLA leave when the need is foreseeable;

- medical certifications supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- second or third medical opinions and periodic recertification (at the employer's expense); and
- periodic reports during FMLA leave regarding the employee's status and intent to return to work.

When leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer's operation.

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. An employer that willfully violates this posting requirement may be subject to a fine of up to \$100 for each separate offense.

Also, covered employers must inform employees of their rights and responsibilities under FMLA, including specific information when an employee and what might happen in certain circumstances, such as if the employee fails to return to work after FMLA leave.

### **Unlawful Acts**

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA.

### **Enforcement**

FMLA is enforced, including investigation of complaints, by the U.S. Labor Department's Employment Standards Administration, Wage and Hour Division. If violations cannot be satisfactorily resolved, the Department may bring action in court to compel compliance. An eligible employee may also bring a private civil action against an employer for violations.

### **Other Provisions**

Special rules apply to *employees of local education agencies* [not to colleges, universities, trade schools and pre-schools]. Generally, these rules provide for FMLA leave to be taken in blocks of time when intermittent leave is needed or the leave is required near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to "eligible" employees' use of leave required by FMLA.

The FMLA does not affect any other federal or state law which prohibits discrimination, nor supersede any state or local law which provides greater family or medical leave protection. Nor does it affect an employer's obligation to provide greater leave rights under a collective bargaining agreement or employment benefit plan. The FMLA also encourages employers to provide more generous leave rights.

**Further Information**

For more information, please contact the nearest office of the Wage and Hour Division (317) 226-6801, as listed in most telephone directories under U.S. Government, Department of Labor, Employment Standards Administration.

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