



# Employee Handbook



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2020-2021

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# Chapter 1 - Employee Policies

# Chapter 1.1 Description of the University

## 1.1.1 Intent

This handbook is intended to outline the University's policies, procedures, employment and pay practices, and employee benefits. Full copies of policies can be found in the offices noted. Where benefits are controlled by insurance contracts, those contracts will rule if there are conflicts between contract provisions and the descriptions in this handbook.

Nothing in this handbook should be interpreted as a contract for employment with or for benefits from University of Pikeville. The University reserves the right to alter, amend, or terminate any of the policies and benefits described in this handbook, in keeping with appropriate University guidelines and procedures.

## 1.1.2 History of the University of Pikeville

Pikeville College was established in 1889 as an outreach of the Presbyterian Church after an extensive survey of the religious and educational needs of eastern Kentucky. An 1887 scouting party, which included Dr. W.C. Condit, Rev. Samuel B. Alderson, and Rev. James P. Hendrick, set forth (in Condit's words) to "select the location for an institution of higher learning for the youth of the mountains."

September 16, 1889, was the first day of class at Pikeville College Institute, a four-room, brick building situated on three acres of land in Pikeville, Kentucky. It functioned as both school and church. The institute was not originally intended to confer degrees but to give "good practical education to those persons who pursue its courses." At that time, the institute offered schoolwork in primary, preparatory, and "college" departments.

In 1909 the structure of the school changed. After obtaining permission from the Synod, the articles of incorporation were amended to make Pikeville College a chartered college, empowered by the state of Kentucky to offer four years of college work and confer baccalaureate degrees. Although the college immediately began planning the additional curriculum and faculty needed for this endeavor, the school maintained its commitment to primary and secondary education in the region by sustaining the Pikeville College Academy for grades 1-12. Pikeville College admitted its first college freshman class in 1916. The final two years of college were not added until 1955, and the first baccalaureate graduation was held in 1957, a year that also marked the closing of the Pikeville College Academy.

Pikeville College continued to evolve, changing its curricula to meet the changing needs of Appalachia. Students may earn either associate or baccalaureate degrees in a variety of majors in conjunction with a quality liberal arts and science curriculum. As further evidence of its commitment to the health and well-being of the Appalachian region, in the fall of 1997 Pikeville College admitted its first students into the newly established Kentucky College of Osteopathic Medicine.

On July 1, 2011, the college officially became the University of Pikeville, a bold and strategic move built upon the institution's tradition of excellence. In the summer of 2016, the Kentucky College of Optometry admitted its first class, and in March of 2017, a new 104,000-square-foot building will provide a state-of-the art teaching and learning space for the university community.

The University is now reorganized into five colleges and one school – College of Arts and Sciences, Coleman College of Business, Patton College of Education, College of Nursing and Human Services, the Kentucky College of Osteopathic Medicine, and the Kentucky College of Optometry.

### 1.1.3 Mission Statement

The University of Pikeville is the leading higher education institution of Central Appalachia. Founded in 1889, UPIKE remains steadfast in its commitment to preparing students for the future while creating intellectual, cultural, and economic opportunities for Appalachia. Maintaining our commitment to Christian principles, UPIKE recognizes the infinite worth of each person, respecting a variety of religious expressions. UPIKE achieves its mission by:

- Creating a pathway to higher education for all students who desire to embark upon that journey and attracting and retaining high-caliber students who will be future regional, national, and global leaders.
- Preparing graduates through quality academic programs, grounded in the liberal arts, and through involvement in community service, experiential learning, research, athletics, humanitarian efforts, and global outreach.
- Achieving academic excellence by maintaining academic rigor and relevancy in undergraduate, graduate, and professional degree programs.
- Attracting and retaining distinguished faculty, staff, administrators, trustees, and alumni who are dedicated to meeting the individual needs of students, promoting a caring and supportive environment conducive to learning and meeting the needs of an evolving university.
- Providing superior infrastructure with state-of-the-art classrooms, clinics, instructional materials, physical facilities, technological infrastructure, and campus amenities through sound fiscal policy and efficient, effective administrative services.

## 1.1.4 Goals

The University has set the following goals for carrying out its mission; therefore, we aspire to:

1. Honor and build upon our Christian tradition,
2. Create and maintain a diverse and civil community,
3. Continue to develop our most important resource, our people,
4. Be excellent stewards of our fiscal resources,
5. Collaborate with the community and enhance the region in which we live.



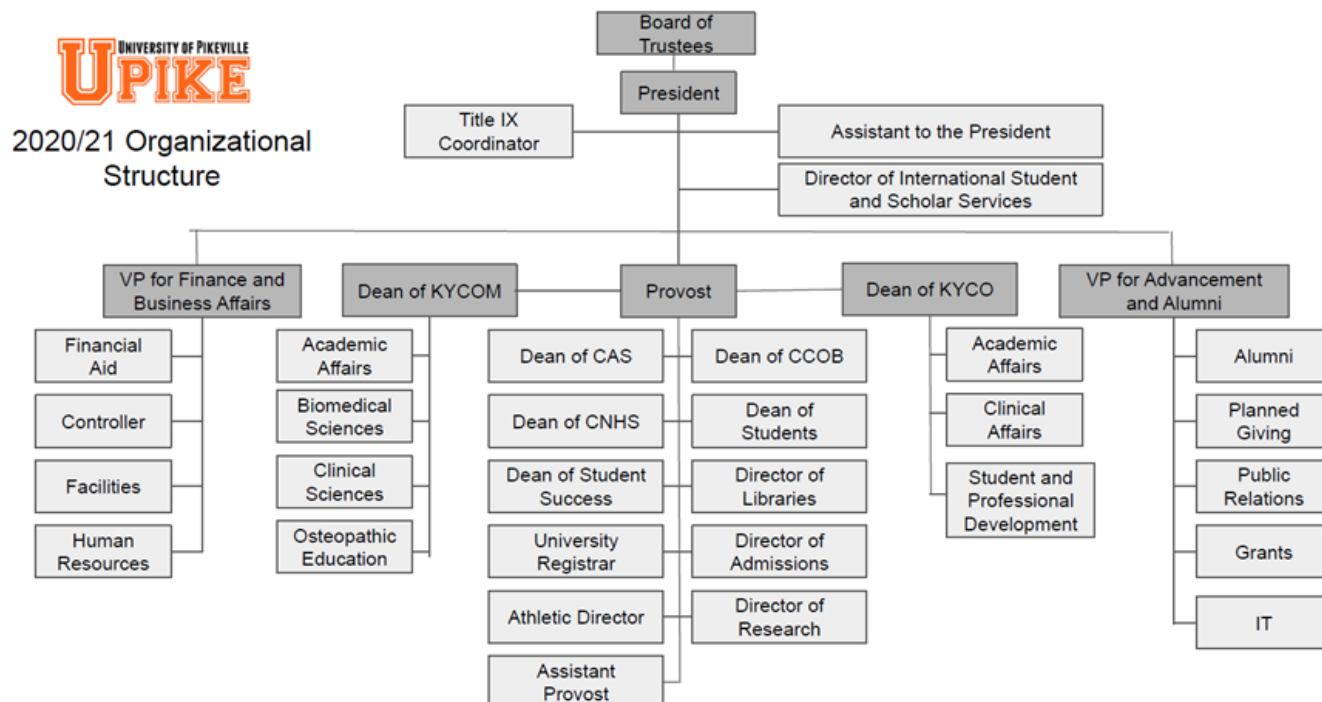
## 1.1.5 Role of the Administration

The President is the chief administrative officer of the University. In their absence, the President designates the Provost as the chief administrator. The President, Provost, and the various Vice Presidents are responsible for administering the affairs of the University consistent with the bylaws of the university and as directed by the Board of Trustees. The role of the President and senior administrative staff are described in the university bylaws.

### **Board of Trustees**

The final authority for determining the mission, nature, structure, and policies of the University resides in the Board of Trustees. The Board is also the employer of the administration, faculty, and staff and is responsible for determining the conditions of employment and salary.

## 1.1.6 University Organizational Chart:



## 1.1.7 Evaluation of Administrators

### Vice Presidents

University Vice Presidents will be evaluated annually by the President. This evaluation will be based on accomplishments of tasks assigned by the President during that year and may include a self-evaluation as well as input from colleagues and those who report directly to the Vice President.

### Provost

The Provost at the University of Pikeville serves at the pleasure of the President and performs tasks in various university sectors, with alumni, and for community relations as assigned by the President. The Provost will be evaluated annually per the following plan.

1. Selfevaluation: At the end of each academic year the Provost will draft a report to the President outlining: 1) tasks accomplished during the previous year; 2) efforts in progress in the various sectors reporting to the Provost; 3) data related to enrollment and retention; and 4) challenges that are likely to arise in each reporting sector within the next year as well as the next 35 years.
2. Dean/Peer evaluation: Each of the Provost's direct reports will be asked to complete an evaluation of the Provost. This electronic evaluation will be completed by December 1 and submitted to the President.
3. President evaluation: The university President will assess the Provost based upon 1) the selfevaluation report provided by the Provost; 2) results of the Dean evaluations; and 3) characteristics of the role of the Provost deemed important by the President. The President's evaluation of the performance of the Provost may also include a survey of the faculty.

### Overview of Timeline for Administrator Annual Evaluations

Date	Description
July 1	Division Chair submit <a href="#">goals and objectives</a> to the appropriate college/school Dean

December 1	<a href="#">Administrator Self Evaluation</a> submitted to the appropriate supervisor <a href="#">Peer Evaluation</a> submitted to the the appropriate supervisor <a href="#">Evaluation of the Provost</a> submitted to the President
January 15	<a href="#">Provost and Division Chairs Evaluation of Deans</a>
February 1	<a href="#">Professional qualities, knowledge, skills, and dispositions evaluation of the Deans</a>
February 15	Administrator and supervisor meet to discuss the evaluation results and develop plans for professional development
June 30	Report on goals and objectives (July 1 report above) due to Dean/Provost

## Chapter 1.2 General Employment Policies and Practices

## 1.2.1 Background Check

All new employees and volunteers are required to participate in a comprehensive background check performed by Human Resources. Employees who have moved to a different position may have their background checked if they have not already completed the background check within the prior year. The University reserves the right to run periodic criminal background checks on any employee at any time. Background investigations include a criminal history record check, and, when appropriate, an educational, financial, and/or motor vehicle history check.

## 1.2.2 Breastfeeding & Lactation Support

Recognizing the importance of breastfeeding for both mothers and their infants, and of promoting a family-friendly workplace, the University provides breastfeeding and lactation guidelines. The University strives to create an environment conducive to working and learning and one that is attuned to both professional and personal needs of its women faculty, staff, and students.

The University recognizes the importance and benefits of breastfeeding and is committed to promoting this effort. Therefore, in a manner consistent with Kentucky Revised Statute, the University acknowledges that a woman may breastfeed her child in any place open to the public on campus. Additionally, the University shall provide sanitary and private space for expressing milk wherever possible, and lactation breaks.

Upon returning to work after the birth of a child, nursing mothers may request an area to pump breast milk in the workplace during normal business hours. Supervisors will work with employees who are nursing to schedule reasonable and flexible break times each day for this activity. The employee must provide her own pump, adapter, and accessories as well as a small cooler or insulated bag. The supervisor must assist in providing a positive atmosphere of support for breastfeeding employees.

### **Lactation Breaks**

Whenever possible, the University shall provide flexibility for staff and faculty members who give their Division Chair, college/school Dean or Supervisor adequate notice identifying a need for lactation facilities. Employees are responsible for requesting lactation support prior to or during maternity leave, preferably no later than two weeks before returning to work.

Supervisors and employees shall work together to establish mutually convenient times for breaks. Employees who need assistance are encouraged to make appropriate arrangements with their supervisors to ensure that normal work-related activities are not severely disrupted and their assigned tasks are completed as expected.

**Lactation Facilities**

The university, at a minimum, should provide private rooms with locked doors that are clean and comfortable. Each room should have an electrical outlet and one table and one chair. The location may be the place an employee normally works if there is adequate privacy, cleanliness, and is comfortable for the employee. If not, the University will provide a place in close proximity to the employee's work area. Supervisors who receive a lactation accommodation request should review available space in their department and be prepared to provide appropriate nearby space and break time.



### 1.2.3 Community Expectations

At the University of Pikeville, we are a family. Families have discussions, offer constructive feedback, and support each other during difficult times. The UPIKE family comes together once a day for conversations during lunch. This is an opportunity for our community to share celebrations and engage in meaningful conversations. A balance between connecting with the UPIKE family and continuing to leave time for our families at home is essential.

During electronic or face-to-face conversations, we are committed to fostering a culture of respect and civility, where all members of the community share a commitment to open inquiry and the pursuit of knowledge. Civility refers to the ability to respect differences of opinion and perspective while engaging in meaningful dialogue within a community. University leaders, supervisors, faculty, and staff have a responsibility to act in good faith and be active participants in contributing to the creation and enhancement of a community culture of respect, civility, inclusion, dignity, and understanding for the people with whom they work. Treating each other with courtesy and civility regardless of position or status in the academy is paramount. Members of the UPIKE family should address incidents of incivility toward them directly with the individual responsible for the behavior. All members of the UPIKE family may seek support, advice, and assistance from their supervisor or the Department of Human Resources.

Finding appropriate work-life balance is a never-ending quest in many lines of work, and academia is no exception. It is all too easy to work late into the evening grading or answering email. At University of Pikeville, we encourage employees to seek an appropriate work-life balance. The UPIKE community is not defined entirely by our professional pursuits. We have other families who bring obligations to care for and devote time to loved ones. Finding the appropriate balance between an academic career and family responsibilities is strongly encouraged.

As an institution, we work each day to honor our traditions and heritage as a Christian college. The practice of Sabbath is as old as written human history. While we realize there will be certain exceptions to this advice, we believe that taking one day each week

as time away from work is a good practice. For some of us, email has become a tyrannical master. Therefore, we encourage members of the UPIKE family to refrain from work-related email on Sunday. There are certainly exceptions to this advice, but we must work to make them as few as possible.

In an attempt to be as clear as possible, here is a bulleted list of our community expectations within the UPIKE family. This list is not policy, though some of these items might be reflected in policy elsewhere. Instead, this is an informal statement of agreement about how we intend to live in community together.

1. We believe that open dialog is the best way to work.
  - a. Complex issues should be addressed face to face.
  - b. Information gathering and dissemination can be done via email, but debate via email is unproductive and prone to misinterpretation.
  - c. The use of blind copy should generally be avoided.
2. We care deeply about student learning and the student experience - everything we do must serve this end.
3. We believe that clear and simple solutions are usually the best.
4. We trust one another and we hold each other accountable. Trust and assessment are hallmarks of good educational practice.
5. We believe that operational transparency is important, but there are limits. For things done beyond the veil, clear policies must exist and be followed; asking for verification that policy was followed is appropriate.
6. We believe in empowering people to do the right thing.
7. We believe that Sabbath is important; we find time to rest from our labor one day each week.
8. We recognize that social media has great power for good or ill and, therefore, should be used with care.
9. We thank and praise one another in public, correct in private, and take care to always be civil.

## 1.2.4 Complaint and Dispute Procedure

The University of Pikeville provides a structured method for employees to seek timely and objective resolution of complaints and/or disputes arising in the workplace not involving supervision of work performance or assessment. The process seeks to determine the appropriateness of decisions or actions affecting an employee's work environment, and to establish what modifications, if any, might be warranted. This procedure is not to be confused with the appeals procedure related to promotion or termination outlined in subsequent chapters of this policy manual. Appropriate dispute and appeals processes described later will supercede this procedure if necessary. Employees may initiate the process without fear of retaliation as noted by the University [Non-Retaliation Policy](#).

**Confidentiality.** It is important to recognize that understanding the nature of the complaint, and facilitating resolution, typically requires speaking with others. The person conducting the review will take this step only when necessary to resolve the complaint and only with those persons relevant to the resolution of the dispute. It is presumed that all participants of a grievance (i.e., complainant, respondent, interviewees, witnesses, supervisors, and institutional leadership) will maintain the confidentiality of the proceedings to ensure an unencumbered resolution process.

**Complaint process defined.** The complaint process is designed to help both staff members and supervisors constructively understand and address work-related issues regarding job performance, disciplinary warnings, and suspensions for unsatisfactory performance or misconduct. The process is also a vehicle to address valid concerns about specific work assignments or other working conditions, changes in positions, reporting relationships, performance evaluations, work unit or position restructuring, and interpersonal conflicts among individuals.

Concerns regarding such administrative issues as job titles or individual rates of pay are subject to review utilizing this process. Human Resources, in conjunction with appropriate departmental personnel, should be consulted during this administrative review. Your immediate supervisor should be your first point contact if your concern is in one of these areas.

**Complaint/dispute process.** A three level procedure is established to resolve valid

employee complaints or disputes.

1. The employee should first review the issue(s) with the immediate supervisor. Where feasible, the supervisor should make every reasonable effort to resolve the matter as expeditiously as possible. The employee will be permitted both time and opportunity to express themselves to ensure that all relevant facts are known during the resolution process. If appropriate, the supervisor may seek advice from superiors or Human Resources personnel to resolve the issue at this level.

If the question or concern is such that it cannot reasonably be taken first to the immediate supervisor, or if the employee is dissatisfied with the decision made at this level, the employee may proceed to the next level under this procedure.

2. Complaints/disputes taken to Level 2 of this procedure must be summarized in writing utilizing the [Complaint/Dispute Resolution form](#).

The request to move the complaint forward should be sent to the college/school Dean or Department Director, whichever is appropriate, and should include the following in the written summary:

- a. a brief statement of the complaint or dispute,
- b. reasons for the employee disagreement(s), and
- c. the remedy requested.

The Department Director or Dean may address the issue personally and may seek consultation with Human Resources before formulating methods to satisfactorily resolve the matter.

3. If the complaint is initiated at the Director level, or the complaint is not satisfied with the resolution efforts rendered by the Department unit involved (i.e., IT, Admissions, Student Life, etc.), the employee may proceed to Level 3 of the procedure and forward the written summary, along with all original documents, and/or additional documentation that was generated and reviewed at Level 2, to the appropriate Vice

President or Provost.

The appropriate Vice President or the Provost will review the complaint and/or dispute, and may consult with other institutional leadership members as appropriate to render a final decision to resolve the issue.

## 1.2.5 Conflict of Interest/Commitment Policy

In order to safeguard the activities and assets of the University of Pikeville, employees of the University should not have interests in outside businesses which conflict or appear to conflict with their ability to act and make independent decisions in the best interest of the University of Pikeville.

An employee is considered to have an interest in an outside business if the employee or any member of his/her immediate family holds any ownership in the business or its property; furnishes goods or services to the business; is a creditor, employee, agent, officer, director, or consultant of the business. Outside businesses include any person, firm, corporation, or government agency that sells or provides a service to, purchases from, or competes with the University of Pikeville.

Excluded are investments in the securities of a bank, public utilities, and transportation companies subject to regulations by government authority or a mutual fund or investment company registered under the Investment Company Act.

At the time of hire, and periodically thereafter as requested, all employees will be required to complete an agreement concerning ethical standards of conduct and conflict of interest. Periodic checks will be conducted by the Human Resources Department to determine changes that have occurred; however, all employees are expected to exercise good judgment and discretion in evaluating a particular activity so as to avoid any actual or apparent conflict of interest. If in doubt, the employee should discuss the activity in question with his/her supervisor and/or Human Resources.

**Ethical standards.** The University of Pikeville expects its employees to observe the highest standards of business ethics. No employee should take any action on behalf of the university that they know, or reasonably should know, violates any applicable law or regulation. This obviously includes such activities as bribery, kickbacks, falsehoods, and misrepresentation.

The University of Pikeville prohibits all employees from accepting gifts, gratuities, or entertainment from individuals and firms with whom the University of Pikeville does

business. It is also a violation to give gifts to individuals or firms with whom the University of Pikeville does business. Excluded from this prohibition is the exchange of normal business courtesies such as luncheons or dinners, when they are proper and consistent with regular business practice. Also excluded are advertising or promotional materials and holiday or other gifts, which are of nominal value (less than \$25).

Failure to comply with the aforementioned provisions may result in corrective action, up to and including termination of employment.

## 1.2.6 Consensual relationships

### **Rationale:**

The university questions the propriety of any consensual relationship between any member of the faculty or staff and any student or subordinate. All faculty and staff members are, or appear to be, in a position to exercise power, directly or indirectly, over all students, whether or not the students are enrolled in the employee's classes or are otherwise subject to their direct supervision. Many of the students are at a time and stage in their development when they may be particularly vulnerable to the influence of faculty and staff members who are in positions of authority and respect. The respectful attitude of students toward faculty and staff is an important ingredient in the educational process, and the greatest care must be taken that it not in any way be abused. It should also be kept in mind that even if a fully mature student consents to a consensual relationship with a faculty or staff member, the existence of such a relationship could have unintended adverse effects upon students, faculty, and staff and the educational atmosphere of the University. Furthermore, the dissolution of these relationships can create discord and significantly impair the normal operations of the University.

### **Policy:**

Employees shall not engage in a dating, romantic, or sexual relationship with either a subordinate worker or a university student. Such relationships may be inherently unequal, contain an element of superiority or power, create a perception of favoritism or bias, may be exploitative and/or be inconsistent with the University's efforts to provide an environment that is free from sexual harassment. Employees who are in or wish to engage in a dating, sexual, or romantic relationship with a subordinate worker are expected to advise Human Resources and may be reassigned to avoid conflict with this policy. Employees of the university are prohibited from engaging in dating, romantic or sexual relationships with students unless the employee is currently married to the student.

For the purposes of this policy, a university student can be considered to be any person who is enrolled in at least one credit hour of undergraduate, graduate, or professional coursework at the University of Pikeville. Full-time and part-time employees, who are



taking classes and who are not required to be enrolled as part of their position, are considered to be employees under this policy.

In order to protect the integrity of the University's academic and work environment, this policy applies to all on-campus and off-campus conduct, including relationships that occur when the University is not in session.

Instances of an employee's spouse taking university classes are exempt from this policy.

Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

Complaints of violations of this policy should be made to the Director of Human Resources.

## 1.2.7 Copyright Policy

The Copyright Act of 1976 provides copyright protection for original works of authorship fixed in a tangible format. This policy governs the use of copyrighted works at the University of Pikeville.

It is the intent of the University of Pikeville to support and abide by the provisions of the United States Copyright Law (Title 17, United States Code, Sect. 101, et seq.). The following policies are intended to be used as guidelines for all university employees who wish to use copyrighted material in the course of their duties at the university. This includes, but is not limited to, reproducing, altering, or performing works protected by copyright.

Two other laws that also address the use of copyrighted works are the 1998 Digital Millennium Copyright Act (DMCA) and the 2002 Technology, Education, and Copyright Harmonization (TEACH) Act. The DMCA restricts the use of copyrighted works in electronic formats. The TEACH Act permits additional distribution rights for online education. The University of Pikeville supports and abides by the restrictions of both the DMCA and the TEACH Act.

U.S. copyright law contains many gray areas, and the goal of this policy is to provide administrators, faculty, librarians, students, employees, and others with a standard approach for addressing complex copyright issues. This policy covers classroom uses such as photocopying, online and distance education, and course packs. It also covers library uses such as print and electronic reserves, ILL, and document delivery. Other copyright and intellectual property policies may complement this policy by providing guidance on copyright issues beyond text-based materials used in the classroom and library.

The following policy provides practical guidelines and procedures to follow on copyright-related matters. However, it is not a substitute for legal advice, and proper legal assistance should be obtained when necessary. The University Copyright Officer will be able to assist you.

Copyright Officer Edna Fugate  
Director of Library Services  
(606) 218-5606  
[ednafugate@upike.edu](mailto:ednafugate@upike.edu)

Members of the university community who willfully disregard the copyright policy do so at their own risk and assume all liability.

*Approved Undergraduate Faculty (October 28, 2010)*  
*Approved UPIKE-KYCOM Faculty (November 2010)*  
*Approved UPIKE Board of Trustees (February 5, 2011)*

## **Guidelines and Procedures**

### **What is the purpose of Copyright Law?**

The rights granted by the Copyright Act are intended to benefit creators of original works including literary, dramatic, musical, architectural, cartographic, choreographic, pantomimic, pictorial, graphic, sculptural and audiovisual creations. This means that virtually any creative work—including books, magazines, journals, newsletters, maps, charts, photographs, graphic materials, and other printed materials; unpublished materials such as analysts' and consultants' reports; and non-print materials, including electronic content, computer programs and other software, sound recordings, motion pictures, video files, sculptures, and other artistic works—is almost certainly protected by copyright. Exclusive rights are granted to the creator of original work and include the rights to reproduce, distribute, publicly perform, and publicly display their works.

These rights provide copyright holders control over the use of their creations and an ability to benefit, monetarily and otherwise, from the use of their works. In the U.S., the general rule of copyright[1] duration for a work created on or after January 1, 1978, is the author's life plus 70 years after the author's death, often referred to as "life-plus-70." Works created for hire, anonymous works and pseudonymous works usually have a copyright term of 95 years from the first publication or 120 years from creation, whichever is shorter.

Work published in other countries is governed by the copyright laws of the country in which it is published.

Examples of works not protected by copyright include:

1. Unfixed works that have not been recorded in a tangible form
2. Work in the public domain because copyrights have expired
3. Titles, names, short phrases, and slogans; familiar symbols or designs; numbers
4. Ideas and facts
5. Processes and systems (e.g., the Dewey decimal system)
6. Federal government works (e.g., the tax code)

### **What are the rights of copyright owners?**

Copyright is designed to provide legal protection for the authors of original works, including literary, dramatic, musical, artistic, or any other intellectual product. Publication is not essential to claim copyright protection; however, in order to take legal action, the copyright must be registered with the U.S. Copyright Office. Section 106 of the Copyright Act gives the owner exclusive rights to control who can do the following:

1. Publicly display the work
2. Reproduce copies of the work
3. Prepare derivative works based on the work
4. Distribute copies of the work by sale, rental, lease, or lending
5. Publicly perform or display the work
6. Perform sound recordings publicly by means of digital audio transmission

The rights above are subject to “Fair Use” limitations that apply to all media with medium specific limitations.

### **What is Fair Use?**

Fair Use, covered in Section 107 of the Copyright Act of 1976, allows scholars and students limited use for educational purposes. Fair Use is a set of guidelines and

consists of four factors that must be considered. The Copyright Clearance Center (<http://www.copyright.com/learn/about-copyright/>) has an excellent explanation of how to determine Fair Use for academic purposes.

The following must be considered to determine Fair Use:

1. The purpose and character of the use
2. The nature of the copyrighted work with special consideration given to the difference between a creative work and an informational work
3. How substantive the portion or amount of the work to be used versus the work as a whole
4. Effect of the use on the potential market for the work

Permission for copying in excess of Fair Use is available through the Copyright Clearance Center (<http://www.copyright.com>) and the cost will be charged to the Academic Department. Permission of the Division Chair is required before you make the request. The University of Pikeville Bookstore works with a third party vendor to obtain copyright permissions and print course packs.

## **Copyright Law and Printed Materials**

### **Works that may be used freely**

Some publications, primarily scholarly, may include a notice stating that the work can be used freely for educational purposes. These are open access or creative commons works.

Works in the public domain are not protected by copyright. The following works are included:

- Works published in the U.S. before 1923
- Works published with a copyright notice from 1923 through 1963 and the copyright has not been renewed
- Works published without a copyright notice from 1923 through 1977
- Works published without a copyright notice from 1978 through March 1, 1989, that were not registered with the copyright office within five years
- Most United States government documents

## **Photocopying**

Copies made for classroom use must meet the Fair Use Guidelines and include a notice that it is a copyright work. See “Library Reserves” below for more guidelines.

## **Photocopying Sheet Music**

The following guidelines pertain to the copying of sheet music.

- Emergency copying for a performance is allowed, as long as a replacement copy is subsequently purchased.
- An entire performable section is allowed if it is out of print or only available in a larger work.
- Excerpts to be used in class, but not performed, should not exceed 10% of the entire work and should not equal a performable unit.

## **Signage**

Effective signage regarding photocopies and copyright should be posted at every photocopy machine on campus.

## **Inherent Copyright and Web Materials**

Material that is not commercially printed, but is posted online, may not contain a copyright symbol or a notice of copyright. However, if the work can be identified as the original creation of an author, the work is protected by copyright and the Fair Use must be considered.

There are several factors to consider when using internet resources:

- Unless the material states that it is copyright free or open access, consider it copyrighted
- This includes text, audio files, images, and videos
- Legitimate academic use of internet sources falls under Fair Use
- Materials must be properly cited
- Non-published sources such as email or web forums are owned by the author and permission is required for use
- Works that aren't identifiable as a creation of an author, e.g. a graphic of trees that is not unique and has no author statement, would not be copyrighted

## **Copyright Law and Library Reserves**

### **General Information**

Section 107 of the Copyright Act requires that all items placed on library reserve meet the Fair Use Guidelines as to the purpose of use, brevity of selection, spontaneity and cumulative effect. Each copy must also include a notice that the item is copyrighted material.

For the Fair Use Test, visit the Copyright Clearance Center

<http://www.copyright.com/learn/media-download/copyright-on-campus/>

Reserve materials should be a reasonable portion of the reading and required material for the course. Reserve material is not intended to substitute for textbooks.

### **Books**

Books owned by the library that are part of the circulating collection, personal copies of the faculty member, or copies owned by the department may be placed on reserve without copyright permissions. The selection assigned must meet Fair Use Guidelines. The amount used in the class usually cannot exceed one chapter or one selection from an edited collection of readings or essays. Required workbooks or textbooks cannot be placed on reserve.

### **Journals**

Only one article from an issue of a journal or newspaper may be placed on reserve without obtaining copyright permission.

### **Media**

Media items owned by the Library, personal copies of the faculty member, or copies owned by the department may be placed on reserve. Please note that some library DVDs have public performance rights, but most do not. However, copyright allows their use in face-to-face teaching situations.

Recordings that have been illegally copied or recorded will not be placed on reserve and violate Fair Use.

## **Photocopies**

The guidelines below apply to both print and electronic Reserves.

All photocopies placed on reserve are considered to be the property of the faculty member. The copies will either be returned or destroyed at the end of the semester.

The following items can be placed on reserve without acquiring copyright permission:

- Exams created by the faculty member
- Lecture notes
- Government documents
- Works that are in the public domain
- Works that do not include a copyright notice and are first published before January 1, 1978.

If the following items meet the Fair Use Guidelines, they can be placed on Reserve. A reasonable number of photocopies (one copy for every 10-20 students) are allowed.

- One copy of an article from a single journal issue
- One short story, essay, or poem
- One chapter of a book
- One chart, drawing, diagram, cartoon, illustration, or graph

In order to comply with the copyright guidelines, the library staff will require the following procedures, as applicable:

- Faculty must sign a form that they are complying with copyright guidelines when placing items on reserve.
- All items must contain a notice of copyright. The library staff will have a standard form that can be filled out, copied, and placed with the material.
- Student work placed on reserve will require a signed permission form from the student.

Materials that cannot be placed on reserve include the following:

- Items obtained through interlibrary loan
- Photocopied pages of a workbook
- Anthologies created by using photocopies from different works



- Items that were on reserve the previous semester unless copyright permission has been obtained by the faculty member

Items will be returned if the library staff determines that there is an infringement of copyright law. You may obtain the needed permissions and re-submit the material. In order to obtain permission, please visit the Copyright Clearance Center at <http://www.copyright.com>. The department will cover the cost but departmental procedures must be followed.

## **Copyright Law and Interlibrary Loan**

### *General Information*

Interlibrary Loan (ILL) is a service that allows University of Pikeville students, faculty, and staff to borrow copyrighted materials, including books, journals, and other materials from other libraries. Interlibrary loan activities are primarily governed by section 108 of the Copyright Law of 1976, and are further restricted by the Commission on New Technological Uses of Copyrighted Works (CONTU) guidelines, which limit aggregate quantities for photocopying. Section 107 (Fair Use Guidelines) may also apply to certain interlibrary loan transactions. Vendor licenses may also restrict interlibrary loan of some database material.

### **Books and other materials**

- Most books and other materials may be borrowed without violation of copyright as long as they adhere to the Fair Use Guidelines.
- Textbooks may NOT be requested if they are required for a course taught at the University of Pikeville. Interlibrary loan services are not intended as an alternative to purchasing a required text for a course, and requesting them would be a violation of the Fair Use Guidelines.
- Circulation of collections is at the discretion of the lending library. Many libraries choose not to lend certain collections, such as Reference, Audio-Visual, or Genealogy materials.

### **Periodicals and Photocopying**

- Section 108 of the Copyright Act specifies that a library may copy “no more than one article or other contribution to a copyrighted collection or periodical issue, or ... a small part of any other copyrighted work.” The copy must become the

property of the requestor, and its use is limited to “private study, scholarship, or research.”

- The University of Pikeville Libraries adheres to the CONTU Guidelines, which offer guidance as to what a “small part” of a work may be.
- The CONTU Guidelines state that FIVE is the maximum number of photocopied articles that can be requested from the most recent five years of a periodical to which the libraries do not subscribe. Individuals requesting copies in excess of the CONTU allowance may be asked to pay a royalty or the fee necessary to obtain such copies commercially.

The following may be copied and distributed through Interlibrary Loan:

- Entire works or sections of works that are in the public domain
- Entire works or sections of works by the U.S. government
- Entire works or sections of works used with permission from the copyright holder
- Entire works or sections of works used under the provision of Section 108 (reproduction by libraries and archives)
- Portions of books, journal issues, and other print resources that meet a reasonable determination of fair use
- Works used under the provisions of a contract or license agreement (These agreements may differ from, and often take precedence over, what is allowed under copyright law.)
- Copyrighted works owned by the University of Pikeville Libraries, or another library, if after a reasonable investigation, the copyrighted work cannot be obtained at a fair price.

The Interlibrary Loan office is legally obligated to display prominently the following notice and to include the same text on all request forms.

**NOTICE:**

***WARNING CONCERNING COPYRIGHT RESTRICTIONS***

*The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a*

*photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of “fair use,” that user may be liable for copyright infringement.*

*This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.*

## **Digital Resources**

No clear-cut guidelines have been developed yet pertaining specifically to digital resources. Electronic resources and subscriptions usually require license agreements which detail who, how, and where the resources may be accessed. License agreements vary widely and copyright permissions must be evaluated individually. It is the responsibility of the Lending Library to ascertain whether fulfilling an Interlibrary Loan request is in violation of their license agreement. The University of Pikeville Libraries does not “lend” electronic access or copies of materials obtained electronically to people or libraries under any circumstance that could violate license agreements.

## **Copyright Law and Multimedia**

Multimedia materials include, but are not limited to, still and moving images, sounds, data, digital texts, and World Wide Web services. The use of these materials in the classroom is protected under copyright law unless there is specific reason to believe that they are in the public domain. Students may read, watch, and copy multimedia materials presented in the classroom for private use, but may not copy and distribute these materials. If students use parts of these multimedia texts in research and written work, they must credit these sources appropriately. Students must obtain permission from the copyright holders to share the material beyond the classroom.

Use of these materials is permitted in an educational institution as long as certain conditions are met. Section 110 (1) of the Copyright Act of 1976 specifies that the following is permitted:

“performance or display of a work by instructors or pupils in the course of face-to-face teaching activities of a nonprofit educational institution, in a

classroom or similar place devoted to instruction, unless, in the case of a motion picture or other audiovisual work, the performance, or the display of individual images, is given by means of a copy that was not lawfully made under this title, and that the person responsible for the performance knew or had reason to believe was not lawfully made.”

Additional text of the Copyright Act and portions of the House Report (94-1476) combine to provide the following, more detailed list of conditions [from Virginia M. Helms, *supra*]:

- They must be shown as part of the instructional program.
- They must be shown by students, instructors, or guest lecturers.
- They must be shown in either a classroom or other school location devoted to instruction such as a studio, workshop, library, gymnasium, or auditorium if it is used for instruction.
- They must be shown in either a face-to-face setting or where students and teacher are in the same building or general area.
- They must be shown only to students and educators.
- They must be shown using a legitimate (that is, not illegally reproduced) copy with the copyright notice included.
- Multimedia texts may not be used in a classroom setting for entertainment or recreation, whatever the work’s intellectual content.

### **Making and Using PowerPoint slides from copyrighted works**

Faculty members are responsible for obtaining copyright permissions for classroom materials. Copyright ownership of slides and photographs encompasses control over display as well as reproduction. However, Section 110 of the Copyright Act of 1976 addresses the display of copyrighted slides and photographs in educational settings by allowing “display of a work by instructors or pupils in the course of face-to-face teaching activities of a non-profit educational institution, in a classroom or similar place devoted to instruction” so long as the copy of the artwork was lawfully made. Furthermore, the purpose of the display must be integral to the course.

Faculty members have access to the ARTStor database that does allow use of most of the material in the classroom.

## **Copyright and Distance Learning**

### **A Brief Guide to the Technology, Education, and Copyright Harmonization (TEACH) Act**

Copyright law does not distinguish between copyrighted materials by format. Print and digital materials are handled in the same manner. However, distance education and Learning Management Systems created new issues due to the need to digitize, display and copy material. Students at distant locations were at a disadvantage due to copyright restrictions that limited use to face-to-face teaching situations. The TEACH Act amends sections of 110(2) and 112(f) of the U.S. Copyright Act to permit greater latitude in the use and display of copyrighted materials for distance education.

If an institution meets the requirements of the TEACH Act:

- Instructors have the right to use a wide range of material in distance learning.
- Students may participate in class from any location.
- Storing, digitizing and copying of documents are permissible acts.

A partial listing of requirements that must be met under the TEACH Act:

- The institution must be an accredited, non-profit educational institution. The Institution must have a copyright policy and provide information on copyright to the faculty members.
- Students must be informed that the material is covered by copyright and a notice of copyright must be displayed on the materials.
- Technological measures to prevent unauthorized users and/or excessive printing, copying, (other than assigning a password), must be in place.
- Access must be terminated at the end of the class.
- Use must be limited to students in a class and mediated by an instructor.
- Use cannot include transmission of textbooks or materials that would normally be purchased, such as workbooks.
- Fair Use Guidelines do apply.
- For more information see:  
<http://www.copyright.com/wp-content/uploads/2015/04/CR-Teach-Act.pdf>

If it is necessary to conduct an online class without live interactive feedback, apply the following rules to confirm the educational use exemption applies. Check [US code Title](#)

[17 Chapter 1 section 110](#) to determine if, in fact, you need to worry about transmitting copyright works in the first place. If you feel that copyright still applies to the works you want to use in your class, then please follow these rules of thumb in their use:

1. Incorporate copyrighted works in limited amounts and then only if a faculty member or the institution possesses a legal copy of the work.
2. Address any copyright issues by properly citing the source.

Include in your citation:

- The copyright notice if it is included on the original item;
- Appropriate citations and attributions to the source;
- A “do not copy under penalty of law...” statement is necessary. Please use the official University of Pikeville notice available from the copyright officer.

If your use does not fit easily into the above rules of thumb, you will need to apply Title 17 Chapter 1 section 107, of the Fair Use Guidelines. Please contact the director of copyright policy for the University of Pikeville to determine if your use passes the “fair use exceptions.”

### **Learning Management Systems**

The guidelines that apply to classroom use also apply to use of copyrighted material on a Learning Management System (LMS).

Some things to remember are

- Fair use applies to all material just as it does in print.
- A LMS does not substitute for purchasing textbooks or workbooks.
- Providing links to online database content subscribed to by the Library is allowed and is the preferable method for providing access.
- Remember that the rights included with the purchases of textbooks vary by publisher. Some will allow scanning and posting but some do not.
- Copyright notices must be included with copyrighted material.
- Be certain that copyrighted materials are removed at the end of the semester.

### **Copyright and Software**

#### **Personal Use**

All software is copyrighted and may not be duplicated without the permission of the author. Major applications such as Microsoft Word and PowerPoint as well as utilities such as Norton Anti-Virus, clip art, and the operating system (Windows), are samples of copyrighted software. When software is purchased, the buyer purchases the right to use

it but does not own the software. The buyer can legally install and use one copy on one machine unless a multiple user license has been purchased.

Shareware is user supported software distributed by the author, but it is not free. Usually, the author includes a request for evaluation of the software shareware and after a set period of time, the user is expected to either pay for the software or delete it.

Freeware is software placed in the public domain by the author and can be copied and distributed without cost.

### **Fair Use and Software**

Fair Use Laws do not apply to software. Universities and colleges are subject to the same software copyright laws as corporations and individuals. Software cannot be duplicated without authority from the publisher. The following activities will violate copyright restrictions pertaining to software:

- Using one set of disks to install software on several computers without purchasing a site license
- Borrowing or loaning copyrighted software
- Installing University-owned software on a home computer, unless the University purchases a copy for that purpose

Unauthorized duplication of software, also known as software piracy, is a federal crime carrying significant penalties for universities and corporations. In order to protect creativity and intellectual endeavors, the University will not tolerate software piracy.

The Music Library Association (MLA) offers guidelines pertaining to copyright and use of digital audio files. <http://copyright.musiclibraryassoc.org/Resources/PublishedGuidelines>

### **Digital Millennium Copyright Act (DMCA)**

On October 28, 1998, the Digital Millennium Copyright Act (DMCA) was signed into law. Title II of this Act gives protection from liability for copyright infringement to online service providers (OSP), such as colleges and universities, who comply with the provisions of the Act. Users providing copyrighted information on a website hosted by the University of Pikeville are reminded that repeated copyright infringement may result in loss of network access.

To report suspected copyright infringement on a website hosted by the University of Pikeville, users should contact the University of Pikeville Assistant Vice President for Information Technology.

***Jonathan Williamson***

Director of Information Technology

(606) 218-5327 • [jonathanwilliamson@upike.edu](mailto:jonathanwilliamson@upike.edu)



## 1.2.8 Disability Accommodation

The University of Pikeville is committed to complying fully with the [Americans with Disabilities Act \(ADA\)](#) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Reasonable accommodation is available to all disabled employees where their disability affects the performance of job functions. Reasonable accommodations are modifications to the work environment or to how a job is customarily performed, which enable a qualified individual with a disability to perform in a position, given modifications which do not impose an undue hardship while retaining the essential functions of the job.

All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. If an applicant for employment or an employee believes they are eligible for such an accommodation, the individual must notify the Human Resources Office and provide adequate information about the disability and requested accommodation, including such medical documentation as may be required for the University to respond to the request.

Qualified individuals with disabilities are entitled to the same terms, conditions, and benefits of employment that are provided to employees who are not disabled. The University of Pikeville is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability.

This policy is neither exhaustive nor exclusive. The University of Pikeville is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the [ADA](#) and all other applicable federal, state, and local laws.

## 1.2.9 Drug and Alcohol Policy

The University of Pikeville, in accordance with the Drug-Free Schools and Communities Act of 1988, does not permit the use of drugs or alcohol on campus. Under this act:

- it is unlawful to manufacture, distribute, dispense, possess or use any controlled substance (including alcohol) in the workplace;
- the University will take disciplinary action (up to and including termination of employment) when this policy is violated by employees;
- any employee who is convicted of violating any criminal drug law must notify the University no later than five days after the arrest.

As part of the disciplinary process, the University will recommend special counseling and/or a rehabilitation program if you have asked for help or if you are identified as needing help.

If you are disciplined because of drug or alcohol dependency, you may formally appeal the action. For more information about this policy or for seeking support, please contact Human Resources.

## 1.2.10 Email and Technology Policy

All the University of Pikeville faculty, staff, and currently-enrolled students are eligible for network accounts through the University of Pikeville Information and Technology Services. Retired University of Pikeville faculty and staff may request that their e-mail and personal Web page services remain active upon retirement. Each account is assigned for the use of a single user. Sharing of accounts is prohibited. The user for whom the account was created is responsible for the security of the account and all actions associated with the use of the account.

University computer facilities and accounts are owned by the University of Pikeville and are to be used for academic research and instruction, electronic mail, internet access, and for activities related to the mission of the University of Pikeville.

**Email.** Electronic mail is covered under the Electronic Communication Privacy Act of 1986. This act provides for the prosecution of individuals found surreptitiously capturing, reading, or altering another's email without permission. Users should not email any message that they would not be willing to sign and put in the mail. It is strictly prohibited to send or forward email containing libelous, defamatory, offensive, racist, or obscene remarks. If you receive an email of this nature, you must promptly notify your supervisor.

**Confidentiality.** Official university files including student, alumni, university donor, and personnel, are kept on computers and are considered confidential. Only authorized persons are allowed to access them. Federal regulations govern the use and distribution of information concerning students. Discussion or release of confidential information without authorization could result in disciplinary action.

**Unauthorized Use.** The University of Pikeville expects all departments to be aware of how intellectual property laws, regulations, and policies apply to the electronic environment and to respect the property of others.

Unauthorized use of facilities, equipment, and services includes, but is not limited to, the following illustrative examples: illegal or criminal activities, including copying or

distribution of copyrighted material without permission; sending fraudulent electronic mail; the unauthorized use, deletion or alteration of accounts or files belonging to other users; use, attempted use, or possession in one's account of programs intended to crash the system, fraudulently imitate system responses, or gain unauthorized access to privileges, accounts, data, software, computers, or networks; harassing or intimidating others; interfering with the reasonable and normal use of the facilities and services by others; sending unsolicited email to large groups or forwarding "chain letters;" copying licensed, proprietary software; or deliberately altering or damaging facilities, hardware, software, system files, or operating system software in any way that would prevent or interfere with the intended use of the computer system by others. Accounts may be revoked if the account is found to have been used for activities that violate any portion of this policy, or if the owner of the account is no longer enrolled or employed by the University of Pikeville.

## 1.2.11 Employment At Will Policy

The University of Pikeville adheres to the employment at will policy established by Kentucky law. This essentially means that you, as well as the University, have the right to terminate the employment relationship at any time and for any reason. The employment at will policy is a widely recognized employment standard, and will govern your employment with the University and our relationship with you as long as you are an employee.

For some employees, there are other policies that affect the application of this policy. See [Chapter 2](#) for other related policies.

## 1.2.12 Equal Employment Opportunity (EEO) Statement

The University of Pikeville is committed to providing equal employment opportunities for all qualified persons. The university does not discriminate on the basis of race, religion, sex, age, marital status, veteran status, national origin, sexual orientation, gender identity or expression, qualified disability, or on any other basis prohibited by applicable law in any of its programs or activities. This policy applies to all areas such as hiring, promoting, transferring, training and development, as well as compensation and benefits.

The administration of this University is dedicated to carrying out this policy and will continue to inform any recruiting sources used now or in the future, including the various state employment services, of our nondiscrimination policy and our commitment to equal opportunity.

The University of Pikeville will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. If you believe you are being discriminated against because of any of the classifications above, please immediately contact your Title IX Coordinators:

Bethany Bowersock

Title IX Coordinator

606-218-5344

[bethanybowersock@upike.edu](mailto:bethanybowersock@upike.edu)

Michael Pacheco

Deputy Title IX Coordinator

606-218-5326

[michaelpacheco@upike.edu](mailto:michaelpacheco@upike.edu)

Employees can raise concerns and make reports without concern of retaliation. All complaints will be kept confidential, except to the extent that disclosure is necessary to investigate and resolve the allegations of discrimination or unfair treatment. Any person who has been found by the University of Pikeville, after investigation, to have violated the University of Pikeville's policies on equal employment, will be subject to appropriate sanctions and discipline up to and including termination of employment, depending on the circumstances (see also harassment policy for additional information).

In keeping with federal immigration laws, new employees will be asked to show proof they are either U.S. citizens or authorized to be employed in the United States.

## 1.2.13 FERPA Policy

The University of Pikeville's policy with respect to its student educational records adheres to the requirements and regulations of the Family Educational Rights and Privacy Act.

The Family Educational Rights and Privacy Act (FERPA), (20 U.S.C. § 1232g; 34 CFR Part 99), is a federal law that protects the privacy of student education records. FERPA places limitations on the disclosure of personally identifiable information maintained by the University of Pikeville with respect to students and limits access to educational records, including the right to access, the right to obtain copies, the right to seek correction of such records through informal and formal internal procedures, and the right to place a statement in such educational records explaining any information which the student believes to be inaccurate or misleading. In accord with FERPA regulations, the University of Pikeville holds certain information to be "directory information," and therefore, subject to disclosure without prior consent from the student.

Unless written objection is received no later than 30 days from the commencement of the academic year, the University of Pikeville designates the following items as directory information:

- Student's Name
- Address
- Email (UPIKE)
- Phone number
- Photographs
- Major field(s) of study
- Dates of attendance
- Degrees awarded
- Major field of study
- Name of the undergraduate and/or graduate school attended
- Participation in officially recognized activities
- Weight and height of athletes



- Honors and award

Objections must be in writing, signed and dated by the student, and be directed to the University of Pikeville Registrar's Office. Complaints regarding alleged violations of rights accorded students by the Family Educational Rights and Privacy Act may be directed to: Family Policy Compliance Office U.S. Department of Education, 400 Maryland Ave. S.W., Washington, D.C. 20202-8520.

## 1.2.14 Fire Emergency Procedure

Familiarize yourself with the location of extinguishers, evacuation routes and notification procedures so you will be prepared in case of fire. Your safety, and the safety of others, is our most important concern. If a fire occurs, please adhere to the following procedures:

1. Remove yourself from immediate danger.
2. Assist others in leaving the danger as long as it is safe to do so.
3. Confine the fire or smoke by closing doors and windows as you leave.
4. Activate the nearest fire alarm to alert building occupants.
5. Call 911 first, then the University of Pikeville Public Safety Office at Ext. 5940 (if you are using an off-campus or cellular phone dial 606-218-5940).
  - a. Provide the following information:
    - i. Building name
    - ii. Floor and room number
    - iii. Size or type of fire
    - iv. Your location
    - v. Your name
6. Never attempt to use a portable fire extinguisher unless:
  - a. You have been properly trained
  - b. The fire is small (wastebasket size)
  - c. You are not alone
  - d. A safe escape route is present
  - e. If none of these conditions are present, simply close the door and evacuate
7. If you choose to use a portable extinguisher, follow the PASS procedure:
  - a. **P** - PULL the pin on the extinguisher

- b. **A** - AIM at the base of the fire
  - c. **S** - SQUEEZE the handle before you approach the fire from about 10 feet away
  - d. **S** – SWEEP and SPRAY, covering the entire fire surface as you approach
  - e. If this doesn't extinguish the fire quickly, evacuate
8. Evacuate through the nearest safe exit or exit stairwell and go to your predetermined evacuation assembly point.
  9. Call the University of Pikeville Public Safety Office to ensure the fire was reported.
  10. Once assembled, help to account for personnel and report to the emergency staff if any occupants are unaccounted for and may still be in the building.

Please always remember that it is important to avoid using wedges or otherwise blocking hallway and exit doors open. Open doors can allow smoke to enter stairwells and exit hallways, severely jeopardizing safe evacuation and hampering efforts of fire department personnel.

#### **IF YOU HEAR OR SEE A FIRE ALARM**

1. NEVER assume the fire alarm is a false alarm.
2. Move to the safest exit or exit stairwell.
3. Close doors as you leave the area.
4. Exit the building.
5. Proceed to the appropriate rallying point.
6. Wait for further instructions from the University of Pikeville Police Department or the Fire Department.

#### **IF TRAPPED INSIDE YOUR OFFICE OR AREA**

1. Wedge cloth material along the bottom of a door to keep the smoke out.

2. Close as many doors as possible between you and the fire.
3. Telephone the University of Pikeville Public Safety Office at Ext. 5940 and notify them of your situation.
4. Hang a red sheet of paper in the window.
5. If necessary, signal through the window to let safety personnel know your location, otherwise stay close to the floor.

***Additional procedures to follow in an emergency are:***

1. When the building has been evacuated, do not allow anyone to re-enter until directed by the responding emergency personnel. The only agencies authorized to allow re-entry are the Senior Fire Officer or a University of Pikeville Public Safety Officer.
2. Plans should be developed and modified as necessary to include the shutdown or securing of any critical equipment, experiments, cash drawers, high value items, etc. The plan shall state that this may be done ONLY in cases where time and safety permits. Such procedures include, but are not limited to, securing all cash drawers, either by locking them or taking the drawer with you and having at least one other individual with you during the evacuation. Notify the first University of Pikeville Public Safety Officer to arrive on the scene that you have high value items. This does not include personal items such as purses, jewelry, etc.
3. Do not spend time collecting papers or personal items or wait for others who are doing so.
4. Do not go back into the building once you have evacuated.
5. Do not try to evacuate through smoke or fire. Use a second exit or an area of refuge until assistance can arrive.

## 1.2.15 Firearms and Weapons Policy

At the University of Pikeville, possession of weapons is strictly prohibited on-campus or at any university-sponsored activity and event.

Firearms and weapons are not permitted, concealed or not concealed, with or without a concealed weapon permit, while on university-owned properties. This includes on-campus housing, campus academic facilities, and campus parking spaces.

Possession, display, storage, or use of any weapon, dangerous instrument, explosive material or device, fireworks, or dangerous chemical on university property and at university-sponsored activities is not permitted.

## 1.2.16 Gifts to the University

The Vice President for Advancement and Alumni Relations is responsible for the development program at the University of Pikeville, including soliciting gifts from donors. Any effort to obtain funds from prospective donors must be cleared in advance by the Vice President for Advancement and Alumni Relations so that we:

- avoid over-soliciting people who are already supporting the University, and
- ensure that any solicitation does not coincide or conflict with the overall goals of the development program efforts to obtain general operating support for the university.

The University of Pikeville prefers that gifts be in the form of a check payable to the University of Pikeville, a donation using a credit card on the [UPIKE website](#), or in the form of stock that has been legally transferred to the University. Donors who want to direct how the gift is to be used should put those instructions in writing.

The University discourages gifts in the form of cash because it places liability on the person accepting the gift. If a cash gift is received, it should be taken immediately to the Office of Advancement and Alumni Relations.

All gifts must be submitted to the Office of Advancement and Alumni Relations for processing. The Vice President for Finance and Business Affairs and Controller are the only persons authorized to endorse checks to the University and the only persons authorized to determine if or when a gift of stock should be converted to cash.

The President of the University of Pikeville has ultimate responsibility for and exercises appropriate control over the institution's fundraising activities.

## 1.2.17 Harassment Policy

The University of Pikeville is committed to maintaining a collegial atmosphere in which individuals do not abuse their personal authority or power in interpersonal relationships. More specifically, faculty, staff, and students will not condone actions or words that a reasonable person would regard as discrimination or harassment.

Harassment in any form — verbal, physical, or visual — is strictly against University of Pikeville policy and will result in corrective action. Defining sexual harassment precisely is not easy, but it certainly includes slurs, threats, derogatory comments, unwelcome jokes, exposure to sexually-oriented literature or pictures, unwelcome teasing or sexual advances, and other similar verbal or physical conduct.

Some forms of harassment, including physical contact of a blatant sexual nature or behavior that constitutes clear and wanton intimidation, are grounds for immediate dismissal. For information about filing a complaint, see “Complaint Dispute Procedure.” All employees are required to participate in periodic sexual harassment/harassment training through Human Resources.

Nothing contained in this policy shall be construed to supplant or modify existing laws of the Commonwealth of Kentucky and the United States. This policy shall not be used to remedy acts which are crimes under the laws of the Commonwealth of Kentucky or the United States.

## 1.2.18 HIPAA Policy

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) rules create a framework to protect the medical privacy of patients and health plan members. HIPAA privacy regulations allow covered health care providers and health plans to share information for the purposes of treatment, payment, and health care operations.

The University of Pikeville has a long-standing commitment to protecting the confidentiality, integrity, and availability of identifiable health information by taking reasonable and appropriate steps to address the requirements of HIPAA. We preserve the privacy, security, and confidentiality of the protected health information and medical records maintained by our various schools and departments. Further, the University of Pikeville acknowledges our general obligations of trust and confidentiality reposed in our employees and students who are responsible for medical or mental health treatment at the University.

This policy does not apply to health information contained within education records covered under the Federal Education Right and Privacy Act (FERPA).



## 1.2.19 Intellectual Property Rights Policy

The University of Pikeville is committed to fostering an environment that supports the teaching, learning, scholarship, and creative endeavor of all of its faculty, students, and staff. Within this context, the Intellectual Property Rights Policy is intended:

- to encourage excellence and innovation in teaching, scholarship, and creative endeavors by identifying and protecting the intellectual property rights of faculty, staff, students and the university;
- to encourage the notion that creative and scholarly works produced at the University of Pikeville should advance the state of knowledge and contribute to the public good;
- to clarify the interests of the university and to acknowledge and protect the traditional property rights of scholars with respect to products of their intellectual endeavors (e.g., faculty-authored books, articles, manuscripts, plays, writings, musical scores, and works of art);
- to guide policy and process for commercial uses of employee-created intellectual property other than the traditional products of scholarly work.

This policy covers all types of intellectual property, including in particular, works protected by copyright, patent and trade secret laws. Although the following list is not exhaustive, it provides typical examples of the kinds of work the policy addresses: inventions, discoveries, trade secrets, trade and service marks, writings, art works, musical compositions and performances, software, literary works, and architecture.

### **Policy**

The University of Pikeville owns the rights to all works, inventions, developments and discoveries (herein referred to as “work” or “works”) created by employees within the scope of their employment or whose creation involves the substantial use of University equipment, services, or resources. This includes, but is not limited to, any patentable invention, computer-related software, and databases. This policy will not be applied to such traditional scholarly works as faculty-authored books, articles, manuscripts, plays, writings, musical scores, and works of art (hereinafter referred to as “scholarly works”),

nor to Regular Instructional Works (including, but not limited to, online courses, course materials, lecture notes and laboratory manuals, unless directed or commissioned by the University) developed without substantial university support and used solely for the purpose of assisting or enhancing the faculty member's instructional assignment. In determining whether university support is substantial, factors such as the following shall be considered: (i) whether the creation of the work involved the use of special services, equipment, facilities or technological information that go beyond what is traditionally provided to faculty members generally in the preparation of course materials; and (ii) whether the work in question was created as a specific requirement of employment or as an assigned instructional duty. If the creator needs clarification as to whether a work is considered a Regular Instructional Work, he/she should consult with the Provost and the appropriate college/school dean. In the case of the Kentucky College of Osteopathic Medicine, the appropriate Associate Dean and the Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine should be consulted. In the case of the Kentucky College of Optometry, the appropriate Associate Dean and the Vice President for Optometric Education and Dean of the Kentucky College of Optometry should be consulted. This policy applies to all students, faculty, and staff of the university, including the College of Osteopathic Medicine and College of Optometry. Subsequent references to the terms "employee" or "employees" shall include any of the foregoing.

The "work-for-hire" rule in the Copyright Act grants the University ownership of the copyright to all copyrightable works produced by its employees within the scope of their employment. (Please see Heading I below concerning the ownership of intellectual property and Heading II concerning an employee's scope of employment.) However, in the case of scholarly works, such as faculty authored books, articles, manuscripts, plays, writings, musical scores and works of art, the university cedes copyright ownership to the author/creator(s). It is not the intent of this policy to change the relationship between author/creator and the university that has existed through the years in relation to copyright ownership of scholarly works, or regular instructional works referred to above.

The use of university equipment, services or resources is "substantial" when it entails a kind or level of use not ordinarily available to all, or virtually all, faculty and/or staff. (Please see Heading III below for the definition of "substantial use.") Where disputes

arise as to whether a particular work involves “substantial use” or falls within the “scope of employment,” the matter shall be referred to the Intellectual Property Committee (IPC) who will be responsible for policy decisions regarding intellectual property and making recommendations to the president of the university for final approval. The IPC membership will include the Provost and the appropriate college/school dean, the Vice President for Health Affairs and Dean of the College of the Kentucky College of Osteopathic Medicine, the Vice President for Optometric Education and Dean of the Kentucky College of Optometry, the Chief Financial Officer, the Division Chair/Associate Dean of the faculty member involved, the Chair of the Executive Committee of the undergraduate faculty, the Chair of KYCOM Faculty Congress (or their surrogates if necessary) and the Chair of the KYCO Faculty (or their surrogates if necessary).

When employee-created intellectual property results from third-party grants, contracts, or awards made to the University of Pikeville, the intellectual property is owned by the University unless a written agreement involving the University, the employee, and the sponsor establishes an alternative ownership arrangement. No such agreement shall be entered into without the review and approval of the appropriate person: Provost (undergraduate and graduate), the Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine (KYCOM) or the Vice President for Optometric Education and Dean of the Kentucky College of Optometry (KYCO).

A compilation is a work formed by the collection and assembly of university-owned and employee-owned intellectual property in such a way that the resulting work as a whole constitutes an original work of authorship. If a work is a compilation, each contributing employee shall retain all ownership interests in his/her intellectual property; but by allowing the work to become part of the compilation, he/she thereby grants a nonexclusive, royalty-free license to the university for use of his/her contribution. While the University of Pikeville shall own rights to the compilation, it shall own no rights to the underlying work beyond said license and will share any net proceeds from the compilation as described below.

If an employee creates intellectual property other than a scholarly work or Regular Instructional Works and which may lead to commercial development, then he/she is expected to immediately notify his/her immediate supervisor (and the Provost for undergraduate employees) (and the Vice President for Health Affairs and Dean of the

Kentucky College of Osteopathic Medicine for medical school employees)(and the Vice President for Optometric Education and Dean of the Kentucky College of Optometry for optometry college employees) in order to provide them with sufficient information to permit the university to evaluate the work, both its ownership and its commercial potential, and, if appropriate, to take steps to protect the intellectual property rights. If ownership rests with the university, but the university elects not to exercise its ownership rights, then ownership rights and responsibilities related to patenting, copyrighting and licensing shall rest with the author(s). In such a case, the university retains a nonexclusive, royalty-free right to use the work for non-commercial purposes.

In the case of employee-owned intellectual property, the author/creator may petition the university to accept assignment of ownership rights and the attendant control of and responsibility for development. The university, however, is under no obligation to accept this assignment and would do so only when independent evaluation indicates that accepting the assignment would further the mission and work of the university.

**Revenue Sharing**

The university wishes to encourage excellence and innovation in teaching, scholarship and creative activities and to support the notion that works produced at the University of Pikeville should be used for the greatest possible public benefit. In the context of these aims, the university endorses the legitimate expectation of employee author/creator(s) to share in any net revenues produced by licensing or other development of intellectual property. Accordingly, for any work in which the university asserts ownership interest under this policy, the University and the author/creator(s) will share any annual net revenue (revenues less recovery of all legal and other costs involved in protecting the intellectual property rights of the work, licensing costs, and other directly related administrative costs) in the following percentages, unless different contractual agreements have been reached in relation to particular works:

<b><u>Net Revenue</u></b>	<b><u>Author/Creator(s) University of Pikeville</u></b>	
< \$10,000	100%	0%
\$10,000-\$50,000	75%	25%
\$50,000-\$100,000	60%	40%
>\$100,000	50%	50%

The University reserves the right to allocate the University's portion of royalties in any way they see fit, however, it is typical that the university portion of royalties will benefit the department, college, or school from which the work originated. If a work involves more than one employee as author/creator(s), the author/creator(s) will divide their share equally unless they provide the University with an alternative revenue distribution agreed upon by them. Net revenues received by the University under this policy should be directed toward support of scholarly, research, or creative activity on the part of faculty and staff where feasible.

Recognizing that this area is complex and rapidly evolving, the University of Pikeville remains open to the possibility of arriving at special agreements as the need may arise in relation to particular projects. This policy shall be reviewed periodically by the Faculty Policy Committee and revised as necessary.

## **I. Who owns intellectual property?**

*When does the university own employee-created intellectual property?*

Any one of these circumstances will result in University ownership:

1. If intellectual property is created by an employee within the scope of employment;  
or
2. If intellectual property is created on university time with substantial use of university equipment, services or resources; or
3. If intellectual property is commissioned by the University
  - pursuant to a signed contract; or
  - if it fits within one of the nine categories of works considered works for hire under copyright law.
4. If intellectual property results from research supported by federal funds or third party sponsorship and no written agreement involving the University, the researcher and the sponsor have established an alternative ownership arrangement.

*When does an employee own intellectual property?*

1. If it is unrelated to the employee's job or class responsibilities and the employee has not made substantial use of university equipment, services or resources; or

2. If it is a work that has been released to the author/creator(s) in accordance with this policy; or
3. If the intellectual property is embodied in such traditional scholarly works as faculty-authored books, articles, manuscripts, plays, writings, musical scores, and works of art even though such a work may be within the scope of employment and even if significant university resources were used, unless the work is:
  - created by someone who was specifically hired or required to create it or
  - commissioned by the University

In either of these cases, the University, not the creator, will own the intellectual property.

## **II. What is meant by “within the scope of employment”?**

Works related to an employee’s job responsibilities, even if he or she is not specifically requested to create them, will belong to the University as works-for-hire. A copyright work is related to your job responsibilities if it is the kind of work you are employed to do and you do it, at least in part, for your use at work, or for use by fellow employees, your employer or your employer’s clients. The work should be performed substantially at work and using work facilities, but your use of personal time or other facilities to create the work will not change its basic nature if it is related to your job as described above. Works that have nothing to do with job duties will remain the property of the employee, so long as he or she makes no more than incidental use of university facilities.

For example, if your job is “Safety Engineer,” a software program that you create on your own initiative to run on each employee’s computer to show a graphic of their nearest fire exits is related to your job duties and will belong to the University, even if no one asked you to create it and you did some of the programming at home on your own computer. A program that you create that does not relate to your job, that neither you nor others use at work, and that you create on your own time would belong to you.

## **III. What is meant by “substantial use”?**

The Intellectual Property Rights Policy uses the phrase “substantial use of university equipment, services, or resources” in determining when the university claims ownership of employee-created intellectual property, not including work identified in the policy as traditional “scholarly works” or “Regular Instructional Works.” The purpose of this section is to amplify the intended meaning of “substantial use.”

For purpose of this policy, “substantial use” is the use of resources other than those “ordinarily available” to most or all faculty and/or staff. At this date, such ordinarily available resources include office space and personal office equipment, office computer work stations, library and other general use information resources, and the means of network access to such resources. Involvement of students receiving funding through the external grants or federal programs is also excluded from the definition of “substantial use.” By contrast, utilization of university laboratories or special instrumentation, dedicated assistance by university employees, special financial assistance, or extensive use of shared facilities would constitute substantial use.

The understanding of “substantial use” may be revised from time to time to reflect changes in technological paradigms.

#### **IV. Disclosure Procedures**

Procedures for disclosure of intellectual property should be discussed with the Provost in the undergraduate program, with the Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine in the medical school and with the Vice President for Optometric Education and Dean of the Kentucky College of Optometry in the optometry college.

**Acknowledgement:** This policy borrows from intellectual property policies at the University of Texas System, Berea College, Centre College, and Transylvania University.

## 1.2.20 Intimidation and Bullying

In an effort to provide a safe work environment for its students, visitors, and employees, it is the policy of the university that violence or perceived threats of violence or other intimidating conduct will not be tolerated. Incidents of such conduct should be reported immediately to the nearest person in authority who is not involved in the incident.

Examples of behavior or conduct that are in violation of this policy include but are not limited to the following: intimidating, threatening, or hostile conduct, physical abuse, vandalism, arson, and sabotage. This is a “zero tolerance” policy. ANY reported event or perceived violation will be thoroughly investigated. Employees found to have violated this policy will be subject to disciplinary action up to and including termination of employment. This policy includes a failure to report provision. Employees who witness but fail to report potential violations may be subject to disciplinary action up to and including termination from employment.



## 1.2.21 Non-Retaliation Policy

Employees may initiate the complaint and dispute or harassment reporting processes without fear of retaliation from supervisors or others against whom a complaint may be lodged. Retaliation against any member of the community for participating in the review process is a violation of University of Pikeville policy. Retaliation will not be tolerated and will be subject to University of Pikeville disciplinary procedures. Any violation of this policy should be reported to Human Resources at (606) 218-5346 or to an appropriate University of Pikeville leadership person immediately.

## 1.2.22 Notice of Non-Discrimination

The University of Pikeville does not discriminate on the basis of race, ethnicity, color, sex, gender, gender identity, sexual orientation, religion, national origin, age, or disabilities in its programs, activities, hiring, or admission of students.

The following person has been designated to handle inquiries regarding nondiscrimination policies under Title IX:

Bethany Bowersock  
Title IX Coordinator  
University of Pikeville  
Rm. 203 Administration Building  
147 Sycamore Street  
Pikeville, KY 41501  
[bethanybowersock@upike.edu](mailto:bethanybowersock@upike.edu)  
606-218-5344

The following person has been designated to handle inquiries regarding other non-discrimination policies:

Michael Pacheco  
Human Resources Director  
University of Pikeville  
Laughlin Cottage  
147 Sycamore Street  
Pikeville, KY 41501  
[michaelpacheco@upike.edu](mailto:michaelpacheco@upike.edu)  
606-218-5216

If one individual is unavailable, inquiries concerning any non-discrimination policy may be directed to the other individual.

## 1.2.23 Off-Campus Conduct

Conduct that occurs off-campus can be the subject of a complaint or report and will be evaluated to determine whether it violates university policy. For example: if off-campus harassment has continuing effects that create a hostile environment on campus, it might be subject to on-campus policies.

## 1.2.24 Personnel Data Changes

The University of Pikeville requires employees to keep the University informed of any changes in an employee's information which may affect employment status. It is the employee's responsibility to notify the Human Resources Office whenever there is a change in any of the following information:

- Address
- Telephone Number
- Emergency Contact
- Marital status
- Number of dependents
- Beneficiary
- Tax Withholdings

## 1.2.25 Personnel Files and Access

Official employee personnel files are maintained by the Office of Human Resources. The confidential files contain records relating to an individual's employment and are retained for business reasons. Access to employee files is controlled by the Director of Human Resources and is strictly limited to individuals who have a legitimate business need to review the materials. Generally, a supervisor may review a file for an employee under their direction. In addition, outside agencies may have access to an employee's file when required by law, court order, or subpoena.

All records relating to the medical condition or history of an employee or an employee's family members, including records and documents relating to medical certifications, recertifications, or medical histories, shall be maintained as confidential medical records separate from normal personnel files. Supervisors and managers may be notified of information in such files regarding necessary restrictions on the work or duties of an employee and necessary accommodations. Government officials investigating compliance with various federal and state laws may be provided relevant information from such files upon request.

To ensure that files are accurate, complete, and current, an employee may review his/her file by making an appointment with the Director of Human Resources. An employee has the right to request an amendment or removal of a document from the official personnel file by submitting a written appeal to the Director of Human Resources.

## 1.2.26 Procedure for Establishing New and Revising Current Policies

The Faculty Policy Committee (FPC) is the faculty committee responsible for recommending changes in policy related to the University of Pikeville Handbook. The committee is comprised of seven members:

- Two members from the Undergraduate/Graduate College
- Two from KYCOM
- Two from KYCO
- One representative from Human Resources

The Provost or a designee serves as a member of the Faculty Policy Committee, but does not vote.

The faculty chair from each college will be members of the FPC. Each college may select one at large member of FPC from among their full-time faculty. The Director of Human Resources (or designee) will also be a member of FPC.

FPC is responsible for representing the faculty by recommending the establishment of new policy, revising existing policy, or responding to policy changes suggested by the college or university administration. New policies or alterations to existing policies must be shared with FPC prior to their submission to the board of trustees. Policy changes may arise from any university employee, either directly to the FPC or to the FPC through the appropriate committee structure as outlined in this policy manual. The administration may make recommendations for new policies and changes to existing policies directly to the FPC. The UPIKE Board of Trustees is responsible for approving all policy changes.

Policy changes that the FPC considers to be substantive (as determined by a simple majority vote of FPC) will be referred to the university faculty for a vote of support. Policy changes that the FPC considers to be minor or editorial in nature will be passed to the faculty as information but do not require a faculty vote. All new policies will be forwarded to the President for input; the final versions of policies approved by FPC or the Faculty shall be forwarded to the President for approval by the board of trustees. Upon receiving trustee approval, new policies will take effect immediately unless otherwise indicated by the board.

## 1.2.27 Public Relations

The Office of Public Affairs coordinates the communications, marketing, public events, and identity programs for the University of Pikeville. Through these efforts, the office supports the University's mission and strategic goals by enhancing the relationships between the University of Pikeville and its students, faculty, staff, and alumni, as well as with the community. With objectives of excellence, timeliness, accuracy and continually enhanced quality, the Office of Public Affairs is dedicated to serving the University's communications needs.

### **Employee Role in Public Relations**

Although there is a formal public relations program, each employee also represents the University of Pikeville. Both on and off the job, your behavior is a reflection on the institution.

Contact the Office of Public Affairs to learn more about the services we provide, including the website, distribution of press releases, advertising, publications, photography, graphic design, and print services and the University's visual identity guidelines.

## 1.2.28 Safety Policy

The University will take all reasonable precautions to safeguard the health and safety of its employees during regular work hours and to maintain recognized standards of safety and sanitation. All employees are required to cooperate in every way possible in health and safety matters. Employees who ignore safety practices and standards will be subject to disciplinary action.

**Reporting accidents and injuries.** Employees are required to immediately report any accident, injury, or job-related illness, no matter how minor it may appear, to their supervisor. First aid will be provided for minor injuries, and employees with more serious injury will be taken to a doctor or hospital for treatment. The Human Resources Office will receive a report from the University of Pikeville Public Safety Office. If you cannot work because of an injury that occurred at work, you will be covered by Worker's Compensation. This insurance pays all medical expenses and compensation under the laws of Kentucky.



## 1.2.29 Security Policy

Each employee is responsible for the security of his or her own belongings and for the security of university property or information they use. Security policies include:

**Personal Belongings.** The University is not responsible for the loss or theft of personal belongings. Do not carry large sums of cash or other valuable items when you come to work. Do not leave valuables unattended on desks or other open areas.

**Keys.** Facilities Management issues keys to university facilities with the approval of the appropriate member of the executive staff. If keys are lost, the employee will be liable for replacement of keys and/or core lock changes. In some areas, university ID cards are used as electronic keys. This type of access still requires approval of the appropriate member of the executive staff and access is applied to the ID card by the University of Pikeville Public Safety Officer.

### 1.2.30 Sexual Assault Prevention

The University of Pikeville is committed to providing a supportive learning environment and fostering safe, healthy relationships among our students. As such, the institution and members of our community will not tolerate the offenses of dating violence, domestic violence, sexual assault, or stalking.

The University encourages any member of the university community who has experienced sexual harassment, sexual assault, domestic violence, dating violence, or stalking, or knows of another member of the community who has experienced sexual harassment, sexual assault, domestic violence, dating violence, or stalking, to report the incident to the university. In case of an emergency or ongoing threat, you should get to a safe location and call 911. Calling 911 will connect you with local police.

Students and employees who have experienced sexual harassment, sexual assault, domestic violence, dating violence, or stalking should report incidents to Mrs. Bethany Bowersock, J.D., Title IX Coordinator and Compliance Officer. Her email and phone contact information is [bethanybowersock@upike.edu](mailto:bethanybowersock@upike.edu) and 606-218-5344.

## 1.2.31 Strategic Planning Cycle, Process, and Plan

Planning for the future of the institution is a process that never ends. To be effective in an academic setting, strategic plans must be simple, flexible, and focused. Each leader of the University will want to place their distinctive style on the institutional plan, however, in the spirit of shared governance there are certain precepts that we believe are important to honor.

The strategic planning cycle:

1. A strategic planning process that involves the whole campus should be engaged on a regular basis. While not intended to be proscriptive, campus-wide engagement should occur every 3-5 years.
2. The strategic plan should be assessed annually and modified if necessary.
3. The strategic plan should contain significant metrics that can be easily understood and reported to the campus community.

The strategic planning process:

1. The strategic planning process should take strengths, weaknesses, opportunities, and threats (SWOT analysis) into account.
2. The strategic planning process should take society, technology, economics, environment, and politics (STEEP analysis) into account.
3. The strategic planning process should assess the viability, feasibility, and integrity of the university mission statement, vision statement, and institutional goals.
4. The strategic planning process should include substantial input from staff, faculty, students, administrators, and trustees.
5. The strategic planning process should culminate with a trustee-approved strategic plan.

The strategic plan:

1. The university mission statement
2. The university vision statement
3. The university lead objectives
4. College, division, department, or other unit goals that will support the mission, vision, and objectives

5. Metrics that will inform the university about whether we are meeting our mission, vision, objectives and goals
6. A data collection plan
7. An assessment response plan - what will we do if we are missing the mark
8. An agreed-upon timeline for the next strategic planning process to begin

## 1.2.32 Tobacco-Free Campus Policy

The University of Pikeville has a responsibility to its employees and students to provide a safe and healthful environment. Research findings indicate that tobacco use in general, including smoking and breathing secondhand smoke, constitutes a significant health hazard. In addition to causing direct health hazards, smoking and other uses of tobacco products (smokeless) contribute to institutional costs in other ways, including fire damage, cleaning and maintenance costs, and costs associated with employee absenteeism, health care, and medical insurance.

Effective August 1, 2010, the University of Pikeville campus became completely tobacco-free. Specifically, smoking or use of other tobacco products will not be permitted on any university campus property or in university-owned vehicles.

People who see others using tobacco on UPIKE property may ask them to stop or may call the University of Pikeville Public Safety Office. Campus public safety officers are empowered to write citations of \$25 for the first offense, \$50 for the second offense, and \$100 for all subsequent violations of the policy by the same individual. Fines will be deducted from the employee's salary.

The University of Pikeville will provide to all employees and students access to free tobacco cessation classes.

Should you have any questions concerning the Tobacco-Free Campus Policy, please contact the Human Resources Department.

## 1.2.33 Travel Expense Guidelines

When traveling on approved university business, an employee may be reimbursed for reasonable and necessary out-of-pocket expenses incurred in accordance with the University's Travel Expense Guidelines. Employee travel expenses incurred, as a representative of the University of Pikeville, will be reimbursed in accordance with the following guidelines. Employees are expected to utilize the most economical methods of transportation and lodging available. Questions concerning acceptable, reimbursable expenses should be directed to the employee's supervisor. All expenses to be reimbursed must be submitted on an expense reimbursement form and approved by a department head. Detailed receipts to substantiate expenses must be attached to the expense report.

- **Air travel.** The most feasible air travel arrangements must be sought. Only coach rates are acceptable. If accompanied by a spouse, you must use your own credit card and you will be reimbursed for your portion only.
- **Automobile travel.** When it is necessary to travel by automobile for job-related purposes, the employee has three options: (a) use your personal vehicle for university business, following approval of the supervisor, and receive mileage reimbursement; (b) rent a vehicle using the university's contracted vendor (currently Enterprise); (c) using one of the day-use university owned vehicles (preferred method, if a vehicle is available.)

If using a personal vehicle, please complete a request for reimbursement for mileage. The reimbursable rate for automobile travel will be published annually within the Human Resources Department.

If renting, you may use your department credit card to book vehicles.

Alternatively, if that card is not available, you can pay personally and get reimbursed through the normal reimbursement channels. UPIKE recommends use of the Standard car class (\$40.00 a day, unlimited mileage). If you need a van (\$110 a day, unlimited mileage), it is the standard 15 passenger van. These costs will be charged to your department. **Please waive all insurance as we have secured adequate coverage in our corporate policy.** In order to guarantee your vehicle is available, Enterprise recommends notice of one week.

This is especially true if vans are needed. If plans change and a vehicle is not needed, be sure to notify Enterprise as early as possible to avoid being charged for the reservation.

If using a day-use vehicle, mileage will be charged to your cost center. Please contact Facilities Management for further information. Vehicles must be returned no later than 11:59 p.m. on the day checked out. The drop box location for packets is at Facilities. Return the vehicle clean inside and with a full tank of gas. If not, your department will be charged for cleaning and/or fuel. Please park the vehicle in its reserved parking space.

All drivers traveling on university business must be on the approved university driver's list. Seat belts must be used at all times in all vehicles. Smoking in university or rental vehicles is prohibited. The use of a cell phone is permitted only when the user is not driving. Employees are strongly encouraged to be safely parked before accepting or placing calls.

- **Hotel reservations.** Hotel reservations are limited to a moderately priced room at the hotel where the conference is being held. If this is not possible, use a comparable facility located nearby. Reimbursement for the hotel will be for single-room rate only. Personal expenses, such as movie rental fees or health spa charges, are not reimbursable.
- **Incidentals.** Incidentals will be subject to approval of the immediate Dean/Director.
- **Meals.** Meals are limited up to a maximum of \$50 per day. Each meal must be accompanied by a receipt for reimbursement. Extraordinary circumstances, which may cause this expense to exceed \$50 per day, must be documented by a receipt and approved by the corresponding Dean/Director. The University no longer has a per-diem allowance.
- **Local taxi or shuttle service.** Local taxi or shuttle service is authorized only when travel is to and from airport/train stations or to and from conference sites. Receipts for such services must be obtained whenever possible.
- **Documentation.** You must submit documentation to support all expenses for which you are requesting reimbursement, including conference registration and activity charges, hotel, restaurants, and other facilities. If your meals are included in your hotel bill, list the meals and hotel charges separately on the expenditure

form.

**OTHER NOTES:**

- **Entertaining guests.** If you entertain guests of the University or interview prospective employees, you will be reimbursed for expenses if you have the approval of the appropriate cost center and you submit a travel voucher with the necessary receipts. You are required to list their names and the purpose of the entertainment on your travel voucher.
- **Reimbursement requests.** Reimbursement requests must be filed with the Business Affairs Office, with supervisor approval, within five working days after completing the trip and incurring the expenses.
- **Travel advances.** Rather than be reimbursed for expenses, you may instead apply for a travel advance. Requests for travel advances must be approved by the head of your cost center before being submitted to the Business Office. At the end of your trip, you must turn in an accounting of all business expenses to the Business Office within 48 hours. If actual expenses are less than the advance, you must reimburse the University. Any cash advance not repaid to the University will be withheld from employee's wages.
- **Credit card.** If you use a university credit card to pay for travel expenses, you must attach receipts for all business expenses to the travel voucher.



## 1.2.34 Use of University Equipment

Any use of university equipment off-site or off-premises must be approved by policies and procedures within the employee's specific work area. If there is no specific written policy and/or procedure for the work area then the approval must be in writing (hard copy or electronic form) by the supervisor and/or appropriate Director/Dean ultimately responsible for that work area on campus. Under no circumstance is university equipment to be removed from campus without following this policy.

## 1.2.35 Use of University Facilities

**For community events:** Both nonprofit and for-profit organizations may use campus facilities if they meet the guidelines established by the university and obtain the proper authorization. Outside organizations also must sign written agreements for using our facilities, and the University of Pikeville Public Safety Office must be notified in advance that outside organizations are using university facilities. Requests to use university facilities should be referred to the following persons:

- Classrooms: Registrar's Office
- All other facilities: Director of Conferences and Events Services

All on-campus and off-campus groups hosting events on the University of Pikeville campus will be required to use the University of Pikeville food service. For more information on food service, dial Ext. 5032.

**For fund-raising programs:** University-sponsored groups may use university facilities to conduct fund-raising projects and activities (such as tournaments, summer camps, special events) to benefit the students or the University. You must have the approval of the appropriate member of the executive staff and the Vice President for Finance and Business Affairs, and you must develop and submit a budget for the event. All income from these events must be deposited in the Business Office. Funds will be used to underwrite the costs of the program as outlined in the budget. If there is a surplus, the money will be used:

- to generate income for a special fund (if already approved by the Vice President for Finance and Business Affairs and established, such as the Alumni Scholarship Fund); or
- for the general fund (for unrestricted use by the University).

**In disasters/emergencies:** The University of Pikeville has a responsibility for helping the community in emergencies or times of disaster. We will make university facilities available when all public facilities are in use or are inoperative. The use of university

facilities must be approved by the university President (or other members of the executive staff if the President is not available), and according to guidelines established by the university for such occasions.

The University assumes that staff and students who are not directly affected by the disaster/emergency will help others who have been affected.

As a private institution the university reserves the right to deny any person or group of persons access to University Facilities.

## 1.2.36 Whistleblower Policy

(Reporting & Disclosure of Suspected Violations of Law or University Policies)

The University of Pikeville is committed to providing all members of the university community, including students, faculty, staff, alumni, vendors, and guests, with a safe and productive environment.

If any member of the University community has a reason to believe or reasonably suspects that the university or any of its agents is acting contrary to any applicable federal, state or local laws or regulations, or contrary to any established university policy, he or she should feel welcome and encouraged to report such action or activity without fear of reprisal or retaliation. It is in the best interest of the University and the whole university community for this information to be brought forward immediately and dealt with promptly.

**Employees:** Any employee with reasonable suspicion of such illegal or improper activity should notify his/her immediate supervisor. If the complaint involves the immediate supervisor, the employee should contact his or her next higher level of supervisor and/or the Director of Human Resources. In addition to notification of supervisory personnel, any university employee with such a complaint may notify the President's office. For purposes of this policy, all faculty and staff are referred to as "employees."

**Students:** Any student with reasonable suspicion of such illegal or improper activity should notify the Provost. In addition to notification of the Provost, any student with such a complaint may notify the President.

Alumni, vendors, and guests may notify the President's Office. Any university employee receiving such a report of suspected illegal or improper activity will report it to the President's Office. The President's Office will then conduct an appropriate investigation.

All such allegations shall be logged and kept under seal. Retaliation against anyone bringing forward a report of suspected illegal or improper activity will not be tolerated

and is, itself, against the law. Should retaliation actually occur, such act shall be considered a serious violation of university policy and will be subject to disciplinary and/or legal action. Encouraging others to retaliate is also a violation of this policy. At the same time, those who file fraudulent or bad faith complaints pursuant to this policy will be subject to disciplinary and/or legal action as well.

## Chapter 1.3 Working at the University of Pikeville

## 1.3.1 Breaks

An employee is granted breaks according to the following guidelines:

- Lunch break: There is a one-hour unpaid lunch break for all employees. Employees are encouraged to join the University of Pikeville community at the City View Café located in the Coal Building for a free lunch Monday through Friday during the workweek. The lunch break should begin between the third and fifth work hours. An employee who is on a lunch break shall be relieved of all duties and responsibilities. It is recommended that the lunch break be taken at a location other than the employee's normal work station.
- Rest break: An employee working an 8-hour shift shall be granted two 10-minute breaks per day with pay. An employee working a 4-hour shift shall be granted one 10-minute break per day with pay.
- A break will not be granted during the first or last hour of a work period.
- Supervisors may stagger the breaks for employees within the work area to maintain continuous service.

The rest break is intended to be a recess to be preceded and followed by an extended work period. Therefore, the rest break should be scheduled as close to the middle of each work period as possible. The rest break shall not be used to cover a staff member's late arrival or early departure or to extend a lunch break. University Faculty members are exempted from this policy.

## 1.3.2 Emergency Closure

Authority to close the institution or a particular facility or area rests with the President or his or her designee. In the absence of the President, the Provost will make the decision. In those cases where an emergency may be of such magnitude that it requires a timely decision and the President and Provost are not available, those administrators or staff immediately involved with the emergency situation shall take the action necessary to preserve life and property.



### 1.3.3 Employee Discipline Procedure

The University of Pikeville is strongly committed to excellence in all we do, and we depend on the members of the university community to uphold the highest professional standards. We strive for an environment of trust, unquestioned integrity, and a genuine concern for the welfare of the organization and of others in our community.

Issues of poor performance or misconduct, however, compromise both the individual and the organization. For this reason, the University of Pikeville expects performance and professional conduct to meet high standards at all times. Performance or conduct issues that arise will be addressed through a process of performance improvement counseling and disciplinary action.

**Certain infractions may warrant – at the University of Pikeville’s discretion – immediate disciplinary action, including discharge.**

Performance improvement counseling is an extension of performance evaluation and professional development. It is a process intended to help supervisors and staff members overcome work-related shortcomings, strengthen job performance, and maintain a successful employment relationship.

Disciplinary action generally occurs when performance improvement counseling has not had the desired effect or when misconduct warrants it. The University of Pikeville reserves the right to place an employee on administrative leave when it is thought to be in the best interest of the employee and/or the university for the employee to be away from campus. Examples may be (but are not limited to): time to collect information about a reported incident or behavior, when separation is in the best interest of safety for the employee or others, or when a catastrophe has occurred. While on administrative leave, the employee will still collect regular pay and benefits. The decision to place an employee on administrative leave is at the discretion of the appropriate Dean or Vice President in consultation with Human Resources.

Human Resources is available for consultation at any step of the performance improvement counseling process and should always be consulted before disciplinary

action or termination of employment.

### **Performance Improvement Counseling *During the Probationary Period***

The 90 day probationary period for new staff members is particularly important. The department uses this time to establish guidelines and expectations, and the staff member uses the time to demonstrate competence regarding job duties. If job performance during probation is unsatisfactory, supervisors will give the staff member written notice of the deficiency and explain how the performance needs to improve in order to continue employment. Supervisors may also elect to extend the probationary period or to provide additional training or time to evaluate whether the individual will be able to meet expectations.

A staff member may be terminated without further notice during the probationary period if he or she fails to meet performance expectations.

### **Progressive Discipline Process *Oral Reprimand***

Problems in performance or conduct that arise after the probationary period can occur at any point in an employee's career. Sometimes they are due to new tasks or changes in work routine or are the result of personal problems an employee may be experiencing. Raising issues and exploring solutions is the responsibility of both supervisors and employees. The progressive discipline process, if properly managed, should serve as a vehicle to identify, correct, and prevent recurrence of a performance problem or incident of misconduct and to prepare the employee for satisfactory service in the future. When a supervisor notices a performance issue, it is expected that they will bring the issue to the attention of the employee in a respectful and timely manner. The oral discussion with the staff member should always be the first step. The supervisor shall produce written documentation of the reprimand in detail, utilizing the University of Pikeville's Constructive Counseling form. After the oral discussion of the problem and agreed upon solution, the employee is to acknowledge by signature and be given a copy. One signed copy of the Constructive Counseling form should be kept in the immediate supervisor's file, and one in the employee's official personnel file housed in the Human Resources Department.

### **Written Notice for Performance or Misconduct Problems.**

If performance concerns persist, a written warning from his/her supervisor is warranted to officially inform an employee of concerns arising out of continued and/or unsatisfactory conduct or performance of a more serious nature. The supervisor should give the staff member an opportunity to tell “their side of the story” before formal action is taken, especially in cases where the decision to take action will be based on reports from others rather than on first-hand observation by the supervisor. This reprimand is to be written utilizing the Counseling and Discipline form and acknowledged by the employee’s signature. If the staff member refuses to sign the written notice, the supervisor may indicate on the form that the employee refused to sign, and the disciplinary action will proceed. The employee, after being counseled, is to receive a copy of the written document. One signed copy of the Constructive Counseling form should be kept in the immediate supervisor’s file, and one in the employee’s official personnel file housed in the Human Resources Department.

If performance or conduct improves to an acceptable level and does not recur for one year and no other disciplinary actions are required during that time, the written notice should be considered resolved. However, the written notice remains on file as part of the individual’s historical record and a pattern of performance problems, regardless of improvement, will be considered grounds for disciplinary action, up to and including dismissal.

### **Final Written (Suspension or Termination) Notice for Continued Serious Performance or Misconduct Problems.**

If performance or conduct does not improve to an acceptable level within the time frames established in the written notice or if additional performance or conduct concerns arise, a final written notice will be issued. At this level of the process, “suspension without pay” or termination may be warranted.

Documentation of the performance problems should state how the staff member’s unacceptable behavior or performance continues to fall short of expectations, and what must be accomplished in order to meet expectations, and the time frames for achieving expectations. Most importantly, it should clearly document the fact that failing to reach the necessary level of performance within the established time frames will end the

employment relationship. As in the previous step, supervisors should consult with Human Resources before issuing a final written notice.

The staff member should receive a copy of the final written notice and should sign the departmental copy as acknowledgment of receipt. As before, if the staff member refuses to sign the written notice, they may indicate on the form that the employee refused to sign, and the disciplinary action will proceed. The employee, after being counseled, is to receive a copy of the written document. One signed copy of the Constructive Counseling form should be kept in the immediate supervisor's file, and one in the employee's official personnel file housed in the Human Resources Department.

If the performance or conduct improves to an acceptable level and does not recur for one year, and if no other disciplinary actions are taken during that time, the matter should be considered resolved. However, the written notice remains on file as part of the individual's historical record and a pattern of performance problems, regardless of improvement, will be considered grounds for disciplinary action, up to and including dismissal.

### **Terminations and Misconduct That Warrant Immediate Discharge**

Termination is the final step in the Progressive Discipline Process should the employee's performance or conduct status not improve to a satisfactory level.

Actions that involve dishonesty, violation of the law, material risks to the University of Pikeville operations or to the safety or well-being of oneself or others, or other serious misconduct are grounds for immediate dismissal.

Supervisors should consult with Human Resources and the Provost, Vice President, and immediate Dean within the appropriate sector before discharging an employee.

Note: There is an appeals process that covers university faculty located in chapter 2 of this manual. Nothing here is intended to supercede that process.

## 1.3.4 Employment of Minors

The University normally only employs individuals who are age 18 or older. In certain situations minors between 14 and 18 years of age may be employed but only according to the following guidelines:

- Any minor is prohibited from performing any job declared as hazardous by the Secretary of Labor.
- Minors age 14 and 15 may work outside school hours: no more than 3 hours on a school day, 18 hours in a school week, 8 hours on a non-school day, or 40 hours in a non-school week. In addition, they shall not begin work before 7 a.m. nor work after 7 p.m.

Minors under age 14 shall not be employed by the University.

### 1.3.5 General Employment Practices

Federal regulations require the University to comply with the Immigration Reform and Control Act of 1986. All new employees must personally present documents that establish identity and authorization to work in the United States. The employee must complete and sign section 1 of the *Employment Eligibility Verification Form (I-9 Form)* on or before their first day of employment. The Office of Human Resources, or an appropriate university official, is responsible for reviewing the employee's documentation and completing section 2 within three business days of the first day of employment.

The University of Pikeville is an at-will employer, as established under the Kentucky state law, and as such employment with the University is not for a fixed term or definite period and may be terminated at will of either party, with or without prior notice. The employee handbook is not an employment contract and no one can change the nature of an employee's at-will employment, except in writing signed by the President.

### 1.3.6 Inclement Weather Policy

In the event of inclement weather, classes may be delayed. In addition, the University of Pikeville may be closed on rare occasions. In the event of such closure, local radio and television stations will be contacted between 6-6:30 a.m. so the public can be notified. Even when classes are canceled, offices will remain open and the staff is to use discretion when coming to work. Personal days or vacation days may be used if necessary.

### 1.3.7 Anti-Nepotism Policy

No member of the University administration, faculty or staff, shall participate in any final decision or recommendation relating to employment, promotion, retention, tenure, or other condition of employment at the University of a close relative, defined as a parent, child, spouse, sibling, in-law, step-child, step-parent, aunt, uncle, niece, nephew, or otherwise living in the same household.

In any instance where this conflict of interest arises, the person or persons having the conflict shall be excused from all consideration of the issue being considered and will make no efforts, directly or indirectly, to influence any decision of the person for which a conflict exists.

No member of the University administration or faculty shall report directly to a close relative as defined above, nor may a close relative work in the same department. In the event a conflict of interest develops during the course of employment, the University reserves the right to transfer one or both persons as it may deem appropriate. In the event a transfer is not possible, then the employees with the conflict shall decide who will resign from the University.



## 1.3.8 Parking Regulations

Campus parking at the University of Pikeville is a privilege that entails certain responsibilities. It is the vehicle operator's responsibility to know and abide by the university's parking regulations as well as state and local laws. The following regulations have been established to ensure the proper maintenance, control, and use of all university parking facilities.

### **General Guidelines**

These guidelines are in effect 24 hours a day, 365 days a year, including all holidays.

### **Vehicle Registration**

The University of Pikeville requires that all vehicles parked on campus be registered with the Public Safety Department. To register your vehicle you must complete a vehicle registration form located in the Public Safety office.

All vehicles must have a valid parking permit visible in the window at all times while parking on campus.

### **Parking on Campus**

The lots on campus are reserved 24 hours a day for VALID PERMIT HOLDERS ONLY. Within these lots are a few specific reserved spaces including residence hall directors and disabled parking. The individual spaces are clearly marked with "RESERVED" signs. Violators will be ticketed or towed.

All disabled parking on campus is reserved 24 hours a day for vehicles with a valid state-issued handicap parking placard. The placard must be displayed in the window and the owner of the placard must be present.

The lot located behind Allara Library is reserved for fleet vehicles, vendor parking, and reserved parking for staff.

The lot located behind Derriana Hall is designated for visitors and reserved parking. One-hour visitor spaces are NOT to be used by students during business hours (Mon.-Fri. 7 a.m.-5 p.m.) These parking spaces are reserved for visitors who need short-term (one hour or less) parking.

### **Permit Guidelines**

1. Permits are issued on a graded basis. Grades are as follows:
  - a. Original permit is included in comprehensive fee
  - b. Subsequent permits or replacement permit are \$10
2. All University of Pikeville resident student permits are valid for one year beginning July 1 and expire on June 30 of the following year.
3. Permits are issued under the following designations:
  - a. On- or Off-campus resident student parking (1 year expiration)
  - b. Faculty/Staff parking (No expiration)
  - c. Fleet vehicle or specialty lots (No expiration)

## Penalties

### General Policies

- Vehicles without permits will be wheel-locked and towed at the owner's expense.
- Illegally parking – even for a moment – may result in a ticket from the University of Pikeville Public Safety Department.
- If a vehicle is disabled, it is the responsibility of the operator to contact a public safety officer prior to receipt of any citation.
- All violations are the responsibility of the person registering the vehicle.
- Excessive violations will result in the loss of parking privileges.

### List of Fines

1. Disabled Parking	\$100
2. Fire Lane	\$100
3. Visitor Only	\$50
4. Reserved Parking	\$50
5. All other violations	\$20

- Fines are added to the account of the person registering the vehicle.
- Parking fines must be paid with cash, check or credit card. They may not be deducted from scholarship or grant money.
- All fines are to be paid in the Business Office located in the Administration Building.

### Towing/Immobilization

Vehicles not authorized to park on University of Pikeville property (no permit) will be subject to immediate towing 24 hours a day, seven days a week. Once a tow truck has been called, towing fees will apply.

## **Appeals**

Parking appeals may be made in the Public Safety Office or online on the Public Safety Web page before the next Parking Appeals Committee meeting, no exceptions.

The University of Pikeville Parking Appeals Committee meets twice a semester, once near mid-terms and again the week before finals.

There are five members on the committee.

1. The Chief of Public Safety or designee (Chair)
2. The Director of Facilities or designee
3. The Dean of Students or designee
4. A faculty member appointed by the Provost
5. The Student Government Association president or designee

Appeals are not to be considered granted or denied until written notification is received from the committee.

No person sitting on the committee can appeal his/her own citation and may elect to designate someone to sit on the committee while his/her appeal is heard.

The committee's decision is final and cannot be appealed again.

### 1.3.9 Pay Dates

The pay dates for salaried (exempt) employees is the 15th and last day of the month. If the pay date falls on a weekend or holiday, pay will be deposited on the preceding banking business day.

Hourly (nonexempt) employees will be paid every other Friday. Employees and supervisors must submit and approve electronic timesheets by 5:00 p.m. on the Monday prior to the pay date to allow time for proper payment.

For mutual convenience, direct deposit of earnings is mandatory for all employees.

### 1.3.10 Performance Appraisal

All new University of Pikeville employees who are hired or accept a new position will have a 90-day probationary period. At the end of this period, their performance will be evaluated to determine whether their work is satisfactory for continued employment.

Quality performance reviews are conducted annually for all staff classified positions. The supervisor will facilitate this process and the final review will be filed with Human Resources.

NOTE: Faculty must refer to the appropriate section in this handbook for their respective review process.

### 1.3.11 Personnel Records

University of Pikeville employees should promptly notify Human Resources when there are life or family situation changes. Among the changes to report include a new address or phone number, change in name or marital status, addition or removal of dependents, change in income tax deductions, or a change of beneficiary for insurance programs. This type of information is necessary so we can notify your family in case of emergency and keep your benefits current.

Requests for information regarding employee salary from outside sources will not be released without employee written consent. However, the University will confirm (without your consent) information about employee dates of employment and positions held.

University of Pikeville employees have the right to review information in their personnel file. Contact Human Resources if you wish to make an appointment to do so. All reports, documents and materials in the files are the property of the University of Pikeville and may not be removed.

## 1.3.12 Position Descriptions

Positions are classified according to the function performed. When University of Pikeville employees are hired, they will be given a written job description outlining the responsibilities for that position. This job description will be used in evaluating work performance and creating professional development plans.

### 1.3.13 Proper Attire

A professional appearance is essential to a favorable impression with students, parents, and the community. Appropriate attire is required for all departments. Please review these expectations with your Dean, Department Chair, or Director. Unless otherwise indicated by your supervisor, Fridays are designated as Spirit Day: you are encouraged to wear orange and black to show school pride.

Faculty and staff are expected to demonstrate good judgment and professional taste. Use courtesy towards coworkers and your professional image as the factors to assess whether you are dressing in attire that is appropriate. Faculty and staff who wear attire that is deemed inappropriate will be dealt with on an individual basis rather than subjecting all employees to a more stringent dress code.



### 1.3.14 Work Hours

Normal office hours are 8 a.m. to 5 p.m. The normal work week is a 40-hour calendar week. It begins at 12:01 a.m. Saturday and runs until midnight Friday. Staff personnel typically work eight (8) hour shifts; supervisors will review work schedules with staff personnel.

Note: Faculty work hours may differ significantly from the 8-5 schedule.

## Chapter 1.4 Time Away from Work

## 1.4.1 Annual Leave

The University of Pikeville provides paid vacation days, which employees accrue each year. Annual vacation accrual limits are as follows:

- Hourly: 10
- Administrative/Professional: 15
- Executive Staff, KYCOM Faculty & KYCO Faculty: 20

After 10 years of continuous service, hourly, administrative and professional staff will receive an additional five days of vacation, up to the maximum of 20 days.

Vacation days:

- You must have your supervisor's approval to take vacation time. Give your supervisor a written request (email records are acceptable) for vacation time at least 10 days in advance, longer if possible. You are responsible for keeping backup documentation of any pre-approved planned time away.
- You must have already earned the vacation time before you can use it.
- Annual leave may be accrued up to your maximum accrual. Once the maximum accrual has been reached, no new leave will accrue until leave has been taken.
- The University of Pikeville reserves the right to direct use of annual leave under adverse situations.
- You may use accrued vacation days as sick leave if you used all of your accrued sick leave.

Eligibility: Full-time staff, 12-month KYCOM faculty and 12-month KYCO faculty employees are eligible for annual leave. Athletic coaching staff and undergraduate faculty employees do not accrue annual leave.

For more information: Contact Human Resources for more information about annual leave.

## 1.4.2 Benefits While on Leave

While University of Pikeville employees are on an unpaid leave of absence, they and their eligible dependents may continue group medical insurance by paying the employee share of the premiums in advance. No contributions will be made to the Retirement Plan when employees are on an unpaid leave of absence.

Your employment with the University ends when you retire, become disabled, resign or are dismissed.

In the event of your death, your beneficiaries may be entitled to certain benefits. See the section on “Your Pay and Benefits” for further information.

### 1.4.3 Bereavement Leave

All full-time employees will be allowed up to three days of bereavement leave with pay upon the death of an immediate family member. Employees who wish to take this time off should notify their supervisor immediately. This time is not chargeable against earned sick, personal, or vacation time. Immediate family is defined as spouse, child, stepchild, parent, stepparent, parent-in-law, sibling (including step and half), grandparent, grandchild, sister-in-law, brother-in-law, or other person whose relationship is similar.

If the employee has a family member living in their home for whose primary care they are responsible, or if the employee was raised by a person who is not considered immediate family, the employee's immediate supervisor may approve bereavement leave.

Additional time off may be authorized by the immediate supervisor but will be charged against available personal or vacation time.

Attendance at the funeral of other relatives or friends can also be arranged with the immediate supervisor. However, this leave must be deducted from the employee's personal or vacation time. The immediate supervisor may approve leave without pay for the purpose of attendance at funerals for persons other than an employee's immediate family members, giving consideration to the workforce needs of the department.

Bereavement leave is to be reported either on the "request for leave" form or via WebAdvisor. On the form, it should be listed under "excused" identifying "bereavement leave" and the description of relationship within the "explanation" section. On WebAdvisor, it should be listed under "other time types" identifying as "bereavement leave."

## 1.4.4 Emergency Responder Service

Each year, you are eligible for up to seven calendar days of emergency responder leave with pay for field training if you:

- Are a member of an organized emergency responder service (ex. volunteer fire dept., emergency medical, etc.), and
- Provide a copy of your credentials and training information to your supervisor in advance.

## 1.4.5 Family and Medical Leave Act (FMLA) Policy

It is the policy of University of Pikeville to provide family and medical leave under the guidelines of the Family and Medical Leave Act in compliance with Federal Law. All eligible employees shall be entitled to take up to 12 weeks of job-protected leave during any 12-month period for specified family and medical leave reasons, and in certain circumstances, up to 26 weeks to care for a covered service member. The purpose of this policy is to establish guidelines for employee use of family or medical leave.

The following provisions shall apply to any eligible employee request made in accordance with FMLA. University of Pikeville leave benefits comply with the provisions of the FMLA as set forth by the Federal Law. Attached to this policy is the U.S. Department of Labor's notice of an employee's rights and responsibilities under the FMLA.

### **Covered Family and Medical Reasons**

An eligible employee shall be entitled to 12 weeks of leave during a 12-month period for one or more of the following reasons.

**Prenatal Leave** – includes prenatal medical care or incapacity due to pregnancy.

Prenatal Leave may be taken by the expectant mother for prenatal care or if her condition makes her unable to work. The husband may also take Prenatal Leave to care for an expectant spouse who is incapacitated or to care for her during prenatal care.

**New Child Leave** – includes the birth or placement of a child for adoption or foster care.

New Child Leave may be taken by the mother, father, or both. If a husband and wife both work for the Employer, the combined total of New Child Leave may not exceed a combined total of twelve weeks in a 12-month period.

New Child Leave must be taken within the 12 months after the birth or placement of the new child and may not be taken intermittently or on a reduced schedule.

**Employee Serious Health Condition Leave** – may be taken because of the employee's own serious health condition that prevents the employee from performing

the essential functions of his/her job.

**Immediate Family Member Serious Health Condition Leave** – may be taken because the employee is needed to provide care for the employee's parent, child, or spouse, because of such family member's serious health condition. A parent includes the biological, adoptive, foster, or step parent of the employee or an individual who stood *in loco parentis* to an employee when the employee was a son or daughter as defined by FMLA.

"Son" or "daughter" for purposes of Immediate Family Member Serious Health Condition Leave is defined by the FMLA as meaning biological, adopted, or foster child, a stepchild, a legal ward or a child of a person standing *in loco parentis* who is either under 18 years of age or 18 years or older and incapable of self-care because of a mental or physical disability.

The term "spouse" means a husband or wife and includes only a husband or wife as recognized under State Law for the purpose of marriage. "Spouse" does not include unmarried domestic partners. If a husband and wife both work for University of Pikeville, the combined total leave available under this paragraph to care for a parent may not exceed 12 weeks in the 12-month period.

Employee Serious Health Condition Leave and Immediate Family Member Serious Health Condition Leave may be taken intermittently rather than continuously, or may be taken on a reduced schedule, if medically necessary. If the need to use intermittent or reduced schedule leave is foreseeable and based on preplanned and pre-scheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the University of Pikeville's operations.

University of Pikeville may temporarily transfer an employee who requires foreseeable intermittent leave or reduced schedule leave to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.

In dealing with leave for the illness of an employee or family member, the FMLA does not apply to brief illnesses such as absences of three or less calendar days and where it does not involve ongoing treatment by a physician or health care provider. Rather, this category of leave applies solely to a "serious health condition" which is an illness, injury,



impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider. A serious health condition is one that either prevents an employee from performing the functions of his or her job or prevents the family member from participating in school or other daily activities.

**Qualifying Exigency Leave** – may be taken for certain reasons arising out of an employee's spouse, parent, son or daughter: (i) who is a member of the Reserve, National Guard, or a retired member of the U.S. Armed Forces, being on active duty or called to active duty and deployed to a foreign country; or, (ii) who is a member of the regular Armed Forces and is deployed to a foreign country. Qualifying Exigency Leave may be taken for one or more of the following reasons: (a) to be with a family member who is called to active duty with seven days or less notice; (b) to attend an official military ceremony, program, or event, or participate in family support or assistance programs; (c) to make changes to childcare or schooling arrangements; (d) to handle financial or legal arrangements; (e) to participate in counseling related to the family member's active duty; (f) to spend time with the family member while on leave (up to 15 days per Rest and Recuperation Leave); (g) to attend military events within 90 days after the family member's service ends; (h) to make alternative care arrangements for a military member's parent or to provide care on an immediate need basis or attend meetings at the military member's parent's care facility; and (i) for other service-related events as determined by University of Pikeville.

**Military Caregiver Leave** – an employee may take a combined total of up to twenty-six (26) weeks of leave during a single twelve (12) month period to care for a spouse, parent, son, daughter, or next of kin who is a current member of the Armed Forces (including the National Guard or Reserves), on the temporary disability retired list, or a covered veteran, who has a serious injury or illness aggravated or incurred in the line of duty while on active duty for which he or she is undergoing medical treatment, recuperation, or therapy. A covered veteran is an individual who was discharged or released under conditions other than dishonorable at any time during the five years prior to the first date the employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009, and March 8, 2013, cannot be counted when determining a covered veteran's five-year eligibility period. In the case of a covered veteran, a serious injury or illness also includes: (i) a physical or mental condition for

which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating of 50 percent or more based on the condition precipitating the need for military caregiver leave; (ii) a physical or mental condition related to military service that substantially impairs the covered veteran's ability to secure or follow gainful employment (or would do so absent treatment); or, (iii) a physical or psychological injury for which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

If both husband and wife are employees, they can have twenty-six (26) weeks of leave between them to care for a covered service member.

### **Employee Eligibility**

In order to be eligible for a family or medical leave under this policy, an employee must have worked for at least 1,250 hours for University of Pikeville within the 12 months immediately before the leave is to begin and have been employed by the University of Pikeville for at least a total of 12 months.

### **Calculation of Leave**

Eligible employees can use up to 12 weeks of leave during any 12-month period, and in specific circumstances can use up to 26 weeks of leave to care for a covered service member during a single 12-month period. University of Pikeville will use a rolling 12-month period measured backward from the date the employee uses FMLA leave except in the instance of Military Caregiver Leave. Each time an employee uses leave, University of Pikeville computes the amount of leave the employee has taken under this policy, subtracts it from the 12 weeks, and the balance remaining is the amount the employee is entitled to take at that time. For example: if an employee has taken five weeks of leave in the past 12 months, he/she could take an additional seven weeks under this policy. For Military Caregiver Leave, University of Pikeville will calculate the 12-month period starting on the day the employee commences Military Caregiver Leave and ending 12 months after that date.

Each full week of work missed counts as one week of FMLA leave. If an employee misses part of a week due to an intermittent or reduced schedule leave, the employee will be charged with a proportional part of a week of FMLA leave, based on the

proportion of normal work hours missed.

Employees will be advised of the amount of FMLA leave available at the time leave is designated as FMLA.

### **Maintenance of Benefits**

Employees are entitled to maintain insurance coverage while on unpaid FMLA leave on the same basis as if they had continued to work at University of Pikeville. To maintain uninterrupted coverage, the employee will have to continue his or her share of the insurance premium payments. These payments shall be made either in person or by mail on or before the first day of each month. If the employee's payment is more than 30 days overdue, the coverage will lapse. Lapsed coverage will not be restored until the employee returns to work.

### **Job Restoration**

At the conclusion of FMLA, the employee shall be returned either to the same position held at the beginning of FMLA, or to an equivalent position with equivalent pay, benefits, and other conditions of employment. Ordinarily, the employee will be returned to the same shift or equivalent work schedule. However, the employee returning from FMLA shall have no greater right to reinstatement than if the employee had been continuously employed. For example, being on FMLA will not prevent a reassignment or layoff if the employee would have been otherwise reassigned or laid off had the employee been working.

In some instances, a salaried "key employee" may not be able to be reinstated at the end of an FMLA. These "key employees" will be advised if they are a "key employee" and whether reinstatement might not be available to them at the time leave commences.

### **Use of Paid and Unpaid Leave**

FMLA is unpaid leave. However, University of Pikeville requires employees to substitute unused sick, vacation, and personal time for any FMLA leave requested and approved. Time taken under the FMLA that is paid through the use of an employee's accrued sick, vacation, and personal time will be treated according to the provisions guiding the use

of the accrued time.

Once the employee has used all applicable and available accrued sick, vacation, and personal time and wishes to remain on family or medical leave, it shall be considered unpaid leave.

### **Notice and Certification**

Advance notice allows University of Pikeville to plan and to avoid detrimental effects on its operation. When an employee plans to take leave under this policy, the employee must give University of Pikeville 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as possible. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruption of University of Pikeville's operation. Failure to provide the requisite notice may result in delay or denial of leave being granted.

An employee requesting leave must complete a "Request for Leave Form" which sets forth:

- the reason for the leave;
- the anticipated start date of the leave; and,
- the expected return to work date.

Appropriate documentation may be requested to verify the reason for the leave.

### **Procedure for Notice of Certification of Serious Health Condition**

Any requested leave based on a serious health condition, whether it involves the employee or a family member, must be supported by appropriate medical certification. An employee is required to have the "Certification for Employee Serious Health Condition" form or the "Certification for Family Member's Serious Health Condition" form completed by the employee's or the employee's family member's physician or health care provider. The completed certification must be submitted within 15 days after being provided the form, except in unusual circumstances. Failure to provide the required medical certification will result in denial of all privileges and benefits under this policy. The employer will require periodic medical updates from the employee (every 14 days) and may require recertification during the term of the leave.

In all cases of leave for medical reasons, University of Pikeville reserves the right to require a second medical opinion at University of Pikeville's expense. If there is a conflict between the original certification and the second opinion, University of Pikeville may require the opinion of a third physician. University of Pikeville and the employee will jointly select a third practitioner and University of Pikeville will pay for the opinion.

### **Procedure for Certification of Qualifying Exigency or Military Caregiver Leave**

Any leave taken for a qualifying exigency or to care for a covered service member, must also be supported by the appropriate certification. In this case the employee would submit the "Certification of Qualifying Exigency for Military Family Leave" form or the Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave" form. Upon providing notice of the need for leave, an employee will be provided with the applicable certification form to complete and return within 15 days.

### **RETURN FROM LEAVE**

Employees must notify University of Pikeville every 14 days during an FMLA leave of their status and the date of their intended return to work. If the employee is returning to work from leave based on his/her serious health condition, then the request to return to work shall be accompanied by a "Fitness for Duty Certification" completed by the employee's physician or health care provider.

Failure to return to work as scheduled after FMLA leave may be considered a voluntary termination of employment. University of Pikeville reserves the right to terminate the employment of individuals who fail to return to work following an approved leave. To protect your employment status with University of Pikeville, follow all procedures for keeping University of Pikeville updated regarding the status of your leave and for reporting back to work after your FMLA leave.

## 1.4.6 Holidays

The University of Pikeville observes the following paid holidays each year:

- Christmas Eve Day through New Year's Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thursday & Friday of Thanksgiving Week

When the date for observing a holiday is set by federal or state law, the university will follow the law. If a holiday (other than Christmas Eve or New Year's Day) falls on a weekend, it will be observed on the following Monday or preceding Friday. To view the current schedule, please visit <http://www.upike.edu/Human-Resources/Holidays>.

Supervisors are encouraged to be sensitive to the importance of religious holidays to employees. Every effort should be made to allow employees to observe religious holidays.

**Eligibility:** Regular full-time & part-time employees are eligible for paid holidays. Pay will be according to the number of hours the employee is normally scheduled to work on that day.

**Holiday pay:** Hourly employees who work on a holiday will be paid for the holiday at their respective overtime rate.

**Holiday pay for Clinical Faculty:** When health profession faculty are scheduled for patient care on a University holiday, they will be paid for the holiday at their respective overtime rate.

## 1.4.7 Jury Duty

University of Pikeville employees who receive notice to serve on a jury should inform their immediate supervisor as soon as possible after the notice is received. When employees are on jury duty, they will be paid their regular daily rate of pay but are expected to report their time to Human Resources for accurate recording of hours. Employees are expected to come to work when they do not have to appear in court. If employees report to court but are not required to serve on the jury, they must return to work for the remainder of the day if released before the end of the work day.

## 1.4.8 Military Service

Each year, employees are eligible for up to 14 calendar business days of military leave with pay for active duty or field training if employees:

- are a member of the Kentucky National Guard or an organized reserve unit of a U.S. military service, and
- give a copy of your military orders or other authorizing documents to your supervisor in advance.



## 1.4.9 Personal Leave

Full-time staff, KYCOM faculty & KYCO faculty are eligible for three days of paid personal leave each fiscal year (July 1 – June 30). Employees can take personal leave in whole days or partial days, but you need to notify the immediate supervisor in advance (if at all possible) that you are taking personal leave time. Personal leave is not additional vacation or holiday time, and it is not accrued or paid when you leave the University. Athletic coaching staff and undergraduate faculty employees do not accrue personal leave.

## 1.4.10 Sick Leave

Full-time staff, KYCOM faculty & KYCO faculty accrue sick leave at the rate of 6 ¼ hours each month, or 10 days each year that you are employed by the University. For absences that last longer than three days, you will be required to provide a written doctor's excuse. Athletic coaching staff and undergraduate faculty employees do not accrue sick leave.

Sick leave is to be used only for the following purposes:

- routine medical and dental exams and treatments;
- your own illness, injury, or hospitalization;
- pregnancy-related circumstances, including childbirth, miscarriage, and abortion, and recovery from these events;
- immediate family care is permissible for all situations in the above list. (Please see "Bereavement Leave" for the definition of immediate family.)

If you use all of your accrued sick leave before you are recovered, or before you are eligible for long-term disability benefits, you can use accrued personal leave or vacation days so you can continue to receive full pay. After that, you must request a leave of absence without pay. Please see Human Resources for questions related to short-term and long-term disability benefits.

## 1.4.11 Voting

All University of Pikeville employees are encouraged to vote before or after normal work hours. However, if the polls are not open given schedules or unforeseen circumstances, employees will be given the necessary time off with pay to vote.

## Chapter 1.5 Leaving Employment

## 1.5.1 Checkout Procedures Upon Departure

Departing employees will be scheduled for an exit meeting and complete a checkout form to ensure that all tools and equipment are returned and to provide an opportunity to discuss any questions or concerns related to their employment. Employees who fail to return any company property, including keys, credit cards, tools, uniforms, cellular phones, laptops, and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of the University.

You must obtain signatures from the following administrative units to ensure all your obligations to the university have been met:

- Registrar
- Library
- Information Technology
- Respective Dean or Provost
- Immediate Supervisor
- Facilities Management
- Campus Security
- Business Office

After you obtain all the required signatures, you must give the checkout procedure form, along with your ID card, to Human Resources. Keys to university property should be returned to Facilities Management. All computer equipment should be returned to Information Technology. Credit cards should be returned to the Business Office.

If you terminate employment (other than for cause), the University will pay you for accrued but unused vacation days, as follows:

- Hourly staff: up to 10 days
- Salary staff: up to 15 days
- Executive staff/KYCOM/KYCO faculty: up to 20 days

Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. By law (COBRA), you also will have the opportunity to continue medical coverage for yourself and your dependents at your own cost. Medical coverage can be converted to an individual policy when COBRA coverage ends. The University will not pay you for unused, accrued sick leave or personal days.

## 1.5.2 Involuntary Termination

The University may terminate the employment of any employee at any time with or without cause. All terminations are subject to approval by the Director of Human Resources and the appropriate Senior Staff member.

Note: Terminations involving members of the UPIKE Faculty are covered by policy and process outlined in chapter 2 of this policy manual. A more detailed process must be followed when terminating members of the university faculty.

Any of the following examples constitute cause for involuntary termination, but the list is not exhaustive. The University, at its own discretion, may determine that other unlisted types of behavior constitute cause for termination at any time.

- Excessive tardiness and/or absenteeism.
- Failure, neglect, or inability to perform assigned duties.
- Unauthorized disclosure of any confidential university information.
- Failure to act in a courteous or cooperative manner toward employees, students, or the general public.
- Violation of university or departmental rules.
- The possession of firearms on university property.
- Coming to work under the influence of alcohol, drugs, or other comparable substances, or possessing the same on university property.
- Providing false medical statement(s).
- Insubordination, failure to follow a supervisor's reasonable order, or failure to carry out reasonable job assignments.
- Falsification of employment application or resume.
- Other serious acts of misconduct.

If you are terminated, you will not be paid for unused accrued vacation days.

### 1.5.3 Resignation of Employment

Resignations should be submitted in writing to the employee's supervisor and forwarded to the Human Resources Department for filing in the employee's personnel file. The resigning employee is expected to provide a minimum of 10 work days' notice. Holidays do not count as work days when providing notice of resignation. If an employee provides less notice than requested, the individual may be ineligible for rehire depending on the circumstances regarding the notice given.

Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been tendered. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so.

Any employee absent from work for three consecutive days without notifying his/her supervisor will be considered to have resigned.

The supervisor has the discretion to accept a resignation immediately or shorten the notice period.



## Chapter 1.6 Pay and Benefits

## 1.6.1 Benefits & Eligibility

The following information on the benefits plans are not all inclusive. It is the employee's responsibility to enroll and become familiar with the benefits, limitations, and options. Employees should review the **annual employee benefits guide** or see Human Resources for any questions. Summary plan descriptions for each benefit plan are available for more detailed information.

### **Eligibility for Health Insurance**

If you are an employee working 30 hours or more a week, you are eligible for medical benefits outlined in this summary.

### **Payroll Deductions**

Payroll deductions for all benefits occur 24 times per year (bi-monthly).

### **Health Insurance**

The University of Pikeville currently offers health insurance plans to its employees and pays a contribution toward the cost of coverage. The contribution varies based upon the plan and level of coverage selected. Newly hired employees must enroll within 30 calendar days of employment. Continuing employees may elect to enroll in the health plan, if not previously enrolled, in accordance with open enrollment and special enrollment procedures.

Participants are encouraged to develop a familiarity with the benefits and limitations of the plan, including review of the certificate of coverage which can be found on the employee portal. Any question or doubt should be raised with the insurance company. Any member of the Human Resources Office is available to help answer questions and resolve issues.

### **Dental Insurance**

Employees may purchase dental insurance on a voluntary basis. The plan also offers discounts for vision care. Newly hired employees must enroll within 30 calendar days of employment.

Employees working 40 hours a week are eligible. Eligible employees may elect to cover a spouse and/or a dependent child(ren) up to the age limitations specified by the insurance carrier contract.

### **Vision Insurance**

Employees may purchase vision insurance on a voluntary basis. Newly hired employees must enroll within 30 calendar days of employment.

Employees working 40 hours a week are eligible. Eligible employees may elect to cover a spouse and/or a dependent child(ren) up to the age limitations specified by the insurance carrier contract.

### **Telemedicine**

The University of Pikeville currently offers a telemedicine benefit. Employees are automatically enrolled upon hire. This benefit covers the entire family. Employees must complete a registration process with the vendor, including beneficiaries of the benefit and a health history.

### **Dependent Care Account**

Employees may enroll in a Dependent Care Account on a voluntary basis. A Dependent Care Account helps you pay for child care services which makes it possible for you and your spouse (if applicable) to work. Under certain circumstances, it may also be used to help pay for the care of elderly parents or a disabled spouse or dependent. Newly hired employees must enroll within 30 calendar days of employment. Employees working 40 hours a week are eligible. There is no employer contribution.

### **Flexible Spending Account**

A Flexible Spending Account (FSA) allows participants to reduce taxes because you pay for unreimbursed qualified health care expenses with pre-tax dollars. Each year you decide how much to contribute to the account based on your needs. Changes to the annual elections are only allowed if there is a change in family status. Unused funds are forfeited according to the terms and conditions of the FSA plan document. Employees working 40 hours a week are eligible. There is no employer contribution.

## **Health Savings Account**

A Health Savings Account (HSA) allows participants to reduce taxes because you pay for unreimbursed qualified health care expenses with pre-tax dollars. Each year you decide how much to contribute to the account based on your needs.

Employees who are enrolled in a High Deductible Health Plan (HDHP) may open a Health Savings Account. The account holder cannot have the following coverages and be classified as “eligible”:

- You cannot be enrolled in Medicare or TRICARE (Age 65 or enrolled in Medicare for a disability).
- You cannot have used Veterans (VA) coverage in the last three months and contribute to the account.
- You cannot be enrolled in your spouse’s non-HDHP medical health policy, nor anyone else’s non-HDHP policy (i.e., group insurance, FSA’s (Flexible Spending Accounts), HRA’s (Health Reimbursement Accounts) or private medical coverage).
- You cannot be a tax dependent on anyone else’s tax return.

Funds left over will roll over from one year to the next and are the property of the employee. The University of Pikeville may contribute an employer contribution.

## **Life Insurance**

The university pays the entire premium for a term life insurance policy equal to the employee’s salary. Death benefits are stated in thousands of dollars and are based upon the employee's base salary or annualized base wages. If the base compensation amount is a fraction of \$1,000, the death benefit is rounded to the next \$1,000 amount.

An employee can also elect additional voluntary coverage. Newly hired employees must enroll within 30 calendar days of employment. Beneficiaries must be listed on the application form at enrollment. It is the employee's responsibility to update beneficiaries as needed.

Employees working 40 hours a week are eligible. Eligible employees may elect to cover a spouse and/or a dependent child(ren) up to the age limitations specified by the insurance carrier contract. Any additional expense associated with additional coverage is the responsibility of the employee.

### **Accidental Death and Dismemberment Insurance**

The university pays the entire premium for an accidental death and dismemberment insurance policy equal to the employee's salary. Death benefits are stated in thousands of dollars and are based upon the employee's base salary or annualized base wages. If the base compensation amount is a fraction of \$1,000, the death benefit is rounded to the next \$1,000 amount.

Newly hired employees must enroll within 30 calendar days of employment. Beneficiaries must be listed on the application form at enrollment. It is the employee's responsibility to update beneficiaries as needed.

Employees working 40 hours a week are eligible. Eligible employees may elect to cover a spouse and/or a dependent child(ren) up to the age limitations specified by the insurance carrier contract.

### **Short-Term Disability Insurance**

The university pays the entire premium for short-term disability insurance. Benefits commence on the 15th consecutive day of injury/illness. Benefits are supplemental to (integrated with) social security benefits such that combined monthly payments are equal to 60% of normal weekly compensation to a maximum of \$1,000 per week.

Full-time undergraduate faculty and Athletic coaching staff are eligible after one year of service. Review the long-term disability summary plan description for specific information about the definition of disability, payable benefits, and coverage.

Additional Voluntary Short-Term Disability Insurance is available for purchase through AFLAC.

## **Long-Term Disability Insurance**

The University pays the entire premium for long-term disability insurance. Benefits commence on the 91st consecutive day of total disability. Benefits are supplemental to (integrated with) social security benefits such that combined monthly payments are equal to 60% of normal monthly compensation to a maximum of \$6,000 per month. Disability benefits under this plan continue as long as you remain disabled or until you reach your ADEA-B.

Employees working 40 hours a week are eligible after one year of service. Review the long-term disability summary plan description for specific information about the definition of disability, payable benefits, and coverage.

## **Employee Assistance Program**

University of Pikeville recognizes that life can get hectic. That's why we provide EAP at no cost to you or members of your household.

EAP is short-term in-person, telephonic, and/or video based counseling for issues such as relationships, workplace challenges, grief and loss, parenting and many other concerns. EAP can help with assessments and give referrals for longer term issues if needed. Personal information about you and your household members remain confidential according to all applicable state and federal laws. EAP also provides some legal and financial resources. There are online tools including wills, calculators, webinars, quizzes, and more.

### 1.6.3 Employee Pay

When hired, new University of Pikeville employees will be informed of their rate of pay for their specific position. Once a year, supervisors will review job performance and determine how well employees have performed compared to the expectations outlined in the job description.

It is required that employee paychecks be deposited in the bank of their choice. If employees do not have a bank, Human Resources can assist in locating one. This applies to all employees with the exception of work-study employees.

## 1.6.4 Employment Classification

The University defines exempt and nonexempt employees following the provisions of the Fair Labor Standards Act (FLSA).

### **Exempt Status**

Exempt employees are exempt from the minimum wage and overtime provisions of the FLSA. This exemption is determined by evaluating the duties and responsibilities required of the staff member against the criteria outlined in the FLSA. A job is classified as exempt if its duties and responsibilities are primarily executive, managerial, or administrative, or if it requires an advanced educational degree or knowledge and experience in a field considered to be professional. Exempt employees fulfill their duties without a focus on the amount of time it takes. Therefore, exempt staff members are paid a semi-monthly salary that does not vary between pay periods based on the quality or quantity of work, and are not eligible to receive overtime for hours worked beyond 40 hours in a workweek.

### **Non-Exempt Status**

Non-exempt employees do not qualify, by the nature of their work and responsibilities, for exemption from the overtime or minimum wage provisions of the FLSA. Non-exempt employees are paid by the hour and must receive no less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours in a workweek.



## 1.6.5 Library Services

All faculty and staff have access to all university library services. You must present your university ID to check out materials from the university libraries. Family members who wish to check out materials are eligible for a community user card. For more information see the [Library Policies](#) on the university Web page.

## 1.6.6 Overtime Pay

The Fair Labor Standards Act (FLSA) requires that nonexempt employees be paid overtime premium pay for all hours considered time worked in excess of forty (40) hours in a workweek. This policy describes procedures which comply with the FLSA for assigning, reporting, and paying overtime. This policy does not apply to exempt employees. Normally, supervisors arrange workloads and work schedules so that an employee can complete his or her duties and responsibilities in a forty (40) hour workweek. However, supervisors may require employees to work overtime. When employees are hired, they should be told if overtime will be required, how often, and departmental procedures for determining the assignment of overtime.

A supervisor must authorize overtime before the start of the overtime work. Supervisors will assign overtime in a fair and reasonable manner, taking into consideration the needs of the unit, and the abilities, availability, and willingness of employees. An employee who refuses to work overtime or who works unauthorized overtime may be subject to disciplinary action. Any nonexempt employee who works overtime must be compensated at the premium rate for all overtime worked.

Overtime is “time worked,” exclusive of meal breaks, in excess of forty (40) hours in a standard work period of seven (7) consecutive days. The university’s work week is defined as midnight on Saturday morning until 11:59 p.m. on Friday night. “Time worked” for overtime purposes consists of any hours worked during the work period less sick leave, annual leave, and any leave with pay (such as jury duty). “Time worked” does not include the meal break, unless an employee is directed by his or her supervisor to perform work related duties or remain on duty during the meal break. Nonexempt employees should take their meal break away from the work site or their desk to avoid confusion on overtime liability.

When a nonexempt employee works authorized overtime, he or she is paid at one and a half (1-1/2) times the employee's regular rate of pay. **Nonexempt employees may not be granted compensatory time off in lieu of overtime pay.**

Employees enter and Supervisors approve overtime worked by nonexempt employees electronically using the time entry module in WebAdvisor. The employee's overtime pay is included in the employee's next regularly scheduled payroll.

## 1.6.7 Retirement Plan

The University of Pikeville provides a 403-b retirement plan to assist our employees in planning for the future. There are two choices of retirement fund management companies: TIAA-CREF and VALIC. Contributions are invested in individual retirement annuities chosen by the employee to meet their future retirement needs. All retirement funds are fully vested immediately.

### **Supplemental Retirement Annuity (SRA)**

**Eligibility:** All employees (except student employees) are eligible for the supplemental retirement annuity. You will be able to contribute a portion of your pay into the plan as a pre-tax deferral as soon as administratively feasible after your hire date. The employee is responsible for completing the appropriate enrollment applications/forms to initiate this benefit.

You may make tax-deferred contributions to the plan up to the dollar limit allowed by the Internal Revenue Service. The IRS limit is adjusted each year, so contact Human Resources for information about the limits. Your contributions are deducted from your pay and forwarded to VALIC Retirement/TIAA-CREF for investment.

### **Retirement Annuity (RA)**

**Eligibility:** Employees who have completed one year of service with the University of Pikeville and all other requirements are eligible to receive an employer contribution toward their retirement account. A new employee who can show evidence of participation in a qualified plan immediately preceding their employment at the University may have the one year waiting period waived.

**Contributions:** Once enrolled, each pay period the university will make a minimum contribution equal to 5% of regular pay. If you also contribute to the plan, the university will increase its contributions. The university will match up to 2% of the employee's contribution, for a total employer contribution maximum of 7% of regular pay.

The employee is responsible for completing the appropriate enrollment applications/forms to initiate this benefit.

**457 (B):** Once enrolled, each pay period the employee may elect to make an additional contribution to their retirement plan. The University of Pikeville will make no matching contribution to this plan. You will be able to contribute a portion of your pay into the plan as a pre-tax deferral as soon as administratively feasible after your hire date. The employee is responsible for completing the appropriate enrollment applications/forms to initiate this benefit.

## 1.6.8 Salary Increases

Each year, the University will determine whether pay increases are distributed to employees based upon the annual budget. The University cannot guarantee annual pay increases.

## 1.6.9 Tuition Waivers

### **Undergraduate Waiver**

University of Pikeville provides its employees and their dependents the opportunity to attend undergraduate classes tuition free. Waivers are granted on a first-come, first-serve basis within the University's budgetary guidelines.

Tuition waivers are an agreement between the student and the University to reduce or eliminate tuition. Tuition waivers are not given when an employee, a spouse, or dependent child enrolls in a course that is under-enrolled and where the instructor is paid on a prorated basis. If this occurs, the employee, spouse, or dependent child is expected to withdraw from the course or pay the prorated amount. Tuition waivers do not apply to any fees when taking certain courses. All fees must be paid by the student.

### **For Employees**

Employees may take only one course during the workday during the fall and spring semesters and must have the approval of their immediate supervisor. At least four weeks before the course is to start, you should submit your request to take a course to your supervisor, apply for financial aid, and be formally registered. Permission to take a course during the workday is not automatically granted and will depend on the needs of your division or department, as determined by your supervisor. If approval is granted by your immediate supervisor, you will be required to make up the time missed from taking such class. Make-up time must be scheduled with your immediate supervisor's approval at the time the request is approved. Time cannot be made up during the employee's lunch hour.

A course taken during the workday cannot last longer than the equivalent of three classroom hours, or four classroom hours if a lecture/lab combination. Additional hours are allowed if they are taken after the employee's regular work hours. However, the combined number of credit hours for the day and evening courses cannot exceed nine hours. Employees will not be able to utilize the tuition waiver policy for independent study, work experience credit, or credit by examination.

## **For Spouses/Dependents**

Spouses and dependent children are eligible for a maximum of 10 regular semesters of the tuition waiver benefit. A dependent child is eligible if he/she can be claimed on a tax return for the previous calendar year while also meeting the IRS definition of a dependent on a regular basis.

### **Guidelines**

- Employees must be employed by the University for one year prior to the beginning of classes in order to receive a tuition waiver for oneself or dependent.
- Regular full-time employees, their spouse, or dependent children are eligible if they have not yet earned an undergraduate degree.
- Employees who have already earned a bachelor's degree are not eligible to take undergraduate classes under this policy unless the course will enhance the employee's skill and ability level in their current position. The employee's immediate supervisor will be responsible for approving any class above the employee's bachelor's degree.
- Spouses and dependent children may apply for tuition waivers for up to 18 hours for both the fall and spring semesters. Students who are not full-time are not granted waivers for individualized or independent instruction.
- The student must apply for financial aid using the FAFSA. The deadline for completing the FAFSA is January 31, for the following academic year. Financial aid will be applied to the student's account to cover the cost of tuition before the waiver will be applied. Tuition waivers cannot be applied to room and board expenses or any fees that may apply.
- Employee, spouse, and/or dependent's tuition waivers cannot be used for any undergraduate summer courses, including independent studies and online courses. Due to the interruption of the workday, employees are not permitted to take courses in the summer that would meet during their workday.
- The Tuition Waiver Application and FAFSA forms must be completed before the waiver will be applied.



## Graduate Waivers

After one year of service, full-time employees who meet admission requirements may, with the approval of their supervisor and the appropriate area vice president, enroll in any Master's degree program offered by the university and receive a tuition waiver. There is no limitation on the number of credit hours to which the waiver will apply. Spouses and children of full-time employees are not eligible for a tuition waiver in graduate programs. The employee's anniversary date must be achieved prior to the class start date for the benefit to apply.

Tuition remission at the graduate level is taxable to the employee. At the time the value of the remission is recorded in payroll the related tax is withheld. Based on the 2009 IRS Publication 970 graduate students receiving tuition remission will have an exclusion of \$5,250 annually. Tax will be withheld from employees beginning with \$5,251 annually. The IRS exclusion amount is subject to change. The University will always withhold taxes using the most current IRS tax guidelines, even if this policy manual shows a different amount.

## Guidelines

- Employees should complete a Tuition Waiver Agreement **immediately** after enrolling into a course(s).
- The individual is responsible for obtaining all required signatures (see Section 5). Each department should keep a copy of this form on file for each employee. Completed and signed forms should be returned to the Financial Aid Scholarship Office. You must complete a tuition waiver request each semester for all classes.
- Employees should complete a FAFSA annually by **January 15**, of the year to receive this benefit each academic year.
- Employees must notify the Director of Student Financial Services each semester of the number of hours registered to take so that the award may be processed accordingly.

All other expenses associated with enrollment are the sole responsibility of the student. This includes fees, lab expenses and books.

**Tax:**

Participation in the Faculty and Staff Tuition Waiver Program may generate additional taxable income under the provisions of the federal tax code for graduate level programs.

Any tax liability incurred through participation in this program is the responsibility of the employee.

In the event an employee withdraws or drops a class, taxation is applicable to the non-refundable portion of the tuition waiver.

## 1.6.10 Tuition Remission and Tuition Exchange Benefits

The University of Pikeville does participate in the Council of Independent Colleges (CIC) Tuition Exchange Program. More information can be found at the [CIC Website](#).

### **Undergraduate Coursework**

#### **Tuition Waivers for Faculty/Staff, Spouses and Dependent Children**

##### **Eligibility:**

Employees must be employed by the University for one year prior to the beginning of classes in order to receive a tuition waiver for oneself or dependent.

Employees can take up to three classes per semester with one occurring during work hours with the approval of their supervisor.

Regular full-time employees are eligible for this tuition benefit. The employee [Tuition Waiver Agreement](#) and FAFSA forms must be completed in Student Financial Services. You, your spouse, or dependent children are eligible if they have not yet earned an undergraduate degree. A dependent child is eligible if you have claimed the child on your tax return for the previous calendar year, and the child continues to meet the IRS definition of a dependent. If you have any questions about employee eligibility, contact the Human Resources Office at 606-218-5346. The HR office is located in the Laughlin Cottage, 147 Sycamore Street, Pikeville, KY 41501.

##### **Applicability**

Employees who do not have a bachelor's degree are eligible for undergraduate tuition waiver for academic credit. A spouse or dependent child may use the tuition waiver for academic credit courses only. The scholarship waiver applies **only to tuition** and not to special course fees or other fees required for a course.

A dependent child is defined as one who is an unmarried natural child, adopted child, stepchild, or legal ward and is less than 24 years of age as of the first day of the semester for which the class is offered and who is claimed by the employee for income tax purposes. Spouses and/or dependent children must meet university admission requirements and any specific program requirements.

Your spouse and children may be eligible for tuition waivers for up to a maximum of 10 regular semesters each. Waivers are granted on a first-come, first-serve basis within the university's budgetary guidelines.

Spouses and dependent children may apply for tuition waivers for up to 18 hours for both the fall and spring semesters.

Employees, spouses, and children must apply for financial aid. The deadline for applications is January 31, each year and financial aid will be applied to cover the cost of tuition before tuition waivers are applied. Tuition waivers cannot be applied to room and board expenses.

Dependents who are in high school and attending University of Pikeville in a dual-credit program **will not** be eligible to receive the employee tuition waiver.

### **Scheduling**

Employees may take one course during normal working hours in the fall and spring. The employee must make arrangements with his/her supervisor to make up the time or request time without pay. The employee is required to provide a request to their immediate supervisor at least four weeks before the course is to start. The employee must apply for financial aid and be formally registered. Permission to take a course during normal working hours is not automatically granted — it will depend on the needs of your division or department, as determined by your supervisor. If approval is granted by your immediate supervisor to take a class during the day, you will be required to make up the time missed from taking such class. Make-up time must be scheduled with your immediate supervisor's approval at the time the request is approved. Time cannot be made up during the employee's lunch hour. A course taken during normal working hours cannot last longer than the equivalent of three classroom hours. Additional hours are allowed if they are taken after your regular work hours and if they are part of the regular class time as shown in the current schedule of classes for the semester. Employees will not be able to utilize the tuition waiver policy for independent study, work experience credit or credit by examination.

You may take up to two additional courses, tuition-free, in the evening. However, the combined number of credit hours for the day and evening courses cannot exceed nine hours. Any financial aid you receive will be applied to cover the cost of tuition — up to the amount that would be waived — before tuition is waived.

## Procedures

1. Employees should complete a Faculty/Staff Tuition Waiver Agreement **immediately** after enrolling into a course(s).
2. The individual is responsible for obtaining all required signatures (see Section 6). Each department should keep a copy of this form on file for each employee. Completed and signed forms should be submitted to Student Financial Services. You must complete a tuition waiver request each semester for all classes.
3. Employee/spouse/dependent must complete a FAFSA **annually by January 31**, of the year to receive this benefit each

## Tax

Participation in the Faculty and Staff Tuition Waiver Program may generate additional taxable income under the provisions of the federal tax code for graduate, professional, and doctoral level programs.

- A. The course offering institution will provide a report to the chief personnel officer of each employing institution on all employees participating in the Faculty/ Staff Tuition Waiver Program. The report shall designate the course number and whether the course is undergraduate, graduate, doctoral, or professional.
- B. The employing institution is responsible for withholding of the proper taxes and for reporting taxable income for all employees of the institution regardless of the institution where the course is taken.
- C. Any tax liability incurred through participation in this program is the responsibility of the employee.
- D. In the event an employee withdraws or drops a class, taxation is applicable to the non-refundable portion of the tuition waiver.

## Exclusions:

- Employees who have already achieved a bachelor degree will not be eligible to take undergraduate classes under this policy unless the course will enhance the employee's skill and ability level in their current position. The employee's immediate supervisor will be responsible for approving any class above the employee's bachelor's degree that satisfies the employee skill & ability requirements.
- Tuition waivers are not given when an employee, spouse or dependent child enrolls in a course that is under-enrolled and where the instructor is paid on a prorated basis. If this happens, the employee, spouse or dependent child is expected to withdraw from the course or pay the prorated amount.
- All other expenses associated with enrollment are the sole responsibility of the student. This includes fees, lab expenses and books.

**Graduate Coursework**  
**Graduate Tuition Waiver**  
**Eligibility**

An employee must be employed by the university for one year prior to the beginning of classes in order to receive a graduate tuition waiver. The waiting period may be waived if the employee is already enrolled in a graduate program or the University deems it in their best interest to encourage graduate work by waiving the waiting period. Only regular, full-time employees are eligible for this tuition benefit. In addition, employees with prior graduate work are eligible for this tuition benefit. The employee [Graduate Tuition Waiver Agreement](#) and FAFSA forms should be completed in Student Financial Services. If you have any questions about employee eligibility, contact the Human Resources Office at 606-218-5346. The HR office is located in the Laughlin Cottage, 147 Sycamore Street, Pikeville, KY 41501.

**Procedures**

1. Employees should complete a [Graduate Tuition Waiver Agreement](#) before enrolling into a course(s).
2. The employee is responsible for obtaining all required signatures and returning the form to the office of financial aid.

All other expenses associated with enrollment are the sole responsibility of the student. This includes fees, lab expenses, and books.

**Payback**

After completing the graduate degree, the employee is required to work for the University for one year for each year of the waiver. In this way, the University will benefit from the knowledge gained while pursuing the graduate degree. Should an employee take another position outside the University of Pikeville, they will be required to pay back the tuition waiver, or any portion of that waiver that remains. Employees who are terminated or otherwise released by the University are released from the playback clause.

## 1.6.11 University Events

University employees are entitled to free admission (with an ID card) to university athletic events. They may also receive discounted admission to other university events. In some cases, family members may have to pay the admission, depending on the activity or event.

## Chapter 2 - The University Faculty



## Chapter 2.1 Academic Policies and Procedures

## 2.1.1 Class Meetings and Attendance

Attendance at class meetings (face-to-face and virtual) is essential to academic success. Interaction with faculty members and fellow students provides the best opportunity for learning information and for exercising skills necessary to gain competencies in the subject. It is obligatory that faculty meet and conduct classes, laboratories, tests, and scheduled office hours or other student conferences:

1. in the places, at the times, and for the duration officially announced to the students;
2. on the basis of official registration lists;
3. in accordance with departmental syllabi and catalog descriptions;
4. in a manner (and at a noise level) mindful of the rights of other classes or conferences in session.

Problems arising from any of the above should be reported to the following units on campus:

- Office of the Provost (undergraduate and graduate)
- Kentucky College of Osteopathic Medicine (KYCOM)
- Kentucky College of Optometry (KYCO)

## 2.1.2 Posthumous Degree Guidelines

A student may be considered a candidate for a posthumous degree when the following requirements are met. At the University of Pikeville, posthumous degrees may be awarded by the Undergraduate/Graduate College, Kentucky College of Osteopathic Medicine (KYCOM), and Kentucky College of Optometry (KYCO).

### Requirements for Nomination

1. The student must have been in good standing with the institution at the time of death. Good standing is defined as not having any of the following statuses: academic probation, academic dismissal, disciplinary suspension or expulsion.
2. The student must have been enrolled at the time of death or their continuous enrollment was interrupted by their injury, illness, deployment, or other extenuating circumstances.
3. The student must have earned a minimum of 50% of their credit hours toward their degree and must have taken at least 25% of their credit hours toward their degree at the University of Pikeville.
4. The college/school in which the student was enrolled recommends the awarding of a posthumous degree with support from the Provost (undergraduate/graduate) or their Dean (KYCOM and KYCO).

### Nomination/Approval Process

1. Any university student, faculty, or staff member can suggest a candidate be considered for a posthumous degree.
2. Nominations should be made at least three months before a candidate's expected graduation and must be made within two years of their time of death.
3. The request must be made to the Provost (undergraduate/graduate) or their Dean (KYCOM and KYCO).
4. The student's degree audit file will be obtained from the Office of the Registrar to verify the program/plan and progress toward degree completion.
5. The request must include the name of the student, the degree/program to be awarded, and the recommended semester for degree conferral.
6. If the nomination meets the necessary criteria, the proposal to award the posthumous degree will be placed before the appropriate faculty body for approval. Once approved, the proposal will be moved forward to the Board of Trustees for final approval.
7. If approved:

- a. The Provost (undergraduate/graduate) or their Dean (KYCOM and KYCO) will notify appropriate university personnel (e.g., registrar, commencement coordinator).
  - b. The University will inform the immediate family of the decision and desire to recognize the student. This process will be kept confidential until and unless approved at all levels.
  - c. If the family desires to represent the student and receive the diploma at a commencement ceremony, this must be relayed to the commencement coordinator for planning purposes. If the family does not wish to attend the commencement ceremony, the diploma will be mailed to the requested address.
8. A posthumous degree will be printed in the commencement program. If the family chooses not to participate, this award may still be read during the ceremony (unless explicitly requested otherwise by the family). Example: Jane M. Doe – Awarded Posthumously

## 2.1.3 Professional and Ethical Responsibilities

Membership in the academic profession carries with it special responsibilities. These include, among others, responsibilities to students and colleagues and responsibility to undertake research and other scholarship in an honest and professional manner. Faculty at the University of Pikeville, as members of the academic profession, are expected to abide by general standards as set forth in the *Statement on Professional Ethics* of the American Association of University Professors and reprinted below.

The following outlines the professional and ethical responsibilities that guide faculty.

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
  
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Full text of this statement can be found on the AAUP website at:

<https://www.aaup.org/report/statement-professional-ethics>

## 2.1.4 Social Relationships with Students

The faculty-student relationship lies at the foundation of the educational process. Academic intensity should be balanced with university-sponsored social activities and events as students progress in their academic experience. These social experiences (including community service, barbeque gatherings with school and college faculty, lunches with faculty, etc.) are designed to facilitate a strong and appropriate connection with faculty and the University.

While University of Pikeville values relationships between faculty, staff, and students that enhance the academic, social, emotional, and spiritual growth of students, it is vital that these relationships reflect the values of the institution. As employees of the University, faculty implicitly and explicitly agree to contribute to, and not otherwise to impede, the health, safety, and productive environment for work, learning, and teaching to which the University is committed. Faculty, in particular, have a responsibility to contribute positively to the learning environment for their students and not to take advantage of or abuse those professional powers. As a matter of sound judgment and professional ethics, faculty members have a responsibility to avoid any apparent or actual conflict between their professional responsibilities and personal relationships with students. All university employees are also required to adhere to the [Policy on Consensual Relationships](#).

## 2.1.5 Students with Disabilities

The University of Pikeville is committed to providing students with disabilities the same educational programs and services offered other students, in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008. Under Section 504, a student has a disability if that individual has a physical or mental impairment that substantially limits major life activities such as walking, seeing, hearing, speaking, working, or learning. Section 504 further requires that institutions make appropriate and reasonable adjustments for students with disabilities to ensure accessibility to academic and nonacademic activities. Under ADA, all institutions of higher education must comply with government policies, procedures, and employment practices that impact the treatment of students.

Each student brings a unique set of strengths and experiences to the academic setting. Even though students learn in different ways, it is not necessary to dilute curriculum or to reduce course requirements for individuals with disabilities. Special accommodations may be needed, however, as well as modifications in the way information is presented and in methods of testing and evaluation. Faculty will be assisted in these efforts by drawing upon the student's own prior learning experiences, using available institutional resources and collaborating with the Disability Resource Counselor. An individual with a disability is not required to accept an accommodation that has not been requested and/or is not deemed necessary. However, if the individual refuses accommodation necessary to perform in an area of study and, as a result, cannot meet established requirements, the individual may not be considered qualified with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) .

In order to be granted protection under Section 504 and ADA, students with disabilities must make the disability known to appropriate university officials (Disability Resource Counselor) and must provide current and comprehensive documentation concerning the nature and extent of the disability. A student with a disability may make known his/her disability and seek verification for it at any point in his/her academic career. Upon verification, the Disabilities Resources Counselor will work with the instructor and the student to determine reasonable accommodations. With the student's written permission, a written description of accommodations will be forwarded to the instructor by the Disabilities Resources Counselor.

Students with verified disabilities should contact the Disabilities Resources Counselor and inform faculty very early in the semester if they wish to exercise their rights to reasonable



accommodations. Accommodation Letters are valid for one semester only, and must be updated each semester. Ensuring complete access and full participation in the education process does not require the instructor to adjust evaluations of academic performance nor absolve the student from personal responsibility for class attendance, assignments, and other course requirements. Rather, accommodations make it possible for a student with a disability to learn the material presented and for the instructor to fairly evaluate the student's performance.

Instructors are encouraged to work directly with students to implement requested accommodations, but they should contact the Disabilities Resources Counselor whenever they have questions, concerns, or issues relative to the student or accommodations process.

Located in the Administration Building, 204 (Phone: 606-218-5232), the Disabilities Resources Counselor is under the supervision of the Dean of the College of Arts and Sciences. The Disabilities Resources Counselor can provide publications regarding reasonable accommodations under Section 504 and ADA and assists both students and university employees with appropriate services for students with disabilities.

## 2.1.6 Substantive Change Policy and Procedure

### **Introduction**

The University of Pikeville is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and complies with the Substantive Change for SACSCOC Accredited Institutions Policy Statement, requiring the University to report all substantive changes accurately and efficiently to the Commission. The purpose of this policy is to provide a description of university process and procedures for any intended substantive change. Examples of substantive changes include, but are not limited to, offering coursework at an off-campus location, terminating an academic degree program, or initiating programs or courses offered through contractual agreement or consortium.

The University of Pikeville is proactive in ensuring all incidences of substantive changes be reported in a timely manner as required by Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The complete SACSCOC Substantive Change guidelines can be found online at: <http://www.sacscoc.org/SubstantiveChange.asp>

### **Statement of Policy**

The purpose of this policy is to establish the requirements and processes necessary to ensure timely coordination and notification of substantive changes involving University of Pikeville to the University's regional accrediting body, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). To ensure compliance with SACSCOC requirements, the University of Pikeville has a program proposal process in place, consisting of criteria for proposals, approval protocols, and assessment of new and existing programs determining the need for the proposed changes for any program change, whether revised or new.

In order to meet the commitment undertaken by virtue of its membership in SACSCOC and its reaffirmation of accreditation, it is the policy of the University to demonstrate continuing compliance with the [Principles of Accreditation: Foundations for Quality Enhancement](#) by adhering to all standards, requirements, policies, and procedures associated with the [SACSCOC Policy for Substantive Changes for Accredited Institutions](#).

### **Procedures**

Henceforth, the following procedures are to be followed any time the institution is applying for or contemplating a Substantive Change:

**Preliminary Work:**

University personnel will work closely with the University of Pikeville SACSCOC Liaison, Dr. Lori Werth, to ensure changes fall under the appropriate procedure for details regarding reporting. The different types of substantive change, the specific procedure to be used for each, their respective approval/notification requirements, and their reporting timelines are included in the table on pages 4 – 8 of this policy.

Any possible substantive change for the University of Pikeville will be immediately reported to the SACSCOC Liaison in order to determine if the change fits the definition of a substantive change as required by SACSCOC. The SACSCOC Liaison will work with SACSCOC personnel to ensure that the correct procedure is followed. All substantive change activity will be documented with the SACSCOC Accreditation Liaison through a database maintained by the liaison.

**Step I:**

When a substantive change is contemplated or proposed, the SACSCOC Liaison must be notified using the internal process and procedure form (see below). After this form is received, the SACSCOC Liaison will provide access to published guidelines and procedures and notification schedules for substantive change requests. See the [Substantive Change for SACSCOC Accredited Institutions Policy Statement](#) for additional requirements. At the University of Pikeville, the SACSCOC Liaison is:

Lori Werth, PhD, MS  
Provost  
SACSCOC Liaison  
Administration Building, 1st Floor  
PH: 208-218-5830  
Email: [LoriWerth@upike.edu](mailto:LoriWerth@upike.edu)

**Step II:**

The SACSCOC Liaison will review the proposed change and determine whether the anticipated change is associated with Procedure One, Procedure Two, or Procedure Three. There are three procedures for addressing the different types of substantive changes:

**Procedure One**

Approval Prior to Implementation  
Notification may also be required

**Procedure Two**

Only Notification Prior to Implementation  
Some changes also require submission of additional documents

**Procedure Three**

Closing a Program, Site, Branch Campus or Institution

**Step III:**

The SACSCOC Liaison will discuss the proposed change with the President and appropriate Dean and Division/Department leadership of the university and other involved parties before proceeding.

**Step IV:**

If the proposed change is to proceed, the SACSCOC Liaison will work with appropriate personnel to prepare a synopsis for discussion at appropriate levels of the organization and a preliminary schedule for timely notification.

**Step V:**

The request will be presented for further direction to the executive cabinet, chaired by the President of the university.

**Step VI:**

The final recommendation of the President and Provost/SACSCOC Accreditation Liaison will be shared with college/school Deans, Division Chairs, and Executive Staff. If necessary, notification will be sent to the Board of Trustees for appropriate action.

**Step VII:**

The institution will await direction from SACSCOC regarding specific procedures for review of the substantive change. Depending on the nature of the change, a prospectus (application), a site-visit or additional information may be required.

*Please note that these steps do not negate the necessity to adhere to current policies and procedures outlined in the Faculty Handbook and other university publications addressing development and implementation of programs and initiatives.*

## A Reference on the Types of Substantive Change

Source:

*Substantive Change for Accredited Institutions of the Commission on Colleges*

[www.sacscoc.org/SubstantiveChange.asp](http://www.sacscoc.org/SubstantiveChange.asp)

### Reporting the Various Types of Substantive Change

The different types of substantive change, the specific procedure to be used for each, their respective approval/notification requirements, and their reporting timelines are included in the table that follows. Please read the full text under the appropriate procedure for details regarding reporting.

Types of Change	Procedure or Policy	Prior Notification Required	Prior Approval Required	Documentation and Time Frame for Contacting SACSCOC
Initiating coursework or programs at a different level than currently approved	Procedure 1	No	Yes	<a href="#">Application for Level Change</a>  <b>Due dates:</b> March 15 (for June review) September 1 (for December review)
Initiating off-campus sites where student can obtain 50% or more credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs that are not at employer's request and not on short notice)	Procedure 1	No	Yes	Cover Sheet <a href="#">Prospectus</a> (See Appendix B of this document)  <b>Due dates:</b> January 1 for 7/1-12/31 implementation July 1 for 1/1-6/30 implementation
Expanding at current degree level ( <i>significant departure from current programs</i> )				
Expanding program offerings at previously approved off-campus sites by adding programs that ARE significantly different from current programs at the site AND at the institution				

Initiating degree completion programs				
Initiating a branch campus (See definition of “branch campus” on p. 3 of this document.)				
Initiating distance learning by offering 50% or more of the first program for the first time				
Relocating a main or branch campus				
Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides 25% or more of an educational program offered by the SACSCOC accredited institution				
Initiating dual or joint degrees involving program expansion (significant departure) or initiating a new site where student can obtain 50% or more credits toward a program	See SACSCOC policy “ <a href="#">Agreements Involving Joint and Dual Academic Awards</a> ”	No	Yes	Cover Sheet <a href="#">Prospectus</a> ( <a href="#">See Appendix B of this document</a> )  <b>Due dates:</b> January 1 for 7/1-12/31 implementation July 1 for 1/1-6/30 implementation  Copy of signed agreement, contact information for each institution, and additional details on non-SACSCOC institution(s) involved. See Policy.
Initiating dual or joint degree with at least one institution <u>not</u> accredited by SACSCOC	See SACSCOC Policy “ <a href="#">Agreements Involving Joint and Dual Academic Awards</a> ”	At least 6 months prior to implementation	Yes	Acceptance of notification, copy of signed agreement, contact information for each institution, and additional details on non-SACSCOC institution(s). See Policy.
Initiating a direct assessment competency-based program	See SACSCOC Policy “ <a href="#">Direct Assessment Competency-Based Educational Programs</a> ”	Yes – Screening Form	Yes	Submit “Screening Form” with letter of notification. If Prospectus is required, <b>Due dates:</b> March 15 (for June review) September 1 (for December review)

Initiating a merger/consolidation with another institution	See SACSCOC Policy: <a href="#">“Mergers, Consolidations, Change of Ownership, Acquisitions, and Change of Governance, Control, Form, or Legal Status”</a>	Yes: December 15 (for June review); June 1 (for December review)	Yes	Cover Sheet Institutional Summary Form Prospectus (See Appendix in SACSCOC Policy: <a href="#">“Mergers, Consolidations, Change of Ownership, Acquisitions, and Change of Governance, Control, Form, or Legal Status”</a> )  <b>Due dates:</b> March 15 (for June review); September 1 (for December review)
Changing governance, ownership, control, or legal status of an institution				
Acquiring any program or site from another institution				
Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing				

<b>Types of Change</b>	<b>Procedure or Policy</b>	<b>Prior Notification Required</b>	<b>Prior Approval Required</b>	<b>Documentation and Time Frame for Contacting SACSCOC</b>
Initiating a certificate program at a new off-campus site at employer’s request and on short notice (previously approved program)	Procedure 1	No	Yes	Cover Sheet Modified Prospectus Contact Commission Staff
Initiating a certificate program that is a significant departure from previously approved programs at employer’s request and on short notice				
Adding a site under a U.S. military contract for a previously approved program				
Altering significantly the length of a program				
Altering significantly the educational mission of the institution				
Changing from clock hours to credit hours	Procedure 1	No	Yes	Justify reasons for change, indicate calculation of equivalency, and other pertinent information



Moving an off-campus instructional site (serving the same geographic area)	Procedure 2	Yes	No	Letter of notification with old address, new address, and implementation date
Initiating dual or joint degrees with other SACSCOC accredited institution(s)	See SACSCOC Policy “ <a href="#">Agreements Involving Joint and Dual Academic Awards</a> ”	At least 6 months prior to implementation	No	Acceptance of notification, copy of signed agreement and contact information for each institution. See Policy
Initiating programs or courses offered through contractual agreement or consortium				
Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides less than 25% of an educational program offered by the SACSCOC accredited institution	Procedure 2	Yes	No	Letter of notification and copy of signed agreement
Initiating off-campus sites where student can obtain 25-49% of credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs that are not at employer’s request and not on short notice)	Procedure 2	Yes	No	Letter of notification including street address and implementation date
Initiating distance learning by offering 25-49% of the first program for the first time				
Closing a program, approved off-campus site, branch campus, or institution where the institution plans to teach out its own students	Procedure 3	Yes	Yes	Description of teach-out plan included with letter of notification

Closing a program, approved off-campus site, branch campus, or institution where the institution plans contracts with another institution(s) to teach-out students (Teach-out Agreement)	Procedure 3	Yes	Yes	Description of teach-out plan, copy of signed teach-out agreement(s) detailing terms included with notification
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<b>Types of Change</b>	<b>Procedure or Policy</b>	<b>Prior Notification Required</b>	<b>Prior Approval Required</b>	<b>Documentation and Time Frame for Contacting SACSCOC</b>
Initiating a certificate program at employer's request and on short notice using existing approved courses and location	NA	No	No	NA
Initiating certificate program (not at employer's request and not on short notice) using existing approved courses and location				
Initiating off-campus sites (including Early College High School and dual enrollment programs offered at the high school) where student can obtain 24% or less of credits toward a program				

Expanding program offerings at previously approved off-campus sites by adding approved programs that ARE NOT significantly different from current programs at the site				
Expanding program offerings at previously approved off-campus sites by adding approved programs that ARE significantly different from current programs at the site but NOT at the institution				
Initiating distance learning by offering 24% or less of any program for the first time				

Procedures for the following types of changes are included in a separate document, [“Mergers, Consolidations, Change of Ownership, Acquisitions, and Change of Governance, Control, Form, or Legal Status.”](#)

- initiating mergers or consolidations
- acquiring any program or site from another institution
- adding as a permanent location any site where the institution is conducting a teach-out for students of another institution that is closing
- changes in governance, ownership, means of control or legal status

Procedures for approval of direct assessment competency-based education programs are in a separate document, [“Direct Assessment Competency-Based Educational Programs.”](#)



**Internal Procedures for Notification of Substantive Change Form  
Southern Association of Colleges and Schools  
Commission on Colleges (SACSCOC)**

\_\_\_\_\_  
**Person(s) Proposing Change**

\_\_\_\_\_  
**College Department or Division**

\_\_\_\_\_  
**Date**

Please describe the anticipated or proposed substantive change:

Type of change (Refer to SACSCOC Policy):

Procedure (Refer to SACSCOC Policy):

- One
- Two
- Three

Prior Notification Required (Refer to SACSCOC Policy)  Yes  No

Prior Approval Required (Refer to SACSCOC Policy)  Yes  No

Reporting Timeline (Refer to SACSCOC Policy) \_\_\_\_\_

Please provide appropriate signatures below:

\_\_\_\_\_  
College or School Dean \_\_\_\_\_  
Date

\_\_\_\_\_  
SACSCOC Liaison and Provost \_\_\_\_\_  
Date

\_\_\_\_\_  
President of the University \_\_\_\_\_  
Date

*In all cases, the SACSCOC Liaison of the institution undergoing a substantive change must provide written notification to the President in advance. Therefore, it is of paramount importance that any proposed change be subjected to the proper internal procedures for notifying SACSCOC.*

**NOTE: An electronic version of this form is available [online](#).**

## Chapter 2.2 Faculty Development

## 2.2.1 Faculty Development Plan

It is the responsibility of UPIKE faculty members to take advantage of faculty development opportunities to remain current in their discipline and informed of innovations in pedagogical techniques. Faculty development is defined as acquisition of knowledge or development of skills that enhance some aspect of the faculty member's professional responsibilities to the University.

Faculty development activities include, but are not limited to: educational research or development and implementation of educational tools or methods; improvement of teaching skills; improvements in knowledge or use of technology; basic, applied or clinical research; increased administrative skills or scope of administrative responsibilities; scholarly activity such as preparation of manuscripts for scholarly publication in one's discipline, related disciplines, interdisciplinary media, distribution to the general public, or publications regarding educational philosophy, techniques or research.

It is the responsibility of senior faculty members and administrators to support and mentor new faculty and provide guidance regarding the opportunities provided for faculty development by the University of Pikeville. Faculty development activities for the current year and planned activities must be reported in the form of a faculty development plan in each faculty member's annual self-evaluation. University leaders including the Provost, Academic Deans, and Associate Deans from the Kentucky College of Osteopathic Medicine, Kentucky College of Optometry, College of Arts and Sciences, Coleman College of Business, Patton College of Education, and College of Nursing and Human Services, are responsible for maintaining documentation of faculty development activities.

## 2.2.2 Sabbatical Leave

### **Purpose:**

A sabbatical leave should benefit the intellectual vitality of both the faculty member and the University. The sabbatical is a time for renewal, during which time the faculty member may pursue research, writing, scholarly interests or other matters. A sabbatical leave at the University is not given solely on the grounds of seniority or length of service, nor is it an entitlement. It is an investment in both the individual faculty member and the future of the university itself.

### **Institutional Support:**

The University shall allocate funds annually for sabbatical projects. Funds for this pool shall be available to be awarded to one or more of the faculty members granted sabbatical leaves upon recommendation of the Provost and College Deans. In addition to these funds, the university will provide funds to hire adjuncts to cover the courses otherwise taught by the faculty member on sabbatical. However, any courses that do not need to be taught that academic year will not be filled.

### **Eligibility:**

University faculty who have achieved the rank of associate professor or full professor and who have completed five years of service at the university are qualified to apply in their sixth year for a sabbatical leave to be taken in their seventh year. Applicants who have been granted a previous sabbatical must have served the University an additional five years since returning from his/her leave before applying in the sixth or later year of service. Faculty without a terminal degree may apply for a sabbatical and can use the experience to pursue a terminal degree.

Years of service will be included; however, only full-time service will be considered as the basis for leave. Periods of time during which the faculty member is away from the University on other types of leave or teaching as an adjunct will not be used in computing years of service.

### **Eligibility for University Leaders and Administrators with a Faculty Rank:**

University leaders and administrators holding professorial ranks (e.g. Division Chairs, Deans, Provost, and President) are also eligible for sabbatical leaves. Those who have completed five

years of service at the University are qualified to apply in their sixth year for a sabbatical leave to be taken in their seventh year.

Proposals for leave involving full-time paid employment by organizations other than the University or full-time paid consulting will not normally be considered as a sabbatical leave. University leadership and administrators with a faculty rank are only eligible for a sabbatical period for one semester in length. Board of Trustees approval is required for any presidential leave.

**Application:**

Applications are submitted in the fall of the academic year preceding the academic year for which the sabbatical is requested. Submissions must be made to the Provost with appropriate signatures from respective Dean. Application deadline is December 1.

Applications include the following:

- project proposal
- sabbatical objectives
- timeline
- budget
- dissemination plan

Applications will be reviewed and a recommendation will be presented to the President. Final approval will take place by the UPIKE Board of Trustees.

**Period of Leave and Compensation:**

The faculty applicant may elect to receive full salary for a leave of one semester's duration or one half salary for a leave of two semester's duration. All fringe benefits apply to the sabbatical recipient with payments for retirement to be determined by the amount of salary received during the leave. The faculty applicant may apply for additional funds for travel and/or other special expenses. The travel and/or other expenses must be clearly identified with the objectives of the leave and must comply with spending guidelines outlined in this handbook. Timing of disbursements and appropriate verification of expenditures will be coordinated through the



appropriate college/school. In addition, the faculty member is encouraged to seek supplemental funding from sources outside of the institution to support his/her proposal.

**Obligations of the Person on Leave:**

By accepting sabbatical leave the faculty member is agreeing to the following:

1. The recipient will not accept employment during a sabbatical leave without the written approval of the appropriate college/school.
2. If the faculty member on leave does not return for two years of service to the University after the leave, one-half of the salary and total cash allowance received from the University for the leave will be due and payable to the university for each year of service less than two after the leave. If the faculty is terminated involuntarily or disabled before the two required years of service, the faculty member will not be required to repay funds to the University.
3. Upon returning from leave, the faculty member will submit a written report to the Provost and their respective Dean. The faculty member will also be expected to give to the faculty an appropriate presentation relating his/her experiences while on leave.

## Chapter 2.3 Faculty Personnel and Procedures

## 2.3.1 Academic Freedom

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

It is recognized that if faculty members are to teach and carry out research effectively, a sense of professional and economic security and freedom of expression is a prerequisite for the exploration and dissemination of new knowledge, and is guaranteed by the Administration. In return, faculty members have an obligation to handle their subject matter in a manner as objective as possible, permitting full academic freedom for the student.

-- AAUP 1940

## 2.3.2 Academic Responsibility

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession, the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 *Statement of Principles on Academic Freedom and Tenure*, the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*, or the applicable provisions of the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure*.

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings

and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.
6. Reminder: As with all policies in this handbook, 2.3.2 Academic Responsibility is a policy that falls under the purview of the Board of Trustees at the University of Pikeville.

### 2.3.3 Annual Review Policy

It is widely considered to be a best practice to review employee performance in a formative manner annually. In university settings, summative review occurs on a schedule that tracks along with rank improvement and long-term contractual review. At the University of Pikeville, annual review of faculty performance serves two purposes: it assists faculty members in preparing for more infrequent summative reviews and it offers the opportunity for feedback leading to personal and professional growth.

At the University of Pikeville, annual evaluations are conducted within each of the Colleges:

- Office of the Provost (undergraduate and graduate)
- Kentucky College of Osteopathic Medicine (KYCOM)
- Kentucky College of Optometry (KYCO)

Undergraduate and Graduate faculty members are assessed annually using the [Annual Faculty Review Form](#).

Chapter 4 outlines the process and procedure for KYCOM.

Chapter 5 outlines the process and procure for KYCO.

## 2.3.4 Attendance, Illness and Vacation

At meetings - Faculty members are contractually expected to attend commencement, opening convocation, and faculty workshop(s), as well as any faculty meetings and committee or department meetings indicated by their assignment.

In class - Faculty members are expected to hold class during the hours assigned by the appropriate Dean. Exceptions may be made for attendance at professional conferences and must be approved in advance by the faculty member's Dean. Activation of the inclement weather policy negates the need for prior approval.

Vacation - Faculty members are required to take vacation time during non-teaching portions of the year and are generally prohibited from taking vacation time while they are engaged in classroom teaching.

Illness - Faculty members should notify their immediate supervisor or Dean as soon as possible.

Other Responsibilities – Faculty members are expected to hold scheduled, weekly office hours and perform their scholarship and service (as defined in 2.3.8 Faculty Responsibilities)

## 2.3.5 Compensation and Benefits

Compensation and benefits are set annually by the President along with the Board of Trustees. Changes in benefits packages can have significant impact on the institution's financial health and are therefore, beyond the decision making purview of this group, however, configuration of the benefits package is often malleable and significant weight should be given to the preferences of the group when they suggest changes to benefits configuration that are budget neutral.

### **Undergraduate and Graduate College**

#### **Kentucky College of Osteopathic Medicine (KYCOM)**

#### **Kentucky College of Optometry (KYCO)**

Compensation for 9- and 12-month full-time faculty contracts is posted each year in the annual faculty salary schedule.



## 2.3.6 Disciplinary Process for Faculty Members

The following standards and procedures will be used in all matters involving discipline of faculty members, including dismissal for cause. This procedure is intended to protect both the interest of the faculty member and the University.

The following conduct constitutes conduct for which discipline as described in this section is authorized:

1. Three successive unsatisfactory review
2. Teaching incompetence despite prior oral and written warnings and efforts at remediation
3. Incompetence in scholarly activity or the absence of such scholarly activity despite prior oral and written warnings
4. Neglect of duty despite prior oral and written warnings. Neglect of duty in this regard shall include, but not be limited to, failure to cooperate or comply with requirements imposed on the University by virtue of Federal laws, regulations or requirements, or failure to attend any required training
5. Dishonesty in teaching or research, including plagiarism
6. Violation of the rights or academic freedoms of fellow faculty members, staff, and/or students
7. Falsification or material misrepresentation of credentials and/or experience
8. Personal or professional conduct that adversely affects the community's ability to perform faculty responsibilities (e.g. lack of collegiality, insubordination, etc )
9. Lying, dishonesty, fraud, or perjury
10. Sexual harassment, sexual violence, rape, unwelcome sexual advances, requests for sexual favors, involvement in any way in prostitution, or sexual humor which would be offensive to a reasonable person or any other conduct prohibited by the Title IX section of this Faculty Handbook
11. Stealing, theft, or vandalism
12. Fighting and bullying, or threatening behavior of any type, harassment, creation of a hostile environment, or any physical or mental abuse of another person, whether child, elder or otherwise
13. Grossly negligent conduct
14. Use of the internet to harass or embarrass another person, to spread rumors about another person, to defame another person or to obtain privileged or confidential information

15. Defamation of faculty, staff, or students
16. Unauthorized access to or manipulation (hacking) of computers, computing devices, networks, mobile devices, information systems, or software
17. Conviction of a felony or misdemeanor involving moral turpitude
18. Any other conduct which is harmful to persons or property or which is disruptive of the educational process where such conduct would be deemed to be material or harmful by a reasonable person and particularly where such conduct is repeated or persistent
19. Failure to abide by the whistleblower policy adopted by the University

### **Disciplinary Options**

Violation of or failure to abide by any conduct requirements, whether academic, employment or other, may result in warning or admonition, counseling, probation, suspension with or without pay, termination, or such other response as the University may in its discretion deem to be appropriate.

### **Process for Notification**

Once a course of discipline has been determined, the faculty member will be notified in writing by the office of the Provost. From the point of notification, the faculty member has five business days to initiate the appeals process.

### **Appellate Process**

After notification of discipline by the Provost (undergraduate and graduate), the Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine or the Vice President for Optometric Education and Dean of the Kentucky College of Optometry (hereafter referred to as the appropriate academic leader), the affected faculty member shall have the right to appeal such decision as to either or both of the decision to render discipline or the disciplinary option.

A faculty member who believes that a disciplinary action by the University is adverse to the faculty member and is erroneous may appeal to the President of the University by filing a Notice of Appeal with the appropriate academic leader within five (5) business days of receipt of the written decision of the appropriate academic leader. The President shall undertake such processes as are appropriate and shall issue a written decision concerning the appeal within ten (10) business days (unless the President shall for good cause extend the time for decision). The President may at his or her discretion meet in person with the faculty member or any other persons, or may consider the matter on the basis of the written record. Any failure by the faculty member to timely file a Notice of Appeal shall be deemed to be both a waiver of the right to

appeal and confirmation of a final action by the University. For all matters except matters involving a recommendation for discipline initiated by the President or involving dismissal for cause of a faculty member, the decision by the President shall be final.

A faculty member who is the subject of (1) discipline initiated by the President, or (2) a termination for cause which is affirmed by the President in the first appeal may appeal to the Executive Committee of the Board of Trustees by filing a Notice of Further Appeal with the Provost within five (5) business days of receipt of the written decision issued by the President. The Executive Committee shall consider the appeal pursuant to such processes as are appropriate based upon the written record of the matter as maintained by the appropriate academic leader and shall issue a written decision at such time as they deem appropriate but not later than twenty (20) days after the next in-person meeting of the Executive Committee. Pending the decision by the Executive Committee, the decision of the President shall be in full force and effect. Any failure by the faculty member to timely file a Notice of Further Appeal shall be deemed to be both a waiver of the right to appeal and confirmation of a final action by the university. The decision of the Executive Committee shall in any circumstance constitute a final action of the university and there shall be no further right to appeal to any person or body.

## 2.3.7 Faculty Emeritus

For purposes of determining Faculty Emeritus status, a faculty member would be 59 or over, have the equivalent of 15 years of full-time service to the University, or 25 years of service regardless of age, and have resigned from full-time service at UPIKE. The fact that he/she may take employment elsewhere has no effect upon his/her Faculty Emeritus status at the University.

Emeritus status is considered to denote a person who has made significant contributions to UPIKE during his/her years of service and should not be granted automatically. Significant contributions to the University may include, but are not limited to: excellence in teaching, institutional service, stewardship, and community service.

Election process: Recommendation is made by the Provost, voted on by the appropriate Faculty Senate, and sent to the President. Upon the recommendation of the President, the Board of Trustees may grant Faculty Emeritus status.

Benefits: All faculty granted faculty emeritus status have the following benefits in recognition of their service to the university:

1. Library privileges
2. Listing in the University Catalog
3. Invitation to participate in all formal academic convocations, including convocation and commencement
4. Invitation to faculty workshops and retreats
5. Two lifetime complimentary passes to all fine arts series and regular season athletic events
6. Computer (email) access upon request
7. Gym facility use upon request

## 2.3.8 Faculty Responsibilities

All faculty members are responsible to help the University fulfill its mission.

**Mission** - Members of the UPIKE family must view themselves to be in close alignment with the university mission, work to help the University achieve the mission, and act in ways consistent with the mission.

**Christian Mission** - The University of Pikeville does not require Christian commitments of our faculty. We do not require faculty to sign or be in agreement with a particular set of doctrinal standards. Instead, we ask all members of the community to be respectful of people who hold different faiths or no faith, and at the same time, to respect and support the Christian mission of the University.

### **Responsibilities:**

Faculty members may be assigned the following responsibilities by their supervisors with varying degrees of emphasis. It is understood, however, that each faculty member who hopes to succeed at UPIKE will engage in each of these responsibilities to some degree.

**Teaching** - Every faculty member who carries teaching as part of their load must pursue excellence in teaching. To accomplish this task faculty are expected to:

1. Create and maintain an environment that is conducive to learning
2. Develop, communicate, and fulfill effective course learning outcomes
3. Compose and publish syllabi containing the items listed in the approved syllabus rubric
4. Evaluate students accomplishments in reaching those outcomes
5. Hold class at the appointed time
6. Use effective teaching methodologies and regularly update course content
7. Establish mutual respect with students through effective and timely communication including expectations, deadlines, and feedback on work completed
8. Report grades to the Office of the Registrar by the posted deadlines
9. Utilize the Learning Management System (LMS) to support classroom instruction

**Scholarship** - Faculty members must be engaged in the process of academic scholarship throughout their careers. True scholarship focuses on a legitimate academic discipline, seeks to

answer real questions, is open to review and results in a public product. Examples of faculty scholarship may include the following:

1. Attendance at or participation in professional meetings, workshops, or seminars
2. Engagement in advanced study or professionally related travel
3. Research resulting in the publication of books, articles, reviews, or critiques
4. Performance, exhibition, professional consulting, or off-campus lecturing
5. Grant writing
6. Research with students

**Service** - Faculty members are encouraged to view their work as a contribution to the greater good of society. Institutional citizenship may be evaluated according to the faculty member's success in the following areas:

1. Contributions to curricular planning and assessment
2. Contributions to on-campus or off-campus committee work
3. Serving on professional committees, boards, or panels
4. Representing the University in local service organizations
5. Leadership of student groups (clubs, trips, etc.)

**Assessment** - Faculty members must have an understanding of assessment and evaluation and a commitment to fully participate in these projects at all levels including self, course, program, and institutional assessment. Faculty members are expected to:

1. Participate in the identification of mission and goals
2. Write outcomes and/or objectives
3. Select measures of assessment and map them to outcomes and/or objectives
4. Identify satisfactory performance criteria
5. Collect and analyze data
6. Make changes based on what the data indicate to improve the achievement of the mission, goals, and outcomes of the course, program, department, or institution
7. Participate in the review of a colleague's work

**Advising and Mentoring** - All faculty members advise students within their disciplinary areas as required by their college, school, or department. Advising and mentoring are critical components of student growth and development at both the undergraduate and graduate levels of learning. Advising and mentoring typically include the following:

1. Regular communication with students, but especially with those assigned to an advisor for academic reasons

2. Timely and accurate academic advice on course selection to assist students in achieving their academic goals.
3. Teaching students to appreciate and value the liberal arts as a way of thinking by modeling their value as a life-long learner
4. Establishing trust through communication, availability, and reliability including, but not limited to, keeping regular office hours
5. Watching for signs of academic or emotional distress and referring students to the right office for assistance as needed
6. Setting and maintaining appropriate professional boundaries with students
7. Offering guidance on post-graduation pursuits (career, graduate school, etc.)

## 2.3.9 Financial Retrenchment

The following procedure will be used in matters involving dismissal due to financial problems or retrenchment. In appropriate circumstances, it may be modified or changed to meet particular or unique circumstances that exist.

In a phased-response retrenchment process, such measures as program elimination, personnel reductions, and salary reduction will be applied only after lesser measures are considered. If the Board of Trustees and the President of the University determines that a serious financial problem exists or that other circumstances require consideration of a serious reduction in existing programs or an involuntary elimination of administrators, faculty, administrative personnel, or staff positions, the Board of Trustees and the President will follow a phased-response process to guide their decision-making as follows:

1. A concerted effort will be made to deal with these problems by expanding revenues. The President will consult with and seek the advice and recommendations of the representative groups listed above as he/she develops plans to meet the financial problem.
2. The President, after following the above procedures, will review all campus budget expenditures and focus on reductions or corrections that do not undermine significantly the vitality of existing campus programs and services.
3. The initiation of major voluntary efforts and measures that would result in long-term reductions in expenditures through campus-wide reductions in programs and services may be considered before taking other actions to eliminate programs or reduce personnel.
4. The President will inform the Board of Trustees, administrators, faculty, administrative personnel and staff of the nature and extent of the problem.
5. Salary reduction will be undertaken carefully and only after consultation with the affected groups, keeping in mind that salary reductions should affect all employment groups: administration, faculty, and university staff as equitably as possible.
6. If the President, after consultation with all affected university groups, determines that the severity of the financial problem or other circumstances which exist requires the consideration of the elimination of majors or termination of existing employment contracts, he/she will, by written notice, request the Board of Trustees to declare that a serious financial problem exists or that other factors exist which require such action. Copies of the notice will be made available to all university employees.



7. At its next meeting, the Board of Trustees will consider and take appropriate action on the President's recommendations. Prior to such meeting, the President will develop a plan to minimize the effect of reductions on the overall operation of the University. In developing the plan, the President will seek the assistance of all affected university groups and consider their views. The President will attempt to use the current organization structure of the University to assist him/her in formulating such a plan.
8. Financial problems will not be used to justify or rationalize the termination of personnel for other reasons. If non-voluntary personnel reductions are being considered, the administration will explain to all employee groups affected the extent of the financial problems or other circumstances that warrant the reductions and that normal attrition and/or voluntary efforts will not produce the necessary reductions.
9. In determining which full-time positions and which full-time personnel will be retained and which will be terminated, the University will consider the essential role of the position in the operation of the University and the importance of continuity of teaching personnel at the university.
10. The President and Board of Trustees will collaborate to make final decisions as to the need to reduce positions and the particular positions which are to be eliminated.

## 2.3.10 Grievance Process

A grievance is defined as an alleged misapplication or misinterpretation of any clause in this Faculty Handbook.

### **Basis for Grievance**

The following constitutes conduct for which a grievance is authorized; such conduct includes but is not limited to concern about:

1. An event or condition which affects the conditions or circumstances under which a faculty member works, allegedly caused by misinterpretation or inequitable application of established policy, practice, or the terms of a contract; or
2. The non-renewal of a three-year rolling contract

### **Exceptions from Grievance**

The following actions or occurrences may not be grieved under this policy:

1. Complaints of unlawful harassment or discrimination in violation of UPIKE policy lodged against members of the faculty by any student, UPIKE staff or administration, or faculty person. Grievances of this type are covered by other provisions in this Handbook
2. Alleged research misconduct
3. Alleged violations of FERPA
4. Removal from the position made by administrative appointment

### **Procedure**

#### **First Step - Filing a formal grievance**

A faculty member who feels that there have been grounds for a possible grievance should discuss it with the immediate supervisor having the authority to resolve the alleged grievance. This most often will be the Division Chair, Dean, or Provost.

Should informal conversation fail to resolve the concern to the satisfaction of the grievant, the grievant should render the concern in writing, stating the nature of the grievance, the informal steps taken to date with the specific named supervisor(s), and the remedy requested.

This formal grievance should be filed with the Due Process/Grievance Committee (appointed by Faculty Executive Committee) which will then attempt to investigate, mediate, and resolve the grievance if possible. The Committee shall have fifteen working days to make a final decision in the matter.

## 1. Committee Disposition of a Grievance

In the case of alleged grievance, the Due Process/Grievance Committee shall (1) determine if there is a grievance; (2) make recommendations to the parties for a solution. The parties directly involved have ten working days in which to accept or reject the findings of the Committee.

## 2. General Rules of Procedure

Time limits above and below may be extended by mutual agreement of the parties involved and should be in writing to all parties. If the grievant misses a deadline in the grievance procedures, the grievance ends. If the College misses a deadline, then the procedure moves to the next step. All proceedings above and below will be closed and confidential to protect the parties and the institution.

### **Second Step: The Grievance Hearing**

The grievance hearing will be conducted in private, and the parties will make no public statements about the case during the course of the hearing.

During the proceedings the grievant will be allowed to choose an advisor. All parties to the grievance will have the right to obtain witnesses and present evidence. If either the College or the Due Process/Grievance Committee feels that an independent medical and/or psychological opinion would be helpful in its deliberations, it may require the faculty member to undergo a medical and/or psychological examination by an appropriate professional of the requesting party's choice and at the requesting party's expense. The faculty member may request a second opinion at his/her own expense. If the grievant fails to comply with such a requirement by the College or the Due Process/Grievance Committee, the Committee will dismiss the grievance. The College will cooperate with the Due Process/Grievance Committee in securing witnesses and making available documentary and other evidence requested by the grievant to the extent not limited by contract or law. All parties will have the right to question witnesses. Where a witness has made a statement and cannot or will not appear, but the ad-hoc hearing committee determines that the interest of fairness requires admission of the statement, it shall be admitted. The committee will, if possible, provide a method by which the opposing party may question this witness in writing. The Due Process/Grievance Committee will grant appropriate continuances

to enable either party to investigate evidence or for any other appropriate reason, and such continuances shall be specific in terms of time extension and in writing to all parties.

In all cases except for dismissal, layoff, or suspension, the burden of proof shall be on the grievant. In any case of dismissal, layoff, or suspension, the burden of proof that just cause exists for the action shall be on the College. The Due Process/Grievance Committee will not be bound by strict rules of legal evidence. Every possible effort will be made to obtain the most reliable evidence. The decision will take the form of finding of fact, conclusions, and recommended disposition. The decision must be based solely on the hearing's records, pertinent College procedures as set forth in this Faculty Handbook, and the law of the land.

### **Third Step: Presidential Review**

The Due Process/Grievance Committee will present its recommendation in writing within seven working days of the completion of the hearing to both parties and to the President of the College. This decision, insofar as it consists of a recommended disposition of the grievance, may be either accepted by both parties or rejected by either party. Rejection or acceptance by each party will be communicated in writing to all persons involved, including the President, within five working days after receipt of the decision. The President will review the findings and make a final decision on the grievance within ten working days of receipt of the recommended disposition from the standing committee.

### **Fourth Step (if needed): Review of Record by Executive Committee of the Board of Trustees**

Should the President be named in the complaint, the appellant may file a petition to the Executive Committee of the Board of Trustees for a review of the record. Such an appeal will be filed within five working days of the President's decision. The Executive Committee of the Board of Trustees will review the case at its next meeting and give a final decision on the appeal.

## 2.3.11 Faculty Search Process

The excellence of our faculty is critical to the University of Pikeville's position as a leading university in Central Appalachia. The University selects the strongest possible candidates to its faculty, individuals who demonstrate outstanding potential or accomplishment in teaching, scholarship, and service. We are committed to increasing the diversity of our faculty however, success in this requires concerted, well-planned action on the part of search committees, Division Chairs, Deans, the Provost, and the institution at large. In addition to providing information on faculty hiring procedures, this resource guide is designed to assist in conducting searches that are both effective and inclusive.

### **Search Process Guidelines**

The Dean or designated administrator, as applicable, must appoint a search committee to fill a faculty vacancy in consultation with the HR Department at UPIKE. The committee composition should be as follows:

- Chair
- Minimum of 2 faculty or staff within the College, School, or Division
- Minimum of 2 faculty or staff outside of the College, School, or Division
- Representative from the Human Resource Department

### **Recruitment Plan**

The Dean, in collaboration with the Human Resources Department, will create a recruitment plan. Specifying ad placement in discipline specific publications, general academic publications, web-based resources, and other Affirmative Action outreach efforts to attract the broadest possible pool of candidates.

### **Phone/Zoom Interviews**

The committee will create an interview guide with questions for use during telephone or Zoom interviews. This guide will assist the committee during the search process and allow committee members the opportunity to have a more clear basis of comparison to better clarify experiences of applicants in and out-of-the classroom. Questions should not be asked that are related to the candidate's:

- age
- race, ethnicity, or color
- gender or sex
- national origin
- religion
- disability
- marital or family status or pregnancy

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- political affiliation

### **On-Campus Interviews**

The committee proceeds to select and recommend not more than three candidates for on-campus visits. This list will be reviewed and approved by the Dean and Provost. Scheduling applicants should take place in collaboration with the Division (if applicable), College/School Dean, and Provost. HR should also be a leader when scheduling these visits.

The recommendation to invite candidates for on-campus interviews must be accompanied by a summary of the candidates' strengths and weaknesses relative to the position qualifications.

Each applicant will prepare a 40-minute demonstration on how teaching and learning takes place in the classroom. Essentially, this demonstration will allow the campus community to understand how the applicant engages the audience and conveys content. Applicants will then have several minutes to engage in Q & A with the audience. This Q & A should primarily focus on teaching pedagogy, philosophical perspective of teaching and learning, use of educational technology, content background, scholarship, and service. The teaching demonstration shall last no more than one hour including the Q & A session. An evaluation will be distributed to participants and this evaluation will be used to help inform the search committee on strengths and weaknesses of each applicant.

### **Finalizing the Search Process**

Upon completion of the search process, the Dean or designated administrator, as applicable, shall consider the strengths and weaknesses of candidate(s) offered by the search committee and/or other individuals involved in the interview process. The search committee chair will meet with the Dean after each applicant interview concludes to discuss feedback from faculty, staff, and the search committee. The search committee chair will submit the Faculty Interview Summary Form to the Dean, Provost, and HR Office within five business days of the applicant's interview date. At the University of Pikeville, it is the responsibility of the Dean, Provost, and President to finalize the hiring of faculty.

### **Retention of Records**

Finalists with a faculty appointment must submit official academic transcripts from their terminal degree institutions prior to their first day of employment. All records pertaining to the recruitment process (i.e., application materials, search committee notes, summaries of telephone interviews, interview questions and responses, candidate

itineraries, evaluation forms, reference checks, etc.) must be collected by the Search Committee Chair and returned to the Human Resource Department for appropriate retention.

### **Confidentiality and Professionalism**

The ultimate success of our endeavor and the integrity of the University of Pikeville depend on the search being conducted in an impartial, ethical and professional manner. Each member of the Search Committee must commit and make decisions without regard to any biases of individuals based on protected class and non-job related criteria. The University of Pikeville is committed to diversity among its administrators, faculty, staff, and students. It is our policy to provide equal employment opportunities for all individuals without regard to race, religion, sex, age, marital status, veteran status, national origin, sexual orientation, gender identity or expression, qualified disability, or on any other basis prohibited by applicable law in any of its programs or activities.

All information concerning the candidate pool is extremely confidential and the Search Committee agrees to permanently protect the identity of individuals who have expressed interest in exploring this opportunity, including internal applicants from within the University community.

### **Questions about these guidelines**

Questions regarding the faculty search process should be directed to the Human Resource Department.



## **Sample Faculty Interview Summary Form**

### **Submission Guidelines:**

Please submit an electronic copy of this form to the Dean, Provost, and HR Office within two days of the applicant's interview date. It is the responsibility of the search committee chair to synthesize feedback from committee members, evaluations and other community members before completing this form. Please scan and include

accompanying evidence such as evaluations and electronic comments received.  
Administrative support is available from the College/School Administrative Assistant or the Executive Assistant to the Provost.

Date of Interview:

Applicant (First & Last Name):

Position:

College/School & Division:

Please list the search committee chair and members:

Report Submitted By:

1. Strengths.

Please list the top strengths of the applicant.

2. Weaknesses.

Please list the top weaknesses of the applicant.

3. Does the candidate have a doctoral degree, terminal degree, or in the process of obtaining a terminal and/or doctoral degree? If yes, please list the discipline and institution.

Yes

Discipline:

Institution:

Degree Type Terminal Degree (PhD, MFA, etc.):

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Completion Date:

No

4. Briefly describe the teaching philosophy of the applicant and the teaching demonstration that took place on campus.
5. Describe the faculty applicant's willingness to use Canvas to supplement their instruction. What other forms of technology have they used to engage students and their learning in the classroom?
6. Describe the faculty applicant and connection to the UPIKE mission.
7. Any additional comments would be appreciated.

## University of Pikeville Candidate Interview Sample Presentation Evaluation

**Observed Candidate:** \_\_\_\_\_

**Date of  
Position Interviewing for:** \_\_\_\_\_  
**observation:** \_\_\_\_\_

**Name of Observer:**  
\_\_\_\_\_

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Information about observer: \_\_\_\_\_ Faculty \_\_\_\_\_ Staff \_\_\_\_\_ Student

**I. Instruction**

<b>The faculty member:</b>	<b>effectively</b>	<b>can be enhanced</b>	<b>not observed</b>
makes statements that are accurate according to the standards of the field			
refers to scholarship and current information in the field			
explains new terminology			
uses examples to illustrate complex material			
relates new content to previously covered material			
uses more than one instruction method to address various learning styles			
stays focused on discussion topic			
ensures learning success and adjusts teaching strategies accordingly			

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demonstrates flexibility in adjusting lesson plan to unexpected questions/comments			
Demonstrates enthusiasm about material			

**II. Presentation Skills**

<b>The faculty member:</b>	<b>effectively</b>	<b>can be enhanced</b>	<b>not observed</b>
is audible to audience			
uses classroom space effectively			
makes eye contact with audience			

**III. Rapport with Audience/Students**

<b>The faculty Candidate:</b>	<b>effectively</b>	<b>can be enhanced</b>	<b>not observed</b>
Encourages Audience participation			

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Incorporates audience participation			
Demonstrates active listening			
Answers audience questions			

**Summary of candidate strengths:**

**Summary of candidate weaknesses:**

**Overall Evaluation of Candidate based on Presentation:**

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## 2.3.11 Hiring Policy and Process - Adjunct Faculty

Adjunct faculty members are hired by the academic administration of the University. Authorization for offering an adjunct contract is given by the Provost (undergraduate and graduate), the Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine (KYCOM), or the Vice President for Optometric Education and Dean of the Kentucky College of Optometry (KYCO) upon recommendation by the Chair and College/School Dean. Adjunct faculty members are hired on a semester-by-semester basis. Board of Trustees approval is not required for the hiring of adjunct faculty. The procedure is as follows:

- The Division Chair and Dean discuss the need for an adjunct faculty to fill a teaching position with the Provost (undergraduate and graduate), the Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine (KYCOM), or the Vice President for Optometric Education and Dean of the Kentucky College of Optometry (KYCO).
- Potential adjunct faculty members must complete an application for employment and submit to a credential and criminal background check at the time of initial employment. The University reserves the right to check these items again should the need arise.
- Following review and upon approval, the selected individual will be informed of his/her appointment to the position and offered the appropriate contract.
- Once approved for adjunct status, the adjunct faculty member may be hired to teach in subsequent semesters without repeating the procedure outlined above.

## 2.3.12 Policy on Outside Employment

Teaching at the University of Pikeville is a full-time responsibility. UPIKE professors, in harmony with their professional positions, are permitted to undertake activities outside their required university responsibilities. The potential exists, however, for outside commitments to impinge unfavorably on university responsibilities. A person employed full-time as a faculty member should not accept outside activity and responsibilities requiring an average of more than fifteen hours per week, nor should that employment take the faculty member away from campus more than one day out of a five-day week. In outside activities involving class time, satisfactory arrangements must be made with the approval of the Dean of the College/School.

All outside employment must be reported to and approved by the Dean of the College/School prior to its engagement. NOTE: Outside employment during the summer months is permitted for faculty on a 9-month contract.

## 2.3.13 Rights and Responsibilities of Adjunct Faculty Members

Adjunct faculty members are valued members of the UPIKE family. Though they are not full-time employees of the University, it is reasonable to expect certain responsibilities of them and, in return, offer them certain rights.

Adjunct faculty shall:

1. be treated with respect by members of the full-time faculty and staff;
2. have access to teaching materials and resources adequate to their assignment;
3. have full library and internet privileges during their employment;
4. have the protections of academic freedom as defined in this handbook;
5. be compensated in a timely manner according to the policies outlined in this handbook;
6. have access to faculty development courses.

Adjunct faculty are expected to:

1. treat students, staff, and faculty with respect;
2. use learning management systems;
3. submit grades according to University deadlines;
4. maintain their University email communications.

The University follows accreditation guidelines as it relates to the rights and responsibilities of adjunct faculty.

## 2.3.14 Scholarly and Scientific Integrity

The University of Pikeville encourages its faculty and students to engage in academic scholarship and research. The University requires that the work done by, for, or in the name of the University be conducted in a manner consistent with high ethical and legal principles. The University does not condone nor will it overlook fabrication, falsification, plagiarism, or misrepresentation of information, data, or findings, nor does the university condone the smirching by investigators of the reputations of other scholars inside or outside the university community. On the other hand, the university also does not condone, nor by policy will it permit, the harm that may come to proper scholarship, investigations, or investigators by unwarranted accusations of violation of scholarly integrity.

It is the intent of the University to provide an environment in which scholarship can be conducted without undue worry of unwarranted accusations regarding ethics or integrity issues. On the other hand, the University provides procedures whereby individuals who believe integrity has been or is being violated may bring to the attention of the appropriate authorities and committee their information and charges without fear of retaliation by the investigators or the university. To this end, the university has established procedures stated below for concerned individuals and the university to use in instances of alleged or proven violations of intellectual integrity.

These policies and procedures are intended to cover formal research projects conducted by UPIKE faculty and/ or by UPIKE students under the direction of UPIKE faculty. These policies do not apply to cases of plagiarism or cheating which may occur in normal classroom or laboratory work, policies for which exist in the student handbook.

### **Procedure**

Any individual, inside or outside the UPIKE community, who believes that ethical integrity in scholarship has been violated may make such a charge. The charge must be placed in writing, signed, dated and sent as a confidential document to:

University Provost  
147 Sycamore Street  
Pikeville, KY 41501

Upon receipt of the document, the Provost will distribute to the appropriate college/school:



- Provost (undergraduate and graduate)
- Vice President for Health Affairs and Dean of the Kentucky College of Osteopathic Medicine (KYCOM)
- Vice President for Optometric Education and Dean of the Kentucky College of Optometry (KYCO)

There will be a determination of whether the matter at hand relates to coursework and should be covered under the normal procedures in the student handbook, or whether the matter warrants treatment as a violation of integrity in scholarship. If the former case is determined to apply, the matter shall be referred to the appropriate academic dean for treatment. If the latter case applies, the Provost will date the document, assign a case number to the charge, and conduct an investigation as described below:

The Provost will conduct an inquiry of the matter to determine if a case exists that scholarly integrity has been violated. Such inquiry will be conducted within 20 business days of receipt of the complaint. The Provost will notify the person(s) accused of the violation without disclosing the name(s) of the complainant(s)

If the Provost finds that no case exists, the Provost will so notify the complainant(s), will place such finding in writing in the case file, and will close the matter except and if as reports may be required to government agencies. If the complainant(s) wish(es) to appeal the Provost's finding of no violation to the President, they may do so. The President may, at her/his discretion, appoint a task force to investigate the matter.

The decision of the President will be considered final, with the exception that the completion of its investigation and the filing of its findings shall not preclude the seeking of relief by either complainant or accused through grievance procedures or by law.

## 2.3.15 Social Media and Academic Freedom

Faculty should understand that posts on social media are considered to be covered by the third point on academic freedom described in the AAUP statement. Specifically: *As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.*

This advice applies to all social media outlets. Failure to comply with this guidance may result in initiating the release for cause process.

## 2.3.16 Termination of a Faculty Contract

A termination of a faculty contract may occur under the following circumstances:

1. Voluntary resignation. In light of the needs of the University, it is requested that notice of intention to resign be given as soon as possible, but at least four months before the opening of the fall semester.
2. Retirement. UPIKE has no mandatory retirement age. However, in light of the needs of the University, it is requested that all retiring employees submit, in writing, a notice of retirement at least four months prior to the fall semester of the academic year in which retirement is desired.
3. End of contract. The University may choose not to renew a faculty member's contract.
4. Layoff. Layoff is a severance action by which the University terminates the services of a faculty member without prejudice as to the faculty member's performance. Layoffs may occur as a result of the decreased enrollment of academic programs not involving financial problems or retrenchment. Layoffs may be made by the provost or president in consultation with the appropriate chair or dean. Care will be taken to layoff personnel in a manner that will do the least harm to an academic program. Where possible, a faculty member's length of service will be taken into account, however, length of service may not always be the deciding factor in layoff decisions. Faculty members will be notified of layoff at least one semester prior to action being taken. If within a two-year period of a faculty member's layoff the University opens a position in the same discipline or in another discipline for which the faculty member may qualify, the faculty member laid off will be the first one to whom the position is offered.
5. Financial Problems/Retrenchment. The Board of Trustees has the ultimate obligation and authority to govern the University. If the Board of Trustees and the President of the University determines that a serious financial problem exists or that other circumstances require consideration of a serious reduction in existing programs or an involuntary elimination of administrators, faculty, administrative personnel, or staff positions, the Board of Trustees may undertake action resulting in reduction or elimination of existing programs or administrators, faculty, administrative personnel or staff positions.
6. Prolonged mental or physical illness. If a faculty member is unable to perform all or a substantial part of the faculty member's duties for a period of more than six months because of ill health or similar causes despite reasonable accommodations, the faculty member may request an indefinite leave of absence without pay until such time as the

faculty member is able to resume regular teaching duties. This request will be accompanied by medical evidence of disability and presented to the Provost.

- a. If a one-year contract faculty member is unable to perform all or a substantial part of the faculty member's duties for a period of more than six months because of ill health or similar causes despite reasonable accommodations, the university may terminate the appointment at the end of the contract period. If a faculty member returns to work for less than thirty days, and then goes back out on leave, the earlier absence and subsequent absence shall nevertheless be deemed continuous.
  - b. A decision by the university to terminate an ill or disabled faculty member will be reached only after the faculty member or representative has been afforded an opportunity to present the faculty member's concern and to respond to the record of failure to perform. This record will be reviewed before a final decision is made by the President and referred to the Board of Trustees for action.
  - c. The University will, in each case, work within the disability program to ease the burden of any such medical termination.
7. Termination for cause see 1.5.2

## Chapter 2.4 Faculty Governance and Organization

## 2.4.1 The Administration as a Body

For the purposes of this handbook, the administration of the university is comprised of the Board of Trustees, President, Provost, Vice President for Financial Affairs, Vice President for Advancement and Alumni Relations, Dean of the Kentucky College of Osteopathic Medicine, Dean of the Kentucky College of Optometry and any employee designated by these officers to carry out the administrative functions of the university.

The following administrators also carry a faculty appointment: President, Provost, and Deans may have privilege of the floor in faculty meetings and participate in the voting and election processes of the faculty, but may not hold office in the governing structures of the faculty.

## 2.4.2 The Deans:

### **College and School Deans**

#### **Defined:**

The role of the undergraduate and graduate college/school Deans are full-time administrative positions reporting to the Provost. College or school Deans may teach occasionally with approval by the Provost.

#### **Selection:**

The selection of the undergraduate and graduate Deans are a function of the Office of the Provost.

The best qualified candidate will be selected following an open search process that includes the following elements:

- National advertisement;
- Accumulation of candidates that includes candidates from diverse backgrounds;
- Screening and interview of candidates by a qualified and diverse search committee.

#### **Assessment:**

Deans are assessed annually based on their performance relative to their job description and their annual goals for their college or school. For the undergraduate and graduate college/school Deans, assessment is conducted by the Office of the Provost.

The assessment process should include an assessment rubric based on the Dean's job description.

Appointment of each undergraduate college or school Dean is made on an annual basis by the President upon the recommendation of the Provost.

### 2.4.3 Faculty as a Body

For the purpose of this handbook, the faculty of the University of Pikeville consists of full-time employees who hold faculty rank and have a position in affinity with the academic function of the University either through teaching, research, or academic service. Faculty membership includes administrative staff holding faculty rank.



## 2.4.4 Role of the Faculty

### **The Faculty as a body**

The purpose of the faculty as a whole is to provide for the academic and scholarly excellence of the University. This responsibility includes such matters as requirements for admission and graduation, curriculum, the nature of degrees to be conferred, rules and methods for the conduct of the educational work of the University, and recommendations to the proper administrator concerning budgetary items that are needed to maintain or improve the academic quality of the University.

Most of this responsibility is delegated by the faculty as a whole to the process of faculty governance, schools, colleges, and divisions in order to consider all matters efficiently. At times, the faculty as a whole may meet to discuss, recommend, and take action on items of a broad academic nature that are major policy issues. These items should normally be considered by the appropriate governance process before presentation at a faculty meeting. The faculty, as a whole, may initiate recommendations and actions to be carried out by the faculty governance process. It may also make recommendations to the trustees, administration, colleges, divisions, individual faculty members, or the student body on any items of an academic nature or related to the academic integrity of the university.

The faculty, as a whole, should be actively engaged in communicating and holding one another accountable to act in ways that build trust between colleagues tasked with making decisions that represent the faculty as a whole.

### **The Faculty as Individuals**

There are three overarching purposes pertinent to the faculty as individuals:

1. To teach the curriculum;
2. To conduct scholarly work;
3. To serve the community and their respective professions.

These responsibilities include such matters as proficiency in one's academic discipline, ability to teach, preparation for class work, and commitment to the mission of the University. The faculty, as individuals, contribute to the departments and colleges of which they are members, to the process of faculty governance, and to the faculty, as a whole, through faculty meetings. Additional details and explicit descriptions and policies governing the work of faculty as individuals are contained in this faculty policy manual.

## 2.4.5 Institutional Review Board (IRB)

- A. **Membership:** The Provost calls the first meeting unless a current Chair has been elected from the membership. The Committee is comprised of the following individuals:
- a. KYCO - one faculty
  - b. KYCOM - two faculty (one faculty from basic science and one clinical faculty), plus an alternate
  - c. CCOB - one faculty
  - d. PCOE - one faculty
  - e. CNHS - one faculty
  - f. CAS - two faculty
  - g. Community Representative - one member not affiliated with UPIKE
- B. **Method of selection:** Members are appointed by the Deans of each college/school and the committee elects the Chair and Vice Chair. Appointed faculty must be full-time faculty who have completed one academic year at the University by the time the election takes place.
- C. **Responsibility**
- Federal and state regulations mandate that research involving human participants must be reviewed and approved by an Institutional Review Board (IRB) provided for in its assurance filed with the Office of Human Research Protections and will be subject to continuing review by the IRB. The IRB is responsible for providing guidance and oversight for the human participant protection program and for helping to maintain compliance with applicable laws, regulations, and policies.

The committee shall meet monthly. Additional meetings may be called by the Chair. The committee will meet to:

- a. Determine what activities constitute human participant research.
- b. Review, approve, require modifications in (to secure approval), or disapprove all research activities covered by this policy prior to the commencement of the research.
- c. Require that information given to participants as part of informed consent is in accordance with appropriate laws, regulations, and international standards. The IRB may require that additional information be given to the participants when, in the IRB's judgment, the information would meaningfully add to the protection of the rights and welfare of participants.

- d. Require documentation of informed consent or waive documentation in accordance with federal and state laws and regulations. When research activities are being proposed to be conducted in other states and/or countries by university faculty, staff, and/or students, the research activities will be approved in compliance with the regulations for those specific research locations.
- e. Notify investigators and the institution in writing of its decision to approve or disapprove the proposed research activity, or of modifications required to secure IRB approval of the research activity. If the IRB decides to disapprove a research activity, it shall include in its written notification a statement of the reasons for its decision and give the investigator an opportunity to respond in person or in writing.
- f. Conduct continuing review of research covered by this policy at intervals appropriate to the degree of risk, but not less than once per year, (unless the research has been classified as "Exempt") and have authority to observe or have a third party observe the consent process and the research.
- g. Suspend or terminate approval of research that is not being conducted in accordance with the IRB's requirements or that has been associated with unexpected serious harm to participants. Any suspension or termination of approval shall include a statement of the reasons for the IRB's action and shall be reported promptly to the investigator, appropriate institutional official and the department or agency head.

## 2.4.6 Nominations Committee

### **University Nominations Committee (UNC)**

The University Nominations Committee (UNC) is tasked with managing the process of university-wide committee elections.

Responsibilities:

- Overseeing the nomination, ballot creation, election process for membership in the following university-wide committees:
  - Committee on Rank and Promotion
  - Faculty Policy Committee
- Ensure appropriate representation within the aforementioned committees
- Ensure that the process of nomination and election is fair and free of inappropriate interference.

Membership:

- Each college within the university will provide one faculty member to serve on the UNC.
- Terms of service on the UNC will be three years in length and staggered to ensure continuity.
- Individual faculty members may not serve more than two consecutive terms of service on the UNC
- The chair of the UNC will be selected annually from the membership of the UNC and shall serve for not more than two consecutive years.

Undergraduate Colleges Nominations subcommittee (UCNS) Members of the UNC who serve as representatives from the undergraduate colleges will constitute the UCNS. Each year the UCNS shall carry out the responsibilities of the UNC for the following undergraduate college committees:

- Undergraduate Executive Committee
- Curriculum Committee
- Experiential Learning Committee
- General Education Committee
- Global Education Committee
- Honors Committee

In addition, the UCNS shall facilitate the nomination, ballot creation, election process for the undergraduate Faculty Chair.

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College Nominations Committees (CNC) Each college within the university may, at their discretion, form a college nominations committee (CNC.) The CNC within each college is tasked with managing the process of college-specific nomination, ballot creation, and election processes. The responsibilities of the CNC include:

- Overseeing the nomination, ballot creation, election process for membership in the college-specific committees and other offices as needed.
- Ensure appropriate representation within the college committees.
- Ensure that the process of nomination and election is fair and free of inappropriate interference.
- If a college elects to form a CNC, it is incumbent upon the college to articulate the necessary processes and requirements for membership in their college nominations committees in a way that is open and available to institutional review.

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## 2.4.7 Rank and Promotion Committee (RPC)

The Rank and Promotion Committee will review and make recommendations on applications for rank and promotion at the University of Pikeville. The Committee will report to the University Provost or office of the Provost.

### **Process:**

Faculty who would like to be considered for promotion must notify the office of the Provost and their respective Dean by September 1st. By October 15, the Provost will provide a list of all faculty under consideration for promotion to the Chairperson of the Rank and Promotion Committee.

All persons under consideration will be asked to provide supporting evidence, which, when assembled, will constitute part of the promotion file. The criteria of the promotion file will be determined by the college/school of the applicant. These documents will be given to the chairperson of the Academic Rank and Promotion Committee. Letters of recommendation will be sent under separate cover directly to the Chairperson of the RPC. Materials must be submitted to the committee chairperson by November 1st.

By March 15, the Rank and Promotion Committee will make a recommendation to the Provost, which will include the justifications for their recommendation and the number of yes and no votes. They will also provide the complete promotion file to the Provost or the Deans.

After reviewing recommendations from the Rank and Promotion Committee, the Provost will submit their recommendations to the President.

The final decision to present a candidate to the Board of Trustees for conferring of rank and promotion lies with the President.

This policy will pertain only to academic ranks of full-time faculty. The Rank and Promotion Committee will not review adjunct faculty or instructor-level positions.

### **A. Membership**

The Rank and Promotion Committee consists of nine UPIKE faculty members consisting of:

- a. Two faculty selected by the Kentucky College of Osteopathic Medicine (KYCOM)
- b. Two faculty selected by the Kentucky College of Optometry (KYCO)

- c. Five faculty selected by the Undergraduate/Graduate College:
  - i. College of Arts and Sciences (Humanities Division, Math and Science Division, Social Science and Education), College of Nursing and Human Services, and Coleman College of Business - five faculty elected by the faculty at large.
  - ii. No more than one faculty will be elected from a single division.
  - iii. Faculty must be a rank of Associate or Full Professor.
- d. Additional alternate members will be selected to serve by the same school when a committee member from that school is under consideration for promotion.
- e. Membership selections from each college must be completed before September 15th of each year.
- f. The Rank and Promotion Committee will elect a Chairperson at their first meeting from within the nine elected faculty members. The Chairperson will serve for two years.

**B. Length of Committee Member Service - Two years**

**C. Initial Appointments to Committee**

Committee membership shall be appointed initially to allow a replacement of only 50% of its elected or appointed membership in an academic year. To accomplish this, membership shall be appointed with one-half of the committee membership serving for a period of three academic years, and one-half for the regular two-year period. Those members appointed for three academic years initially will be replaced after that period by an equal number of representatives appointed for the normal two-year period.

**D. Criteria**

Recommendations for promotion will be determined by the criteria and policies for academic rank and promotion specific to the applicant and their college/school.

**E. Voting**

The Chairperson has the authority based upon the number of applications in a given academic year to distribute workload evenly. The committee members assigned to an application will vote by secret ballot and will include a justification of their recommendation and the number of yes and no votes. The committee's report to the Provost will include the justifications for their recommendation and the number of yes and no votes. The Rank and Promotion Committee, President, and Provost will be the only individuals who see the yes/no votes.

**F. Frequency of Reports**

After each meeting, minutes will be posted electronically.

*Due to the confidential nature of information involved in this committee, published minutes should include only dates and process types of information.*

## 2.4.8 Faculty Policy Committee (FPC)

The Faculty Policy Committee (FPC) is the faculty committee responsible for recommending changes in policy related to the University of Pikeville Handbook.

- A. **Membership:** The committee is comprised of seven members:
- a. Two members from the Undergraduate/Graduate College
  - b. Two from KYCOM
  - c. Two from KYCO
  - d. One representative from Human Resources
  - e. The Provost or a designee serves as a member of the Faculty Policy Committee, but does not vote.

B. **Method of Election:**

The faculty chair from each college will be members of the FPC. Each college may select one at large member of FPC from among their full-time faculty. In the Undergraduate College, the at large member shall be from a college other than the unit represented by the faculty chair. The Director of Human Resources (or designee) will also be a member of FPC.

C. **Responsibilities:**

FPC is responsible for representing the faculty by recommending the establishment of new policy, revising existing policy, or responding to policy changes suggested by the college or university administration. New policies or alterations to existing policies must be shared with FPC prior to their submission to the board of trustees. Policy changes may arise from any university employee, either directly to the FPC or to the FPC through the appropriate committee structure as outlined in this policy manual. The administration may make recommendations for new policies and changes to existing policies directly to the FPC. The UPIKE Board of Trustees is responsible for approving all policy changes.

Policy changes that the FPC considers to be substantive (as determined by a simple majority vote of FPC) will be referred to the university faculty for a vote of support. Policy changes that the FPC considers to be minor or editorial in nature will be passed to the faculty as information but do not require a faculty vote. All new policies will be forwarded to the President for input; the final versions of policies approved by FPC or the Faculty shall be forwarded to the President for approval by the board of trustees. Upon receiving trustee approval, new policies will take effect immediately unless otherwise indicated by the board.



## Chapter 3 - The Undergraduate/Graduate Faculty (Not KYCOM or KYCO)

## Chapter 3.1 Faculty Workload and Responsibilities

### 3.1.1 Academic Advising

*“Frequent faculty-student contact in and out of the classroom is the most important factor in student motivation and involvement” (Chickering & Gamson, 1995).*

At the University of Pikeville, we believe students should appreciate the enormous increase in personal initiative and responsibility demanded of students in the college environment. Advisors need to discuss with their advisees the role general education plays in the curriculum, the development of communication and computation skills, sharpening critical thinking skills, developing an appreciation for the major domains of human knowledge and the methods by which we expand them, and exploring the ethical dimensions of human existence. The elemental core of good academic advising is the care and competence that you, as an advisor, bring to the relationship with students to help them develop their unique potentials.

The major objectives of the academic advising program are to:

- help students plan an educational program consistent with their interests and abilities;
- assist students to monitor and evaluate their academic progress;
- provide individual assistance to each student;
- promote better study habits and more constructive attitudes toward studying;
- aid the student in formulating a realistic self-concept by helping in the analysis of the student's abilities;
- help students understand the nature and purpose of higher education; and
- increase student persistence in academic programs (retention).

It is important that the advisor be kept informed about and help his or her advisees conform to all relevant departmental and university regulations and requirements for the degree or other programs in which they are enrolled. Individual faculty members should have a clear understanding of the nature and extent of their advising responsibilities and carry them out diligently in keeping with university standards. Advising is considered an important component of the evaluation of teaching for salary and promotion considerations.

Each new entering undergraduate student at the University of Pikeville is assigned an advisor from the Center for Student Success. Advisors should be available for their advisees and assist them throughout their educational career. After the first year, undergraduate students transition to and are supported by faculty advisors from specific academic programs across the university

depending on the student's declared major. Students in Secondary Education will be assigned two advisors: one in the Patton College of Education to advise the professional education component and one in the academic discipline.

Students in the Kentucky College of Osteopathic Medicine (KYCOM) and Kentucky College of Optometry (KYCO) are assigned faculty advisors from within each college.

### 3.1.2 Course and Grade Rosters

The academic records of all students are maintained in the Registrar's Office.

Early Warning Reports. Early Warning Reports are issued to students to help them improve their course grades. Faculty are expected to file such reports within the first 6 weeks of school. Except in unusual circumstances, freshman and sophomore courses shall have at least one evaluation before Early Warning Reports are issued.

Mid-Term Grade Reports. The mid-term grades are of value to the students. They serve as a warning concerning unsatisfactory academic performance to date. All faculty members report mid-term grades for the students in their classes by the designated date in the academic calendar. Students may view their midterm grades through the electronic method indicated by the University Registrar. Mid-term grades are not entered on the student's permanent record and do not count toward the student's GPA.

Final Grades. The final standing of students is indicated by letter grades on the semester reports. Final grades are due in the Registrar's Office at a time specified by the Provost and Registrar.

This usually will be no sooner than 48 hours after the final exam period is completed.

Grade Changes. Changes in grades may be made if the following conditions are met:

- a. if the instructor has made an error in computing the student's grade;
- b. if other extenuating circumstances arise which are verified by the Professor, Department Chair, and Dean.

University of Pikeville course grades and gradebook must be accessible to students within the Learning Management System (LMS). Deans and Division Chairs will collaborate with faculty to ensure the gradebook is available at the beginning of each course.

### 3.1.3 Course Prerequisites and Co-requisites

A course **prerequisite** is any requirement an academic department identifies as essential for a student to complete before taking a course. The University is responsible for publishing prerequisite requirements. All prerequisites, whether they apply to an individual course or to all courses in a department, should be stated in the electronic version of the University's [Course Catalog](#). They should also be stated in the course syllabus which is also posted within the Learning Management System (LMS).

Course prerequisites consist of one or more of the following: completion of placement or proficiency tests or other assessments; achievement of specified scores on placement or proficiency tests or other assessments; possession of specified knowledge or skills; approval after audition; approval of portfolio; declaration of major or admission to restricted program; completion of specific courses, sets of courses, and/or kinds of courses; completion of a specified number of semester hours or achievement of a specified class level; achievement of specified grades in prerequisite courses or sets of courses; achievement of a specified GPA; approval of an application or proposal; permission of the instructor, department, or other person or office; satisfaction of other specified requirements.

Students are responsible for knowing and completing all published prerequisite requirements for a course before taking that course. The University has the obligation to inform students of prerequisite requirements. It has the right to cancel a student's registration in a course if the student has not satisfied the published prerequisite requirements for that course.

A course **co-requisite** is a requirement that must be completed at the same time as the course for which it is required. The University is responsible for publishing co-requisite requirements. All co-requisites, whether they apply to an individual course or to all courses in a department, should be stated in the electronic version of the university's [Course Catalog](#). They should also be stated in the course syllabus. Co-requisites may be specified courses, permissions, admission to programs, and/or other requirements. Students are responsible for knowing and completing all published co-requisite requirements for a course. The University has the obligation to inform students of

co-requisite requirements and the right to cancel a student's registration in a course if the student has not arranged to satisfy the co-requisite requirements for that course.

Prerequisites and co-requisites for a section must be in place *before* registration for the term begins.

### 3.1.4 Curriculum Development and Proposals

All curriculum change proposals are to be presented through the use of the [Curriculum Proposal Form](#). This form requires the following information:

- a clear statement of the proposed change or action including details regarding impact on general education requirements, major(s), electives, pre-requisites, etc.;
- a rationale or justification for the change, supported by needs assessment data;
- an explanation of the purpose and benefit of the proposed change;
- identification of existing resources and projections for additional resources, including library, technology, and faculty;
- a proposed plan of action for implementation;
- a conference with the Registrar regarding course numbering;
- Division chair and college/school dean acknowledgement; and
- a course outline.

A copy of the [Curriculum Proposal Form](#) may be obtained from the division chairs or college/school dean.

#### **New Course Experimentation**

A new course may be offered once or twice on an experimental basis with prior approval from a Division Chair and Dean. The course may be offered on a regular basis only after it has received the appropriate approval. Refer to the Addition, Deletion, or Major Modification of Courses Section for the necessary curriculum change procedures.



Special Topics courses are exempt from the experimental course criteria as these courses are intended to provide a degree of flexibility in the curriculum. Within a given curricular area, the content material offered as a Special Topics course should vary from year to year. A Special Topics course may be offered only after it has been approved by the Division Chair and college/school Dean.

### **Addition, Deletion, or Major Modification of Courses**

A major course modification is defined as a modification that necessitates a change in the University of Pikeville Catalog. These include, but are not limited to, changes in course numbering, title, description, credit hours, prerequisites, co-requisites, and cross-listings. Proposals concerning the addition, deletion, or major modification of a course shall originate in a meeting of the division concerned and with approval from the college/school Dean. If approved by the originating body, the proposal shall be forwarded to the Curriculum Committee and, if approved by the Curriculum Committee, be recommended to the faculty. All additions, deletions or major modifications of courses must be approved by the faculty before being implemented.

### **Modification of Curricular Requirements**

Proposals modifying the requirements for majors, minors, or the general studies core shall originate in a meeting of the division concerned. If approved by the originating body, the proposal shall be forwarded to the Curriculum Committee and, if approved by the Curriculum Committee, be recommended to the faculty. All modifications of curricular requirements must comply with the [Substantive Change Policy](#).

### **Addition and Deletion of Degrees, Certificates, Majors, Minors, and Areas of Concentration**

The University of Pikeville is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and complies with the [Substantive Change Policy](#), requiring the University to report all substantive changes accurately and efficiently to the Commission. University personnel will work closely with the Provost to ensure changes fall under the appropriate procedure for details regarding reporting. Any deletion or addition of degrees, certificates, majors, minors, or areas of concentration

must be approved by the faculty, the Provost, the President, and the Board of Trustees of the University of Pikeville.

### 3.1.5 Division Chairs

The role of Division Chairs is similar but differs based on the size and complexity of the unit they supervise. In general, Division Chairs are responsible for the following:

- Supervise faculty by bringing issues related to faculty to the attention of the college or school Dean;
- Calling regular meetings of the division faculty and maintaining permanent records of all actions taken in such meetings;
- Creating and managing the budget of the division in consultation with the Dean;
- Communicating the needs of the departments to the Dean;
- Creating position descriptions for faculty positions that might become available in consultation with the Dean;
- Reviewing the performance of the members of faculty in the division annually (annual review) and during periods of rank improvement or contract change as outlined in college procedures;
- Participating in strategic planning and program review in consultation with the Dean;
- Ensuring that University policy and procedures are followed, supplying supporting paperwork as necessary;
- Supervising Division curriculum and program planning, development and review;
- Supporting the University by compiling data and preparing accreditation documents;
- Mediating student-faculty concerns.

#### **Selection**

Division Chairs are nominated by majority vote of the faculty in the division. Nominated faculty will be brought forth to the college or school Dean. The Division Chair is approved by the college or school Dean in collaboration with the Provost. Once selected, Division Chairs serve a term of three years but may serve no more than two consecutive terms. **Typically Division chairs will serve no more than two consecutive terms. By majority vote, faculty in the division may choose to extend the term of the division chair beyond this limit at their discretion. Calculation of the term of service begins with the implementation of this handbook without regard to previous service under the prior handbook. Vote should be by secret ballot.**

## **Assessment**

Chairs are assessed annually based on their performance relative to their job description and their annual goals for their division. Assessment is conducted by the Office of the Dean and should include, but is not limited to the following:

- Dean assessment rubric based on the Chair's job description;
- Faculty assessment rubric based on criteria set by the faculty of the division or department and approved by the Office of the Dean;

Should a Division Chair fail to fulfill their duties or if more than 50% of the division faculty lose confidence in the division chair, they may be removed at any time by the Dean or Provost. Removal of a Division Chair will trigger the selection process, however, the person removed as Chair will not be eligible for nomination to become Division Chair for a period of two years.

The community realizes that some divisions are too small for these policies to be enforced. Conversation between small departments, the Division Chair, and Dean must resolve cases where policy cannot be followed. If no amicable resolution is possible, the Provost will appoint Chairpersons.

### 3.1.6 Evaluation of Division Chairs

Evaluation of University of Pikeville administrative team members is an important component of assessing institutional effectiveness. Division chairs, as leaders of undergraduate academic units, will be evaluated annually.

#### **Division Chairs**

1. Division Chairs will be selected by the process outlined in 3.1.5. After initial appointment or reappointment as a Division Chair, the Division Chair will develop a list of [goals and objectives](#) to be accomplished during their term of service. Concurrently, faculty and staff within the Chair's division will develop a list of goals and expectations for the Chair during his/her term of service. These will be provided to the appropriate academic Dean for review. Following a review of the lists provided by the Chair and his/her division, the Dean will meet with the Division Chair and determine an agreed upon list of goals and objectives. This list will be shared with the division itself and a copy provided to the university Provost.
2. Annually, each Division Chair will prepare a document to be reviewed by their Dean and the university Provost including the following elements: 1) a self-evaluation describing efforts related to, and progress made toward each goal and objective; 2) a description of any goal or objective that needs to be added, removed, or changed; and 3) anticipated activities for the next year related to goal and objective accomplishment. This report will be provided to the appropriate academic Dean as well as the university Provost. At an agreed upon time, the Dean and Division Chair will meet to review both the original list of goals and objectives and the Division Chair's annual report.
3. A minimum of three months prior to the conclusion of a Chair's term of service, a more comprehensive evaluation will take place. This will include the following elements:

- a. [Self-evaluation](#): Each Division Chair will complete a self-evaluation report including: 1) A description of efforts toward achieving agreed upon goals and objectives; 2) a statement of the role the division plays in achievement of general education outcomes; 3) a statement of how the Division Chair and faculty view their role in assisting the university in achieving its core values; 4) efforts taken by the Chair to recruit, mentor, and retain students at all academic levels; efforts taken by the Chair to recruit, mentor, and retain faculty in their division; 6) efforts related to alumni and community relations; 7) other efforts or accomplishments by the division not otherwise stated; and 8) challenges the division is likely to face in the next 3-5 years.
  - b. Faculty/staff evaluation: Each faculty and staff member will be asked to complete an evaluation of their Division Chair. This evaluation will be completed electronically and will involve filling in a rubric developed by the academic Dean in collaboration with the university Provost based on goals and objectives most recently agreed upon by the Division Chair and Dean.
  - c. Dean evaluation: The academic Dean will assess the Division Chair based upon 1) the self-evaluation report provided by the Division Chair; 2) results of the faculty/staff evaluation; and 3) the rubric found in the appendix covering professional qualities, knowledge, skills and abilities as they relate to the role of a Division Chair.
4. When all of the comprehensive review documents are completed, these will be reviewed by the academic Dean and Provost. The Division Chair will meet with the academic Dean to review evaluation results. The deadline for this meeting is February 15.

### 3.1.7 Excellence in Teaching Award

As part of the William Wade and Helen Record Walker Endowed Fund for Teaching Excellence, the University of Pikeville Teaching Excellence Award was instituted in December 1976 to honor faculty members who demonstrate mastery of their subject matter; sensitivity to the interests, needs, and concerns of students; and the ability to broaden the students' perspectives. It also intends to recognize instructors who effectively and enthusiastically communicate the value and importance, as well as the substance, of their discipline to their students.

In order to identify full-time faculty members who merit consideration for the Walker Award, nominations are invited from all current full-time and part-time undergraduate students from:

- College of Arts and Sciences
- Patton College of Education
- College of Nursing and Human Services
- Coleman College of Business

Electronic forms are provided for this purpose by the Office of the Provost and are to be submitted during the time period designated within the Faculty and Administrative Staff Calendar. Students will be limited to one nomination each.

After the close of nominations, a representative of the Office of the Provost and the Chair of the Executive Committee of the undergraduate faculty will prepare a list, by division, of those not nominated. A drawing will be made by these two to select one full-time representative and one alternate from each division, if possible, to serve on the ad-hoc Faculty Honors Committee. No one should serve two consecutive years on the Faculty Honors Committee. Members from the previous year's committee will be removed from the pool of potential committee members except when there are no other representatives available from that particular division. Under no circumstances may a spouse or other relative of a current nominee serve. A sixth position on the committee will be filled by a member of the Executive Committee of the undergraduate faculty who was not nominated. This member will be named by the Executive Committee and will

chair the Faculty Honors Committee. This committee will consider the nominations and report its findings in confidence to the President within eight working days.

The policies and procedures for the Walker Awards are as follows:

1. The awards will be open to all full-time faculty members in their second contract year and after.
2. The awards will be for teaching excellence.
3. The awards will be based on current year nominations only, not on cumulative nominations over a period of years.
4. All current students will be sent one electronic nomination form. The forms will explain the process, the criteria, and the deadline. The forms will be sent at least three weeks prior to the deadline and must be returned by the students.
5. Posters on campus and announcements in *The Bear Facts* will appear at least three weeks before the deadline.
6. Faculty members are discouraged from announcing or discussing the awards in their classes or in actively soliciting student nominations in or out of their classes for themselves or others, since such actions are inappropriate. These actions will lead to removal of the faculty member solicited for consideration from the year's awards.
7. The awards will be:
  - First: \$1,500 and a plaque.
  - Second: \$1,000 and a plaque.



### 3.1.8 Faculty Calendar

The official responsibilities of an undergraduate or graduate full-time faculty member for the regular academic year begin with the first day of orientation in the fall and extend through Spring Commencement. The typical faculty contract is a 9-month contract that encompasses two semesters (fall and spring).

The dates associated with the beginning and end of each contract are adjusted annually and should reflect nine full months of academic work. A university faculty member is considered to be a professional person committed to the service of university students. Professional services include class preparation, class instruction, academic advising, attendance at academic convocation, faculty meetings, and assigned committee meetings. All faculty members are expected to be present in academic regalia at Fall Convocation and Spring Commencement. In addition, faculty are expected to attend the faculty workshops that typically launch the Fall and Spring semesters. It is expected that a faculty member will lend support to selected co-curricular campus activities through attendance.

### 3.1.9 Faculty Development Workshops

A variety of workshops and seminars on topics related to teaching and learning, assessment, academic leadership, and research are offered annually to faculty. These workshops are provided by the university to assist in faculty development and the general improvement of the quality of the academic program.

#### **Scholarship as Faculty Development**

As a teaching institution, the University of Pikeville recognizes the essential importance of scholarship in the life of the academe. Research has a clear potential to make significant contributions to the quality of education in and out-of-the classroom.

The University of Pikeville has adopted Ernest Boyer's model of scholarship as an academic model advocating expansion of the traditional definition of scholarship and research into four types of scholarship:

1. The Scholarship of Discovery
2. The Scholarship of Integration
3. The Scholarship of Application
4. The Scholarship of Teaching

Faculty professional development includes on-campus sessions, self-directed learning online modules, and web-based professional development workshops.

### 3.1.10 Final Examinations

The final examination schedule will be prepared by the Office of the Registrar in conjunction with the Office of the Provost. A copy of each final examination is to be filed with the Division

Chair, with a copy forwarded to the appropriate Dean. If a final examination is not given, a description of the course evaluation procedure is to be submitted to the appropriate Dean of the school or college no later than one week prior to the beginning of final examination week. If a final examination is given, it must be given during the scheduled final examination week.

It is the responsibility of the individual faculty members to insure that final examinations are properly administered, proctored, and secured. All final examinations must be given on the scheduled date and at the scheduled time. Any instructor who is unable to meet this obligation must arrange with the Dean of the school or college for a proctor. All students must take final examinations on the scheduled date.

If convinced that circumstances warrant it, an instructor may administer a make-up examination to a student who is unable to take the final examination on the scheduled date. No instructor, however, is authorized to administer a final examination before the scheduled date; any petition for an exception to this rule must be approved by the instructor and the appropriate Division Chair or Dean.

Final examinations in four-, five-, and six-credit hour courses will be not more than three hours in length. All other courses will have examinations not more than two hours in length.

Examinations will be held in the room regularly occupied by the class unless a change is announced by the instructor. No room changes should be made without first checking with the Registrar.

If a UPIKE undergraduate student is scheduled for more than two final examinations in the same day, excluding evening or online exams, the student may request the class with the highest catalog number be rescheduled. In case this highest number is shared by more than one course, the course whose departmental prefix is first alphabetically may be rescheduled.

The request by the student to reschedule must be sent in writing to the appropriate faculty member at least two weeks prior to the scheduled examination. Any rescheduling should be reported by the faculty member to the Registrar's office by sending a notice to [registrar@upike.edu](mailto:registrar@upike.edu) of the change. Finals must be rescheduled within the final exam week.

### 3.1.11 Grading Practices and Standards

Student performance in a course is based on written examinations, written or oral reports, discussions, participation in laboratory exercises, or other means deemed appropriate by course instructors. Faculty members should have a test and evaluation schedule which is adequate and appropriate to measure student accomplishment in every course offered. Faculty members are expected to provide a syllabus for each course, which includes the grading practices, methods of assessment, and the policy on late submission of work (if allowed, within what timeframe, and with what penalty) as well as the university statement on accommodations for Students with Disabilities.

#### **Reporting of Grades**

The University Registrar will open grading the day before examination week. All grades are to be entered by the faculty using the university's web self-services system no later than two working days after the course examinations have been administered. The exception to the two working days are clinical rotation grades for third- and fourth-year students in the professional programs (KYCO and KYCOM). Any questions about recording grades may be discussed with the University Registrar or the school/college Dean.

#### **Determination of Grade Point Average**

The grade point average (GPA) is calculated and recorded at the conclusion of each term/semester regardless of its duration. The GPA represents the total quality points earned divided by the total semester credit hours attempted. Letter or percentage grades, depending on the college or school, are assigned quality points then multiplied by the semester hours of credit for each individual course, and adding these individual course values for a summative total. Pass/fail courses must be passed to meet curriculum requirements, but are not utilized in determining grade point average.

Students are expected to maintain term and cumulative grade point averages of at least 2.00 or 70% to remain in good academic standing.

#### **Undergraduate**

The undergraduate colleges and school uses a letter system of grading, as indicated below:

A – Excellent	4 points per earned hour
B – Good	3 points per earned hour
C – Average	2 points per earned hour
D – Passing	1 point per earned hour
F – Failing	0 points per attempted hour
FN – Failure for Non-Attendance And/or Non-Participation	0 points per attempted hour
I – Incomplete*	0 points per attempted hour
W – Withdrew*	0 points 0 hours
P – Pass*	Hours earned only
AU – Audit*	0 points 0 hours

*\*Not used in computing the grade point average.*

### **Incomplete Grade**

A grade of “Incomplete” (“I”) is assigned only in instances where work is not completed because of serious illness, accident, death in the immediate family, etc. It cannot be given in order to give a student more time to complete a course. Before an “I” grade can be given, the appropriate form must be completed by the student and approved by the faculty member, the Program Director, and the Dean of the appropriate college, stating the justification for the grade. Courses in which a student receives a grade of “I” must be completed within sixty calendar days from the last day of final exams; otherwise the grade becomes an “F.” The responsibility rests with the student to complete the work within the allotted time. The grade of “I” does not count as credit hours earned and may in some circumstances influence a student’s eligibility for financial aid.

### **MidTerm Grades**

Midterm grades are of value to the students. They serve as an account of the student's academic performance to date. All faculty members report mid-term grades for each student in their classes by the date designated in the academic calendar. Students may

view their midterm grades using the University's web self-services system. Mid-term grades are not entered on the student's permanent record and do not count toward the student's GPA.

### **Graduate/Master's**

The graduate/master's colleges uses a letter system of grading, as indicated below:

A – Excellent	4 points per earned hour
B – Good	3 points per earned hour
C – Average	2 points per earned hour
D – Passing	1 point per earned hour
F – Failing	0 points per attempted hour
FN – Failure for Non-Attendance And/or Non-Participation	0 points per attempted hour
I – Incomplete*	0 points per attempted hour
W – Withdrew*	0 points 0 hours
P – Pass*	Hours earned only
AU – Audit*	0 points 0 hours

*\*Not used in computing the grade point average.*

### 3.1.12 New Faculty Orientation

At the beginning of each academic year, new full-time faculty members participate in a two-day academic orientation. The University of Pikeville recognizes the need to pursue initiatives that are likely to make teaching, learning, service, and scholarship effective and rewarding for faculty. The two-day academic orientation serves several purposes related to promoting faculty success. It provides new faculty members with information about policies and procedures that will directly impact their work in and beyond the classroom, offers participants opportunities to connect with new colleagues and campus leaders, and presents attendees with a preview of the many kinds of professional development resources and opportunities available to them throughout the year.

This program, administered by the Provost and Academic Deans, brings new faculty into contact with other faculty and campus leaders who express their perspectives on life and work at UPIKE and who describe their responsibilities.

New faculty orientation continues within each College/School. The Dean or Division Chair assigns a senior faculty member to assist new faculty by mentoring them through the myriad of questions and issues that inevitably arise.



### 3.1.13 Opportunities for Faculty-Student Interactions

At the University of Pikeville, we pride ourselves on being a community of individuals who are both approachable and accessible. With that, it is imperative that faculty be available and ready to provide ample opportunities for interaction outside of the classroom with students, as well as for campus staff, colleagues, administration, and individuals external to the campus to make personal and direct contact. Therefore, faculty will be asked to keep a minimum number of scheduled, synchronous, and posted office hours. This policy applies to all part-time and full-time instructors teaching credit-bearing courses.

#### **Number of Office Hours**

Although the situation will vary among departments and individuals, full-time faculty are required to keep a minimum of five (5) hours per week of synchronous office hours. Faculty may also be granted permission to schedule office hours synchronously online and be available to students via the Learning Management System or other virtual communication system (Skype, etc.). Faculty members appointed part-time shall hold office hours on a pro rata basis; however, a minimum of one (1) hour per week is required.

Faculty members should also attempt to accommodate students who are unable to meet the instructor during scheduled office hours on a “by appointment” basis, via email, or through other technology-assisted means.

#### **Communication of Office Hours**

1. Notification. Faculty members shall notify their college/school Dean or Chair of their scheduled office hours no later than the end of the first week of instruction.
2. Posting. The faculty member's office hours and email address must be posted on the faculty member's office door and available.
3. Syllabus. Office hours, including schedule, location, and contact information, shall be listed on the syllabus for each course.

4. Learning Management System (LMS). Office hours, including schedule, location, and contact information, shall be listed within the Learning Management System (LMS) for each course.

**Cancellation of Office Hours**

Faculty who must cancel office hours will notify their college/school Dean or Chair so that a notice may be posted on the faculty member's door. For online office hours that cannot be honored, a message will be sent via email to all enrolled students and/or posted on the Learning Management System.

### 3.1.14 Professional Faculty Development Fund

The general purpose of the Professional Faculty Development Fund is to benefit the University by strengthening the faculty in its various professional capacities. The fund supports a wide variety of faculty activities, including: research expenses, travel to research sites, professional conferences and workshops, pedagogical and course development, additional training, and purchase of materials needed for teaching and research (which are not readily available). The Professional Faculty Development Fund not only supports ongoing research but also may be used by faculty who wish to develop new teaching materials and methods, or who need to develop new skills and expertise (consistent with the university's academic mission).

The following guidelines are related to the Professional Faculty Development Fund at the University of Pikeville:

- These awards are provided to support academic program development efforts or unique individual professional opportunities.
- The purpose is to provide funds to enable faculty to pursue development activities that lead to the advancement of University outcomes within academic departments and schools.
- Applicants must be full-time faculty members of the University.
- Projects proposed should be scheduled for the period July 1, to June 30.
- Funds will be in the \$1,000-\$2,500 range depending upon availability.
- Up to \$200 may be requested for payment of membership fees to professional organizations.
- Faculty are encouraged to submit findings to peer review journals and/or submission to a professional conference symposium.

- Awards are provided for research leading to the completion of a terminal degree.
- The project is completed when a written report has been submitted to the Office of the Provost and the faculty member has presented a synopsis of the work at a faculty workshop.

### 3.1.15 Innovation in Teaching and Learning Grant

The [Innovation in Teaching and Learning grants](#) at the University aim to improve student retention through supporting novel ideas generated by faculty or staff.

<b>Application Deadline</b>	<b>Project Timeframe</b>
May 1	Summer or Fall
December 1	Spring

An application review committee will select applications that demonstrate the greatest potential for impacting student retention, either within a class or at the University as a whole.

Grants will be awarded in two categories. Category 1 grants will be to purchase technology, technical services, subscriptions, or software for the purpose of enhancing student retention. Category 2 grants are for professional development targeted at improving student retention.

Although requests of any size will be considered and weighed against potential benefit, grants in general are expected to be around \$2,000. Recipients of a grant will be required to share their findings with colleagues in the university.

### 3.1.16 Reporting of Student Absences

Faculty members will collaborate with Student Success and the University Registrar, utilizing the early alert process to report students who do not attend classes.

### 3.1.17 Student Attendance and Excused Absences

Students are expected to attend all classes in which they are enrolled unless they have an university approved excused absence. The definition of excessive absence, as well as the penalty for such absence, may vary with the nature of the course. It is the student's responsibility to learn and observe the rules governing each class.

After considering university approved excused absences, instructors will determine the attendance policies which will govern their particular classes. The policy will be included with the course syllabus, which must be distributed to each student within the first week after the opening of classes and must not be changed during the course of that particular semester. Attendance policies that seem unreasonable or ignore university approved excused absences may be investigated by the Division Chair and the Dean in consultation with the instructor to alter the policy if necessary.

Excused absences may include the following: athletic events, academic or extracurricular field trips, documented health reasons, or other extenuating non-academic circumstances including family illness or death or unforeseen circumstances (e.g., automobile accident). When students are unable to contact their faculty and instructors directly, students or family members notify the Dean of Students Office, and the Dean of Students Office will notify instructors.

Students should notify instructors of excused absences in advance, when possible. Students who have an excused absence are expected to make arrangements with instructors for alternative or make-up work. Such arrangements should be made in advance of the absence, when possible. Instructors should accommodate excused absences to the extent that an accommodation can be made that does not unreasonably interfere with the learning objectives of the course or unduly burden the instructor.

Instructors will collaborate with the Office of Student Success in identifying students who have habitual and/or extended absences for assistance in improving their class attendance and performance.

### 3.1.18 Syllabi and Course Expectations

Each faculty member at the University of Pikeville is responsible for designing and sharing with the students in each course at the beginning of the semester a clear, concise, and carefully defined course plan.

#### **Syllabi**

Faculty members should make available to students for each class taught a syllabus which explains the purpose and methods of the course, outlines the student's responsibilities and requirements, and provides a schedule of activities. These syllabi may also be collected by department head, program directors and/or deans for purposes of curriculum evaluation, faculty evaluation, advising information for students, or accreditation. University of Pikeville course syllabi must be accessible to students within the Learning Management System (LMS).

By the first day of class, each faculty member will review course syllabi with students that include the following information:

- Course prefix and number, course title, course credit hours, and official course description
- Instructor's name, phone number, email, and office location and office hours
- Required textbooks and supplies
- Course outcomes
- Course outline
- Course structure (assignments, methods of instruction, location and availability of tutoring, expectations for use of technology, use of library resources, off-campus work, etc.)
- Course requirements and evaluation (grading policies, makeup work, attendance policies, withdrawal, etc.)



- Academic Integrity Policy
- Title IX Policy
- ADA Policy and Other

### **Grading**

Faculty members should have a test and evaluation schedule which is adequate and appropriate to measure student accomplishment in every course offered. University of Pikeville gradebook must be accessible to students within the Learning Management System (LMS). In addition, grade reports are issued to student-athletes to ensure academic success.

### **Semester Reports**

Faculty members are responsible for evaluating the work of each student at times designated in the academic calendar. Report forms should be carefully completed and submitted to the University Registrar before announced deadlines (see "Calendar" in the Class Schedule for each semester).

### 3.1.19 Undergraduate and Graduate Programs and Structure

The undergraduate and graduate degrees offered collectively are organized into the following colleges/schools:

- College of Arts and Sciences
- Patton College of Education
- College of Nursing and Human Services
- Coleman College of Business

As part of the College of Arts and Sciences, the following divisions encompass all degree programs:

- Division of Humanities
- Division of Social Sciences
- Division of Mathematics and Natural Sciences

The University of Pikeville is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097;

telephone number 404.679.4501) to award the following associate, baccalaureate, master's, and doctoral degrees:

Associate of Science (A.S.)

Bachelor of Arts (B.A.)

Bachelor of Science (B.S.)

Bachelor of Business Administration (B.B.A.)

Masters of Business Administration (M.B.A.)

Masters of Science (M.S.)

Masters of Arts (M.A.)

Doctor of Osteopathic Medicine (D.O.)

Doctor of Optometry (O.D.)

**Associate of Science degrees** are awarded in the following areas:

Business (A.S.)

Accounting Emphasis  
Management Emphasis  
Criminal Justice (A.S.)  
Nursing (A.S.)

**Baccalaureate degrees** are awarded in the following areas:

Business

Business Administration (B.B.A.)  
Accounting Emphasis  
Healthcare Management Emphasis  
Management Emphasis  
Sport Management Emphasis

Humanities

Art (B.A. or B.S.)  
Arts Administration (B.A. or B.S.) - *teach out only*  
English (B.A. or B.S.)  
Film and Media Arts (B.A. or B.S.)  
Religion (B.A. or B.S.)  
Spanish (B.A. or B.S.)

Mathematics and Natural Sciences

Biology (B.A. or B.S.)  
Chemistry (B.A. or B.S.)  
Computer Science (B.A. or B.S.)  
Mathematics (B.A. or B.S.)

Nursing

RN to BSN program (B.S.)

Social Sciences

Communication (B.A. or B.S.)  
Criminal Justice (B.A. or B.S.)  
History (B.A. or B.S.)

History/Political Science (B.A. or B.S.)  
Psychology (B.A. or B.S.)  
Social Work (B.A. or B.S.)  
Sociology (B.A. or B.S.)

#### Education

Educational Studies (B.A. or B.S.)  
Elementary Education (B.A. or B.S.)  
Middle Grades Education (B.A. or B.S.)  
Secondary Education in Biology (B.A. or B.S.)  
Secondary Education in Chemistry (B.A. or B.S.)  
Secondary Education in English (B.A. or B.S.)  
Secondary Education in Mathematics (B.A. or B.S.)  
Secondary Education in Social Studies (B.A. or B.S.)

#### Other

Interdisciplinary Studies (B.A. or B.S.)

**Master's degrees** are awarded in the following areas:

Business Administration (M.B.A.)  
Sport Management (M.S.) - *teach out only*  
Education (M.A.)

**Doctoral degrees** are awarded in the following areas:

Osteopathic Medicine (D.O.)  
Optometry (O.D.)

### 3.1.20 Weekly Class Schedule

It is obligatory that faculty meet and conduct classes, laboratories, tests, and scheduled office hours or other student conferences:

1. in the places, at the times, and for the duration officially announced to the students;
2. on the basis of official registration lists;
3. in accordance with departmental syllabi and catalog descriptions;
4. in a manner (and at a noise level) mindful of the rights of other classes or conferences in session;

Problems arising from any of the above should be reported to the program chair or dean, as should the instructor's illness, unavoidable lateness, or absence.

Class schedules must be approved by the appropriate Dean on the recommendation of the department or program and developed in accordance with the following guidelines:

- Classes should start at standard start times, and efforts should be made to keep class meetings in the times scheduled.
- Attendance requirements outside of normal class meeting times should be indicated in the course description provided at the time of registration.
- Divisions or colleges/schools offering courses that require larger blocks of time should schedule these to cover no more than two (2) normal class periods.
- The onus of teaching courses in non-prime time slots should be distributed through the Division or college/school in an equitable manner.
- While Division Chairs or college/school Deans are responsible for submitting their class schedule, oversight of the process is provided by the University Registrar under the Office of the Provost.
- University of Pikeville course syllabi must be accessible to students within the Learning Management System (LMS).

## Chapter 3.2 Organization and Function of the Faculty

### 3.2.1 Governance for the Undergraduate and Graduate College

The undergraduate and graduate college at the University of Pikeville is comprised of four schools/colleges including the College of Arts and Sciences (CAS), Coleman College of Business (CCOB), Patton College of Education (PCOE), and College of Nursing and Human Services (CNHS).

## 3.2.2 Faculty Chair

Faculty meetings are chaired by an elected member of the full-time faculty. This faculty will also chair the joint CAS, CCOB, PCOE, and CNHS Faculty Executive Committee. If approved, the following process will be used for the election of the Chair.

- A. All faculty with one or more years of full-time teaching experience at UPIKE will be eligible. Faculty who have formerly served in chair positions are eligible and faculty currently elected to a university committee are also eligible. The Provost, Deans, and Division Chairs are not eligible.
- B. During the first faculty meeting, nominations will be sought. Self-nomination is encouraged.
- C. Once a list of nominees is established, the Director for Institutional Research and Effectiveness will hold an election electronically. All full-time faculty will be eligible to vote.
- D. On the first ballot, if one person has a majority of the votes, they will be elected chair. If no candidate has a majority, then there will be a runoff election between the top two candidates.
- E. Term of service is one academic year. The Faculty Chair can serve a maximum of two consecutive terms of service. If elected to serve a second term, the Faculty Chair must wait three academic years before being nominated again.



### 3.2.3 Purpose of Faculty Meetings

#### A. Purpose

1. to facilitate communication;
2. to recommend academic policy;
3. to develop and recommend standards and degree requirements;
4. to consider curriculum proposals emanating from academic divisions through the Curriculum Committee;
5. to consider matters of student and faculty responsibilities, privileges, and welfare;
6. to recommend to the Trustees candidates for degrees.

#### B. General Information and Structure

1. The faculty meets monthly from August through May as scheduled on the academic calendar. Faculty meetings will be chaired by the elected Faculty Chair or Chair's designate. A quorum shall consist of a simple majority of the voting membership. Faculty with special appointments and staff are invited and encouraged to attend meetings. Only those who hold faculty status have voting privileges. The meetings will be governed by the most recent revisions of Robert's Rules of Order.
2. In all matters within its jurisdiction, the actions of the faculty in meeting shall be operative following approval by the President and, where necessary, by the Board of Trustees.
3. The agenda for the Faculty Meeting will be set within the following general format:
  - a. Call to Order
  - b. Opening Prayer
  - c. Approval of Agenda
  - d. Approval of Faculty Meeting Minutes
  - e. Old Business
  - f. New Business
  - g. Report from the President and/or Provost
  - h. Announcements
  - i. Adjournment

4. Agenda items will be submitted to the Office of the Provost by noon on the Monday prior to the published date of the Faculty Meeting. The agenda will then be distributed to all members of the faculty the following day. Proposals requiring faculty vote must be distributed with the agenda.
5. The Executive Assistant to the Provost will serve and take minutes and transmit the actions of the faculty to appropriate persons.
6. Special meetings of the faculty may be called by the President, Provost, or by petition of no less than one-third of the voting membership.
7. All full-time faculty members are expected to attend faculty meetings. Faculty with special appointments are invited and encouraged to be present. Should a situation arise to prevent the attendance of a faculty member, he/she must contact the Provost at the earliest opportunity.

### 3.2.4 Faculty Service on College Committees

With the exception of the Executive Committee of the undergraduate/Graduate faculty, all standing committee appointments will be made by the appropriate college/school and divisions. Members of the faculty from within each college/school and division will be given opportunity to express committee preferences. An effort is made to place each faculty member on one of the committees; no faculty member shall be required to serve on more than one committee, unless required to do so by virtue of his/her position (such as Division Chair). The Deans and Division Chairs will submit their recommendations for committee membership to the Office of the Provost for final approval.

## 3.2.5 Faculty Executive Committee

### A. Membership

1. The committees shall consist of nine voting members, one from each of the following colleges/schools:
  - Faculty Chair
  - PCOE
  - CNHS/Nursing
  - CNHS/Social Work
  - CCOB
  - CAS/Humanities
  - CAS/Math & Science
  - CAS/Social Science
  - At Large Member
  - Non-Voting Member: Provost

The Provost serves as a non-voting member. Each year two of the faculty are elected for three-year terms. They must be members of the full-time faculty who have completed one academic year at the university by the time they assume office. Division Chairs are not eligible for membership. No elected faculty member shall serve more than one three-year term consecutively or more than four consecutive years total in the event of completing the last year of the term of a committee member who has resigned or is unable to serve.

2. Faculty meetings will be chaired by an elected member of the full-time faculty. This individual will also serve as the Chair of the Executive Committee.

### B. Method of Election

1. Nominations for division representatives shall be made in March after the first full faculty meeting by an electronic ballot to all voting members of the faculty. A list of current membership by division and all faculty members eligible for election will be provided. There will be a window of five working days where nominations will be accepted. The Director for Institutional

Research and Effectiveness shall then prepare an electronic ballot listing nominees by division and indicating how many may be elected from each division.

2. In cases of ties, the above procedure will be repeated.
3. A vacancy on the Executive Committee of the Faculty caused by resignation or inability to serve shall be filled by election as above.

### **C. Responsibilities**

1. The Chair shall call the first meeting.
2. The elected members of the committee shall meet once a month in a Faculty Forum at a specified time to consider their responsibilities to faculty members and to confer with them at their request. The committee shall notify the faculty one week in advance of this meeting.
3. The committee shall refer recommendations, proposals, and other concerns to the appropriate faculty committees, and will not act on any issue that is appropriate to another committee.
4. The committee shall advise the President and Provost regarding applicants for sabbatical leave.
5. The elected members of the committee shall be prepared to sit as a Due Process/Grievance Committee for a faculty member who feels the need for such service.
6. The committee shall act on all student petitions concerning academic matters.
7. Actions taken by the Executive Committee of the Faculty must be recorded in the minutes. The minutes, upon approval by the Executive Committee at the next scheduled Executive Committee meeting, will be distributed to the faculty as an attachment to the Undergraduate Faculty Agenda at the next regularly scheduled Faculty meeting.
8. In certain circumstances, the Executive Committee may act in place of the faculty as a whole, however, their decisions must be ratified by majority vote at the next scheduled faculty meeting.

### 3.2.6 University Wide Committees:

Three university-wide committees collaboratively work to ensure success within the Undergraduate/Graduate College, Kentucky College of Osteopathic Medicine (KYCOM), and Kentucky College of Optometry (KYCO). See Chapter 2 of this Handbook for details regarding these committees. University wide committees are as follows:

1. **[Rank and Promotion Committee \(RPC\)](#)**  
The Rank and Promotion Committee will review and make recommendations on applications for rank and promotion at the University of Pikeville. The committee convenes and elects a voting member as the Chair.
2. **[Faculty Policy Committee \(FPC\)](#)**  
The Faculty Policy Committee is responsible for the development of policies related to the University of Pikeville Handbook. The committee shall consist of seven total voting members and the Provost who serves as a non-voting member. The committee convenes and elects a voting member as the Chair.
3. **[Institutional Review Board \(IRB\)](#)**  
Federal and state regulations mandate that research involving human participants must be reviewed and approved by an Institutional Review Board (IRB) provided for in its assurance filed with the Office of Human Research Protections and will be subject to continuing review by the IRB. The IRB is responsible for providing guidance and oversight for the human participant protection program and for helping to maintain compliance with applicable laws, regulations, and policies.

### 3.2.7 Curriculum Committee

- A. **Membership:** The Provost calls the first meeting and the Committee Chair is elected from the membership. The Curriculum Committee is comprised of the following individuals:
- a. CAS/Humanities - two faculty
  - b. CAS/Math & Science - two faculty
  - c. CAS/Social Sciences - two faculty
  - d. CCOB - one faculty
  - e. CNHS/Nursing - one faculty
  - f. CNHS/Social Work - one faculty
  - g. PCOE - one faculty
  - h. Student Representation - two current students
  - i. Non-Voting Members: Provost, CAS Dean, CCOB Dean, CNHS Dean, University Registrar
- B. **The Method of Election** is determined by faculty members of each college/school and divisions from within the College of Arts and Sciences. They must be full-time faculty who have completed one academic year at the university by the time the election takes place.
- C. **Responsibility** The Committee shall meet monthly. Additional meetings may be called by the Chair. The committee will meet to:
- a. serve as a study group for the consideration of matters related to the curriculum;
  - b. prepare special reports for consideration by the faculty;
  - c. receive, review, and recommend action on academic policy suggestions before presentation to the Faculty.

### 3.2.8 General Education Committee

A. **Membership:** The Program Coordinator who also serves as the Committee Chair calls the first meeting. The committee is comprised of the following individuals:

- a. CAS/Humanities - one faculty
- b. CAS/Math & Science - one faculty
- c. CAS/Social Sciences - one faculty
- d. CCOB - one faculty
- e. CNHS - one faculty
- f. PCOE - one faculty
- g. Student Representation - one current students
- h. A Representative from Provost office - (non-voting member)
- i. A Representative from Registrar's office (as needed based on agenda) - (non-voting member)
- j. A Representative from Library (as needed based on agenda) - (non-voting member)

B. **The Method of Election** is determined by faculty members of each college/school and divisions from within the College of Arts and Sciences. Each year two of the faculty members will be elected for three-year terms. They must be full-time faculty who have completed one academic year at the university by the time the election takes place.

C. **General Education Committee Responsibility**

The Committee will meet to:

- a. Communicate with faculty regarding General Education issues.
- b. Propose changes to the college's Essential Learning Outcomes.
- c. Guide faculty in identifying effective assessment methods.
- d. Collect assessment data to describe each division's contributions to the college's Essential Learning Outcomes.
- e. Analyze data and consults with faculty to improve academic programs.
- f. Administer a budget to accomplish improvements of academic programs.
- g. Educate its members on issues in higher education.
- h. Take advantage of professional development opportunities on and off campus.
- i. By May 1, produces an annual report for the Provost.
- j. Recommend action to pertinent committees and other institutional units.<sup>270</sup>

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### 3.2.9 Experiential Learning Committee

- A. **Membership:** The Program Coordinator who also serves as the Committee Chair calls the first meeting. The committee is comprised of the following individuals:
- a. CAS/Humanities - one faculty
  - b. CAS/Math & Science - one faculty
  - c. CAS/Social Sciences - one faculty
  - d. CCOB - one faculty
  - e. CNHS - one faculty
  - f. PCOE - one faculty
  - g. Student Representation - one current student
  - h. Non-Voting Members: Dean of Students
- B. **The Method of Election** is determined by faculty members of each college/school and divisions from within the College of Arts and Sciences. They must be full-time faculty who have completed one academic year at the university by the time the election takes place.
- C. **Responsibility**
- The committee shall meet monthly. Additional meetings may be called by the Chair. The committee will meet to provide institutional support for students to apply their classroom knowledge to an off-campus setting in the form of internships; professional conferences, seminars, and workshops; as well as study away and study abroad learning. Receiving a combination of traditional pedagogical training and intensive first hand experience is invaluable to our students and will prepare them for a global job market and multicultural communities. In full support of the most effective learning environment we can offer, our faculty at the University of Pikeville is committed to student engagement and learning outside the classroom and in communities beyond.

At the University of Pikeville, the work accomplished by the Experiential Learning Committee is currently part of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Quality Enhancement Plan (QEP)

### 3.2.10 Ad-Hoc Committees

An Ad-Hoc Committee is comprised of those persons deemed necessary to carry out the responsibilities assigned by the President, Provost, college/school Dean, or the Executive Committee of the undergraduate/graduate faculty as appropriate. Once a project, assignment, or initiative is completed, the work of the Ad-Hoc Committee also comes to an end.

The Ad-Hoc Committee shall meet to perform the duties necessary to accomplish the goal which necessitated the Ad-Hoc Committee.

### 3.2.11 Programmatic Committees and Councils

At the University of Pikeville, there are programmatic committees and councils that can exist. These committees or councils meet the accreditation needs of specific programs, make decisions on applications for readmission and admission, align with Professional Standards Boards, and review assessment data related to program approval. In collaboration with the Provost and college/school Deans, these committees and councils meet regularly and select the composition of members based upon program and accreditation requirements. Approval will take place by the Provost and college/school Dean and committees will update College/School Deans and Division Chairs. Currently, the following exist:

- Teacher Education Committee (TEC)
- Social Work Committee
- Nursing Admissions Committee

## Chapter 3.3 Personnel Policies

### 3.3.1 Faculty Contracts

Faculty appointments are official when a signed contract is issued by the President, accepted by the appointee and returned to the University with the faculty member's signature. However, the University may withdraw an offer, even after the appointment is official (i.e., after receiving an acceptance), up until the date that all required documentation and processes are completed by the appointee.

Each full-time, undergraduate and graduate faculty member at the University of Pikeville is employed under a contract which specifies the terms and conditions of appointment. Both the faculty member and the university retain a copy.

*NOTE: The University of Pikeville will continue three-year rolling contracts of all faculty members who have currently reached that status by March 1, 2017. The following Faculty Contract Policy will take place beginning the 2017-2018 academic year.*

#### **Appointment**

The President, upon the recommendation of the Provost, will offer to the individual selected a formal appointment, subject to confirmation by the Board of Trustees. The offer will be made in writing and should specify rank, salary, and other conditions of appointment.

The initial appointment of a faculty member will be for a one-year contract at the rank of *Instructor* or *Assistant Professor*. A person who joins the faculty having already earned the rank of professor at the previous institution may be offered a three-year or three-year rolling contract at the outset and a rank of *Associate Professor* or *Professor*. This decision will be made in collaboration with the Division Chair, Dean, and Provost with a final approval from the President.

#### **Summary of Faculty Contracts at the University of Pikeville**

<b>Years of Service</b>	<b>Faculty Contracts</b>
Year 1	1-year

Year 2	1-year
Year 3	1-year
Year 4	1-year
Year 5	3-year
Year 6	
Year 7	
After Year 7	3-year rolling

### **One-Year Contracts**

One-year contracts will be used under the following circumstances:

- a. All new full-time faculty members will receive one-year contracts their first four years of service. An individual who joins the faculty having already earned the rank of professor at the previous institution may be offered a three-year contract or three-year rolling contract as noted in the Appointment section of this policy.
- b. Faculty members at the Instructor level will receive one-year contracts.

### **Three-Year Contracts**

Three-year contracts may be used under the following circumstances:

- a. After completing four years and annual evaluations each year, a faculty member may be moved to a three-year contract with the recommendation of the Division Chair, school/college Dean, Provost, and approval by the President.

### **Three-Year Rolling Contracts**

Three-year rolling contracts may be used under the following circumstances:

- a. Faculty at the associate professor or professor rank who have been teaching full-time for a minimum seven years are awarded three-year rolling contracts pending results of the substantive evaluation and a recommendation from the Division Chair, school/college Dean, Provost, and approval by the President.

## **Rank and Promotion at the University of Pikeville**

Please review the [Rank and Promotion Policy](#) within the handbook for guidelines.

### 3.3.2 Policy Governing Termination of a Faculty Contract

A termination of a one-year, three-year, or three-year rolling contract may occur only under the following circumstances:

- A. Voluntary Resignation: In light of the needs of the University, it is requested that notice of intention to resign be given as soon as possible, but at least four months before the opening of the fall semester.
- B. Retirement: The University of Pikeville has no mandatory retirement age. However, in light of the needs of the University, it is requested that all retiring employees submit in writing a notice of retirement at least four months prior to the fall semester of the academic year in which retirement is desired.
- C. End of Contract (one-year contract): The University may choose not to renew a one-year contract.
- D. End of Contract (three-year contract, three-year rolling contract): The University may choose not to renew a three-year contract or three-year rolling contract based upon the comprehensive three-year evaluation results. Documented results are required in order to terminate a three-year contract or three-year rolling contract
- E. Layoff: Layoff is a severance action by which the University terminates the services of a faculty member without prejudice as to the faculty member's performance. Layoffs may occur as a result of the decreased enrollment of academic programs not involving financial problems or retrenchment. If within a two-year period of a faculty member's layoff the University opens a position in the same discipline or in another discipline for which the faculty member may qualify, the faculty member laid off will be the first one to whom the position is offered.
- F. Financial Problems/Retrenchment: The Board of Trustees has the ultimate obligation and authority to govern the university. If the Board of Trustees or the



President of the University determines that a serious financial problem exists or that other circumstances require consideration of a serious reduction in existing programs or an involuntary elimination of administrators, faculty, administrative personnel, or staff positions, the Board of Trustees may undertake action resulting in reduction or elimination of existing programs or administrators, faculty, administrative personnel or staff positions.

- G. Prolonged Mental or Physical Illness: If a three-year faculty member is unable to perform all or a substantial part of the faculty member's duties for a period of more than six months because of ill health or similar causes despite reasonable accommodations, the faculty member may request an indefinite leave of absence without pay until such time as the faculty member is able to resume regular teaching duties. This request will be accompanied by medical evidence of disability and presented to the appropriate Dean and Provost.
- a. If a one-year contract faculty member is unable to perform all or a substantial part of the faculty member's duties for a period of more than six months because of ill health or similar causes despite reasonable accommodations, the university may terminate the appointment at the end of the contract period. If a faculty member returns to work for less than thirty days, and then goes back out on leave, the earlier absence and subsequent absence shall nevertheless be deemed continuous.
  - b. A decision by the University to terminate an ill or disabled faculty member will be reached only after the faculty member or representative has been afforded an opportunity to present the faculty member's concern and to respond to the record of failure to perform. This record will be reviewed before a final decision is made by the President and referred to the Board of Trustees for action.
  - c. The University will, in each case, work within the disability program to ease the burden of any such medical termination.

H. Termination for cause

### 3.3.3 Procedure for Renewing One-Year Contracts

The appropriate Dean, after consultation with the Division Chair, will make recommendations concerning all one-year contracts, other than contracts for new faculty members, to the Provost who in turn will take the recommendations to the President. The President is authorized to approve all one-year contracts. This procedure will be carried out each year.

Division Chairs and Deans give one-year contract faculty members considerable attention. Special care is given to assure that these individuals are supported by advice concerning their performance and fit in the university community. A comprehensive annual evaluation for one-year contracts will take place with the following requirements:

- a. **Student Evaluation:** One-year contract faculty members have all courses evaluated by students. Faculty will prepare a comprehensive summary of student evaluation results. Their Division Chairs and Deans review the course evaluations and feedback is given to the faculty member.
- b. **Annual Evaluation:** Each year, one-year contract faculty members are asked to prepare a self-evaluation in which they give an evaluation of their work for the year and describe the development activities for the following year. These evaluations are given to the Division Chairs and Deans.
- c. **[Faculty Peer Course Evaluation](#):** As part of the annual faculty evaluation, a peer evaluation will take place. The inclusion of greater formative evaluation allows for more significant faculty and instructional development by encouraging critical reflection on teaching and by providing a safer, less risky, and more collegial setting for assessment. The goal of a peer evaluation is to provide faculty the opportunity to focus more intentionally on what helps students learn best and therefore more directly focus on the quality of teaching.
- d. **Administrative Evaluation:** Before February 15, in preparation for the spring meeting of the Board of Trustees, the Division Chairs and Deans review the work of one-year contract faculty members, the self-evaluation, and faculty peer course evaluation. The Dean provides a recommendation to the Provost as to whether a new one-year contract should be issued.

Notification of nonrenewal to faculty with one-year contracts will take place by March 31. Additional information regarding faculty appointments and contracts can be found in the following sections of the handbook:

[Procedure for Renewing One Year Contracts](#)

[Procedure for Renewing Three-Year Contracts](#)

[Policy Governing Termination of a Faculty Contract](#)

### 3.3.4 Rank and Promotion

After completing four years as an Assistant Professor, a faculty member is eligible to apply for promotion to Associate Professor. After completing three years as an Associate Professor, a faculty member is eligible to apply for promotion to Professor.

In both cases, an applicant will submit the application for promotion to the Rank and Promotion Committee for approval.

Years of Service	Rank Promotion
Year 1	Instructor or Assistant
Year 2	Assistant
Year 3	Assistant
Year 4	Assistant
Year 5	Associate
Year 6	Associate
Year 7	Associate
After Year 7	Professor

#### Rank and Promotion Committee

Please review the [Rank and Promotion Committee Policy](#) within the handbook for guidelines.

#### Required Academic Background

The required academic background for ranks is defined in the [Types of Faculty Policy](#).

### 3.3.5 Three-Year Review

Prior to a three-year contract being issued to faculty, a substantive review and reflection takes place.

Each three-year contract faculty member submits a complete evaluation package for review prior to an additional three-year contract being issued. Discontinuation of a three-year contract or until discontinuation of employment can take place is noted in the [Policy Governing Termination of a Faculty Contract](#).

The appropriate Dean, after consultation with the Division Chair, will make recommendations concerning all three-contracts to the Provost who in turn will take the recommendations to the President. The President is authorized to approve all three-year contracts.

Division Chairs and Deans give three-year contract faculty members considerable attention. Special care is given to assure that these individuals are supported by advice concerning their performance and fit in the university community. A comprehensive evaluation will take place prior to a three-year contract being issued. Accomplishments over a four-year timeframe will take place and particular attention is paid to consistency over time.

- a. **Student Evaluation:** Three-year contract faculty members have all courses evaluated by students. Faculty will prepare a comprehensive summary of student evaluation results. A synopsis of courses over time will take place. Their Division Chairs and Deans review the course evaluations and feedback is given to the faculty member.
- b. **[Self Evaluation](#):** Annual Evaluation A reflection will take place to address the accomplishments and areas of where improvement has taken place over time. These evaluations are given to the Division Chairs and Deans.
- c. **[Faculty Peer Course Evaluation](#):** As part of the annual faculty evaluation, a peer evaluation will take place. The inclusion of greater formative evaluation allows for more significant faculty and instructional development by encouraging critical reflection on teaching and by providing a safer, less risky, and more collegial

setting for assessment. The goal of a peer evaluation is to provide faculty the opportunity to focus more intentionally on what helps students learn best, and therefore more directly focus on the quality of teaching.

- d. Administrative Evaluation: Before February 15, in preparation for the spring meeting of the Board of Trustees, the Division Chairs and Deans review the work of three-year contract faculty members, the self-evaluation, and faculty peer course evaluation. The Dean provides a recommendation to the Provost as to whether a new one-year contract should be issued.

Notification of nonrenewal to faculty with one-year contracts will take place by March 31.

### 3.3.6 Three-Year Rolling Substantive Review Policy

#### Procedures

- A. Reviews shall occur at least once every five years unless delayed because the faculty member is on leave or because his or her promotion to full professor is anticipated for the following year. These reviews may be incorporated into the annual review process or combined with rank promotion. In the case of combined reviews, the division may require supplementary documentation from the faculty member, which meets the criteria of C.1 below, that would not otherwise be required for the other review.
  
- B. Each review shall be carried out by the Division Chair, college/school Dean, Provost, with approval from the President.
  
- C. Review procedures shall include
  1. A review of qualitative and quantitative evidence of the faculty member's performance over at least the previous five-year period. The evidence should include a current curriculum vitae, annual activity reports, teaching evaluations or summaries of evaluations, and other materials providing evidence of the faculty member's accomplishments and contributions that the division or the faculty member feel are relevant to the review. The faculty member should provide the reviewer(s) with a brief summary of career plans for the future. Letters from outside the university would ordinarily be a part of the review process. The faculty member under review may submit appropriate letters if she or he so chooses. The reviewer(s) shall examine materials to the degree needed to accomplish the purposes of this review, which are to assess whether the faculty member is satisfactorily performing his or her duties to the university and to encourage the improvement of faculty skills.
  2. Discussion with the faculty member about his or her contributions to the profession, the division and the university if either the reviewers or the faculty member so desire.

3. Appropriate consideration of a faculty member's contributions outside the division to interdisciplinary and other programs, governance, and administration.
  4. Other steps the reviewers consider useful in making a fair and informed judgment, including but not limited to consultation with individuals who have knowledge of the faculty member's work.
- D. The college/school Dean shall provide the faculty member with a written summary of the review. The faculty member shall have the opportunity to prepare a written response to the summary. A copy of the summary and any written response to it shall be given to the Division Chair and shall be placed in the personnel file of the faculty member. Any recommendations for action in response to the results of the review should be forwarded by the Division Chair to the appropriate individuals or bodies.
- E. The college/school Dean and Office of the Provost shall also preserve in the faculty member's personnel file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere), and a record of any action taken as a result of the review.

### **Accountability**

- A. The Office of the Provost and college/school Dean shall maintain a record of reviews completed, including the names of all reviewers.
- B. At the end of each academic year, the appropriate Dean shall receive a report from the Division Chair listing the names of faculty members reviewed during that academic year and summarizing the outcomes of those reviews.
- C. Any exceptions to this review process must be approved by the Provost.



### 3.3.7 Types of Faculty Contracts

**9-month Teaching Faculty** - These contracts are issued to the majority of the faculty teaching in undergraduate programs. Faculty members are expected to be fully-employed at the University of Pikeville for nine months beginning in mid-August and continuing through mid-May (actual dates may vary somewhat). Salary will be paid out over 12 months in accordance with university payroll policies. Ordinarily, the distribution of effort for teaching faculty will be as follows:

- 70% teaching (24 load units)
- 10% scholarship (3 load units)
- 10% service (3 load units)
- 5% assessment and accreditation (1.5 load units)
- 5% advising and mentoring (1.5 load units)

Faculty members may negotiate changes in their effort and load distribution with their chair or dean as appropriate. All changes in load are subject to approval by the Dean of the College in which the faculty member has their primary appointment. Changes in the distribution of effort will be reflected in the faculty member's assessment process.

**12-month Teaching Faculty** - Faculty members are expected to be fully-employed at the University of Pikeville for 12 months with vacation periods that accrue based on criteria outlined in chapter 1 of this handbook.

Faculty members may negotiate changes in their effort and load distribution with their Dean as appropriate. All changes in load are subject to approval by the Dean of the College in which the faculty member has their primary appointment. Changes in the distribution of effort will be reflected in the faculty member's assessment process.

### 3.3.8 Adjunct Faculty

This policy has been changed to match the market-place rate of pay for adjunct faculty. The rate is set by Human Resources in consultation with the Provost office.

### 3.3.9 Types of Undergraduate Faculty Defined

**Faculty** are full-time employees who hold a position in affinity with the academic function of the University either through teaching, research or academic service. Within the broad classification of faculty are many different types of roles. These roles are described below:

**Teaching Faculty** - A person who is employed full-time with primary responsibilities in teaching, scholarship, and service. Teaching faculty includes:

1. Instructor - Normally, all members of the faculty must hold a Master's degree. It is recognized, however, that some highly specialized areas of instruction may not demand this. The rank of Instructor is usually held to two years with the faculty member working for a higher degree before consideration for promotion. Promotion to Assistant Professor becomes effective the semester following completion of the master's degree.
2. Assistant Professor - Must hold the master's degree and show evidence of highly effective teaching or hold a terminal degree at the time of appointment.
3. Associate Professor - Must hold the Master's degree and show evidence of highly effective teaching or hold a terminal degree at the time of appointment and show evidence of highly effective teaching as well as contribution to the community or the profession.
4. Professor - Must hold either the doctorate or other terminal degree and show evidence of continuing effectiveness within the areas of teaching, service, and scholarship.

**Administrative Faculty** - A person who is employed full-time with primary responsibilities in academic administrative duties that directly impact academic integrity and programming. These individuals typically invest more than 50% of their time in the administration of curriculum, instruction, assessment, scholarship or academic policy.

**Visiting Professor** - A person who is appointed to the faculty on a temporary basis and to whom the policies of rank improvement do not apply. Visiting professors are typically appointed for one year. Should a visiting professor remain for more than two years, the

academic administration must consider the creation of a permanent faculty appointment.

**Emeriti Faculty** - A person who has achieved the rank of Associate Professor or Professor who has limited or terminated their responsibilities as a faculty member for a valid reason (eg. retirement or illness) after 15 or more years of distinguished service to the University. (See *Faculty Emeritus* of the handbook for a full description of the selection process and privileges.)

**Scholar/Artist in Residence** - A person who has achieved national or international recognition for publications, compositions, works of art, or performances. This title may be used as an addition to any type of faculty position described above.

**Adjunct Faculty** - A person who is employed less than three-fourths time to teach courses within the academic curriculum. In addition, these individuals do not have scholarship or service responsibilities typically assigned to teaching faculty. Adjunct assignments are made each semester.

**Administrative Officers with Academic Rank** - Administrative officers who have faculty status will have rank determined at the time of appointment by the Provost and the President.

## Chapter 4 - The Kentucky College of Osteopathic Medicine

## 4.1 General Overview

## 4.1.1 College of Osteopathic Medicine's Mission Statement

The University Of Pikeville Kentucky College Of Osteopathic Medicine is a specific response to the commitment to central Appalachia. The mission of the school is: To provide students with an osteopathic medical education leading to the degree of Doctor of Osteopathic Medicine that emphasizes primary care, encourages research, promotes lifelong scholarly activity, and produces graduates who are committed to serving the healthcare needs of communities in rural Kentucky, Appalachia, and other underserved areas.

## 4.1.2 College of Osteopathic Medicine's Goals & Objectives

Kentucky College of Osteopathic Medicine (KYCOM) educates its students to become competent and compassionate osteopathic physicians. Given KYCOM's mission, its emphasis is on developing primary care physicians for underserved and rural communities. The following goals and objectives guide attainment of the KYCOM mission:

1. To recruit and graduate osteopathic medical students who are dedicated to alleviating the shortage of medical services in rural and underserved areas of Kentucky, Appalachia, and the nation.
  - a. Recruit students from Kentucky, Appalachia, the neighboring region, and other rural and underserved areas.
  - b. Recruit students with a strong desire to practice patient-centered medical care in medically underserved communities.
2. To offer a curriculum that integrates a strong foundation of medical knowledge with the professional, cultural and ethical traits desired in its students and graduates.
3. To educate osteopathic medical students in the art and science of osteopathic medicine using the most current research in clinical and basic science.
  - a. Provide opportunities for research and scholarly activity for students and faculty.
  - b. Advance medical knowledge and the quality of health care through educational, scientific, and clinical research.
4. To provide a curriculum that promotes and measures student competencies to enhance the development of future osteopathic physicians who are competent practitioners of patient-centered, quality medical care.
  - a. Prepare students to pass the COMLEX-USA board exams.
  - b. Incorporate clinical teaching throughout the four-year curriculum.



- c. Promote the acquisition of the core competencies during student clinical rotations.
  - d. Develop and maintain clinical education sites in rural and underserved Kentucky and Appalachian areas that promote providing rural primary care within our region.
- 5. To prepare physicians committed to improving access to quality, competent, and patient- centered medical care for all, with an emphasis on developing primary care physicians for underserved and rural communities.
- 6. To support the Appalachian Osteopathic Postgraduate Training Institute Consortium (A- OPTIC) in the development of postgraduate educational opportunities that advance the training of our students, residents, and faculty.
- 7. To prepare KYCOM students to enter and succeed in postgraduate training programs.
- 8. To cultivate an appreciation of lifelong learning in KYCOM students and graduates through the development of scholarly inquiry skills.

### 4.1.3 Ethical Standards

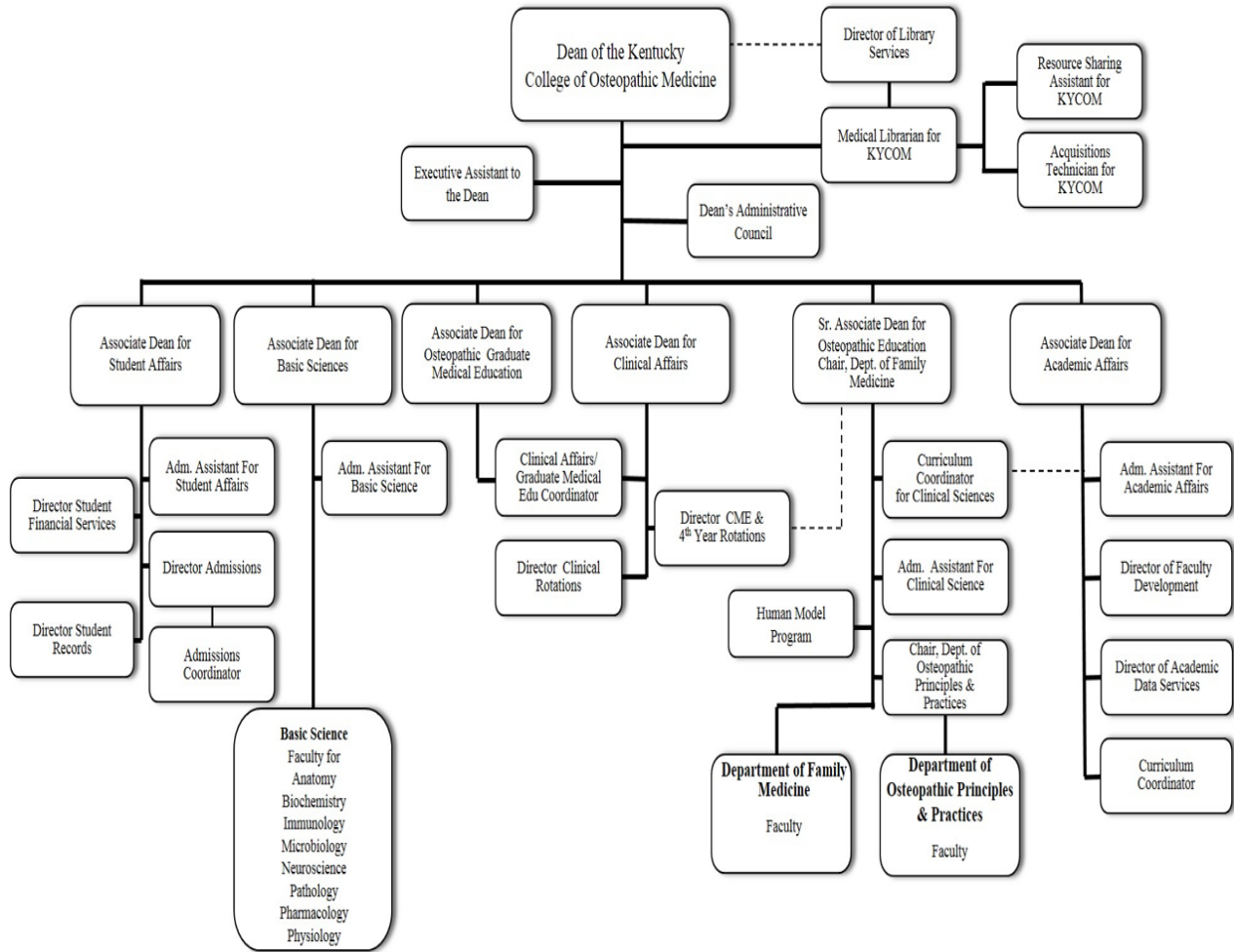
All faculty are expected to adhere to the highest moral and ethical standards as educators, scientists, or physicians as adopted by the [American Osteopathic Association](#). Furthermore, all faculty are to set an example and assist in the instruction of medical ethics.

#### 4.1.4 Diversity Statement

KYCOM recognizes values and affirms that diversity contributes richness to the College and enhances the quality of education. Students, faculty, staff and administrators are valued for their diversity. KYCOM is committed to providing an academic and employment environment in which students and employees are treated with courtesy, respect and dignity. It is the policy of KYCOM that no student or employee will be denied the benefits of or be subjected to discrimination in any program sponsored by KYCOM.

## 4.2 Organizational Structure

### Kentucky College of Osteopathic Medicine



## 4.3 KYCOM Faculty

### 4.3.1 Membership

Faculty membership includes all regular and probationary members of the teaching faculty and administrative staff holding faculty rank.

## 4.3.2 Functions

### A. Academic

1. The primary responsibility of the faculty is to provide high quality instruction and scholarly activity.
2. The graduate faculty determines the content of the curriculum and the requirements for promotion and graduation of osteopathic medical students.
3. In consultation with the Promotions and Matriculation Committee, the faculty recommends candidates for degrees to the Board of Trustees.

### B. Management

1. Advisory
  - a. Faculty members are required to advise assigned students.
  - b. The faculty recommends alternative course of action to principals in the college government to solve academic problems and to improve the general level of instruction.
2. Administrative
  - a. Administrative function is exercised through faculty committees and academic divisions.
  - b. The faculty is responsible for the enforcement of all academic regulations and/or policies of KYCOM.

### 4.3.3 Academic Structure

- A. Division of Academic Affairs
- B. Division of Basic Sciences
- C. Division of Clinical Sciences
- D. Division of Student Affairs



## 4.3.4 Faculty Congress

### Membership

1. All members of the full-time faculty of the College of Osteopathic Medicine and the President of the University are members of the Faculty Congress. They may participate in all meetings of the Faculty Congress, vote on all matters considered by the Faculty Congress.
2. Full-time faculty of the College of Osteopathic Medicine who hold administrative positions may be asked to withdraw from a session of the Congress by the request of the non-administrative faculty for a Closed Session.
3. Adjunct faculty are special members of the Faculty Congress and vote on matters before the Congress by invitation and at the discretion of the Congress. Special members may not hold office.

### Purpose

1. To facilitate communication among the teaching faculty and between the teaching faculty and administration.
2. To develop and recommend academic policy.
3. To develop and recommend standards for teaching, scholarly activity, and professional growth.
4. To consider curriculum proposals emanating from the Curriculum Committee.
5. To consider matters of student and faculty responsibilities, privileges, and welfare.
6. To collect reports from all KYCOM committees.
7. To validate the credentials of candidates for graduation and forward their names to the Board of Trustees.

### Structure

1. Governance
  - a. Officers
    - i. Governance of the Faculty Congress is by Chairperson, Vice-Chairperson, and Secretary.

- ii. The Chairperson of the Congress shall publish the agenda for Congress meetings, impanel ad hoc committees as needed, ensure efficient progress in meeting Congress objectives, and draft reports or communications on behalf of the Faculty Congress.

b. Officers, Terms, and Duties

- i. The Chairperson shall be a regular member of the Congress holding rank of Associate Professor or Professor who has been a member of the faculty for at least two years. The Vice-Chairperson and Secretary shall be members of the Faculty Congress.
- ii. Elected officers serve one-year terms. Election of officers will take place at the first meeting of the Faculty Congress to be held in July.
- iii. Faculty members who hold administrative positions may not hold office.
- iv. Duties
  - 1. The Chairperson shall preside at all meetings of the Congress, periodically apprise the President and Board of Trustees on the status of matters affecting the faculty, and act as spokesperson for the Congress when so directed. The Vice-Chairperson shall fulfill the duties of the Chairperson when the Chair is unable to do so.
  - 2. The Secretary shall maintain records of all meetings and official business, distribute announcements and agenda for meetings.

**General Information**

- 1. The Faculty Congress shall meet at least four times per year. Notice of meetings and of the agenda shall be communicated to all relevant regular and special members in a timely manner. (NOTE: Meetings of the Faculty Congress are convened by the Chair of the Congress in accordance with provisions of the Congress By-Laws.)
- 2. A quorum shall consist of seven regular members.
- 3. The meetings will be governed by the most recent revisions of Robert's Rules of Order or by special procedures adopted by the Congress.

4. All regular members are expected to attend Congress meetings. Special members may attend meetings of the Faculty Congress by invitation.
5. Special meetings of the Faculty Congress may be called by the chair, the Dean, or by petition of one third of the regular members.
6. In all matters within its jurisdiction, the actions of the Faculty Congress shall become operative following approval by the Dean, and when necessary, by the Board of Trustees

## 4.3.5 Faculty Committees

The expected length of service for a faculty member on each committee is three years. This time may be shortened or extended due to special circumstances if agreed upon by the faculty member and the Dean. Following the three-year period, a faculty member is expected to rotate off of that committee for at least one year.

Faculty will list their first, second and third choices of committees and submit their choices to the Faculty Congress Chair. The Faculty Congress Chair shall assign them to their highest committee choice until all committee vacancies are filled. Every effort will be made to have committee member appointments staggered so that committees are not left without an experienced member (as would be the case if all members rotated off at the same time.) In the event that all members of a committee are scheduled to rotate off of a committee, the most recent committee chairperson is to remain on the committee for one additional year.

At the first committee meeting following committee assignments, which shall take place no later than two weeks following committee assignments, a committee chairperson shall be elected from among the voting members. Only voting members of the committee may participate in this vote.

### **Promotion and Matriculation Committee**

#### **1. Membership**

- a. The committee shall consist of eight members, including three faculty members and the Associate Deans of Basic Sciences, Clinical Sciences, Academic Affairs, Osteopathic Education and Student Affairs. One of the faculty members will serve as chair.

#### **2. Responsibilities of the Committee**

- a. The committee shall meet at least once per semester, at the call of the chair or co-chair.
- b. The committee shall act on and recommend to the Dean actions regarding unsatisfactory student academic performance or misconduct as described in the KYCOM Student Handbook.

- c. The committee shall inform students in academic difficulty of potential consequences of failing one or more courses, COMLEX examinations, and/or clinical rotations, as described in the KYCOM Student Handbook or Clinical Rotations Manual.
- d. The committee shall inform students, in a timely manner, of actions recommended for remediation of failed courses and/or clinical rotations.
- e. The committee shall consider, in consultation with course directors, alternative remedial action(s) proposed by students who have failed courses and/or clinical rotations and who dispute the appropriateness of recommended remediation actions.
- f. The committee will hear appeals of grade change requests by students or faculty that are not resolved by following the steps outlined in Section Four Article VII Academic Due Process – Grade Appeal.
- g. The committee shall inform the Faculty Congress of students meeting or not meeting all criteria for graduation.

## **Curriculum Committee**

### **1. Membership**

- a. The committee shall consist of the Associate Dean of Academic Affairs, who shall serve as a chair, six full time faculty members, from among whom a vice chair is elected. Membership will also include at least two adjunct clinical faculty members, and three student representatives. All members have voting privileges.
- b. Both the basic science and clinical science divisions will be represented on the committee, and service from a faculty member from the Department of Osteopathic Principles and Practices will be required to serve.
- c. Faculty with administrative responsibilities can serve as members of this committee.
- d. Three students (one each from the first and second-year classes, and one from the third/fourth year classes) will be nominated by their peers to serve on the committee.
- e. A quorum will consist of three full-time faculty members and a chair or co-chair.

## 2. Responsibilities of the Committee

- a. The committee shall meet at least four times per year, at the call of the chair or co-chair.
- b. The committee shall consider all matters pertaining to the establishment, review, and continual evaluation of the curriculum and prepare reports for consideration by the Faculty Congress. This consideration shall include review of both preclinical (1st and 2nd years) as well as clinical (3rd and 4th years) courses.
- c. The committee shall collaborate with the faculty and administrators to ensure adherence to the following policies and protocols.
  - i. The committee, prior to the start of the academic year, will review and adopt a common form to be used for conducting course and faculty evaluations. Evaluations are required of students and must be conducted by course directors during the final two weeks of their course. All faculty must use the same forms for evaluations, available from the Associate Dean for Academic Affairs, for appropriate statistical analysis of results.
  - ii. The committee will review and approve all course syllabi prior to the start of each academic semester to ensure adherence to format, style, and content requirements. This includes policies such as attendance, grading, exams and quizzes, and reading or other assignments.
  - iii. Annually, the committee will perform a comprehensive review of curriculum content. This analysis will be used to identify content gaps and redundancies, and recommend changes as needed.
  - iv. The committee will submit an annual report to the Faculty Congress that assesses the ability of the graduate curricular and program requirements to fulfill the goals of appropriate Institutional Effectiveness Plans.

3. **Protocol for Curriculum Change:** Changes to curriculum may be initiated by KYCOM students, faculty, or administrators. The process for this task is:
  - a. Proposal of a new course is submitted to the Curriculum Committee for inclusion on the agenda for its next scheduled meeting. The proposal must include:

- i. Discussion of why the course is needed, including:
    1. Evidence of recent review of the literature regarding content;
    2. Academic medical literature regarding the need for integrating this content into a medical school's curriculum.
  - ii. Course title;
  - iii. Credit hours;
  - iv. Laboratory/Lecture hours;
  - v. Faculty required;
  - vi. Other resources required;
  - vii. Syllabus;
  - viii. Grading policy;
  - ix. Discussion of how added curriculum time will affect time for other course(s) and justification for doing so.
- b. Proposed curriculum changes, other than proposals for new course offerings, will follow the same review process:
- i. Consideration by the KYCOM Curriculum Committee;
  - ii. Consideration by the KYCOM Faculty Congress (if approved by the Curriculum Committee);
  - iii. Final consideration by the Dean of KYCOM (if approved by the Faculty Congress).
- c. If approved by the Curriculum Committee, the course proposal or suggested curriculum change will be forwarded to the Faculty Congress and included on the agenda for its next scheduled meeting. If approved by the Faculty Congress, the proposal for a new course or curriculum change will be forwarded to the Dean of KYCOM for a final decision.

## **Instructional Resources Committee**

### **1. Membership**

- a. The committee shall consist of seven members: three members of the faculty (at least one of whom is a clinical faculty member), the Medical Librarian, an Information Technology representative, and two students nominated by their peers and approved by the Dean. The Chair must be a faculty member and will be elected by the committee.

- b. A quorum shall consist of four committee members, at least one of which is a faculty member.

## **2. Responsibilities**

- a. The committee shall meet at least once per semester, as called by the Chair.
- b. The committee shall review and consider all matters relating to the operation of the medical library, all educational resource holdings, and services affecting instruction and instructional quality. This review includes but is not limited to:
  - i. A yearly inventory of faculty and classroom instructional technology resources;
  - ii. A yearly review of facility resources;
  - iii. A report from the Medical Librarian concerning library holdings, acquisitions, and resource needs;
  - iv. An assessment of instructional resource availability and quality at 3rd and 4th year clinical rotation sites as determined by clinical faculty inspection.
- c. The committee shall recommend policy changes and actions to the Faculty Congress.

## **Admissions Committee**

### **1. Membership**

The committee shall consist of six voting members from both basic science and clinical science faculty. The Associate Dean for Student Affairs will be an ex-officio member and serve as Secretary. The Chair must be a faculty member and will be elected by the committee.

### **2. Responsibilities**

- 1. The committee shall meet, as called by the Chair, to review and consider applicants for admission. The committee will then advise and recommend to the Dean the candidates for admission.
- 2. The committee shall annually review criteria and procedures for screening and admission to the medical school and, if necessary, recommend to the Faculty Congress changes to the criteria or procedures.



3. A quorum will consist of 4 voting members for all official actions of the committee.

## **Research Committee**

### **1. Membership**

- a. The committee shall consist of six full-time faculty from both the basic science and clinical science divisions. All members have voting privileges.
- b. The Chair must be a faculty member and will be elected by the committee.
- c. A quorum will consist of four committee members, one of which must be the chair.

### **2. Responsibilities**

- a. The committee shall meet at least once a semester at the call of the chair.
- b. The committee shall establish, review, and communicate the mission and objectives of research in accordance with the standards published by the profession.
- c. The committee shall make available specific criteria and documentation required prior to consideration of any and all research proposals.
- d. The committee will review requests for intramural funding for faculty projects and student fellowships, and make recommendations to the appropriate Dean(s) as to the level of support.
- e. The committee will review all requests for capital equipment, supplies, and maintenance of the dedicated research facilities and make recommendations to the Dean.
- f. The committee and support staff will assure accurate accounts are maintained of all spending associated with the internal budget and that spending is kept within the allotted budget.
- g. The committee shall report to faculty congress and provide an updated annual summary report to the Dean and/or Board outlining research activities for that year at UP-KYCOM.
- h. The committee shall make recommendations to the Dean as to the future directions for research, grants and any sponsored programs at UP-KYCOM.

## **Faculty Affairs Committee**

### **1. Membership**

- a. The committee shall consist of a chair and five full-time faculty members. All members have voting privileges.
- b. The Chair must be a faculty member and will be elected by the committee.
- c. Both the basic science and clinical science divisions will be represented on the committee.
- d. A quorum will consist of three full-time faculty members and the chair.

### **2. Responsibilities**

- a. The committee shall meet at least once per semester at the call of the chair.
- b. The committee shall consider all matters pertaining to the review and revision of the KYCOM Chapter of the Faculty Handbook. This charge includes but is not limited to:
  - i. Annual review of all Handbook contents for accuracy and currency
  - ii. Input into and recommendations for the improvement in the evaluation process for all KYCOM faculty members
  - iii. Review and recommend changes to the KYCOM faculty promotion in rank criteria

The committee will report all recommendations to the Faculty Congress as a recommendation to Faculty Policy Council and then on to the UPIKE Board of Trustees for final approval.

## 4.4 Responsibilities and Relationships

## 4.4.1 Academic Standards and Procedures

- A. Each faculty member will actively participate in the course(s) to which he/she is assigned. This includes, but is not limited to: contributing to the development of course outlines and syllabi; participating in formal instruction; assisting students experiencing difficulties with the discipline, and preparation and evaluation of examinations.
- B. Course Outlines and Syllabi
  - a. Each course director is responsible for designing and providing to students a clear, concise and carefully defined course outline, objectives, and syllabus which projects the anticipated content and progress of the course.
  - b. Each year prior to the beginning of instruction, the course director shall submit to the appropriate associate dean the course outline and objectives with a copy forwarded to the Dean. Directives concerning the format and style of these outlines will be handled through the respective associate dean.
- B. Academic Schedule
  - a. The final schedule is approved by the Dean, after advice and consideration by the faculty, and the appropriate associate dean.
  - b. The schedule will be reviewed annually by the Curriculum Committee.
- C. Remediation
  - a. Course directors are responsible for determining the nature of academic deficit that exists when students fail their course and for recommending to the Promotion and Matriculation Committee suitable actions for remediation of their course.
  - b. Course directors will participate in remediation of their course when such remediation involves an examination either alone or in conjunction with limited tutorial-like exercise.
  - c. When remediation is required, the process and content are determined by the course director and/or department chair. The offering, however, must be consistent with KYCOM academic policies.

## 4.4.2 Faculty Evaluation

- A. Annual Evaluation - On or before May 15 of each year, the faculty member shall forward to the respective associate dean a written self-evaluation of the past year's professional activity. This should include specifics in such areas as teaching, committee work, off-campus professional activity, scholarly activity, or any other activity deemed important to the success of KYCOM.
- B. Student Evaluation - The Office of Academic Affairs sends two forms electronically to students, one for evaluating each faculty member who has taught them during the semester, and another for evaluating the course. These data are transmitted confidentially to the appropriate associate dean and provided to faculty members during annual evaluation meetings.
- C. Associate Dean Evaluation - On or before May 30 of each year, the appropriate associate dean will meet with each faculty member to discuss and evaluate the previous year's performance. Evaluations will be conducted using forms approved by the faculty. This will include, but not be limited to, assessment of:
  - a. Teaching effectiveness;
  - b. Research, publications, proposals, and other professional contributions;
  - c. Receipt of awards and fellowships;
  - d. Leadership in professional organizations;
  - e. A accomplishments in the field of specialization;
  - f. Other services to the university.
- D. Dean Evaluation - On or before June 15, after reviewing with the associate dean and the faculty member, the Dean will review the evaluation with the President and make the final recommendation for reappointment, rank, and salary. The final decision will be made and released by June 20.

### 4.4.3 Faculty Evaluation of Administrators

Every year, a form will be distributed to faculty members in order to evaluate the performance of the Associate Deans. These will be confidential and anonymous. Evaluations of Associate Deans will be returned to the Dean.

#### 4.4.4 Faculty Responsibilities

In addition to the responsibilities outlined in the Chapter 2 of the faculty handbook KYCOM Faculty are expected to be responsible for the following:

**A. Attendance at College Functions**

Full-time faculty members are required to attend commencement and are encouraged to attend all University-sponsored functions.

**B. Outside Professional Service/Work**

Full-time faculty members are to hold the mission of Kentucky College of Osteopathic Medicine as their primary professional responsibility. All outside activities of a professional nature must be compatible with this mission and must not interfere with the responsibilities at KYCOM assigned to the faculty member.

**C. Outside Professional Activities**

Full-time faculty members of KYCOM are encouraged to participate in their area of expertise and professional community. These activities, within the scope of the individual faculty member's discipline or area, are those that cast a favorable light upon KYCOM and benefit the faculty member, the University, and the larger community. These activities include, but are not limited to serving on local, regional, and national professional committees, acting in an editorial capacity for a professional journal, acting as a reviewer for journal and book manuscripts, publishing or presenting original research or ideas, participating in or holding office in professional organizations at the local, regional, or national level, professional development activities, and interactions with public groups as related to the individual's area or expertise or discipline. Outside professional activities are considered those that do not result in compensation through additional salary of the faculty, with the exception of one-time activities that generate a small honorarium, such as invited talks at symposia or lectures.

**D. Outside Employment**

Full-time faculty members of KYCOM are allowed compensation for outside activities that do not interfere with the responsibilities to the University. While compensated outside activities may be valuable for both faculty and KYCOM, the primary activity of a faculty member is to fulfill their responsibilities to the college.

A full-time appointment includes the obligation to maintain a meaningful presence on behalf of the college, including being accessible to students and colleagues.

Faculty who wish to pursue outside employment or outside professional activities may do so under the following guidelines:

- a. No outside activities may interfere with the performance of the faculty member's duties to the University.
- b. Outside employment which removes the faculty member from campus during times that would be considered typical contact hours should be limited to no more than the equivalent of one standard day per week as a yearly average. Arrangements with the appropriate administrator are necessary for any time exceeding this. (See 2.3.12 Outside Employment)
- c. The President of University of Pikeville, the Dean of Kentucky College of Osteopathic Medicine, or the relevant Associate Dean have the right to deny the pursuit of any outside employment that is deemed damaging to the image and/or mission of Kentucky College of Osteopathic Medicine. This includes, but is not limited to, any illegal activities or any activities that interfere with the faculty member's ability to serve the College of Osteopathic Medicine.

#### **E. Community Service**

Faculty members are professionals with unique capabilities which enable them to contribute to the community. Therefore, they are encouraged and have the responsibility to participate in community activities and to make these contributions to the community.

#### **F. Political Activity**

Faculty members are encouraged to participate in political activities of the community of which they are members, as long as these activities do not interfere with the faculty member's responsibilities to the University.

#### **G. Student Evaluation and Advisement**

- a. Grading
  - i. Student performance in a course is based on performance on written examinations, written or oral reports and discussions, participation in laboratory exercises, or other means deemed appropriate by course instructors.



- ii.** Grades are reported either as percentages, with 70% overall considered minimal for passing, or as PASS/FAIL.
- b.** Responsibilities and Relationships
  - i.** Objectives of academic advisement are to provide individual assistance for each student; help each student advance academically; and promote better study habits and more constructive attitudes and approaches to study.
  - ii.** Each entering student is assigned a faculty advisor. Advisors should be available for their advisees and assist them throughout their medical studies.

## 4.5 Personnel Policies specific to the KYCOM Faculty

In addition to the personnel policies outlined in the Chapter 2 of the faculty handbook KYCOM Faculty are expected to be responsible for the following:

## 4.5.1 Faculty Recruitment and Appointment

### A. General Policy

- a. This policy on faculty appointment states that the administration and the faculty wish to maintain the highest possible standards of teaching and scholarship at University of Pikeville Kentucky College of Osteopathic Medicine. The appropriate academic division will take appropriate action to recruit faculty. In accordance with university policy and procedure, faculty appointment contracts are subject to all conditions of this faculty handbook.
- b. The College of Osteopathic Medicine requires that faculty earn their qualifying degrees from regionally accredited institutions within the United States or from a foreign institution that is accredited by the appropriate agency within that country. Procedures for validating academic qualifications from a foreign institution include: (a) close review of transcripts, diplomas, or other presentations of course work completed; (b) verification that the sending institution is accredited by the appropriate sanctioning/accrediting body; (c) review of course descriptions contained in the official catalog; and (4) candidate demonstration of content knowledge through published works, teaching demonstrations, or interviews with faculty in the teaching discipline.
- c. As part of the interview and employment process at University of Pikeville, candidates are assessed for proficiency in oral and written communication in the English language during a teaching demonstration.

### B. Recruitment Process

- a. The relevant associate dean will appoint a faculty recruitment committee.
- b. This committee shall advertise in the appropriate professional and academic journals, review credentials, interview, and recommend to the Dean the selected candidates.
- c. All applicants will be considered regardless of age, gender, sexual orientation, race, color, creed, religion, handicap, or national origin.

### C. Appointment to the Faculty

- a. The President, upon recommendation of the Dean, will offer to the individual selected a formal appointment, subject to confirmation by the Board of Trustees. The offer will be made in writing and should specify rank, salary, and other conditions of employment.
- b. The candidate for appointment should be advised prior to the probationary appointment of the criteria and procedure for advancement and of other responsibilities associated with appointment to the faculty of the Kentucky College of Osteopathic Medicine.
  - i. At the time an offer of appointment is made, the candidate will be provided copies of current editions of the KYCOM Faculty Handbook, the University Personnel Handbook, the KYCOM Student Handbook and other relevant literature. A checklist will be included in the prospective appointee's file noting which handbooks and literature were provided.
  - ii. Upon accepting appointment to the faculty, the new appointee will acknowledge receipt of the relevant handbooks and literature and certify their familiarity with the contents and provisions in these materials on a form provided for that purpose.
- c. Appointments
  - i. The initial appointment of a faculty member will be for a one-year probationary period, which may be repeated for one or two years. A person who joins the faculty having already earned the rank of Professor at a previous institution may be offered a three-year contract at the outset.
  - ii. After completing one year, a faculty member may be moved to a three-year contract with the recommendation of the Dean.
  - iii. The probationary period shall not exceed three years.
  - iv. Appointments are subject to renewal but contain no right or expectancy of renewal.
  - v. A three-year contract does not imply any promise of promotion or any regular increase in salary. It does assure the faculty member of participation in a general change in salary scale and provisions for general working conditions on the same basis as others similarly situated. However, should a faculty member be promoted, the

salary shall be raised to the appropriate level of the faculty salary scale.

d. Special Appointments

Special appointments to the Medical School faculty will be one of three types:

- i. Visiting appointments are full-time teaching appointments for a specified period, usually one year or less. These appointments are subject to renewal only at the initiative of the University.
- ii. Part-time appointments are for persons who carry less than a full teaching load for a specified period. These appointments are subject to renewal at the initiative of the University.
- iii. Adjunct faculty appointments are made to affiliate clinical faculty who teach the medical students.

## 4.5.2 Faculty Promotion in Rank

### **Basis for Promotion and Evaluation**

1. Evaluation and promotion of faculty members are to be based on the areas of academic responsibilities, scholarly activity, and service to the University and community.
2. In as much as the education of students is the primary mission of the University of Pikeville, teaching effectiveness is the main criteria for the evaluation and promotion of faculty members.
3. Scholarly activity is encouraged of all members of the faculty.
4. Service to the University and community are necessary for the functioning of the college and to maintain the goodwill of the college with the community.
5. As a general rule, an assistant professor shall have served for at least five years at rank before being considered for the rank of associate professor, and associate professor shall have served at least seven years at that rank before being considered for the rank of full professor. Years of full-time service at any rank prior to appointment at UP-KYCOM may apply toward meeting these standards. At the discretion of the appropriate Dean, faculty members may apply for early promotion with fewer years served at rank.

**Procedure for Promotion in Rank** - A more detailed description of this process is available in Chapter 2 of this handbook

1. Beginning in the fifth year at rank for assistant professors or the seventh year at rank for associate professors, a faculty member may initiate the process of applying for promotion.
2. The faculty member must submit a letter of intent to the appropriate administrator by September 1.
3. The faculty member must submit a portfolio of supporting materials to the appropriate Senior/Associate Dean by October 1. The portfolio must include the following:
  - a. A self-evaluation Letter reflecting on teaching, scholarly activity, and service.
  - b. An updated CV.

- c. 3 Letters of Support for promotion by faculty at or above the rank being applied for.
  - d. Student Evaluations.
  - e. A list of scholarly activities and faculty development attended.
4. The Associate Dean will consult with the Dean and must submit the portfolio to the UPIKE Rank and Promotion Committee Chairperson by November 1<sup>st</sup> with a recommendation for or against promotion. The Associate Dean must supply a letter stating rationale for the recommendation.
5. By March 15, the Rank and Promotion Committee will forward the complete portfolio and their recommendation to the Dean along with justifications for the recommendation and number of yes and no votes.
6. The Dean shall submit the portfolio to the President's office with a recommendation for or against promotion. The President shall present his recommendation for or against promotion to the Board of Trustees at the following meeting.

### 4.5.3 Personnel Documents and Records

- A. Because appointment as a ranked faculty member may lead to a continuing relationship with the University, it is essential that there be adequate and detailed documentation to support every action pertaining to appointment, promotion, contract status, layoff, suspension, and dismissal. The University maintains three categories of files for each faculty member
- a. Personnel files in the Dean's office shall include but not be limited to:
    - i. Information relating to the faculty member's academic and professional accomplishments submitted by the faculty member or placed in the file at the faculty member's request.
    - ii. Copies of ratings and evaluations of the faculty member's performance.
    - iii. Personnel information.
    - iv. A transcript of academic credentials.
    - v. A resume of the faculty member's accomplishments.
    - vi. Annual letter of appointment.
    - vii. Official letters for promotion.
  - b. Division file  
Personnel files maintained by an associate dean contain curriculum vitae of faculty members, annual evaluations, and workload information.
  - c. Business Office Information  
The human resources office maintains records involving faculty members payroll information, insurance, and retirement.
- B. Files will be kept in strictest confidence in the office of the Dean and will be available for confidential use only in or near that office during regular business hours and only to the President, the Dean, and Dean's professional staff. Faculty members will have access to and may copy the contents of their own files. However, for a valid reason, the faculty member may request in writing that the University give access to his/her file to a person not indicated above.
- C. Further, the University may permit access to and copying from files pursuant to lawful requests of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts. The faculty



member will be notified, in writing, whenever the University permits such access to or copying from a faculty member's file.

## 4.5.4 Leave of Absence

- A. Copies of request for a one-year leave of absence, without pay, are directed to the Dean. After consultation, this will be forwarded to the President.
- B. Requests for leave must be submitted before May 15. Faculty members who are granted leaves of absence by the President are required to notify the Dean of their intention to resume teaching duties at the college on or before March 1 prior to the expiration of the leave.
- C. Contributions to the TIAA Retirement Program will not be made by the University for faculty members who are on leaves of absence, nor will the University continue to make contributions for the medical insurance plan. In such cases, the faculty members may continue in the medical plan, the disability and the life insurance plan, and the TIAA retirement plan if they wish to do so by making their own payments to the University.

## 4.6 Ethical Standards Established by the AOA

All physicians must adhere to the standards established by the American Osteopathic Association as listed below. Further, the American Osteopathic Association has adopted the position that actively practicing physicians should play the major role in the development and instruction of medical ethics.

Section 1. The physician shall keep in confidence whatever she/he may learn about a patient in the discharge of professional duties. Information shall be divulged by the physician when required by law or when authorized by the patient.

Section 2. The physician shall give a candid account of the patient's condition to the patient or to those responsible for the patient's care.

Section 3. A physician-patient relationship must be founded on mutual trust, cooperation, and respect. The patient, therefore, must have complete freedom to choose her/his physician. The physician must have complete freedom to choose patients whom she/he will serve. However, the physician should not refuse to accept patients for reasons of discrimination, including, but not limited to, the patient's race, creed, color, sex, national origin, sexual orientation, gender identity or handicap. In emergencies, a physician should make her/his services available.

Section 4. A physician is never justified in abandoning a patient. The physician shall give due notice to a patient or to those responsible for the patient's care when she/he withdraws from the case so that another physician may be engaged.

Section 5. A physician shall practice in accordance with the body of systematized and scientific knowledge related to the healing arts. A physician shall maintain competence in such systematized and scientific knowledge through study and clinical applications.

Section 6. The osteopathic profession has an obligation to society to maintain its high standards and, therefore, to continuously regulate itself. A substantial part of such regulation is due to the efforts and influence of the recognized local, state, and national

associations representing the osteopathic medical profession. A physician should maintain membership in and actively support such associations and abide by their rules and regulations.

Section 7. Under the law a physician may advertise, but no physician shall advertise or solicit patients directly or indirectly through the use of matters or activities which are false or misleading.

Section 8. A physician shall not hold forth or indicate possession of any degree recognized as the basis for licensure to practice the healing arts unless she/he is actually licensed on the basis of that degree in the state in which she/he practices. A physician shall designate her/his osteopathic school of practice in all professional uses of her/his name. Indications of specialty practice, membership in professional societies, and related matters shall be governed by rules promulgated by the American Osteopathic Association.

Section 9. A physician should not hesitate to seek consultation whenever she/he believes it advisable for the care of the patient.

Section 10. In any dispute between or among physicians involving ethical or organizational matters, the matter in controversy should first be referred to the appropriate arbitrating bodies of the profession.

Section 11. In any dispute between or among physicians regarding the diagnosis and treatment of a patient, the attending physician has the responsibility for final decisions, consistent with any applicable hospital rules or regulations.

Section 12. Any fee charged by a physician shall compensate the physician for services actually rendered. There shall be no division of professional fees for referrals of patients.

Section 13. A physician shall respect the law. When necessary a physician shall attempt to help to formulate the law by all proper means in order to improve patient care and public health.

Section 14. In addition to adhering to the foregoing ethical standards, a physician shall recognize a responsibility to participate in community activities and services.

Section 15. It is considered sexual misconduct for a physician to have sexual contact with any current patient whom the physician has interviewed and/or upon whom a medical or surgical procedure has been performed.

Section 16. Sexual harassment by a physician is considered unethical. Sexual harassment is defined as physical or verbal intimidation of a sexual nature involving a colleague or subordinate in the workplace or academic setting, when such conduct creates an unreasonable, intimidating, hostile, or offensive workplace or academic setting.

Section 17. From time to time, industry may provide some AOA members with gifts as an inducement to use their products or services. Members who use their products and services as a result of these gifts, rather than simply for the betterment of their patients, shall be considered to have acted in an unethical manner.

Section 18. A physician shall not intentionally misrepresent herself/himself or her/his research work in any way.

Section 19. When participating in research, a physician shall follow the current laws, regulations and standards of the United States or, if the research is conducted outside the United States, the laws, regulations and standards applicable to research in the nation where the research is conducted. This standard shall apply for physician involvement in research at any level and degree of responsibility, including, but not limited to, research, design, funding, participation either as examining and/or treating provider, supervision of other staff in their research, analysis of data and publication of results in any form for any purpose.

## Chapter 5 - The Kentucky College of Optometry

## 5.1 Mission of the Kentucky College of Optometry

We are practitioners of the healing arts defining the standard for excellence in Optometric education and vision care. Our graduates apply their unparalleled knowledge of clinical care and vision science in a cultural environment of faith, social justice and human dignity in Appalachia and rural America.

## 5.2 Functions, Faculty Membership, and Governance



## 5.2.1 Functions of the Faculty

The primary function of the faculty of KYCO is to educate optometry students and prepare optometrists for successful practice. To achieve this goal, the faculty engage in didactic and clinical instruction. The faculty of KYCO shall be responsible for governance of its affairs including, but not restricted to, instruction in both classroom and clinic, development, implementation and assessment of the curriculum, and regular review of student policies and faculty status. The voting members of the faculty constitute the KYCO Faculty Assembly.

## 5.2.2 Dean of the KYCO

Reporting directly to the President, the Dean of the KYCO is the Chief Executive Officer responsible for all faculty, staff, students, and academic and clinical issues related to the mission of the KYCO. In conjunction with the faculty of the KYCO, the Dean is responsible for maintaining consistency with the mission of UPIKE.

### 5.2.3 Faculty Administrators of the KYCO

The Dean of the KYCO shall be assisted by other professional members who have been appointed to administer specific responsibilities delegated to them by the Dean. Such additional officers may include: (1) the Associate Dean for Academic Affairs, (2) the Director of Student Affairs, (3) the Assistant Dean of Clinical Affairs, (4) The Director of Professional and Personal Development, (5) Academic Responsible Instructor designees, and (5) other program directors, and chiefs of clinical services. Faculty administrators are appointed by and serve at the discretion of the Dean. The Dean may delegate some aspects of the evaluation or supervision of these administrators, the faculty and staff to his designee.

## 5.2.4 Faculty Leadership Council

The Faculty Leadership Council shall consist of the Faculty Chair, Assistant Chair, and Secretary. At its regularly scheduled Spring Assembly meeting, the voting faculty shall elect a Chair, Assistant Chair, and a Secretary. These officers shall serve a one-year term beginning June 1 and renewable for a single year. No officer shall serve more than two consecutive terms in a given office. The Faculty Leadership Council shall be responsible for 1) presenting faculty issues and concerns to the Associate Dean for Academic Affairs at regularly scheduled meetings and report information back to the faculty, 2) consulting with the Associate Dean for Academic Affairs before setting the agenda for faculty meetings, and 3) representing the school at local, regional, or national professional meetings, when necessary.

The Chair shall call and preside over meetings of the Faculty Assembly, seek to determine the will of the faculty, and act as its spokesperson. The Assistant Chair shall preside in the absence of the Chair. Should both Chair and Assistant Chair be unable to attend a scheduled meeting, the faculty shall elect a chair pro tem to preside. The Secretary shall keep records of the proceedings, determine attendance and quorum. The Assistant Chair shall distribute or post minutes of Faculty Assembly meetings within 10 working days of a meeting. Minutes of the Faculty Assembly will be maintained electronically.

## 5.2.5 Faculty Voting Privileges and Assembly Meetings

1. Voting Faculty. All persons holding a full-time (75% time or greater) faculty appointment with a rank of Senior Instructor, Assistant Professor, Associate Professor, or Full Professor at the KYCO shall be voting members of the faculty. Members of the Executive Council may not vote on the same topic in both the Faculty meeting and on the executive council. They must abstain on one or the other. Voting by proxy (also known as delegated voting) is acceptable, as long as the proxy has submitted his/her vote in writing to the principal (i.e., the person assigned by the proxy to vote on his/her behalf) prior to the faculty assembly meeting. Voting privileges may be temporarily extended, on an individual basis, to other faculty of KYCO by a majority vote of the faculty. All votes of the faculty serve as recommendations to the Dean of KYCO.

2. Meeting Procedures. There shall be at least two general meetings of the voting faculty per regular semester. Notice of such meetings must be announced at least five working days prior to a meeting. Additional meetings of the faculty may be scheduled by the Faculty Chair or requested by the Dean, the Associate Dean for Academic Affairs, or by petition of 50% of the faculty.

The Dean or Associate Dean for Academic Affairs shall give notice of and shall preside at such specially requested Faculty meetings. The Faculty Chair shall report to the voting faculty at such meetings and shall invite input and advice from the faculty on issues of concern.

3. A Quorum for Meetings. All faculty shall have a voice at assembly meetings of the faculty. Other attendees may have a voice with permission of the Associate Dean for Academic Affairs or the Faculty Chair. A quorum for faculty meetings will be the presence of a simple majority of those eligible to vote. A quorum must be present in order to hold a vote at a faculty assembly meeting. All actions requiring a vote of the faculty shall be by an affirmative vote by a simple majority of the members voting.

## 5.2.6 Amendments to the KYCO Chapter of the Faculty Handbook

Changes and amendments to this chapter shall be provided to each member of the faculty at least ten working days prior to a duly called faculty assembly meeting at which such amendments shall be voted on. Changes and amendments to the chapter shall require a two-thirds majority of the eligible voting members of the faculty to be adopted. Faculty Assembly recommendations shall become effective immediately upon approval of the Dean. The Dean is responsible for posting the official, approved edition and any supplements on the website and other approved sites. Minor and non-substantive changes in this chapter can be made without approval from the Board of Trustees.

## 5.3 Organizational Units

### 5.3.1 Academic Departments

1. The faculty of KYCO may be organized into academic departments, which may be created to meet future needs of the school. Any such departments shall be formed and governed in accordance with this supplement. The Course Directors will serve as the chief course instructors accountable for the creation and operation of individual courses within the curriculum at the initiation of The Kentucky College of Optometry. These responsibilities may include acting as co-course directors for KYCO courses presented by Faculty with dual appointments to KYCO from other Colleges within The University of Pikeville.

2. If KYCO becomes organized into academic departments, the administrative officer of each department is its Chair. Departmental Chairs are responsible to the Dean of KYCO and also to their faculty for the conduct of fiscal, academic and personnel affairs within their department. They are responsible for providing leadership toward achievement of excellence in teaching, scholarship, and service activities within their departments.

Additional responsibilities of the academic department chairperson may include but are not limited to:

a. The recruitment, development, retention, and evaluation of departmental faculty as directed by the Dean of KYCO;

b. Overseeing teaching responsibilities, curricular needs and scholarly activities of departmentally assigned faculty;

c. Providing opportunity for and assisting faculty members in achieving optimal professional development in teaching and scholarly activity;

d. Conducting evaluations of departmental faculty and staff if assigned by the Dean and as specified by UPIKE or School policy;

e. Formulating recommendations to KYCO Academic Rank and Promotion Committee for promotion and/or other actions when requested;

f. Managing departmental budgetary actions as directed by the Dean, in



accordance with UPIKE and KYCO policies; and

g. Ensuring that courses co-taught with other Colleges within The University are consistent with the Academic and Clinical Goals of the students of The Kentucky College of Optometry.

3. A departmental chairperson may be assisted in his/her responsibilities by other faculty members appointed to serve as lead instructors, program directors, coordinators, or in other specific administrative functions. The individual courses will be the main responsibility of the Course Directors assigned to each course. Such appointments must be approved by the Dean.

4. Departmental chairpersons are appointed by and serve at the discretion of the Dean. The Dean may survey the faculty of the department for suggestions or volunteers.

5. The organization of or creation of academic departments is determined by the Dean in consultation with the faculty and other administrators.

## 5.3.2 Membership on Faculty Standing Committees

1. Faculty Membership on Standing Committees. The department chair or Associate Dean for Academic Affairs shall ask for nominations for each standing committee by departmental faculty. The Faculty Chair shall perform this function for faculty not assigned to a specific department. Other “qualified individuals” may be appointed by the Faculty Chair. The term “other qualified individuals” is defined as Optometric practitioners or other individuals, who, by their expertise or experience, can contribute important and relevant information to committee discussions and deliberations.

The KYCO faculty will then vote on the slate of nominees for each committee. The Dean will also have one appointed member on each committee. Committee assignments will then be made based on the results of the vote, and the term of service will be two years. Individual committee memberships shall be limited to a period not to exceed two consecutive two-academic year terms, except as provided for initial committee appointments.

The chairperson (and vice chairperson, if necessary) of each standing committee shall be elected from the faculty members on the committee, and the chairperson retains a vote in all matters. The committee chairperson shall direct the activities of the committee and preside over its meetings, with the assistance of the vice chairperson, if necessary. Committee officers shall serve for a period of two years beginning with the organizational meeting in which they were appointed or elected and extending through the next organizational meeting two years later.

A retiring member or chair or vice-chair of any one committee may be appointed, nominated or elected to that same committee after a lapse of one academic year. If an elected or appointed departmental faculty representative to a committee leaves the faculty organization permanently, or temporarily for a period to exceed six or more months, the Faculty Chair shall appoint an alternate faculty representative to that committee no later than ten working days following the occurrence of the committee vacancy.

2. Student Voting Members on Specific Standing Committees. Student voting members on specific Standing Committees is described in Article III. Student members will be

elected by their respective class to serve as outlined in this document. Elections will be held early in the academic year for OD1, OD2, OD3 and OD4. The slates of student nominees will be reviewed and approved by the Director of Student Affairs and the Faculty Chair. Terms of service for student members will be one year, and a new slate of student nominees will be elected again at the beginning of each academic year. Students on probationary status are not eligible to be members of standing committees. If a student, already serving on a committee becomes ineligible for any reason, their replacement will be named by the Chair of that committee in consultation with the Faculty Chair and the Dean.

3. Additional Membership on Standing Committees. In addition to faculty and students, membership on a standing committee may, if the Dean determines appropriate, include optometric practitioners and other qualified individuals, as ex-officio members.

4. Initial Appointments to Committees. Faculty membership on standing committees shall be appointed initially to allow a replacement of only 50% of its elected or appointed membership in an academic year. To accomplish this, each standing committee to be newly organized under this supplement shall be appointed with one-half of the faculty membership serving for a period of three academic years, and one-half for the regular two-year period. Those members appointed for three academic years initially will be replaced after that period by an equal number of representatives appointed for the normal two-year period.

5. Voting Members. All members except ex-officio members of the Faculty Standing Committees in these Bylaws have voting privileges. Accordingly, staff and students shall have full rights and privileges as other voting members. Ex-officio members serve on committees as consultants and advisers, but cannot vote. Voting privileges may be extended, on an individual basis, to other individuals of KYCO by a majority vote of the faculty.

6. Quorum. A quorum for standing committee meetings will be a simple majority of faculty and staff committee members. All actions requiring a vote shall be by an affirmative vote by a simple majority of the members voting.

7. Role of Standing Committees in Faculty Governance. All standing committees shall be appointed to represent KYCO faculty assembly in the governance of faculty affairs

and to protect and promulgate faculty interests pertaining to the mission, role, and functions of the school. These committees shall develop recommendations for the governance of the following specific areas of academic business:

- a. Student qualifications and standards for admission into the professional program and for progression through the curriculum;
- b. The requirements and standards for graduation from the professional education program;
- c. The requirements and standards for faculty professional development, including academic promotion and rank; and
- d. Professional student misconduct and issues of academic dishonesty.

8. Terms. Standing committees function from July 1 through June 30 of the following year. Each year will begin with the seating of new members, the election of new committee officers, and the determination of a specific agenda for the next year.

- a. The committee chairperson shall direct the activities of the committee and preside over its meetings, with the assistance of the vice chairperson, if necessary.

- b. Committee officers shall serve for a period of two years beginning with the organizational meeting in which they were appointed or elected and extending through the next organizational meeting two years later.

9. Minutes and Reports. Standing committees shall keep and approve all minutes of meetings and business. The secretary of the committee shall be responsible for the timely preparation of the minutes. Committee minutes shall be made available to the committee members, the Dean and the Associate Dean for Academic Affairs no later than ten business days after the meeting has been held. When accepted and approved by committee membership, minutes shall be distributed to the Faculty Leadership Council by the committee secretary. When such minutes include a specific recommendation or policy for faculty consideration, the Faculty Leadership Council shall communicate its recommendations to the standing committee. This paragraph is not intended to preclude the chair of a standing committee from making recommendations to the faculty that may not conform with the recommendations of the Faculty Leadership Council. An annual report of committee activities will be distributed to the faculty, the

Dean and the Associate Dean for Academic Affairs on a quarterly basis starting with the month of July of each academic year.

## 5.4 Standing Committees

## 5.4.1 Academic Standards Committee

The Academic Standards Committee develops and reviews policies related to academic progress and academic standards. In addition, the committee monitors student progression and uses policies and procedures to differentiate satisfactory and unsatisfactory progression of students. Recommendations regarding a student's academic progress are given to the Associate Dean for Academic Affairs for review. The Associate Dean will send both the recommendation of the committee and his or her own recommendation to the Dean. The final decision is made by the Dean. The Associate Dean for Academic Affairs will report the decision back to the committee. The committee will be composed of no more than four faculty members as well as the Coordinator of Academic Success. The Associate Dean for Academic Affairs and the Director of Student Affairs will be ex-officio members of the committee.

Membership on this committee will not include students due to the sensitive nature of data presented and discussed. Minutes will be recorded and distributed to committee members within ten working days.

Once approved by committee members, the minutes will then be made available in the office of the Dean and Associate Dean for Academic Affairs or on the KYCO computer network for faculty to review. If there is confidential information, a redacted copy of the minutes will be made available in a timely manner and maintained in the office of the Dean and Associate Dean for Academic Affairs for all faculty members.

## 5.4.2 Admissions Committee

The Admissions Committee reviews student admissions criteria and policies, makes recommendations for policy revisions and assists in the evaluation of candidates for admission to KYCO. The committee is comprised of the Director of Student Affairs, Admissions Coordinator, Coordinator of Academic Success, and all members of the faculty. The committee meets minimally two times (2x) per month throughout the admissions cycle.

During the initial review process, an admissions matrix is utilized by the Office of Student Affairs taking into consideration minimum academic qualifications to identify those candidates who are competitive. They will also be responsible for determining those applicants who are most likely to fulfill the KYCO mission of commitment to providing access to Optometry in Appalachia and other rural areas of Kentucky and America. Possible outcomes via the admissions matrix include: an interview, a hold or a denial. Once an applicant is identified as an interview candidate the Office of Student Affairs extends invitations for interviews. Faculty admissions committee members conduct interviews, complete assessment forms and participate in the final decision committee meeting.

Typically, faculty committee members who complete the interviews for the week convene for the final decision on those files. The decision will be determined by a simple majority of those present. Possible final decision outcomes include: clear acceptance, conditional acceptance, alternate list, or denial. As admissions decisions are confidential, interview evaluations and final decisions are kept within the admissions files as well as on an online database, OptomADMIT. The Admissions Coordinator routinely provides class statistics updates at committee meetings throughout the admissions cycle.



### 5.4.3 Educational Policy and Curriculum Committee

The Educational Policy and Curriculum Committee is responsible for preparing recommendations for coursework (both pre-professional and professional) required for completion of the professional degree offered by KYCO. The committee's responsibility is to make certain that all components of the curriculum are present. The committee will recommend the courses required, the academic credit for each course, degree requirements, course additions/withdrawals, grades, course credit, audit, credit transfer, change of grade, attendance, course failure, academic standing and the broad outline of the subject matter for and the appropriate place in the curriculum for each course. In addition, the committee monitors performance in meeting the outcomes of the curriculum and ensures fairness in syllabi.

If the Chair of The Educational Policy and Curriculum determines that a committee recommendation represents a substantive change to curriculum that recommendation will be presented for review and approval by the faculty of KYCO. The faculty may endorse, modify, or reject the recommendations of the committee. Their final recommendation will be submitted to the Dean for approval, modification or disapproval. The committee will be composed of four faculty members, one student each from the OD2, OD3 and OD4 classes. The Associate Dean for Academic Affairs will be a member of the committee ex-officio. The Associate Dean is responsible for responding to curricular changes recommended by the EPCC, preparing the appropriate syllabi, supporting documentation and catalog changes for recommendations being considered by the committee and acting in close consultation with the Chair of the EPCC for maintaining a current and effective curriculum. Additionally, the Assistant Dean of Clinical Affairs or their designee, the Associate Dean for Academic Affairs, and the departmental chairs, if appointed, will be members of the committee. Minutes will be recorded and distributed to committee members within ten working days. Once approved by committee members, the minutes will then be made available in the office of the Associate Dean for Academic Affairs and on the KYCO computer network for faculty to review.

## 5.4.4 UPIKE Rank and Promotion Committee

The UPIKE Academic Rank and Promotion and Committee implements the Academic Rank and Promotion Guidelines of the KYCO when reviewing KYCO faculty. The committee will make recommendations to the Dean of the KYCO for promotion of KYCO faculty.

Two faculty members are selected by the KYCO to serve on the UPIKE Academic Rank and Promotion Committee. They will be at the Assistant Professor level or above. An alternate member will be selected to serve when a committee member from KYCO is under consideration.

The UPIKE committee will vote by secret ballot and will include a justification of their recommendation and the number of yes and no votes. The committee's report to the Dean will include the justifications for their recommendation and the number of yes and no votes.

### SCHOLARSHIP AND AWARDS COMMITTEE

The Scholarship and Awards Committee periodically reviews scholarships and awards that are available to students and makes recommendations when appropriate. The committee consists of the Coordinator of Academic Success as well as at least 3 faculty members.

## 5.4.5 Ad Hoc Committees

Ad hoc committees shall be appointed by the dean in consultation with the faculty leadership council as needs arise, e.g. research, KYCO academic rank and promotion committee, professional conduct and ethics committee, faculty development, continuing optometric education, assessment.

The composition and charge to the committees shall be in writing. Each such committee shall exist until the purpose for which it was formed has been fulfilled, or for one academic year, or until dissolved by the Dean, whichever comes first.

## 5.5 Academic Appointments

## 5.5.1 Faculty Appointments

Establishing rank in KYCO will be guided by the policies outlined in this Supplement of KYCO. Before the initial term of appointment, faculty members shall be notified of their academic rank and the anticipated dates of promotion. Multi-year contracts may be awarded, at the discretion of the KYCO Dean, for faculty. Multi-year contracts may range from two to five years as determined by the Dean and the Provost. The member must have completed the requirements for promotion to the rank of Assistant Professor or above to receive a multi-year contract.

## 5.5.2 Academic Rank and Promotion

The following policies shall apply to the Faculty members of KYCO.

### A. General Criteria

To qualify for reappointment, promotion, or a multi-year contract, a faculty member must show competence and growth in teaching, scholarship and service to the University, profession, and larger community. Clearly demonstrating commitment to the Mission of the KYCO is also a significant consideration in these decisions.

In the four areas below, the percentage in brackets indicates the relative weights of faculty effort in development activities and achievement. Instruction counts as 40%, scholarship as 10%, service as 15%, and professional activities as 5%. An additional 30% must be distributed among the four areas as agreed upon by the faculty member and Dean. For example, one faculty member may focus more on teaching one year so it is weighted 50% (instead of 40), and 35% on university and community service (instead of 15). Areas 2 and 4 would remain at 10% and 5% accordingly.

Faculty must show evidence of satisfactory growth in all four areas.

1. Instruction (40%)
2. Service and Mission (15%)
3. Scholarship (10%.)
4. Professional Activities (5%)
5. Discretionary (30%)

### B. Academic Preparation and Years in Rank

The following criteria must be met before full-time faculty are eligible to apply for promotion in rank.

1. Senior Instructor. The rank of senior instructor requires at least the master's degree appropriate to the discipline. This rank is for persons on one-year, renewable, full-time contracts. There is no limit to the number of years a person may hold the rank of Senior

Instructor.

2. Senior Instructor to Assistant Professor. Faculty must have earned a doctorate level degree and have completed the equivalent of two years of successful teaching at the rank of Senior Instructor to be eligible for promotion to the rank of Assistant Professor. The Dean awards this promotion based on the earned doctorate level degree, the equivalent of two consecutive academic years of work, and successful teaching.

3. Assistant Professor to Associate Professor. Faculty must have earned a doctorate level degree and have completed four years of successful teaching experience as an Assistant Professor to be eligible to apply for the rank of Associate Professor. At least one year must be completed at University of Pikeville Kentucky College of Optometry. Promotion and a multi-year contract may be awarded together.

4. Associate Professor to Full Professor. Faculty must have earned a doctorate level degree and have completed four years of successful teaching experience as an Associate Professor. At least one year must be completed at the KYCO.

The Dean, at the time of the member's appointment to KYCO Faculty may elect to give credit for years in clinical or alternative practice toward the requirements for promotion. This will not include the last year which must be completed at KYCO.

This decision should be clearly stated in the letter of offer at the time of initial appointment to KYCO.

### C. Procedures for Promotion in Rank for Associate or Full Professors

KYCO faculty follow the policies given for the University Rank and Promotion Committee as described in Chapter 2 of the UPIKE Handbook. Additionally, if the need arises, the KYCO Dean may call an ad hoc KYCO Academic Rank and Promotion Committee to evaluate KYCO faculty and present their recommendations. This committee will comprise 5 or more faculty members who will evaluate candidates using the same standards as described below for the University Academic Rank and Promotion Committee.

If a recommendation for promotion is reached by the Academic Rank and Promotions Committee and the Dean concurs, the promotion and any associated pay raises will become effective July 1st of the next contract renewal with the University. The promoted

individual will then complete a Professional Development Plan (page 41) and meet with the Associate Dean for Academic Affairs and the Dean to discuss the pathway necessary to achieve the stated goals of the individual Faculty member.

#### D. Standards for Eligibility for Promotion in Rank

Eligibility for promotion requires consistently high performance in the categories of teaching, scholarship, and service/professional activity. To be eligible for promotion to the associate or full professor rank and/or a multi-year contract, the faculty must exhibit a consistent pattern of very good to excellent ratings on annual evaluations averaging the best three of the previous four years. The point values differ dependent on the Faculty member's rank since higher faculty rank incurs more professional responsibility.

For promotion, eligibility is calculated with an average of annual faculty evaluations using the best four of the previous six years. The point values differ dependent on the Faculty member's rank since higher faculty rank incurs more professional responsibility.

The four-year average necessary for eligibility for promotion are as follows:

Associate Professor: 3.2 average (using best 3 of previous 4 years)

Full Professor: 4.6 average (using best 3 of previous 4 years)

See appendices for examples or evidence of behaviors in each of the four categories that clarify the ratings on an annual basis.

Once it is determined that a candidate is eligible for promotion, the University Rank and Promotion Committee will determine if the candidate has consistently demonstrated high performance in the categories of teaching, scholarship, service, and professional activity using examples or evidences of such behavior in each of the four categories as given in the appendices. Additionally, the committee members will evaluate the candidate's dedication to the Mission of the KYCO, the Mission of UPIKE, along with the candidate's attitude toward students, faculty and patients.



### 5.5.3 Standards for Annual Evaluation and Merit Determination

The following policies shall apply to the full-time faculty members of the Kentucky College of Optometry.

The UPIKE Board of Trustees determines what if any percentage pay increase will be available for the faculty. The Dean will review faculty evaluations and performance in determining individual raises. Faculty may request reconsideration and offer further evidence if available. The Dean determines the final merit pay for an individual.

#### Annual Evaluation

Rating categories:

- 1) Instruction (40%)
- 2) University and Community Service / Mission (15%)
- 3) Scholarship (10%)
- 4) Professional Activities (5%)
- 5) Discretionary (30%)

The percentage weight given to each rating category will be determined by the individual faculty member in consultation with the Dean. This determination will occur at the annual review session.

See forms and teaching examples in Appendix 5.1-5.11

## 5.6 Faculty Development

## 5.6.1 Faculty Continuing Education

An important part of professional health care education is that faculty keep current in their field of expertise. This will require meeting with other professionals beyond the university community to gain insight into the cutting edge research and technological developments within the professions. Faculty need to do this in conjunction with their fiduciary responsibility for maintaining sound budgetary policy.

These two areas of responsibility can be merged by an equitable distribution of funds for travel used to obtain the continuing education credits necessary for maintenance of licenses and development of courses and clinical abilities. Full-time faculty members are eligible for these development funds. The following distribution will accomplish that end.

If the fiscal year has sufficient budgetary allowance, the maximum distribution of funds will be as follows:

• Full Professor	\$3500
• Associate Professor	\$3000
• Assistant Professor	\$2000
• Senior Instructor & all other full-time faculty	\$1500

All faculty will be provided Continuing Education Travel Funds according to the total allocated by the Dean and determined by rank.

Faculty development funds must be utilized to attend conferences and continuing education events which are appropriate to the faculty specialty and licensure.

Appropriate documentation, required absence requests, requests for funds, and completed documentation for the trip must be submitted and all receipts must be turned in after the event for reimbursement of expenses.

Faculty should discuss development goals and opportunities with the Dean or Associate Dean for Academic Affairs. Attainment of Fellowship in the American Academy of Optometry and completion of the Diplomate or Board Certification in Optometry are

recommended for KYCO faculty.

SECTION B: FACULTY DEVELOPMENT LEAVE (see 5.7 Vacation, Sick, and Faculty Development Leave)

SECTION C: FACULTY PROFESSIONAL MEMBERSHIPS

The following benefits are provided to all full-time faculty of the KYCO:

1. Membership dues in the Kentucky Optometric Association
2. License to practice within the Commonwealth of Kentucky
3. Drug Enforcement Agency (DEA) License
4. Expanded Therapeutic Procedures Course
5. Malpractice coverage as defined and contracted by the KYCO

## 5.7 Vacation, Sick and Faculty Development Leave

### Leave Policy for 12-month Professional School Faculty

The Leave and Holiday Policy for full-time faculty members assigned to the KYCO is the leave policy for the University and may be obtained from the Department of Human Resources. All vacation leave must be approved by the Dean.

#### Planned Absences:

When planned absences arise, such as Vacation Leave, the faculty members are expected to report their scheduled absence one month in advance to the Dean and negotiate arrangements with The Associate Dean for Academic Affairs and the Assistant Dean of Clinical Affairs. Vacation will not be approved during the time that the Faculty member is scheduled to teach. In the case of an absence from a scheduled clinic, the Assistant Dean of Clinical Affairs must also approve the absence.

#### Unplanned and/or Emergency Absences:

Unplanned and/or Emergency Absences for which no advance notice was feasible and where advance arrangements were not possible should be reported as soon as practicable to the Associate Dean of Academic Affairs. In the case of an absence from a scheduled clinic, the Assistant Dean of Clinical Affairs must also be notified as soon as practicable.

#### Professional Development Absence:

Faculty members are provided up to ten days of paid Professional Development per contract year to pursue professional interests outside of the university context that are not otherwise being remunerated. Professional Development may include, but is not limited to, undertakings that will enhance professional traits and/or is in the furtherance of the mission of the University and The Kentucky College of Optometry, such as conferences, classes, special training opportunities, etc. Professional Development absence must be requested in advance and must be approved by The Associate Dean for Academic Affairs and the Dean. The Associate Dean and Dean will consider, among other factors, potential conflict with direct service to the school such as school or

university events, regular assignments, student interactions, classroom teaching, or clinical rotations. If approved, appropriate coverage for these activities must be arranged and approved in advance by the Associate Dean for Academic Affairs and the Assistant Dean of Clinical Affairs if appropriate. Professional Development days do not accrue.

There are circumstances where faculty members may pursue an undertaking within the scope of the professional context that also provides remuneration. In such instances, while the Professional Development time may be approved, the Dean maintains discretion in deciding whether the leave will be professional development leave or vacation leave.

The Dean's approval will consider, among other factors, potential conflict with direct service to the school, the amount of remuneration, and the goodwill to be gained by the school.

Sabbatical Leave:

KYCO follows the Sabbatical Policy of the University of Pikeville Faculty Handbook in regards to all policies governing sabbatical leave (e.g. eligibility, application, compensation, obligations, etc.).

## 5.8 Policy for Approval of New Programs and Curricular Changes

### Introduction

The role of the Educational Policy and Curriculum Committee (EPCC) is to assure the highest quality and consistency in new program development, change or addition to KYCO policy and to review all curricular changes.

In general, the process for all additions or changes to programs, policies, or curriculum revisions, begins with a formal proposal. Depending on the extent of changes or additions, communication with student and faculty constituencies should be included and sufficient meetings should be conducted to garner the broadest possible input for a proposal. At times, targeted faculty and professional community surveys may be conducted.

Changes to existing curriculum should be based on student assessment and input. New programs should be initiated based on community needs, opportunities, and anticipated synergy across other academic programs at UPIKE. Changes which will have significant budgetary consequences should be discussed with the Dean.

### Processing Curriculum Changes

A proposed curriculum change may originate at any level within KYCO. All proposals shall be presented in writing to the appropriate supervisor/department chair, or student or faculty committee. They should be sent as information to the Dean.

Written proposals shall be sent to the EPCC for initial review and discussion. It is the responsibility of the EPCC to seek appropriate input from faculty groups within KYCO before making any final recommendations. If appropriate, the EPCC shall confer with faculty groups on the main campus of UPIKE. If recommended by EPCC for approval, the proposal is forwarded with explanation to the Dean for final decision.

If further processing for major changes is required by the UPIKE Faculty Handbook, the Dean will forward the proposal to the Undergraduate Curriculum Committee or the Graduate Council and the appropriate Dean. Following final approval, the Dean will notify the Registrar, and then delegate implementation to the Associate Dean for

Academic Affairs who will advise the program director or chair. All approved new programs and curricular changes will subsequently become a part of the KYCO catalog or KYCO Student Handbook.



## 5.9 Faculty Recruitment

## 5.9.1 Faculty Recruitment

The development of an outstanding faculty for the instructional, clinical and research curriculum is an on-going objective of KYCO. All faculty and administrators of KYCO contribute to the successful recruitment of new faculty to the school.

## 5.9.2 Interviews and Selection of New Faculty Members

### Faculty Search Committee

The Faculty Search Committee shall be comprised of the faculty officers and the Associate Dean of Academic Affairs. The Faculty Chair shall serve as the Chair of the Search Committee. Additional Faculty may be invited by the Chair to participate in the interview process depending upon the nature and qualifications of the candidate under consideration. The Dean and other individuals of his/her choosing may also meet with the candidate during their visit to the UPIKE KYCO campus but shall not be considered members of the Faculty Search Committee.

In addition to the members mentioned above, the Dean will appoint members on an ad hoc basis, depending on the nature of the search, and faculty may request participation based on the position being filled. Staff and students may be assigned to the committee as needed or appropriate. The membership of the Committee is as follows:

1. Faculty Chair (Permanent member, Committee Chair)
2. Faculty Vice Chair (Permanent member)
3. Faculty Secretary (Permanent member)
4. Dean's Director of Faculty Affairs (Permanent member)
5. Associate Dean of Academic Affairs (Permanent member)
6. Coordinator of Academic Success (Permanent member)
7. Faculty member (Appointed by Dean for 1 year term)
8. Faculty member (Appointed by Dean for 1 year term)
9. Student member (Appointed by Dean for 1 year term)

### Process

Normally, all appointments to the faculty of KYCO will begin with an appropriate search.

The Dean will work with Human Resources to advertise the position and assemble a suitable pool of qualified candidates.

The Dean will forward the files of qualified applicants to the Chair of the Faculty Search Committee who then distributes the files to the permanent members of the FSC for review and comment. The FSC will give their recommendations for phone interviews to the Dean. After completing their phone interviews, the committee will make recommendations to the Dean about on-campus interviews for up to three candidates.

All members of the FSC shall participate in the on-site interviews. The finalists will also be interviewed by the Dean, ADAA, the Assistant Dean of Clinical Affairs, and the President or designee if possible. In addition, other faculty and administrators may participate in the interviews and will forward their comments about the candidates to the FSC but shall not vote with the FSC. After the on-campus interviews, the committee will prepare a report summarizing the strengths and weaknesses of each candidate and submit the report, without prioritizing candidates to the Dean.

The Dean in consultation with the President and Director of Human resources authorizes an offer when a candidate has been selected. The Dean notifies the FSC when an offer has been verbally accepted by the candidate.

## 5.10 Travel Protocols

Students and faculty are always responsible for their own transportation to and from external clinic sites. Specific procedures for the use of university vehicles are maintained and available in the Dean's office.

## Appendix

Because of the nature of the Appendices as forms and spreadsheets it is easier to maintain them as electronic documents rather than as forms embedded in this handbook. For this reason, the following links are provided. ([links will be added when published](#))

Appendix 1.1 Complaint/Dispute Resolution Form

Appendix 2.1 Undergraduate Tuition Waiver Agreement

Appendix 2.2 Graduate Tuition Waiver Agreement

Appendix 2.3 Annual Faculty Review Form

Appendix 3.1 Curriculum Proposal Instructions (Create or Change a Course)

Appendix 3.2 Division Chair Goals

Appendix 3.3 Administrator Self-Evaluation

Appendix 3.4 Evaluation of Academic Deans

Appendix 3.5 Evaluation of Academic Deans (Knowledge, Skills, and Dispositions)

Appendix 3.6 Evaluation of Provost

Appendix 3.7 Innovation in Teaching and Learning Grant

Appendix 3.8 Faculty Self Evaluation

Appendix 3.9 Faculty Peer Evaluation Form

Appendix 3.10 Faculty Peer Class Evaluation

Appendix 5.1 Faculty Self Inventory Documentation

Appendix 5.2 Faculty Self Inventory Form - Part A

Appendix 5.3 Faculty Self Inventory Form - Part B

Appendix 5.4 Dean's Evaluation

Appendix 5.5 Teaching Effectiveness Examples

Appendix 5.6 Scholarship Effectiveness Guidelines

Appendix 5.7 Service and Professional Activities Examples

Appendix 5.8 Professional Development Plan

Appendix 5.9 Overall Performance Report

# Handbook Changes as of August 2021

- 1.1.5 The Role of Administration
  - Relocated from 2.4.4
- 1.1.6 University Organizational Chart
  - Updated Organizational Chart
- 1.1.7 Evaluation of Administrators
  - Created new policy location to 1.1.7
- 1.6.10 Tuition Remission and Tuition Exchange Benefits
  - Relocated from 2.2.4
- 2.2.1 Faculty Campus Wide Fall Workshop
  - Removed from Handbook
- 2.2.4 Tuition Remission and Tuition Exchange Benefits
  - Relocated to 1.6.10
- 2.3.4 Attendance, Illness and Vacation
  - Added last paragraph
- 2.3.10 Grievance Process
  - Updated Basis for Grievance #2 to three-year rolling
- 2.4.4 Role of Administration
  - Relocated to 1.1.5
- 2.4.6 University, College, School, Division
  - Removed from Handbook
- 3.1.10 Final Examinations
  - Added the last two paragraphs
- 3.1.11 Grading Practices and Standards
  - Updated first paragraph
  - Combined and updated Incomplete Grade
- Replaced all Elliott School of Nursing references to College of Nursing and Human Services
- Replaced all ESON references and replaced with CNHS
- 1.2.16 Gifts to the University
  - Added last sentence to last paragraph
- 2.4.1 The Administration as a Body
  - Replaced Vice President with Dean
- 3.2.5 Faculty Executive Committee
  - Replaced August with March
- 2.4.6 Rank and Promotion Committee (RPC)
  - Updated verbiage
- 2.4.7 Faculty Policy Committee (FPC)
  - Added second sentence under B. Method of Election
- 2.3.13 Rights and Responsibilities of Adjunct Faculty Members
  - Added 6. under Adjunct faculty shall:
  - Added 2., 3., and 4. under Adjunct faculty are expected to:
  - Added last sentence
- 2.4.2 The Deans
  - Updated verbiage
- 3.2.5 Faculty Executive Committee
  - Updated verbiage
- 3.1.5 Division Chairs
  - Updated verbiage
- 2.2.2 Sabbatical Leave
  - Updated verbiage
- 1.1.6 University Organizational Chart:
  - Input updated Organizational Chart
- 3.2.8
  - Added h., i., and j. under A. Membership
- 3.2.5
  - Updated number of CNHS representatives
- 3.2.7
  - Updated number of CNHS representatives



# Handbook Changes as of August 2021 (Continued)

- 1.1.5 Faculty Search Process
  - New Policy added 7-19-2021
- 2.4.6 Nominations Committee
  - New Policy added 8-17-2021