

FACULTY HANDBOOK

Oklahoma Panhandle State University
Goodwell, OK 73939

Effective July 29, 2011

Revised May 19, 2016

This handbook is the property of Oklahoma Panhandle State University and is to be returned to the office of Vice-President for Academic Affairs upon withdrawal from employment of this institution.

This institution (in compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 402 of the Readjustment Assistance Act of 1974, and Title VII Americans With Disabilities Act of 1990, and other Federal Laws and regulations) does not discriminate on the basis of race, color, national origin, sex, age, religion, disability, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and educational services.

This handbook is not to be construed as a contractual agreement, and it can be altered without prior notice by the University or the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges. The statements appearing in this faculty handbook are intended only as general informational items to help inform faculty employees of selected University policies. If any policy statements of the Regents or of the University are in contradiction to statements appearing in this handbook, such Regent or University policy statements will be deemed to control over the references appearing in this document. The Regents and the University reserve the right to alter the terms of official policy statements and/or this document at any time without advance notice.

INTRODUCTION

This faculty handbook is intended as a guide for all faculty members of Oklahoma Panhandle State University (hereafter known as OPSU). (It contains information of a general nature as well as the procedures and policies under which the University operates.)

A publication such as this can never be completely accurate, as University policies, procedures, and regulations, as well as benefits and services, will require periodic modifications, additions, and deletions. Every effort will be made to provide employees additional information as these changes occur.

Unless otherwise stated, the policies and procedures listed are administrative and may be changed from time to time as conditions change at the institution.

This Handbook was approved on July 29, 2011, by the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges (known hereafter as the Regents). It is effective as of July 1, 2011.

David A. Bryant
President

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**PART 1
INFORMATION RELEVANT FOR FACULTY**

STATEMENT OF NONDISCRIMINATION

Equal Employment Opportunity

Oklahoma Panhandle State University is an Equal Opportunity Employer and offers a program of Equal Educational Opportunity. It is the policy of Oklahoma Panhandle State University to take every opportunity to ensure that each applicant offered a position at the University has been selected on the basis of qualifications, merit, and professional capability alone, without regard to race, color, creed, religion, sex, age, national origin, disability, or status as a veteran.

Affirmative Action Statement

This institution (in compliance with Section 504 of the Rehabilitation Act of 1973, Title IV of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 402 of the Readjustment Assistance Act of 1974, and Title VII Americans With Disabilities Act of 1990, and other Federal Laws and regulations) does not discriminate on the basis of race, color, creed, national origin, sex, age, religion, disability, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and education services.

Fair Labor Standards Act

Oklahoma Panhandle State University is covered under the Fair Labor Standards Act (FLSA). The FLSA sets basic minimum wage and overtime pay standards and regulates the employment of minors. Some employees are excluded from the minimum wage or overtime provisions, or both, by specific exemptions.

OPSU Academic Definitions for Faculty

SCHOLARSHIP

At OPSU, scholarship is defined as “Faculty are expected to remain active in their fields of study. This may be accomplished by pursuing advanced courses or degrees, continuing education, research or obtaining special license or certification. Faculty are encouraged to attend and make presentations at professional meetings.” This definition was approved by the Academic Council on November 6, 2003.

FACULTY EMPLOYMENT APPEALS COMMITTEE

This committee serves as a hearing committee to make recommendations to the administration if procedural violations occurred during a non-renewal or dismissal of non-tenured faculty members beginning with the second year of employment. The Faculty Employment Appeals Committee also is authorized to hear disputes regarding denials of reappointment, tenure, or

promotion. The function of this committee is to assist the University in its efforts to resolve disputes regarding reappointment, tenure, or promotion. The Committee is authorized to hear disputes regarding termination of tenured or non-tenured faculty prior to the end of the appointment period. It is an ad hoc committee of 3 faculty peers appointed as follows: one member to be appointed by the Vice-President for Academic Affairs, one member to be appointed by the aggrieved faculty member, and one member, who will serve as chairperson, to be chosen by these two appointees.

1.1 CLASSIFICATIONS FOR EMPLOYEES

1.1.1 Faculty

The faculty consists of all full-time instructional personnel and librarians with faculty status on contracts. The contracts issued annually are for nine-, ten-, eleven- or twelve-month periods depending on the assignment. Faculty members receive benefits commencing with employment. Academic administrators enjoy faculty rights as faculty, but in their administrative functions, serve at the will of the University and Board and any employment rights in such administrative posts are those which relate to at-will employees of the University. Administrative increments paid to academic administrators will be set forth in writing at the time of initial appointment to the administrative position and such increments will be deducted from salary levels if the administrator subsequently assumes or returns to a full-time faculty position.

1.1.2 Temporary Appointments:

- ◆ **Adjunct Faculty** are hired for one semester at a time with no expectation of reappointment and no requirement for advance notification of non-renewal. Any time spent in such a role does not count toward promotion or tenure consideration.
- ◆ **Part-time Instructors:** With the exception of those grandfathered into a previous contract, they will receive benefits only if they teach more than 11 hours.
- ◆ **Visiting Instructors** are considered full time faculty with benefits. Such individuals are hired for one year at a time with no expectation of reappointment and no requirement for advance notification of non-renewal.

1.2 FACULTY EMPLOYMENT PROCEDURES AND LIMITATIONS

OPSU faculty members are employed when vacancies occur or when programs are developed. Applications are made through the dean of the appropriate school.

When a new faculty person is selected, the President will issue a letter of appointment stating salary and terms of employment along with a “Payroll Action” form. Faculty will be required to sign the letter of appointment indicating that they have accepted the appointment on the terms set forth in the letter, and that failure or refusal to do so by the date indicated in the letter constitutes a rejection of the offer and an abandonment of the position. The new faculty member will go to the Payroll/Personnel office where he/she will complete all the appropriate employment and insurance forms. (See 1.3 General Personnel Policies and Benefits).

1.3 GENERAL PERSONNEL POLICIES AND BENEFITS

1.3.1 Personnel Records (updated every September)

◆ **Application**

All OPSU employees, whether non-faculty staff or faculty in nature, shall complete and submit for their personnel files an employment application form, as well as such other forms as are deemed necessary by the University. OPSU will follow all applicable state and federal laws regarding the use and safekeeping of such documents and the information contained in them.

◆ **Loyalty Oath**

The State of Oklahoma requires that all employees sign a loyalty oath at the time of initial employment.

◆ **I-9 – Employment Verification Form (To verify citizenship and/or alien status)**

Completion of this form is required of every employee. All employees shall complete an I-9 form required by the federal government. To complete the I-9, employees need a valid driver's license or photo ID and another form of ID such as a Social Security card.

◆ **Drug Free Workplace and Drug Free Schools and Communities Act Compliance**

OPSU is required to observe the requirements of the federal Drug Free Workplace and Drug Free Schools and Communities Acts. All employees will be required to sign a form attesting that they are aware of that obligation and that they will faithfully follow the requirements of those Acts. The University's Drug-Free Workplace Policy can be found in Appendix A.

◆ **W-4 Form**

All employees must complete a long or short W-4 form.

◆ **Official Transcripts**

Official transcripts of academic work completed are required for every faculty employee.

1.3.2 Policies

- ◆ **Release of Personnel Records and Information**
All requests for information about OPSU faculty will be routed to the Vice President for Academic Affairs and that official or designee shall reply to all requests for information.
- ◆ **Housing**
The University owns and maintains houses, duplexes, and apartments to accommodate its faculty and employees. These houses and apartments are rented at varying rates depending on the accommodations. In those units in which pets are allowed, a charge will be added to the rent for each pet. The University provides water, sewer, and garbage collection at its own expense. All other utilities are the responsibility of the renter.
- ◆ **Campus Vehicle Registration**
All employees of the University who park in University parking lots are required to register their vehicles in the office of Student Affairs and place identification on the automobile in the recommended place.
- ◆ **Pay Period**
Salary warrants for all employees except students are issued on the last working day of the month. For information about direct deposit, employees should contact the Payroll/Personnel office.
- ◆ **Solicitation**
To protect students and employees against fraudulent involvement and interruption of their classes and job responsibilities and to insure that the property of the University is not used for personal monetary gain, soliciting of students and employees on University property is prohibited unless written permission has been granted by the office of Student Affairs.

1.3.3 Benefits

- ◆ **Hospitalization Insurance**
The University pays the premium for hospitalization and major medical policies on each qualifying regular employee. Hospitalization insurance may also be secured for the employee's family paid by the employee. Retired personnel, retiring through the state teacher's retirement system, are eligible to continue hospitalization insurance paid by the retiree. Spouses of retired personnel are eligible for hospitalization insurance paid by the retiree. The Payroll/Personnel office may be contacted for application or explanation.

◆ **Life Insurance**

The University pays the premium for a standard life insurance policy on each qualifying regular employee equal to two times the annual salary of the employee subject to the limitations provided for by the Regents' or University policies on plan coverage. The University pays the entire premium. Life insurance may also be secured for the employee's family paid by the employee. Qualified retired personnel are eligible for a reduced group standard life insurance policy. The Payroll/Personnel office may be contacted for further information.

◆ **Disability Insurance**

The University provides long-term disability insurance for full-time employees, including faculty. The University pays all of the premium up to a maximum monthly base salary of \$6,000.00. Additional information may be obtained from the Payroll/Personnel office.

◆ **Social Security**

All employees participate in the Social Security Program of the United States of America. The University will match the employee's contribution to the Social Security system during employment at the University. Student employees of the University are exempt by statute from Social Security.

◆ **Workers' Compensation**

All employees are covered by the Workers' Compensation Act. In the event of injury on the job requiring a doctor's attention, the injured person should obtain an authorization form for medical attention at the Vice President for Fiscal Affairs office. If this is not feasible, an authorization form should be secured as soon as possible. All forms for filing workers' compensation are located in the Vice President for Fiscal Affairs office.

◆ **Flexible Benefits Plan**

A flexible benefits plan is in place. The employee may ask the University to reduce the employee's gross salary for tax purposes in the amount of the employee's dependent hospital contributions.

An employee may elect additional reductions such as child-care, estimated out-of-pocket medical and dental expenses, etc. The Payroll/Personnel office has details.

◆ **Teachers Retirement System**

All non-retired faculty and regular employees are required to participate in the Oklahoma Teacher's Retirement System (OTRS). See Payroll/Personnel office.

◆ **Tax Sheltered Annuity**

Any employee may have his/her salary reduced and applied to a “Tax Sheltered Annuity” within federal guidelines (Internal Revenue Code, Section 403-b or other appropriate vehicle.) Applications for approved tax sheltered annuities are available in the Payroll/Personnel office.

◆ **Retirement**

Contact the Payroll/Personnel office.

◆ **Disability Benefits**

Any member actively employed in the Oklahoma public education system and who has at least ten years of contributory service with OTRS may be retired by the Board of Trustees on a disability retirement allowance under the OTRS. A medical board composed of three physicians reviews a member’s application for disability retirement to determine if the member is incapable of performing the duties of employment.

◆ **Death Benefits**

Death benefits are available to certain members of the Teacher Retirement System whose membership began prior to 1992. See Payroll/Personnel office for details.

◆ **Refunds**

Employees of OPSU who separate from employment may be eligible for a refund of their employee’s retirement contributions, plus interest thereon, if they submit an application to OTRS under the terms and conditions of OTRS. Employees should contact the Personnel office or OTRS for assistance.

◆ **Medical Benefits**

In order to retain medical benefits contact the Payroll/Personnel office.

For additional information regarding retirement benefits, employees should contact the Payroll/Personnel office or contact:

Oklahoma Teacher’s Retirement System
P.O. Box 53524
Oklahoma City, OK 73152
(405) 521-2387

1.4 PAID HOLIDAYS, VACATION, AND LEAVE POLICY

1.4.1 Paid Holidays

Official University holidays are as follows:

- ◆ New Years Day (January 1)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving Day (fourth Thursday in November)
- Friday following Thanksgiving
- Six workdays at Christmas
- ◆ When an official holiday falls on a Saturday the preceding Friday will be observed as a holiday. When an official holiday falls on a Sunday, the following Monday will be observed as a holiday.
- ◆ If the holiday is not a regularly scheduled workday, the regularly scheduled workday nearest the holiday will be selected as a day off with pay. In the event no single regularly scheduled work day is closest to the holiday, a determination of the day off with pay will be made by the department head one week prior to the holiday and all affected employees so notified.
- ◆ The Christmas holidays are observed as follows:
 - If Christmas falls on: the six holidays are:
 - Sunday – December 23, 26, 27, 28, 29, 30
 - Monday – December 22, 25, 26, 27, 28, 29
 - Tuesday – December 24, 25, 26, 27, 28, 31
 - Wednesday – December 24, 25, 26, 27, 30, 31
 - Thursday – December 24, 25, 26, 29, 30, 31
 - Friday – December 24, 25, 28, 29, 30, 31
 - Saturday – December 24, 27, 28, 29, 30, 31
- ◆ Official holidays are observed through closing all offices and facilities provided functions or other essential activities can be discontinued without adversely affecting services to students and the public.
- ◆ The President of the University may designate any other workday as a holiday.

Legal holidays are in addition to earned vacation days. It may not be in the best interest of the University to permit the “wrap around” of vacation days in conjunction with these days, and subsequently use of annual leave immediately before or after paid holidays may or may not be approved by the respective supervisor.

During some and possibly all of the non-legal holiday breaks such as Fall break, Christmas break, and Spring break, the administration may choose to close the University down at which time earned vacation days will be utilized for 12 month personnel.

1.4.2 Leave of Absence with Pay

Paid leave time is earned on a monthly basis according to the following schedule:

Employment Category	Years of Service	Monthly Hours	Annual Accrual	Maximum Accrual Allowance
Executive Officers	Each Year	25	300 hours	432 hours
Administrative Officers, 12 Month Faculty, Administrative Staff, Professional Staff	1st -- 15th year	22	264 hours	336 hours
"	16th -- 20th year	24	288 hours	384 hours
"	21st year & thereafter	25	300 hours	432 hours
*9-month faculty	Each Year	8	72 hours	160 hours
*10-month faculty	Each Year	9	90 hours	160 hours
*11-month faculty	Each Year	10	110 hours	160 hours
All other staff	1st -- 5th year	18	216 hours	240 hours
"	6th -- 10th year	20	240 hours	288 hours
"	11th -- 15th year	22	264 hours	336 hours
"	16th -- 20th year	24	288 hours	384 hours
"	21st year & thereafter	25	300 hours	432 hours

*Accrual rate is less for 9-month, 10-month, and 11-month staff due to reduced annual work schedule. During the 9, 10, and 11 month non-contract period, if an employee works, PLV will be accrued.

Paid leave time can be accrued up to the maximum allowance listed. Time accrued beyond the maximum allowance will be deposited in a short-term disability (STD) account. A maximum of 130 days may be deposited as short-term disability. Short-term disability can be used for extended personal illness requiring more than seven days. An employee may transfer accrued leave time to the short-term disability account. Time deposited in the short-term disability account may not be transferred back to the paid

leave time account. At the end of each calendar year, paid leave time in excess of 160 days will automatically be transferred to short-term disability.

Time away from work because of vacation, illness of a family member, funeral attendance or other personal business is to be reported as paid leave time taken. (See Emergency Leave 1.4.2.6.) Absence due to personal illness is to be reported as paid leave time taken for the first seven consecutive working days per incident. When there is no accrued time in the paid leave account, leave may be used from the short-term disability account. Absence due to personal illness beyond seven consecutive working days will be deducted from the short-term disability account as long as accrued time is available. When there is no accrued time in the short-term disability account, absence due to personal illness will be deducted from paid leave time. Paid leave time taken and short-term disability time taken will not be considered as time worked for overtime purposes.

An employee who is hospitalized overnight may access the short-term disability account immediately without the requirement to use seven days of paid leave time. An employee returning to work part-time following a short-term disability may continue to draw from the short-term disability account for the time not worked until a full release is given by the physician. Recurrence of the same illness within 30 calendar days of returning to work from a short-term disability may be considered a continuation of the incident and charged to short-term disability.

Paid leave time and short-term disability should be reported on a Personnel Form available in the Payroll/Personnel office. Changing the employee's status to short-term disability must be processed before any absence may be deducted from the short-term disability account. The University will require acceptable medical documentation of illness or disability before allowing any charges to short-term disability leave benefits.

Leave for personal illness should be taken in the following order: seven days of paid leave time, short-term disability leave, remaining leave time, and leave without pay. Duration of the disability is to be medically determined. No supervisor should compel an employee to return to work without a medical release. Pregnancy is to be treated as any other short-term disability. An employee may continue normal duties through pregnancy or use available leave while unable to perform regular duties. Employees who utilize leave for pregnancy shall suffer no penalty, retaliation, or other discrimination.

Vacation time is to be taken from paid leave time. Authorized holidays falling within an employee's vacation period will not be counted as vacation time. Paid leave time may not be used for vacation within the first four months of employment. Use of paid leave time for other than personal illness or emergency must be scheduled in advance with supervisory approval. Employees must comply with University policies for reporting absences and securing approval for time off work. Whenever possible, the University

will grant earned paid time off at the convenience of the employee. However, institutional needs must be met.

Cash payment to an employee in lieu of paid leave time will not be permitted except upon termination. No cash payment will be made for time accrued in the short-term disability account. Nine-month, ten-month, and eleven-month employees will not receive cash payment for accrued paid leave time. Twelve-month employees who terminate their employment under satisfactory conditions and who have been employed by the University more than six months in a benefits-eligible position will be paid for paid leave time that they have accrued not to exceed 20 days. Terminal pay will not include credit for University-recognized holidays falling within the terminal pay period. An exception to the above would be retiring employees who for the purposes of this policy must meet one of the following conditions: (1) be receiving TRS retirement or (2) be receiving Social Security retirement. These specified retirees or the beneficiaries of deceased employees will be paid for accrued paid leave time up to the maximum accrual allowance and will receive pay for holidays falling within the terminal pay period.

Employees appointed to grants and contract accounts are expected to use all earned paid leave time during the specified period of their appointment unless the grant or contract contains a separate account with sufficient funds to pay for accumulated leave time upon termination of the employee. If such funds are not available, paid leave time must be transferred into the short-term disability account at the time the employee terminates or the grant or contract is discontinued. Twelve-month employees changing to a nine-month, ten-month, or eleven-month appointment must transfer all accrued paid leave time in excess of 12 days into the short-term account.

1.4.2.1 Court Duty Leave

A staff employee who is required to appear on a regular workday as a member of a jury panel shall be granted a leave of absence from regular duties. The compensation that such an employee will receive during such an absence shall be the employee's regularly scheduled pay, less an amount equal to any juror's fees that the employee is entitled to receive for the period of time spent on jury duty. Employees will be required to verify to the University the amount of juror's fees that they are entitled to receive in order to receive pay for court duty leave.

A staff employee who is required through subpoena or direction by proper authority to appear before a federal, state, or local court or administrative agency to testify as a witness before such body as a result of an act performed in the scope of official duties will be granted leave with pay at regular compensation provided that such appearance pertains to the official duties that the employee engages in for the University. Under state law, employees are not entitled to receive any fee for serving as a witness pertaining to their OPSU employment.

Staff employees who are subpoenaed to appear as a witness or party in private litigation not pertaining to their official duties are not entitled to leave with pay. The time spent absent from work in such cases shall be taken from the paid leave bank or leave without pay at the employee's discretion.

When jury duty or appearance as a witness occurs while an employee is on leave without pay or on a day other than regularly scheduled workday for the employee, the employee is not entitled to leave with pay.

When an employee is required to appear for jury duty while the employee is on annual leave or sick leave, paid court duty leave shall supersede the other type of leave.

1.4.2.2 Military Leave

The University's military leave policy is in conformance with applicable federal and state law. In accordance with an opinion given by the attorney general, all continuous University employees (excluding temporary employees) working 30 hours per week or more are entitled to a leave of absence with pay for the first 30 regularly scheduled working days of military duty during any federal fiscal year (October 1 through September 30), as stipulated in the law, when ordered to active duty or inactive duty. The leave with pay shall not be charged against paid leave or other accrued benefits.

1.4.2.3 Re-Employment Rights

Re-employment rights and benefits following a military leave of absence are in conformance with applicable federal and state laws. For specific information, contact the Payroll/Personnel office.

1.4.2.4 Returning From Leave

Employees failing to return to work upon expiration of their leave of absence, including any Armed Forces active duty tour terminal leave, either with or without pay, shall be considered to have separated. Eligibility for re-employment shall be in accordance with the re-employment policy.

1.4.2.5 Funeral Leave

Time required for absence from work to attend a funeral may be charged to available paid leave. See 1.4.2 LEAVE OF ABSENCE WITH PAY.

1.4.2.6 Emergency Leave

Time required for serious illness in the immediate family, emergency personal business that cannot be handled at another time, or similar emergency situations may be charged to paid leave and/or short term disability if paid leave is not available. See 1.4.2 LEAVE OF ABSENCE WITH PAY.

1.4.2.7 Administrative Leave

An administrative leave with pay is sometimes given when it is determined to be in the University's best interest that an employee or employees not return to work for a specified period of time or for designated emergency closing of the University (i.e., bomb threat). Time approved as administrative leave will not be charged to paid leave.

1.4.2.8 Workers' Compensation Leave

An employee sustaining an on-the-job injury will be provided an applicable recovery time in accordance with the Oklahoma Worker's Compensation Act. Each case will be individually evaluated and determined by the OPSU Human Resource office.

1.4.2.9 Disciplinary Leave

An exempt or non-exempt employee may be placed on disciplinary leave of absence with or without pay when it is in the best interest of the University to do so. Non-exempt employee leave with pay will normally not exceed one working day. Non-exempt employee leave without pay will not normally exceed five working days, but may be for a longer period with approval of the President. The disciplinary action will be coordinated with the OPSU Payroll/Personnel office and University legal counsel.

1.5 LEAVES WITHOUT PAY

Leaves of absence without pay for personal reasons may be recommended by the budget unit head when it appears to be in the best interest of the University and the employee.

Such leaves may not exceed one year in length. A period of leave of absence without pay does not count as service time for computation of benefits other than for retirement as specified.

The University Payroll/Personnel office must be consulted, and all recommendations from the Payroll/Personnel office must be complied with, prior to granting leaves without pay. The Payroll/Personnel office will consult with University legal counsel prior to making recommendations.

◆ EMPLOYEES' CHILDREN

Employees should refrain from having children accompanying them to work. Usually this problem occurs when child-care plans fail or because of illness. Occasionally older children might leave school and then spend time on campus until the parent gets off work. Regardless of the cause, the presence of children in the workplace or unsupervised on campus presents unnecessary safety and liability problems and can be disruptive to the work of the parent or others and, therefore, it must be discouraged.

◆ **FAMILY MEDICAL LEAVE ACT**

The Family Medical and Leave Act of 1993 (FMLA) gives certain job protection to employees in an attempt to equitably balance work responsibilities with the demands of personal illness or serious injury or in caring for certain family members.

Appendix B outlines the general provisions of the Act, but is not intended to be an exhaustive overview of the Act. Employees who have need for clarification of the Act's many detailed terms should contact the Payroll/Personnel office for assistance. In the event of future amendments to the Act, such amendments will be deemed to automatically take precedence over terms that might be contained in this statement. The University reserves the right to change its policies regarding FMLA at any time, without prior notice.

1.6 SEXUAL HARASSMENT

OPSU explicitly condemns sexual harassment of students, staff, and faculty and will not tolerate such conduct on or off campus. Sexual harassment is unlawful and may subject those who engage in it to University disciplinary sanctions as well as civil and criminal penalties. This policy is designed to apply to employment and/or academic relationships among faculty, staff, and students.

1.6.1 Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of instruction, employment, status or participation in any course, program or other university activity.
2. Submission to or rejection of such conduct is used as a basis for evaluation in making academic or personnel decisions affecting an individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile or offensive environment for work or learning.

Whenever there is an instance of alleged sexual harassment, or reprisal for reporting same, prompt and corrective action shall be taken.

1.6.2 Policy

It is the policy of Oklahoma Panhandle State University that sexual harassment of faculty and staff is prohibited in the work place and in the recruitment, appointment, working conditions, and advancement of employees. Sexual harassment of students is prohibited in and out of the classroom and in the evaluation of students' academic performance.

It is also the policy of the university that accusations of sexual harassment, which are made without good cause, shall not be condoned. It should be remembered that accusations of sexual harassment are indeed grievous and can have serious and far-reaching effects upon the careers and lives of individuals. This policy is equally applicable to faculty, staff, and students.

This policy is in keeping with the spirit and intent of various federal guidelines, which address the issue of fair employment practices, ethical standards and enforcement procedures.

1.6.3 Complaint and Grievance Procedure

Sexual harassment is against the law and requires immediate attention and appropriate disciplinary action.

A complaint must be filed within 180 days of the incident to be handled under this procedure.

Employees, students, or other individuals who feel aggrieved because of conduct that may constitute sexual harassment should inform the person engaging in such conduct that such conduct is offensive and must stop. If such conduct does not stop, relief should be sought through the procedure below.

If a student or worker feels uncomfortable about confronting the person engaging in the conduct, they should seek assistance as follows: Anyone who feels victimized by this behavior should contact proper supervisory personnel and/or the affirmative action officer. A supervisor receiving such a complaint should immediately advise the affirmative action officer to confer on appropriate action and determine if the problem can be resolved informally.

If the complaint cannot be resolved informally, the complainant must submit a written complaint of investigation. After investigation, the affirmative action officer may convene a committee in a formal setting to review written charges, hear evidence and testimony and make a determination on the evidence as to whether harassment did occur. If the finding is that sexual harassment did occur, the supervising vice president in concert with the affirmative action officer will take disciplinary action.

At every step of the procedure, confidentiality will be maintained to protect the individuals involved. Employees or students failing to restrict confidential information or who give false information will be subject to disciplinary action.

1.7 NEPOTISM POLICY

OPSU recognizes that there is a sound public administration basis for avoiding employment of family members working directly for the other family members.

However, OPSU also recognizes that occasions may arise wherein it is in the best interest of the institution to be permitted extraordinary latitude for policy exceptions in cases of need or emergency.

Therefore, it is the policy of OPSU to refrain generally from approving employment of family members working directly with family members. Exceptions to this policy may be permitted on an infrequent basis for reasons related to exigent operational need of the institution provided that:

- ◆ it can be reasonably demonstrated that an operational need or emergency exists or is imminent; and
- ◆ after advance consultation between the individual and his/her respective Vice President
 - there is concurrence that an exception is reasonably warranted based upon the prevailing circumstances, and
 - the University President grants approval before any employment offer is extended or services rendered, and
 - under no circumstances should evaluation occur between family members.

1.8 DISABILITY ACCOMMODATIONS

OPSU supports and complies with the Americans with Disabilities act and the Rehabilitation Act of 1973, as amended. Faculty members should advise each of their classes each new semester that any students with disabilities who desire some form of academic or other accommodation should contact the office of the Vice-President for Academic Affairs to register and to make such requests. Students will be required to provide appropriate medical documentation regarding such requests. Faculty members will be expected to work on an interactive, cooperative basis with the office of the Vice President for Academic Affairs to provide reasonable accommodations where deemed appropriate and necessary to assist disabled students. Employees of the University who believe that they need some form of workplace accommodation will also be accommodated within the full intent of the law.

1.9 HUMAN SEXUALITY, HEPATITIS, AND ACQUIRED IMMUNE DEFICIENCY

Within the resources available, the University will provide access to information and education pertaining to human sexuality and blood/fluid borne diseases, such as hepatitis or AIDS, to students and employees. Access to such information may be provided through certain classes and seminars as well as audiovisual and printed handout materials. Additionally, the University will work closely with appropriate health and social agencies to provide information to student and employees concerning human sexuality and AIDS.

1.10 CONTACTS WITH REPORTERS

On occasion, reporters for newspapers, radio stations, or television stations will contact university staff members directly instead of working through the University's Public Relations Office. There is no objection to this procedure if the contact is unrelated to university business. However, any staff member who is contacted and either gives a statement to the press or arranges for a subsequent interview is requested to inform the Campus Communications Office. Staff members may not represent in any fashion that they are speaking for or on behalf of the University without approval from the Campus Communications Office or the President.

1.11 PARKING REGULATIONS

OPSU parking regulations are published annually in a separate brochure located in the student affairs office.

1.12 USE OF STATE VEHICLES FOR PRIVATE PURPOSES

Oklahoma statutes prohibit the use of state-owned vehicles for private purposes. It is the policy of the University that passengers shall not be transported in state vehicles unless they are on state business. Excluding university students, no non-state employee shall be transported in a state vehicle or the Privilege to drive a state vehicle will be suspended.

When private vehicles are used for state business purposes and one expects to be reimbursed the transporting of private passengers not on state business is not prohibited; however, it is suggested that the practice be held to a minimum.

According to Oklahoma statute, the use of state-owned vehicles to ride to and from an employee's place of residence, except in the performance of official duty, is expressly prohibited. Employees of the University cannot be assigned a university-owned vehicle for use on a permanent 24-hour basis unless an exception under the statute has been granted. Requests for an exception must be submitted in writing to the President of the University.

If employees using university vehicles plan to depart at an earlier hour than the motor pool opens or return at a later hour than the motor pool closes, they may be authorized by the motor pool to retain the vehicle at their residence until their departure or until the vehicle may be returned to the motor pool.

1.13 CANDIDACY FOR POLITICAL OFFICE

A. All University employees enjoy the full rights and privileges of citizens to participate in partisan political activities in the State of Oklahoma and the United States. Employees are permitted to freely engage in lawful political activities of any kind provided such activities are conducted on the individual's own time, do not interfere with official duties and responsibilities, and are not inconsistent with other provisions herein.

However, students and other constituencies of the University may rightfully expect competent services from employees of publicly supported institutions. Therefore, the welfare of the University requires that each employee perform the duties and responsibilities assigned to his or her position as the first priority. Full-time political activities are prohibited while serving as an employee. Moreover, outside activities of any kind should not interfere with the fulfillment of assigned duties.

B. An employee who wishes to assume a major role in a partisan political campaign is obligated to discuss such plans well in advance with the appropriate supervisor. If the supervisor determines that the political activity might impinge to any extent upon the full discharge of the employee's responsibilities, the proposed political activity must be reviewed and approved through regular administrative channels to the President's Office. Through such a review, the President will determine whether the proposed political

activity will impinge to any extent upon the full discharge of the employee's responsibilities. If approved, the employee shall take a leave of absence without pay (after exhaustion of any earned annual leave) prior to participating actively in political activity, including, but not limited to, actively campaigning for political office or directing the political campaign of another person seeking a political office.

C. Any employee intending to conduct a personal candidacy for a partisan elective office must obtain approval by the President prior to any announcement by the employee for such office.

D. Employees are permitted to campaign for and hold non-partisan offices, the duties of which do not interfere with official responsibilities such as a member of a school board, city council, and/or other local offices.

E. The political activities of an employee may not involve the University's name, symbols, or in any way imply University support or support of the Board of Regents pertaining to the political interest supported by the employee.

F. An employee may accept an appointed position in government requiring full-time service. However, before accepting such position an employee is required to request and be approved for leave without pay or resign from employment with the University. Any approval of leave without pay to accept an appointed position shall be for not less than the duration of the semester in which the approved leave is granted. Leave from University responsibilities for any period greater than one year shall be reviewed by the President and written justification shall be provided to the Board in requesting its approval.

If elected to such partisan political elective office, the employee shall resign (or retire, if eligible) from the University.

1.14 KEYS

The Physical Plant issues keys for buildings, offices, classrooms, and laboratories. Employees are required to have written authorization from supervisors on what keys are issued. Employees entrusted with keys are responsible for reporting any loss of keys immediately and for turning in all keys issued to them upon termination of employment.

1.15 TOBACCO FREE CAMPUS POLICY

Purpose: Oklahoma Panhandle State University (OPSU) became a tobacco-free campus following the passage of Executive Order 2012-01 by the Governor of the State of Oklahoma. The purpose of this policy is to eliminate all tobacco use on campus whether located indoors or outdoors, on property owned, leased or contracted for use by OPSU, and to promote healthy and productive lifestyles for OPSU students, faculty and staff and visitors.

For the purpose of this tobacco free policy, the following words and phrases shall mean:

Tobacco products: Includes all forms of tobacco, and is not limited to cigarettes, cigars, pipes, hookahs, chewing tobacco, snuff and all other kinds and forms of tobacco prepared in such a manner to be suitable for spit tobacco use, smoking or both. This term also includes herbal tobacco products and simulated tobacco products that imitate or mimic tobacco products, including, but not limited to clove tobacco, bidis (beedies) and kreteks.

Tobacco use: Includes smoking, chewing, dipping or any other use of tobacco products.

Campuses: Includes any and all OPSU owned or maintained property, including but not limited to buildings, facilities, sidewalks, roadways, parking lots and grounds in Goodwell and Guymon. Campus includes all OPSU owned, leased or rented vehicles whether parked or not. Campuses may include any properties that are leased by OPSU or leased to third parties under long-term leases.

Students: Includes but is not limited to all students enrolled in OPSU classes and/or classes held on campus, as defined above.

Faculty and Staff: Includes, but is not limited to, all employees of OPSU in any capacity whether in a paid or unpaid (volunteer) status.

Visitors: Includes, but is not limited to, guests, alumni, spectators, contractors, vendors, volunteers and anyone else providing any type of product or service to the university.

Effective July 1, 2012: It shall be the policy of OPSU that all tobacco products, as defined above, be prohibited on the campuses of OPSU.

1. The use, sale or distribution of tobacco products is prohibited on OPSU campuses.
2. No OPSU publication shall accept any form of advertising of tobacco products.
3. OPSU shall provide services to students, faculty and staff who wish to participate with tobacco-use cessation programs through the Oklahoma Tobacco Helpline.

4. OPSU also shall make available appropriate educational materials concerning the harmful health consequences of tobacco use.
5. OPSU shall make available, through its website, a method of communication regarding tobacco use, prevention efforts on campus related to policy, prevention, and cessation.
6. New hires are informed of the tobacco-free work environment at the time of employment.
7. Compliance of this policy is the shared responsibility of all students, faculty and staff. Violations of the policy shall be addressed as follows:

A. Students

1. OPSU students residing in university housing reported for violating this policy shall be directed to the Residence Halls Coordinator. If the violation requires additional action, the complaint may be escalated to the Dean of Student Affairs.
2. All other OPSU students reported for violating this policy shall be directed to the Dean of Student Affairs.

B. Faculty and Staff

1. Faculty and staff shall be directed to the Dean of Student Affairs. If the violation requires additional action, the complaint may be escalated to the appropriate vice president.

C. Visitors

1. Visitors reported for violating this policy shall be directed to the Dean of Student Affairs. The visitor may be asked to leave the university premises for failure to comply.

D. Procedure

1. The designated university officer or designee will inform student, faculty, staff or visitor of the tobacco-free campus policy.
2. The designated university officer or designee will inform this policy is a cooperative effort encouraged by all students, faculty and staff.

E. Penalties

When discipline is necessary, steps may include but not be limited to verbal warning, written warning, fines and/or suspension. This does not prohibit OPSU from pursuing other corrective discipline deemed appropriate.

1.16 COMMUNICATION WITH STATE OFFICIALS

The proper channels through which recommendations concerning the policies and/or administration of the University and its governed entities as a whole or in any of its parts should be communicated to the legislature or other state officials are the President and the Board of Regents.

Nothing in the preceding subsection is intended to or should be construed to abridge constitutional rights of employees to comment on matters of public concern or to prohibit any other rights of communication established by law.

1.17 USE OF UNIVERSITY RESOURCES

University facilities, equipment, and property, including intellectual property, are maintained to carry out the education and public service missions of the University. An employee may not use university resources for personal or private purposes, including, without limitation, outside consulting activities, unless approved and a formal written agreement made with the University before initiating such use.

1.18 WEAPONS, FIREARMS, AMMUNITION, FIREWORKS, EXPLOSIVES, AND DANGEROUS CHEMICALS POLICY

The students, faculty, and staff of OPSU can best learn, work, and live in an environment free from the dangers and constraints, both physical and psychological, which can arise from the presence or use of weapons, firearms, ammunition, fireworks, explosives and dangerous chemicals on the campus. It is, therefore, the policy of the university to prohibit the possession or use of any of these items on campus, on the OPSU Farm, in university vehicles or on university-sponsored trips, with the exception of laboratory or other chemicals used for instructional, analytical, or work-related needs

PART 2

FACULTY APPOINTMENT, PROMOTION, AND TENURE

2.1 FACULTY EMPLOYMENT AND APPOINTMENT

The University administration shall actively involve the proper levels of academic organization before offering employment to an individual for a given position. Search committees will consist of the Vice-President for Academic Affairs, the school dean, the department head, and other faculty members, students or staff when appropriate.

Advertising for vacant positions may occur in national, state, and regional publications as well as local, regional, and state newspapers, University and college placement offices, and in the local state employment office. Openings will be posted within the school affected. Openings may be posted/advertised at appropriate professional meetings or in professional journals. Other forms of position announcements may also be used.

The search committee shall invite selected applicants to the campus for interviews. For instructional personnel, a class presentation may be required. Recommendations from the search committee will be made to the President who will make the final selection to present to the A & M Board of Regents for appointment.

2.1.1 Employment

Final authority to recommend a satisfactory candidate to the Regents rests with the President. The appointment of a candidate becomes valid and legally effective only after favorable action by the Regents upon the recommendation of the President. After selection, the candidate is sent a formal letter stating the dates of the employment, the terms and the annual salary to be paid. Appointment to the faculty is for one academic year unless specified differently in the letter of offer. Specific duties will be set forth in additional documentation.

2.1.2 Appointments

The President has final responsibility for recommending faculty appointments, promotions, and discontinuance, but shall secure appropriate Dean and faculty counsel before making recommendations. If possible, the Vice President for Academic Affairs and the President should arrange and have personal interviews with prospective faculty.

Approved administrative practices should include the following procedures:

- ◆ In the selection of members of a school, all appointments are recommended by the Vice-President for Academic Affairs after consultation with the appropriate department head and dean to the President of the University. The President makes the final decision and recommendation to the Regents.

- ◆ Department heads, school deans, and Vice-Presidents will be recommended by the President to the Regents for appointment and/or employment after consultation with the appropriate administrators and faculty.
- ◆ Because of the budget balancing amendment of the Oklahoma Constitution, the Regents cannot obligate funds in excess of the unencumbered balance of surplus cash on hand. Consequently, the Regents may not be obligated by binding contracts beyond a current fiscal year for the salaries or compensation in any amount to its employees. The Supreme Court of Oklahoma has strictly construed this constitutional provision by ruling that any liability sought to be incurred in excess of current revenues on hand is void.
- ◆ The terms and conditions of every appointment or reappointment will be stated in writing and be in the possession of both the institution and faculty member before the appointment is consummated.

2.1.3 Qualifications for Initial Appointment

No appointments to any level shall carry any implication of academic tenure, and all initial appointments shall be limited to one year. Appointment to a faculty position and fulfillment of the minimal requirements to hold a particular faculty rank does not carry with it any expectation or right of promotion in rank. Rather, completion of minimal requirements for any position carries with it only the right to be considered for promotion to that position.

- ◆ Adjunct Faculty: Demonstration of qualifications to teach the course(s) for which s/he is hired.
- ◆ Part-time Instructor: Demonstration of qualification to teach the course(s) for which s/he is hired.
- ◆ Visiting Instructor or Specialist in Residence: A bachelor's degree in the subject area for which the person is hired or other preparation deemed sufficient by the President with appropriate counsel. Time spent as visiting instructor does count toward promotion and tenure consideration.
- ◆ Instructor: A master's degree or its equivalent from an approved institution in the subject area in which the person is employed.
- ◆ Assistant Professor: At least a Masters degree from an approved graduate school, evidence of ability as a teacher or research worker, and demonstrated progress and development in his/her teaching field.
- ◆ Associate Professor: Applicant must have a terminal degree granted by a regionally accredited university and an established reputation as a scholarly teacher or research worker, and evidence of campus or professional leadership.
- ◆ Professor: An earned doctor's degree from an approved graduate school, an established reputation as an excellent teacher or research worker, a record of contributions in a field of learning in his/her assignment area, and promise of continuing campus or professional leadership.

2.1.4 Performance Probation

Department heads, deans, and program supervisors may recommend probation for a faculty member in their areas of responsibility to the Vice-President for Academic Affairs. If unacceptable performance is observed after the first year of employment, but not so low that non-renewal is deemed warranted, an opportunity to improve should be granted in the absence of other issues. Probationary status indicates unsatisfactory performance of responsibility. It carries with it: (1) salary freeze for the ensuing year; (2) a warning that unless performance meets minimum standards, continued employment for the following year will not be offered by the University; (3) a letter from the Vice-President for Academic Affairs indicating placement on probation for the next year and written requirements for improvement by the appropriate department head, dean, or supervisor.

2.1.5 Change of Assignment

The University reserves the right to change staff and faculty assignments. If the change involves reduced responsibility, beginning with the next annual assignment, a salary freeze or adjustment may be put into effect for the period of time necessary to bring the salary in line with the new position or diminished responsibility.

2.1.6 English Proficiency of Instructors

To guarantee faculty members have proficiency in both written and spoken English, the University uses the following process. All candidates for a faculty position are screened in the same manner. Letters of application, references, resumes, transcripts, or other credentials are reviewed by a screening committee. If a candidate is chosen for an interview, a search committee usually composed of a faculty member(s), department chair, dean, Vice-Presidents, and students, if appropriate, conduct the interview. Communication skills, along with subject matter knowledge, are of primary importance for any candidate. However, references may be asked to comment on the applicant's communication skills, both written and verbal, and ability to articulate in the classroom. Once a faculty member is hired, student evaluations are administered which will identify problems with written or spoken English not recognized prior to employment. Students encountering difficulty in understanding an Instructor due to the Instructor's perceived inability to effectively teach in the English language may lodge a complaint about such issue by filing a complaint through the established grievance procedures of the University. The VPAA will assure that grievance procedures are published in the faculty handbook, the student handbook, and once each semester in the student newspaper.

2.1.7 Procedure for Renewal and Non-renewal of Appointment and Dismissal

A faculty member whose appointment is not to be renewed shall be notified of such determination by the President via certified mail, return receipt requested, mailed to the faculty member no later than April 15 of the academic year in which the faculty member is employed.

Initial appointments to the faculty are for one academic year. Recommendations for reappointment after the first year must be made in writing no later than April 1 to the President of the University by the Vice-President for Academic Affairs after consultation with appropriate school dean, department head, and faculty. If the faculty member is not rehired for a second year of employment, s/he is to be mailed advance notice of non-renewal by April 15 (by certified mail) of the initial year of employment. There is no formal appeal of such a decision and no reason need be given for the non-renewal.

The Faculty Employment Appeals Committee is an ad hoc committee of 3 peers appointed as follows: one by Vice-President for Academic Affairs, one by the aggrieved faculty member and one chosen by the 2 appointees.

Beginning with the second year of employment, non-tenured faculty members who are not to be re-appointed shall have ten days from receipt of notice from the President of OPSU to file a request in writing for a hearing before the Faculty Employment Appeals Committee. The purpose of the hearing is to determine if the process for non-renewal of faculty was followed. Specifically, the faculty member may challenge the non-renewal on the basis of failure of the University to notify the faculty member within the specified time period or failure of the University to notify the faculty member of the reason for non-renewal. The faculty member may not challenge the grounds for non-renewal unless for alleged violation of constitutional rights.

Tenured faculty shall have 10 days from receipt of notice from the President of OPSU to request in writing a hearing before the Faculty Employment Appeals Committee because the process for termination or non-renewal was not followed and/or to challenge alleged cause(s) for dismissal. The committee shall follow the functional guidelines set forth in Appendix C.

The Faculty Employment Appeals Committee shall submit its report of findings and recommendations to the President of OPSU no later than three weeks after the hearing is requested.

A tenured faculty member who has received notification of termination or non-renewal of his/her contract shall in all cases be afforded due process. In accordance with the regents' policy, the tenured faculty member shall have the right to request the Regents or a committee of the Regents to review findings that resulted in a termination or non-renewal notice. The request for a hearing before the Regents or a committee of the Regents shall be filed with the Regents within fourteen days after the final notification of termination or non-renewal by the President.

In rare situations where the aforementioned timeline cannot be met due to circumstances beyond control, the President of the University may grant reasonable flexibility in the meeting of the deadlines.

Any faculty member may be terminated for one or more of the following:

- ◆ Incompetence in performing or in meeting appropriately assigned responsibilities or refusal to perform such duties as appropriately assigned;
- ◆ Neglect of duty as indicated by failure or continued failure to sufficiently perform in accordance with applicable terms and conditions of employment, which includes the standards or requirements described in University or Board of Regent policies;
- ◆ Serious and apparently intentional misuse of University property and resources;
- ◆ Academic dishonesty;
- ◆ Acts of moral turpitude;
- ◆ Deliberate and grave violation of the rights or freedoms of fellow faculty members, administrators, or students;
- ◆ Willful obstruction or disruption or attempts to obstruct or disrupt the normal operation of functions of the University or advising or procuring, or actively encouraging others to do so;
- ◆ Financial exigency;
- ◆ Termination/discontinuance of a program;
- ◆ Repeated violation of institutional policies;
- ◆ Failure to follow reasonable directions from the administration.
- ◆ Sexual harassment of students, staff, fellow faculty, administration, or other.
- ◆ Felony conviction.
- ◆ Or other improper conduct which is seriously injurious to the best interests of the University or its components.

2.1.7.1 Hiring Policies

Any vacancy for a position must be listed with Human Resources. Recommendations for appointments, reappointment, promotions, and transfers will not be approved until candidates for these positions have been approved by the President or his designee and have been processed by the Human Resources Office.

All new employees will be required to provide identification and employability information in accordance with the Immigration Reform and Control Act. All new employees must have an I-9 form on file in the Human Resources Office. A criminal history background check will be engaged in prior to offering employment to a candidate. In all cases, consent and disclosure forms will be signed by the candidate prior to engaging in such checks.

2.2 FACULTY PROMOTIONS AND RANK AND TENURE QUALIFICATIONS

2.2.1 Promotions

Promotions from one faculty rank to another are based upon training, teaching, scholarly or creative activities, and experience together with any special abilities such as research and performance, which make the faculty member professionally valuable to the University.

Faculty may begin their accumulation of documentation by asking for information at the office of the Vice-President for Academic Affairs at least six weeks in advance of their submitting THEIR packets for advancement in rank or tenure. The candidate will open a promotion readiness file in the office of the Vice-President for Academic Affairs, requesting recommendations from the department head and school dean and providing all supporting documentation that the faculty member wishes to be included in the file by March 1. Forms are available in the office of the Vice-President for Academic Affairs.

Graduate work (to be applied to advancement in rank) must be completed by January 1 of the academic year in which recommendations for advancement are made with supporting official transcripts filed after March 1. Work completed after January 1 (with validating official transcripts filed after March 1) will be counted in the next school year.

In order to be considered for promotion in rank and for tenure, work from graduate programs must be from an approved graduate program as defined in the OPSU Academic Definitions for Faculty on the first page of Part I of the faculty handbook.

The candidate must include the following items of documentation in his/her promotion file:

- ◆ evaluation from the school dean or, for deans, one from the VPAA;
- ◆ evaluation from the department head (if applicable);
- ◆ a recommendation from the school dean or for deans one from the VPAA;
- ◆ recommendation from the department head (if applicable);
- ◆ student evaluation class summaries from any 3 semesters of the prior 3 years;
- ◆ proof of degrees, professional certifications or course completion;
- ◆ description of committee service;
- ◆ description of University scholarship, leadership, service, and awards;
- ◆ evidence of scholarly activities and/or artistic endeavors.

The absence of any of the above items will cause the application to be rejected by the Rank and Tenure Committee.

The candidate may also include the following items of documentation in his/her promotion file:

- ◆ letters of recommendation (the applicant will be asked to sign a waiver of access form);
- ◆ listing of achievements of past students;
- ◆ listing of community service, leadership, or awards;
- ◆ listing of professional association service, leadership, or award;
- ◆ other supportive documentation.

An academic administrator may insert other pertinent materials into the promotion documentation packet, so long as both the faculty member and unit head are aware of such materials and have the chance to review and comment on them for the record.

Promotion and Tenure Procedures and Guidelines

- ◆ The faculty member's Tenure Readiness Form and supporting materials and/or materials in supported promotion shall be reviewed by the department head (if applicable) and by the school dean, who will add comments and recommendations to the file. The office of the Vice President for Academic Affairs will then forward the file to the Rank and Tenure Committee for further review.
- ◆ The Rank and Tenure Committee serves as the promotion committee for the faculty. It will receive from the deans of the various schools recommendations for advancement in rank and tenure and will make recommendations to the Vice-President for Academic Affairs. The Committee will be composed of one member from each school holding the rank of Professor or Associate Professor and tenure. The members will be elected by the appropriate school for a three-year term. In the event that a school has no qualified faculty members, that school will not be represented on the Committee. Two at-large members will be elected by the general faculty (each for three years). The at-large members' qualifications are to be the same as members elected by the various schools.
- ◆ The Rank and Tenure Committee will forward the results of its evaluation with the appropriate recommendations to the applicants, the Vice-President for Academic Affairs and to the President. The Vice-President will receive the report and forward his/her own recommendation to the applicants and the President of the University.
- ◆ In case of a negative recommendation by the Vice-President for Academic Affairs, the faculty member will be notified by April 1 and shall have ten calendar days to file an appeal with the University's President.
- ◆ Negative recommendations of promotion or tenure by either the Rank and Tenure Committee or the Vice President for Academic Affairs may be appealed to the

Faculty Employment Appeals Committee with the functional guidelines set forth in Appendix C.

- ◆ The Faculty Employment Appeals Committee recommendations and all other relevant documentation bearing on the promotion or tenure evaluation shall be forwarded to the President for final consideration.
- ◆ The President will recommend faculty to be given promotion and/or tenure to the Regents' for approval. The faculty member will be notified by the Vice-President for Academic Affairs or the President of the University, when promoted and/or granted tenure by the Regents.

2.2.2 Qualifications for Promotion

The deadline for applications for promotion will be March 1. A promotion readiness form and supporting documentation must be filed in the office of the Vice President for Academic Affairs by the application deadline. The blank form is available in the office of the VPAA, and on the OPSU website. All rank changes must be approved by the A&M Board of Regents prior to becoming effective.

- ◆ **Promotion to Assistant Professor:**

During the fourth year of appointment as Instructor at OPSU, an Instructor may file a promotion readiness form. Faculty promotion packets must include evidence of the minimum qualifications for promotion as appears below as well as supporting documentation outlined on the Rank Advancement Readiness Form. (Appendix E).

Minimum qualifications for promotion to the rank of Assistant Professor:

1. Applicant has a master's degree granted by a regionally accredited university
2. Applicant is completing at least four years at the rank of Instructor
3. Applicant must have evidence of effective teaching
4. Applicant must actively demonstrate support of university programs, faculty, staff, students, and administration in fulfilling university mission
5. Applicant must demonstrate contributions to the institution and profession with creative and/or scholarly activities.

- ◆ **Promotion to Associate Professor:**

During the fourth year in the rank of Assistant Professor at OPSU, an Assistant Professor may file a promotion readiness form. Faculty promotion packets must include evidence of the minimum qualifications for promotion as appears below as well as supporting documentation outlined on the Rank Advancement Readiness Form. (Appendix E).

Minimum qualifications for promotion to the rank of Associate Professor

1. Applicant has a terminal degree granted by a regionally accredited university.
2. Applicant must have an established reputation as an effective teacher.
3. Applicant must actively demonstrate ongoing support of university programs, faculty, staff, students, and administration in fulfilling the mission of the University.
4. Applicant must demonstrate contributions to the institution and profession with creative and/or scholarly activities.
5. Applicant must promise continued service to the university.
6. Applicant is completing four or more years of service to OPSU.
7. Applicant is completing at least four years at the rank of Assistant Professor.

◆ **Promotion to Professor:**

During the fourth year of appointment in the rank of Associate Professor at OPSU an Associate Professor may file a promotion readiness form. Faculty promotion packets must include evidence of the minimum qualifications for promotion as appears below as well as supporting documentation outlined on the Rank Advancement Readiness Form. (Appendix E).

Minimum qualifications for promotion to the rank of Professor

1. Applicant has a terminal degree granted by a regionally accredited university.
2. Applicant is an excellent and effective classroom teacher.
3. Applicant actively demonstrates support of university programs, faculty, staff, students, and administration in fulfilling university mission.
4. Applicant demonstrates contributions to the institution and profession with creative, scholarly, and professional development activities.
5. Applicant must promise continued service to the university.
6. Applicant is completing eight or more years of service to OPSU.
7. Applicant is completing at least four years at the rank of Associate Professor.

2.3 FACULTY TENURE

2.3.1 Definition of Tenure

Tenure is not guaranteed to any member of the faculty, but may be conferred upon meritorious and deserving faculty members upon the recommendation of the President and the approval of the Regents. Tenure is the right to expect continued employment by the University as a member of the faculty, subject only to dismissal for cause (and after appropriate due process steps have been engaged in as set forth in this Handbook), or for reasons of financial exigency or bonafide lack of need for or lack of funding sufficient to support the program or area of academic expertise in which the faculty member has been employed to provide. The concept of tenure does not apply to administrative positions. A tenured faculty member appointed to an administrative position may retain his/her tenure as a faculty member if approved in writing by the President of the University.

2.3.2 Appointment to Tenure

Faculty members holding the ranks of Professor or Associate Professor may be appointed to tenured status upon recommendation of the President of the University and approval by the Regents. Tenure status requires an affirmative action by the Regents in all instances and may not be conferred upon faculty members holding the rank of Assistant Professor. In order to be considered for tenure, a faculty member must have first served the University for four consecutive years, with appointment for the succeeding year. A recommendation for tenure from the Rank and Tenure Committee requires a positive vote of at least 2/3 of the Committee. The academic vice president will provide any current “plan of improvement” in effect for any applicant for tenure. In order to be fully considered for tenure, applicants must supply evidence to prove the minimum qualifications for tenure in their promotion packet. These same qualifications appear on the applicant’s tenure readiness form.

1. Effective teacher
2. Difficult to replace with similarly qualified instructor
3. Possesses high ethics
4. Positively contributes to OPSU’s reputation
5. Cooperates with administration and peers
6. Holds a terminal degree from a regionally accredited university.
7. Participates in professional activities

2.3.3 Loss of Tenure

No tenured member of the faculty shall have an appointment terminated in violation of the principles of tenure adopted by the Regents except for cause.

2.3.4 Termination of Tenured Faculty

Any tenure-track faculty member or tenured faculty appointment may be terminated for the following:

- ◆ Incompetence in performing or in meeting appropriately assigned responsibilities or refusal to perform such duties as appropriately assigned;
- ◆ Neglect of duty as indicated by failure or continued failure to sufficiently perform in accordance with applicable terms and conditions of employment, which includes the standards or requirements described in University or Board of Regent policies;
- ◆ Serious and apparently intentional misuse of University property and resources;
- ◆ Academic dishonesty;
- ◆ Acts of moral turpitude;
- ◆ Deliberate and grave violation of the rights or freedoms of fellow faculty members, administrators, or students;
- ◆ Willful obstruction or disruption or attempts to obstruct or disrupt the normal operation of functions of the University or advising or procuring, or actively encouraging others to do so;
- ◆ Financial exigency;
- ◆ Repeated violation of institutional policies;
- ◆ Failure to follow reasonable directions from the administration;
- ◆ Sexual harassment of faculty members, staff members, administration, students, or others;
- ◆ Felony conviction;
- ◆ Or other improper conduct which is seriously injurious to the best interests of the University or its components.

A tenured faculty member has the right to a University-level pre-termination review in the case where a termination action occurs.

2.4 FACULTY EVALUATION

2.4.1 Dean Evaluation of Faculty

Faculty evaluations at OPSU should provide a primary basis for the improvement of instruction. Evaluations also are used for promotion and tenure deliberation. The Dean of each school is responsible for developing, administering, collecting, evaluating, summarizing and distributing evaluation materials for the evaluation of faculty in her/his respective school. Such evaluation will be administered to faculty on an annual basis. A copy of the Dean's evaluation will be given to the faculty member and a copy turned into the Vice President of Academic Affairs.

Deans or department heads that have a supervisory role over a spouse will yield the evaluation process to the Vice-President for Academic Affairs. The Vice-President for Academic Affairs will seek input from at least two faculty peers in the spouse's department and/or school.

2.4.2 Student Evaluations of Faculty

The Vice President for Academic Affairs will coordinate student evaluations of faculty using these guidelines. Formal student evaluations are not to be administered by the faculty member being evaluated.

- New faculty will be evaluated in all classes taught during their first year.
- Adjunct faculty will be evaluated in all classes taught at the university.
- Tenured and non-tenured faculty will be evaluated in at least three classes each year.
- Administration and/or Faculty may request additional evaluations during any semester. Faculty may also request additional evaluations using their own evaluation instrument.
- Summary and class specific results of student evaluations are to be returned to the individual faculty and a copy sent to the Dean of each school for her/his faculty and a copy is to be retained in the faculty member's file in the VPAA office.

2.5 FACULTY DEVELOPMENT

2.5.1 Philosophy

The philosophy of faculty development is to keep the faculty involved in the learning process by participating in a program of professional activities that will enable faculty to increase knowledge through scholarly endeavors.

2.5.2 Definition

Professional development at OPSU shall be defined as participation in and promotion of activities which cause individuals to further themselves in academic endeavors, creative efforts, institutional decision-making, professional participation, and other professional growth oriented activities in their respective field of employment.

2.5.3 Design

A committee composed of the Vice-President for Academic Affairs and each dean shall be charged with responsibility of overseeing the faculty development program on a continuing basis.

Each faculty member should have in his/her personnel file in the office of Academic Affairs, a personal professional development plan which will be updated annually by the individual faculty person and approved by the appropriate school dean and the Vice-President for Academic Affairs.

2.5.4 Funding

Each faculty member may be allocated funds for approved faculty development projects. Use of these funds is at the discretion of the school dean who may establish a committee to allocate funds, divide funding equally among members of his/her faculty, or devise another way to distribute funds to worthy faculty development projects. Baughman funding is also available for faculty development projects; forms for applying for Baughman funding are available in the Office of the VPAA.

2.6 ACADEMIC FREEDOM

Institutions of higher education exist for the common good and not to further the interests of individuals. The common good depends upon the search for truth and its dissemination.

Academic freedom is essential to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom is fundamental for the protection of the teacher and the student. It carries with it attendant responsibilities.

- ◆ The teacher is entitled to full freedom in conducting research and in publishing, subject to the adequate performance of other academic duties; however, research for pecuniary return must be previously approved by the administration of the institution and is consistent with the Regents' policies and laws of the State of Oklahoma.
- ◆ The teacher is entitled to freedom in the classroom to discuss appropriate, germane subject matter.
- ◆ The University teacher is a citizen, a member of a learned profession, and an employee of an educational institution. When a faculty member speaks or writes as a citizen outside the classroom, that person should be free from institutional censorship or discipline; however, the special position held by the faculty in the community imposes special obligations.
- ◆ Regarding social networking internet sites, faculty shall use the utmost discretion when posting personal information or images or language on social networking avenues via OPSU technology/equipment/email addresses. As a person of learning and a professional educator, a faculty member must remember that the public may judge the entire profession and the institution by the individual's utterances. Employees should check the websites created and hosted by the Office of State Finance and Office of the State Attorney General for the latest additional information in understanding the scope of and/or limitations of the use of social media by state employees.

2.7 FACULTY SENATE

The Faculty Senate serves as a liaison between faculty and administration and facilitates faculty participation in the establishment and formation of University policy and procedures as related to the academic programs of the institution. The Faculty Senate shall consider all matters referred to it by the President, or any faculty member or administrator; and it may initiate studies and make recommendations of its own.

2.8 PERSONNEL DATA FOLDER AND OFFICE FILE

Each faculty member is required to furnish complete and official transcripts of all completed undergraduate and graduate work and to provide such personal data as may be requested. This material is kept in a personnel data folder in the office of the Vice-President for Academic Affairs. As any new work is completed or additional honors are received, the faculty member has the responsibility to keep the file current and up-to-date.

2.9 OFFICE HOURS

Generally, full-time faculty members should be available on campus daily for student conferences. Full-time faculty members are expected to arrange a schedule of office hours for student conferences each semester posting one schedule on the office door and furnishing a copy to their Dean and the Vice-President for Academic Affairs. The minimum number of office hours shall be established by the individual Deans for faculty of that school. In addition to scheduled office hours, faculty members will be available for appointment at times other than office hours. As a rule, faculty members should generally be available on campus daily until 4 p.m.

2.10 FACULTY LOAD**2.10.1 Teaching and Other Responsibilities**

The instructional load of full-time faculty is not measured solely by the number of course hours assigned. Teaching assignments of 10, 13, or 15 semester hours might conceivably produce equivalent loads. A standard teaching load is considered 12-15 lecture hours per week with laboratory and activity hours equated according to the standard accrediting procedure; i.e., two to four hours activity/lab are equivalent to one hour of didactic performance.

Private music lessons are credited with one hour of teaching load for three thirty-minute lessons per week.

Faculty who serve in the area of teacher education are limited by the State Department of Education to an academic year credit load not to exceed twenty-four hours including equivalencies.

It is expected that all instructional staff members will assume general University responsibilities in addition to teaching duties. Responsibilities such as academic advising, committee membership, in-service study, committee work, and sponsoring organizations, are examples of activities providing out-of-class service opportunities.

2.10.2 Summer Teaching Load

The summer session operates on a reduced budget; consequently, only such faculty members who are needed will teach. These needs are based on enrollment and curriculum demands. Faculty who teach during the summer may access both their paid leave bank and their short-term disability as if it were a regular semester. (See sections 1.4 and 1.5.)

2.11 SABBATICAL LEAVE

Request for sabbatical leave by faculty members will be given favorable consideration within the budget limitations. If granted a sabbatical, the recipient may accrue one semester (one-half year) as the maximum experience increment allowable toward consideration of tenure and advancement in rank purposes, regardless of the length of time approved. Request for sabbatical leave must be made six months prior to the beginning of the proposed project to the VPAA. The VPAA will constitute an ad hoc committee of faculty members to evaluate each request. The ad hoc committee will forward a recommendation to the President for final approval.

Sabbatical leave will be granted based on a proposal submitted by the applicant. Once that proposal is accepted and a sabbatical is granted, the terms of the proposal become a contract, the terms of which must be honored. Failure to honor those terms may result in the demand for refund of the compensation paid during the sabbatical.

The sabbatical leave is available after four years of service for completion of terminal degrees. For other approved projects, the sabbatical leave is available after six years of service. A faculty member may request a sabbatical leave for a semester at full pay or for two semesters at one-half salary.

If granted, the faculty member will serve the institution for three more years following completion of the sabbatical project. If he/she fails to return or leaves during the three-year period, a proportional part of the half-year salary will be due to the institution.

2.12 OUTSIDE EMPLOYMENT

The first and major employment responsibility of a full-time faculty member shall be to the institution. A faculty member shall not engage in outside employment or interests that will infringe upon or take priority over his/her duties, performance and/or responsibilities as a faculty member. Additionally, a conflict of interest shall be avoided between employment with the University and outside interests or other employment. Full-time faculty members are to notify the appropriate Dean of outside employment conducted during normal university business hours.

2.13 SALARY POLICY

Initially, faculty salaries are based upon education, training, rank, and experience. Latitude in application of the salary schedule will, of necessity, take place. Faculty contracts can include cost of living increases and performance rewards and incentives based on criteria established by the various schools and/or administrative units within the limitations of availability of funds.

2.14 RESOLUTION OF DISAGREEMENTS

If a faculty member disagrees with his/her supervisor's decision, the disagreement shall be discussed with the supervisor first. If the matter is not resolved, the employee, the supervisor(s), the Dean and, if necessary, the Vice-President for Academic Affairs will discuss and settle the disagreement. For disputes involving reappointment, promotion, or tenure decisions, faculty members may invoke the grievance review procedures set forth in Appendix C to this Handbook

2.15 FACULTY HANDBOOK REVISION PROCEDURE

The President will appoint a committee consisting of one representative from each school to review the faculty handbook as needed.

3.0 CAMPUS SECURITY

3.1 WEAPONS, FIREARMS, AMMUNITION, FIREWORKS, EXPLOSIVES, AND DANGEROUS CHEMICALS POLICY

The students, faculty, and staff of OPSU can best learn, work, and live in an environment free from the dangers and constraints, both physical and psychological, which can arise from the presence or use of weapons, firearms, ammunition, fireworks, explosives and dangerous chemicals on the campus. It is, therefore, the policy of the university to prohibit the possession or use of any of these items on campus, in university vehicles or on university-sponsored trips.

3.2 REPORTING CRIMES AND EMERGENCIES ON CAMPUS

Reports of criminal actions or other emergencies occurring on the Oklahoma Panhandle State University campus should be made to the Texas County Sheriff's Department, at 580-338-4000, who will respond in accordance with established law enforcement procedures. Victims of serious crimes may request support personnel such as ministers and counselors during and after reporting.

3.3 SECURITY OF FACILITIES AND ACCESS TO RESIDENTS

Security is provided in the maintenance of the University's facilities through a number of mechanisms, including limitations on hours of operation, policies on keys, restricting access to those bearing appropriate identification as University staff or students and the provision of adequate lighting. Security precautions are on file in respective offices for the various types of facilities at OPSU. A guide for living in residence halls is given to each student residing in the halls.

3.4 SECURITY PROCEDURES AND PRACTICES

The Goodwell Police Department (GPD) is staffed by commissioned peace officers who meet the standards of the Oklahoma Council for Law Enforcement Education and

Training and who have the power to arrest and bring before the proper courts persons violating the law on University property. The University's peace officers cooperated with local police authorities in the exercise of their responsibilities. It is the practice of the GPD to encourage accurate and prompt reporting of all crimes to the GPD or the appropriate local police authorities.

3.5 PROGRAMS RELATED TO SECURITY PROCEDURES AND PRACTICES

OPSU provides information to students and employees about campus security procedures and practice's, encourages them to be responsible for their own security and the security of others and informs them about the prevention of crime through regular programs and literature distribution. Presentations by the University Director of Student Services are provided upon request to individual residence halls and the campus community on a regular, on-going basis. These presentations are also made by student organizations having speakers or panel discussions on topics related to safety and security.

These activities include the role and services of the University Director of Student Services, programs addressing alcohol and awareness, date rape and sexual assault prevention, domestic abuse, crime prevention and illegal drugs. Presentations are made for the general university community and special presentations are made for the residence halls. Formats include speakers, videos, demonstrations, and workshops. Routine public service announcements are made and informational brochures distributed. Among the topics covered are self-defense, fire prevention, campus crime, and safe sex.

Freshman orientation offers written material to incoming freshman students focusing on acquaintance rape, student safety on campus, and building safety. Printed materials are distributed to students living both in residence halls and off campus and include the Residence Halls Handbook and Student Handbook, which provide security policy information to students. Policy information and training is conducted regularly for University employees regarding emergencies including building evacuation, emergency rescue procedures, etc.

3.6 COOPERATION WITH AREA POLICE AGENCIES

OPSU cooperates with local police authorities to monitor and record information concerning criminal activity occurring away from the campus, but involving University students or University-recognized student organizations.

APPENDIX A DRUG-FREE WORKPLACE STATEMENT

In accordance with the Drug-Free Workplace Act of 1988, OPSU hereby notifies all employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace. Any employee found to have violated this prohibition may be subject to disciplinary action up to and including dismissal or be required to participate satisfactorily in a drug abuse assistance or rehabilitation program as a condition of continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by federal, state, or local health, law enforcement, or other appropriate agency. The imposition of such disciplinary action or requirement to participate satisfactorily in a drug abuse assistance/rehabilitation program is premised solely upon a violation of this prohibition and does not require a criminal conviction.

As a condition of employment at OPSU, all employees will:

- ◆ comply with the terms of this statement and
- ◆ notify the University (through either their immediate supervisors, other supervisory administrators, or project directors) of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Such conviction may, of course, result in the employee being disciplined or required to participate satisfactorily in a drug abuse assistance/rehabilitation program as specified above. Failure of an employee to report his/her conviction, as required herein, constitutes grounds for dismissal.

As a further requirement of the Drug-Free Workplace Act, the University has established a drug-free awareness program for the purpose of informing employees about the dangers of drug abuse in the workplace, the University's prohibition of controlled substances in and on OPSU property, any available drug counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed for drug abuse violations. An employee assistance program has been created in furtherance of the drug-free awareness program. (Information about the drug-free awareness program and the employee assistance program may be obtained from the office of the Vice President for Student Affairs/or Payroll/Personnel office.)

OKLAHOMA PANHANDLE STATE UNIVERSITY DRUG-FREE WORKPLACE POLICY

A. Purpose and Scope

The Drug-Free Workplace act passed by Congress in 1988 requires federal contractors and grantees to certify to the contracting or granting agency that they will provide a drug-free workplace. This policy is adopted to comply with this statutory directive.

B. Definitions

- ◆ **Workplace** – OPSU owned or controlled property or the site for performance of work.
- ◆ **Controlled Substance** – Cocaine, marijuana, opiates, amphetamines, and any other substance designated a “controlled substance” in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812).
- ◆ **Criminal Drug Statute** – A federal or non-federal criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.
- ◆ **Conviction** – A finding of guilt (including judicial acceptance of a plea of nolo contendere) or imposition of sentence, or both, by judicial body determining violations of federal or non-federal criminal drug statutes.
- ◆ **Project Director** – The individual having administrative supervision over a project resulting from a federal grant or contract.
- ◆ **Employee** – Shall include OPSU faculty, administrative and professional staff, classified staff, and student appointments.

C. Policy

In support of this anti-drug abuse legislation, it is the policy of OPSU to establish and maintain appropriate compliance by:

- ◆ Publishing and distributing to all employees a written statement regarding this controlled substance prohibition in the workplace, with descriptions of disciplinary actions which may be taken against employees for violation of prohibition.
- ◆ Establishing a drug-free awareness program.
- ◆ Notifying the contracting or granting agency within ten days of receiving notice of an employee’s criminal drug statute conviction for a violation occurring in the workplace.

- ◆ Imposing appropriate administrative disciplinary action on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is convicted or who has otherwise violated this policy.
- ◆ Making a good-faith continuous effort to maintain a drug-free workplace through the implementation of the requirements set forth in the Drug-Free Workplace Act.

D. Procedures

A copy of a written statement regarding the controlled substance prohibition in and on OPSU property shall be disseminated to all current employees, posted in each department

The project director will have the responsibility of explaining this policy to employees working on a federal contract/grant.

An employee shall notify the project director or, in the absence of a project director, his/her immediate supervisor or other supervisory administrator, of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The project director shall notify the Department of Grants and Contracts Financial Administration (“GCFA”) of an employee’s criminal drug statute conviction for a violation occurring in the workplace. The GCFA shall notify the federal contracting agency of such conviction within ten days of the notice under paragraph 4.03 or otherwise receiving actual notice of such conviction. The project director’s notification shall be made in a timely manner so that GCFA may comply with the time requirement set forth herein.

Suspensions and Disciplinary Actions

- ◆ An employee found at any time to have violated the drug-free workplace policy may be disciplined by OPSU even when the violation has not resulted in a criminal conviction. Employees also may be suspended temporarily if such is deemed necessary to protect the best interests and safety of the University, its components, and its participants. As an alternative to disciplinary action, the University may require satisfactory participation in a drug abuse assistance/rehabilitation program that shall be one that previously has been approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- ◆ In determining whether a violation of the Drug-Free Workplace Policy has occurred and the disciplinary action to be imposed as a result of such a violation, relevant provisions of the personnel handbook shall be followed insofar as faculty and staff are concerned.
- ◆ One of the actions set forth above in the staff handbook (i.e., discipline or satisfactory participation in a drug abuse assistance/rehabilitation program) shall be taken within

30 days of receiving notice from an employee of a conviction as provided for in the staff handbook.

- ◆ Failure of an employee to report his/her criminal drug statute conviction for a violation in the workplace within five days of the conviction is grounds for dismissal of that employee.
- ◆ For staff employees, appropriate and established leave policies will be followed for the purposes of such treatment and rehabilitation. For student employees and faculty, drug rehabilitation leave will be determined on an individual basis.
- ◆ Where necessary because of conviction and incarceration, decisions relative to suspension or dismissal or the granting of leave for treatment will be determined individually.

Counseling and Rehabilitation Sources

The office of Counseling, Career Services and Testing may be contacted for preliminary counsel and advice regarding chemical dependency problems and referral to approved chemical dependence treatment agencies .

APPENDIX B FAMILY MEDICAL LEAVE ACT

GENERAL STATEMENT

The Family Medical and Leave Act of 1993 (FMLA) gives certain job protections to employees in an attempt to equitably balance work responsibilities with the demands of personal illness or serious injury or in caring for certain family members. This statement outlines for employee information the general provisions of the Act but is not intended to be an exhaustive overview of the Act. Employees who have need for clarification of the Act's many detailed terms should contact the Human Resource officer for assistance. In the event of future amendment to the Act, such amendments will be deemed to automatically control over any contradictory terms that might be contained in this statement. The University reserves the right to change its policies regarding FMLA at any time without prior notice.

SCOPE OF COVERAGE

The FMLA generally provides that certain qualified employees of the University are entitled to receive up to 12 weeks of leave without pay in any twelve month period in order to care for the birth of a child or placement of a child for adoption or foster care, to care for a spouse, parent, or child with a serious health condition, or because of an employee's own serious health condition that makes the employee unable to perform his or her job. An employee's personal coverage in the University group health plan will continue under the same conditions that existed prior to the FMLA leave. Employee medical coverage will be paid for by the University during FMLA leave periods if the employee is enrolled in medical coverage at the time that FMLA leave is requested. Employee life and all optional benefits regularly paid for by the employee will be paid for by the employee while on leave. Dependent coverage of existing benefits would continue to be paid for by the employee as under normal circumstances. If an employee taking FMLA leave desires to change insurance coverage during the FMLA leave period, he/she should cancel insurance coverage and then re-contact the Personnel Director or return to work for assistance in reinstating coverage.

Upon return to work, an employee who has qualified for such leave will be restored to his/her original or equivalent position with equivalent pay, benefits, and other employment terms unless the employee's job assignment has been terminated for budgetary reasons or as a result of the job guarantee being denied due to the employee's "key employee" status (the employee's rate of compensation places him/her in the top 10% of all University employees for such purposes).

FMLA leave for the birth of a child or placement of a child for adoption or foster care must be taken within 12 months immediately after birth or within 12 months after placement. Such leave may begin prior to birth or placement.

FMLA leave to care for a spouse, parent, or child with a serious health condition contemplates that the employee must be needed to care for the basic needs, psychological comfort, or support for the relative. The employee must provide medical certification that states that the employee is needed to provide such care.

FMLA leave for an employee's own serious health condition contemplates that the employee must be absent from work for more than three calendar days plus continuing treatment by a health care provider. Employees must provide medical certification of inability to perform the job.

In the event of employee or immediate family member illness only, an employee may request a reduced work schedule. Medical certification must be furnished by the employee in such cases. Medical necessity for such leave must be such medical need that can best be accommodated through an intermittent or reduced leave schedule. Employees needing intermittent FMLA leave must schedule their leave so as not to disrupt the University's operations. Such leave will be calculated on a pro rata or proportional basis comparing the employee's new schedule with their prior schedule.

ELIGIBILITY

In order to qualify for FMLA leave an employee must have been employed by the University for at least one year and must have worked at least 1,250 hours within the previous 12 months. Employees exempt from the Fair Labor Standards Act will be presumed to have worked at least 1,250 hours, unless the employing unit can demonstrate that the employee did not do so. Eligibility to receive FMLA leave is determined as of the date that such leave would begin, and not as of the date that leave is requested.

In cases of reemployment, the employee must have worked 12 months and actually worked 1,250 hours from the continuous employment date.

University employees who receive monetary compensation in the highest 10% of all compensated employees may be excluded from the job guarantee provisions of the FMLA in certain circumstances.

In the event that both spouses are employed by the University, the maximum leave for both spouses together is 12 weeks if the reason is (1) for the birth of a child or to care for the child after birth or (2) for placement of a son or daughter for adoption or foster care, or to care for the child after placement. If one spouse is ineligible for FMLA leave and both spouses work for the University, the other spouse is entitled to a full 12 weeks of FMLA leave.

CONCURRENT USE OF LEAVE

An employee who has accrued unused compensatory, annual, or sick leave is required to exhaust all such leave prior to requesting unpaid FMLA leave. FMLA leave is taken concurrently with, and not in addition to, other forms of University authorized leave.

ADDITIONAL TERMS AND CONDITIONS

As stated above, the FMLA is a lengthy and very detailed statutory provision which is not easily reprinted in handbook form. There are many provisions which qualify or further expand upon the Act's coverage which are not recited in this statement. Questions regarding the Act should be routed to the Personnel Director. Clarification from the Legal Counsel to the Regents' may be necessary in some cases.

APPENDIX C

FUNCTIONAL GUIDELINES FOR FACULTY EMPLOYMENT APPEALS COMMITTEE

PREFACE

These guidelines are designed to assist the Faculty Employment Appeals Committee in implementing its responsibilities as mandated by the OPSU Faculty Handbook.

Refer to the definition and functions of the Employment Appeals Committee in Part I page 6 of the faculty handbook.

1.0 The Charge to the Faculty Employment Appeals Committee

The function of the Faculty Employment Appeals Committee is to assist the University in its efforts to resolve disputes regarding reappointment, tenure, or promotion. In carrying out this function, the Committee has two primary responsibilities: to conduct a hearing in which the members serve as neutral examiners of the issues presented, and to prepare a written advisory report describing their findings and recommendations. The Committee is to present its report to the parties involved in the dispute, the Vice President for Academic Affairs, and to the President.

2.0 Procedural Guidelines for Committee Hearings

2.1 Pre-hearing meeting

The members of the Committee may request that the parties to the hearing attend a joint pre-hearing meeting with the Committee members to discuss procedural and operational matters involved in the hearing process. Such meetings may be held in order to:

- ◆ identify and simplify the issues that are at issue;
- ◆ determine if there are any undisputed material facts or witness statements;
- ◆ provide for the exchange of documentary evidence or other information;
- ◆ determine if any Committee members should recuse due to some conflict of interest;
- ◆ establish time limits for presentations to the Committee and schedule hearing dates; every reasonable effort should be made to conduct the hearing as expeditiously as possible, with equal fairness to both parties; and
- ◆ achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

2.2 Exchange of Information

The parties shall submit to the Committee and exchange with each other.

- ◆ a list of witnesses whom they wish to present;
- ◆ a written statement of relevant facts and/or opinions, as well as circumstantial evidence;
- ◆ documents which they believe are pertinent to the matter; and
- ◆ whether or not they will be advised by legal counsel at the hearing.

Both parties may be permitted during the course of the hearing(s) to introduce additional documents and present witnesses not on their original lists subject to reasonable notice to the other party and the consent of the Committee.

2.3 Committee Hearing Procedures

The faculty member always speaks and presents his/her witnesses or documents first. After all of the faculty member's witnesses have been fully questioned, the responding party presents his/her/their case in basically the same manner as the petitioner. The members of the Committee may ask questions at any time. The usual procedure to be followed when a person is presented by either side as a witness is as follows:

- ◆ The party presenting the witness asks the witness questions.
- ◆ The other party is given the opportunity to "cross examine" the same witness. These questions should be related to matters already raised by the witness in his "direct testimony." However, the Committee may give the person cross-examining the witness leeway to inquire as to other related areas.
- ◆ The party originally presenting the witness is given the opportunity to ask further "redirected questions" of the witness in order to clarify responses made during cross examination.

Parties should strive to keep within the time frames established in advance. The Committee has the authority to limit testimony and to exclude redundant or irrelevant witnesses/documents.

The faculty member, having initiated the action, must establish by a quality of proof that is clear and convincing that the requested remedial action is justified and called for under the prevailing circumstances. At any point in the proceedings prior to the time that the Committee has issued its final recommendations, the faculty member may withdraw the request for review. In such event, the faculty member shall not have the privilege of reopening the matter at a later time.

The proceeding is not limited by technical rules of courtroom procedure or strict rules of legal evidence. The Committee may admit any evidence which is of probative value in evaluating the issues involved. Every reasonable effort should be made to obtain the most reliable evidence available. Considering hearsay evidence (testimony from a witness relating the alleged statements of other persons who are not themselves witnesses at the hearing) is permissible providing the alleged speakers are identified. Whether or not the testimony is believable and how much weight, if any, the Committee gives to such testimony is up to the Committee members to determine for themselves.

The Committee makes all rulings on procedural matters and on all questions or objections. It is permissible for the Chairperson to ask the parties to leave the room to allow the members of the Committee to privately discuss any matter upon which a ruling by the Committee has been requested. If the Committee does go into a closed deliberation, such deliberation is not recorded.

A witness ordinarily should not be dismissed from the hearing until both sides and the Committee members have had the chance to ask questions of the witness. Witnesses can be recalled for further testimony at the discretion of the Committee. Additional witnesses who have not been listed by the parties can be called, subject to reasonable notice to the other party and with the consent of the Committee. The parties are not required to list themselves as witnesses in order to testify.

In cooperation with the Chairperson of the Committee, the respective parties are responsible for arranging the presence of their own witnesses and will schedule them for appearance as close to the time of call as possible.

Persons who are to testify before the Committee shall be barred from observing the testimony of other witnesses, at the request of either party to the dispute or by unilateral determination of the Committee.

The Committee may call witnesses of its own to the hearing and request documents not otherwise introduced by either of the parties. It is each party's obligation to ensure that his/her witnesses appear as expected. The Committee is not required to delay the proceedings in order to permit a witness who has not appeared as scheduled to appear, although he/she may do so in his/her discretion.

The Committee has no power to compel the attendance of witnesses or the production of documents. The Committee has no power to swear in witnesses "under oath".

The University will provide appropriate facilities, assistance, equipment, and support to the Committee and will assist the Committee in obtaining the cooperation of witnesses and making available non-confidential documentary and

other evidence. The personnel records of the petitioning faculty member shall be accessible to the parties, Committee members and their representatives.

The parties may be accompanied by an advisor or licensed legal counsel. Such advisors may not question witnesses, or make statements to the Committee.

The Committee may authorize a deviation of the normal procedure on request of a party or on its own initiative.

The Committee may consult with an attorney from the Regents' Office of Legal Counsel, or the University Affirmative Action Officer, if such an action is believed to be helpful to the hearing process. In all such instances, the fact that such a request has been made shall be communicated to all parties to the dispute.

The hearing is considered to be confidential in nature and is not an open hearing. All testimony pertaining to the hearing shall be held in confidence by all parties and should not be discussed unless there is a compelling official need.

In order to maintain a record of the hearing, a confidential recording of the hearing shall be made. No recordings shall be made of the members of the Committee in deliberation regarding objections, procedural questions, or as to the final recommendations to be issued. Copies of the recordings of the hearing may be made accessible to members of the Committee, the Vice President for Academic Affairs, the President of the University, or to members of the Regents or its staff. The faculty member may obtain a copy of such recordings by paying for the cost of reproduction. If impractical, the University is not obligated to attempt to make "daily" copies of the recordings made of the hearing.

2.3 Committee Recommendations

After hearing the presentations of the parties to the dispute, the Committee members meet in private to deliberate regarding the issues presented to it. These sessions are not attended by the parties and are not recorded. The Committee may request further clarification from the parties regarding any issues, either in writing or by reopening testimony for this limited purpose.

The Committee Chairperson shall issue a written report, signed by all members of the Committee, giving its recommendations and reasons for such recommendations. This report shall be based solely on relevant evidence contained in the hearing record and reasonable inferences as drawn there from. The Committee's report shall be transmitted to the parties and to appropriate University officers as outlined above.

On issuing the Committee report, the Chairperson shall collect all documents, tape recordings, and any other evidence obtained during the hearing and transmit such items to the office of the President of Faculty Senate who will destroy them

after a period of 2 years. In the event that the President of the Faculty Senate is an involved party, they will go to the Vice President of the Faculty Senate.

3.0 Termination Hearings

In rare instances, the University will seek to end the employment relationship of a member of the faculty who has achieved tenured status or, in the case of an untenured faculty member, prior to the end of the faculty member's current appointment period. The University recognizes the seriousness of such an action and intentionally alters the procedural guidelines for such cases. In such cases, the charge and procedural guidelines of the Committee hearing shall be different from those outlined above in the following ways:

- 3.1** The academic administrator representing the University shall proceed first and the faculty member second in all phases of the hearing. The University therefore shall have the burden of demonstrating, by a preponderance of the evidence, that termination is justified for cause, as further referenced in the Faculty Handbook.
- 3.2** Each party to the hearing may be represented by licensed legal counsel, who shall be permitted to fully participate in all phases of the hearing, speaking for the party, making statements to the Committee, and questioning witnesses.

The faculty member whose termination is being sought may be relieved of active duties for the University during the pendency of the hearing and all appeals provided for under University or Regents' policy, but shall remain on active pay status during such period.

APPENDIX D

ARMED SUBJECTS

If you observe any armed individual, other than law enforcement, on campus at any time or if an individual is acting in a hostile or belligerent manner, immediately contact the Goodwell Police Department by dialing 911.

Armed Subject Emergency Alert:

Subject is outside your building:

1. Close and lock all doors, if possible. Obstruct doorways with furniture and heavy objects as an additional deterrent or if locks are not available.
2. Close and secure all windows. Close all blinds.
3. Move all occupants to a safe location within the room, making sure everyone is out of the line of fire and away from potential flying glass.
4. Do not huddle or stand together. Spread out within the available space as it is more difficult for a shooter to hit multiple, disparate targets than it is to shoot into a cluster of people.
5. Turn off the lights in the room and other items that are producing light or sound.
6. Instruct all occupants to turn sound off to mobile devices and to remain quiet.
7. Remain concealed until an “all clear” instruction is given via the campus alert system, OPSU web site, and/or social media. Both known and unknown voices may be misleading and designed to give false assurances.

Subject is inside your building:

1. If it is possible to flee the area safely and avoid danger, do so. Move quickly and quietly to the nearest building exit. Do not take personal items.
2. Listen continually for sounds of a threat and move away from it.
3. Be alert for instructions from authorities when exiting. Keep hands visible and move completely away from the building.
4. If flight is not an option, close and lock all doors, if possible. Obstruct doorways with furniture and heavy objects as an additional deterrent or if locks are not available.
5. Close and secure all windows. Close all blinds.
6. Move all occupants to a safe location within the room, making sure everyone is out of the line of fire and away from potential flying glass.

7. Do not huddle or stand together. Spread out within the available space as it is more difficult for a shooter to hit multiple, disparate targets than it is to shoot into a cluster of people.
8. Turn off the lights in the room and other items that are producing light or sound.
9. Instruct all occupants to turn sound off to mobile devices and to remain quiet.
10. Remain concealed until an “all clear” instruction is given via the campus alert system, OPSU web site, and/or other social media. Both known and unknown voices may be misleading and designed to give false assurances.

Subject enters your classroom or office:

1. Remain calm and use common sense. Negotiate if possible.
2. As a last resort and only if your life is in imminent danger, try to incapacitate the armed subject.
 - a. Act as aggressively as possible.
 - b. Throw items and improvise weapons.
 - c. Yell and commit to your actions

General Considerations

- Faculty members are encouraged to keep their classroom doors locked, if possible. During passing periods, doors may be left unlocked. During class, doors should remain closed and locked.
- Goodwell Police Department should be contacted as soon as it is safe to do so by dialing 911. Please provide the following information, if possible.
 - Location of the armed subject(s)
 - Number of armed subjects
 - Description of armed subject(s)
 - Number and type of weapons held
 - Number of potential victims and their location
- Classrooms and offices should appear to be secure and unoccupied during an alert.
- Wounded victims should not be moved.

APPENDIX E**RANK AND TENURE FORMS**

APPLICATION
RANK ADVANCEMENT READINESS FORM
(FINAL DATE FOR APPLICATION MARCH 1)

Instructions: When a faculty member has met minimum requirements for advancement in rank this form may be filled out and filed with the Vice President for Academic Affairs (VPAA). The receipt of this completed form (along with any supporting documentation the candidate wishes to append) will initiate the formal application process. Feel free to append supporting documentation which can include a list of committee assignments, scholarship or leadership awards, professional development accomplishments and/or plans, evidence of scholarship or artistic endeavors, additional letters of recommendation, achievements of former students, etc.

The VPAA will request an evaluation from the appropriate Dean. The VPAA will then send the completed application form to the Rank and Tenure Committee for consideration and recommendation. The following must also accompany the application: (1) an evaluation from the school dean (2) an evaluation from the department head (3) student evaluation and class summaries from the prior three years (4) a recommendation letter from the school dean (6) proof of degrees or course completions.

Name of Faculty Member _____

Current Rank _____

Years served in current rank _____

Highest Academic Degree Attained _____

Total graduate hours _____

Graduate hours in teaching field _____

Rank Sought _____

Promotion is based on training, teaching, and experience and other characteristics that make the candidate valuable to the institution. Please write a formal request for promotion and address the appropriateness of your qualifications for the promotion you seek.

SIGNATURE OF APPLICANT _____ **DATE** _____

**SCHOOL DEAN and/or DEPARTMENT HEAD
EVALUATION FOR PROMOTION IN RANK**

Name of Faculty Member _____

Current Rank _____ Years Served in Current Rank _____

Highest Academic Degree Attained _____ Total Graduate Hours _____

Promotion from rank of _____ to _____

Respond Yes, No, or * and give extended answer on separate sheet. Return the completed form to the Vice President for Academic Affairs' office.

ELIGIBILITY FOR PROMOTION: INSTRUCTOR TO ASSISTANT PROFESSOR

1. _____ Applicant has a master's degree granted by a regionally accredited university
2. _____ Applicant is completing at least four years at the rank of Instructor
3. _____ Applicant must have evidence of effective teaching
4. _____ Applicant must actively demonstrate support of university programs, faculty, staff, students, and administration in fulfilling university mission
5. _____ Applicant must demonstrate contributions to the institution and profession with creative and/or scholarly activities

ELIGIBILITY FOR PROMOTION: ASSISTANT PROFESSOR TO ASSOCIATE PROFESSOR

1. _____ Applicant has a terminal degree granted by a regionally accredited university.
2. _____ Applicant must have an established reputation as an effective teacher.
3. _____ Applicant must actively demonstrate ongoing support of university programs, faculty, staff, students, and administration in fulfilling the mission of the University.
4. _____ Applicant must demonstrate contributions to the institution and profession with creative and/or scholarly activities.
5. _____ Applicant must promise continued service to the university.
6. _____ Applicant is completing four or more years of service to OPSU.
7. _____ Applicant is completing at least four years at the rank of Assistant Professor.

ELIGIBILITY FOR PROMOTION: ASSOCIATE PROFESSOR TO PROFESSOR

1. _____ Applicant has a terminal degree granted by a regionally accredited university.
2. _____ Applicant is an excellent and effective classroom teacher.
3. _____ Applicant actively demonstrates support of university programs, faculty, staff, students, and administration in fulfilling university mission.
4. _____ Applicant demonstrates contributions to the institution and profession with creative, scholarly, and professional development activities.
5. _____ Applicant must promise continued service to the university.
6. _____ Applicant is completing eight or more years of service to OPSU.
7. _____ Applicant is completing at least four years at the rank of Associate Professor.

BASED ON THE ABOVE CRITERIA, MY RECOMMENDATION WOULD BE THE FOLLOWING:

RECOMMEND

DO NOT RECOMMEND

RECOMMEND DELAY

Name and Position _____

OTHER CONSIDERATION:

(Comments relative to committee work, sponsorships, etc., are appropriate)

**APPLICATION
TENURE READINESS FORM
(FINAL DATE FOR APPLICATION MARCH 1)**

Instructions: When a faculty member has met minimum requirements for tenure this form should be filled out along with any supporting documentation and filed with the Dean of the college. The Dean will then send the application form and supporting documentation to the Vice President for Academic Affairs, who will then forward it to the Rank and Tenure Committee.

Name of Faculty Member _____

Year employed by OPSU (Latest Employment) _____

Current Rank _____

Years served in current rank _____

Highest Academic Degree Attained _____ Total graduate hours _____

Graduate hours in teaching field _____

Have you been appointed for the next academic year? _____

Tenure is awarded as “the right, which may be granted to a faculty member to continue in a position to which appointment has been made.” (Faculty Handbook 2.3 A) Please write a formal request in which you explain why you should be granted tenure.

SIGNATURE OF APPLICANT _____ **DATE** _____

SIGNATURE OF DEPARTMENT HEAD _____ **DATE** _____

SIGNATURE OF DEAN _____ **DATE** _____

SCHOOL DEAN AND/OR DEPARTMENT HEAD EVALUATION FOR TENURE APPOINTMENT

(Please return within five days to the chairperson of the rank and tenure committee)

Name of Faculty Member _____

Year employed by O.P.S.U. (Latest Employment) _____

Current Rank _____ Years served in current rank _____

Highest Academic Degree Attained _____ Total graduate hours _____

Graduate hours in teaching field _____

Has candidate been appointed for succeeding year _____ Department assigned _____

Number of full time faculty in this department _____

Number tenured faculty in department _____

(Circle the response that represents your evaluation of this candidate)

SA = Strongly Agree A = Agree U = Undecided D = Disagree SD = Strongly Disagree

SA A U D SD **1. There is evidence that this person will continue to be an effective teacher.**

Comment _____

SA A U D SD **2. This person remains current in respective teaching field and maintains scholarly activity in the area of teaching assignment.**

Comment _____

SA A U D SD **3. It would be difficult to replace this person with someone else equally as effective.**

Comment _____

SA A U D SD **4. This person maintains high professional ethics.**

Comment _____

SA A U D SD **5. The university will be strengthened by this person's continued service.**

Comment _____

SA A U D SD

6. This person cooperates with administration and faculty colleagues.

Comment _____

SA A U D SD

7. This person holds a terminal degree within the teaching field from a regionally accredited university and continues to grow professionally.

Comment _____

Summary Evaluation

Based on your responses to the above criteria identify from the following your best judgment of the qualifications of this person for tenure.

Recommend

Recommend Delay

Do Not Recommend

Name: _____

Position _____

Other Considerations:

(Comments relative to committee work, continued academic development, scholarship, leadership or service)