FULL-TIME FACULTY HANDBOOK

Effective June 1, 2010

Modified Feb. 15, June 1, Sept. 22, 2011, Sept. 30, 2011; Feb. 22, 2012; Sept.15, 2012; April 9, 2013; May 20, 2013; Sept. 4, 2013; Sept. 29, 2014; February 27, 2015; November 1, 2015; July 1, 2016; September 20, 2016; June 20, 2017; March 28, 2018; May 8, 2018; June 1, 2018; November 1, 2018; May 21, 2019; Technical Corrections July 17, 2019; Feb. 1 July 1, 2021; February 1, 2022; April 1, 2022; Technical Corrections August 1, 2023

related-disability, or any other basis prohibited by law.

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Enduring Commitments

In pursuit of this mission, we commit ourselves to academic excellence, to our values and traditions, and to our students, alumni and the global community.

To foster academic excellence, we as a University:

Create a diverse community of scholars, united and dedicated to the highest academic standards;
Emphasize the liberal arts and sciences as our foundation and foster in our students active

Respect a worldview that recognizes that all creation is sacred and that fosters responsible stewardship of the environment;
Include our alumni as an integral part of the Villanova community;
Value highly our relationship with neighboring communities.

2. UNIVERSITY STRUCTURE

PRESIDENT AND BOARD OF TRUSTEES

Full legal jurisdiction in all that pertains to the University is vested in the Board of Trustees, which is comprised of no fewer than twenty and no more than thirty-five members. Of these, no fewer than nine are to be members in good standing of the Order of Saint Augustine. The President of the University is *ex officio* a member of the Board.

The President is responsible to the Board as the executive head of the University and is responsible for the gener7(spon104 Tf1 0 0 0)-2(u)11(t(tQdW3iEh)11(i)-4ti)-4(s)9afOfair.o (The o)13(r)-3(es)7(i)-4d(en)9(t)

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The Provost reports to the President and is the University's second highest ranking official and its academic leader who represents the President or the University in President's absence. The responsibilities of this position include all of Villanova's academic programs and all efforts to achieve educational alignment throughout the institution. The Provost will form a strong working relationship with the Vice President for Student Life and the Vice President for Mission and Ministry to ensure greater collaboration and achievement in these important areas. For a detailed description of the Office of the Provost's reporting structure – see below.

OFFICE OF THE PROVOST

The educational work of the University is under the direction of the Provost. The college deans and the Dean of Enrollment Management are members of the *Council of Deans* reporting to the Provost.

Colleges and Deans. The various colleges of the University – Liberal Arts and Sciences, Engineering, School of Business, Professional Studies, School of Law and Nursing -- are

The *Villanova Institute for Teaching and Learning* provides and coordinates resources for faculty members who are interested in helping their students become more effective learners. Among the services offered are confidential consultations and classroom observations, workshops, and mini-grants. A library/resource center contains materials related to teaching and learning. The Director reports to the Vice Provost for Teaching and Learning.

The *Office of Education Abroad* provides information and assistance to students who wish to study

The *Villanova Institute for Research and Scholarship* (VIRS) promotes a vital, sustainable research culture on campus by helping faculty from all disciplines fulfill their research, scholarly, and creative aspirations. VIRS offers internal funding, grantsmanship skills training, faculty writing programs, car

University as a whole. The *Committee* also has a direct line to the Provost (or designee) for the discussion and resolution of faculty issues. The Committee consists of fifteen faculty members and one of whom shall be the Vice Chair of the Faculty Congress. The Provost (or designee) is an *ex officio* member.

EXECUTIVE VICE PRESIDENT

The *Executive Vice President* oversees the University's administrative operations at a highly strategic level. These operations include Auxiliary Services, Human Resources, Facilities Management, Public Safety, and University Information Technologies (UNIT). The *Vice President for Facilities Management* and the *Vice President for Technology and Chief Information Officer* report to the Executive Vice President. The Executive Vice President provides critical oversight for administrative functions, ensures alignment with academic priorities, and develop strategies to leverage institutional resources.

The *Office of Health Promotion* provides campus-wide wellness initiatives. Health Promotion provides education on various topics so that students can make appropriate choices for healthy living. In collaboration with many departments, the Center offers educational programs on issues such as Alcohol and Drugs, Sexual Assault, Sexual Health, Stress Management, Fitness and Nutrition.

for Faculty.

TENURE/TENURED TRACK FACULTY EMPLOYMENT AGREEMENT:

VILLANOVA UNIVERSITY

they agree to resume their duties for the unexpired term of employment as set forth in paragraph one upon regaining the ability to do so, and in that event the University agrees to continue or to resume, as the case may be, the specified monthly payments for the remainder of the contract term. The University will comply in all respects with the provisions of applicable laws in the administration of the disability income benefits.

(b) Family and medical leave without pay is governed by separate policies and regulations.

(c) If Faculty Member with tenure notifies the University prior to the 1st day of March preceding the beginning, normally on August 22, of the third academic year following the suspension of his /her duties (because of short or long term disability) that they have regained as of the date of such notice their physical and mental capacity to resume their duties, the University agrees to continue the appointment of said Faculty Member and to employ them pursuant to and subject to the provisions of paragraph five. The University's obligation to employ said Faculty Member shall commence as of the beginning of the academic year immediately following said notice provided that such notice had been given by March 1. The University reserves the right to verify the recovery from a disability sufficient to resume Faculty Memberôs duties, including the right to require its own medical examination.

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

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

7. *(a) This agreement may be terminated at any time, or appropriate sanctions including suspension without pay or reduction of salary may be imposed, on account of: professional incompetence; serious misconduct; moral depravity; serious misrepresentation or falsification of information important to the conduct of the Universityôs activities; serious breach of academic integrity; grave and repeated neglect of duty; felony conviction (including discovery of a conviction that occurred before employment commences); intentional failure or refusal to perform a substantial part of assigned duties or to fulfill the responsibilities set out in this agreement or in the Faculty Handbook; or failure to correct serious, substantive, and persistent deficiencies in teaching, scholarship, or service. The University may act on such misconduct that it finds even if criminal proceedings arising out of the same conduct may not have been finally adjudicated.*

(b) To bring about such a discharge or suspension in the case of Faculty Member with tenure, the University, acting through the President, shall follow the Dismissal and Suspension Procedure for Faculty in the Faculty Handbook. Appeals of disciplinary actions for tenured faculty members short of discharge or suspension without pay shall be handled by means of the Universityôs faculty grievance policy in the Faculty Handbook.

(c) If Faculty Member does not have tenure (i.e., is on the tenure track) and thus is serving in probationary status, they may be discharged or suspended without pay by the University for the reasons set forth in paragraphs 5 (a) and 7 (a) or for other good and serious reason as determined by the President. The President or the Provost will notify Faculty Member of a decision to discharge or to suspend them without pay, and the University will pay them the amount owed them at the contract rate for services rendered prior to the effective date of discharge or suspension.

The University, acting through the Provost, may choose at the conclusion of an academic year not to

renew the appointment of a faculty member who does not have tenure and thus is serving in probationary status on the grounds of unsatisfactory performance of their duties and functions, as determined by the dean of their college.

8. *Unless Faculty Member is tenured, in which case the appointment is continuing, the University undertakes to inform Faculty Member, by means of written notice to their home and office, of any decision not to renew their association with it on the following schedule:*

   For faculty members in their first year of service, such written notice shall be sent on or prior to March 1 of that year. Employment terminates at the conclusion of that academic year, unless earlier terminated for reasons provided in this agreement.

   For faculty members in their second year of service, such written notice shall be sent on or prior to December 15 of the second academic year. Employment terminates at the conclusion of that academic year, unless earlier terminated for reasons provided in this agreement.

   For other faculty members: if notice is given during their third, fourth, or fifth year of service, employment will extend throughout that year and the following academic year, at the end of which employment terminates, unless earlier terminated for reasons provided in this agreement.

9.

In witness of the assent of the two parties to this agreement herein above set forth and made on the ____ day of _____ , 20XX at Villanova, Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, the duly authorized representative of the said University and the said Faculty Member have set their signatures herein below.

By the Faculty Member *For Villanova University:*

_____ *By* _____

Print name clearly *The Provost*

_____

Faculty Member Signature

NON-TENURE TRACK FACULTY EMPLOYMENT AGREEMENT:

administrative and service functions, as assigned by oneôs dean and as described in the Rank and Tenure Policy.

3. *The Faculty Member agrees:*

   to abide by the policies and regulations as set forth from time to time in the Faculty Handbook;

assigned duties or to fulfill the responsibilities set out in this agreement or in the Faculty Handbook; failure to correct serious, substantive, and persistent deficiencies in teaching, scholarship, or service; or for other good and serious reasons as determined by the President. The University may act on such misconduct that it finds even if criminal proceedings arising out of the same conduct may have not been finally adjudicated.

This agreement may also be terminated in the event of a program of the University to bring about a significant reduction in faculty because of financial exigency at the University or college level; a strategic decision to discontinue or significantly reduce the size and scope of a college, a department, or free-standing academic program (center, institute, major, minor, or course of studies) in which Faculty Member was hired and serves.

The President or the Provost will notify Faculty Member of a decision to terminate, suspend, or to impose other sanctions. In the event of termination or suspension, the University will pay them the amount owed

4. ACADEMIC CITIZENSHIP AND COMMUNITY

Seek in appropriate ways the advice of appropriate members of their departments as determined by college or departmental policy.

Academic integrity is not simply a matter of conforming to certain rules; it must be understood in terms of broader academic purposes of a Villanova education. Examples of academic dishonesty include: cheating, fabrication of information, assisting in or contributing to academic dishonesty, plagiarism, submission of the same work for more than one class, unsanctioned collaboration, misrepresentation, forgery, taking credit for work done by others, stealing or damaging library books, or unlawfully copying computer software.

APPEAL OF ALLEGATION

Students who receive an academic integrity violation may, if they believe that they have not committed an academic integrity violation, take their case to the Board of Academic Integrity.

PENALTIES

A. **Individual Course Penalty.**
The academic penalty will be determined by the student's instructor. The instructor may impose a grade penalty up to an including failure in the course. In the School of Business, all faculty members assign a grade of zero to any work in violation of the Code. Students who feel that the penalty is too harsh may appeal their grade through the normal University procedure for resolving grade disputes.

B. **University Penalty**.
Students who violate the code of Academic Integrity are also referred to their Dean for a University penalty. Two kinds of penalty are available – Class I and Class II. A full academic integrity violation is a Class I violation and Class II violations are usually appropriate for less serious cases, or in cases where there are mitigating circumstances. Typically, a student with two Class I violations will be dismissed from the university. In some cases, the Dean (or designee) may choose to treat a violation of the Academic Integrity Code as a Class II violation. Typically, a student may receive only one Class II violation during their four-year career as an undergraduate. All subsequent violations are treated as Class I violations.

POLICY

A. Jurisdiction

This policy covers all cases where graduate or undergraduate students are alleged to have committed academic dishonesty at Villanova University in the Colleges of Liberal Arts and Sciences, Engineering, Nursing, Professional Studies or School of Business. This policy does not apply to students solely in the School of Law, which has its own policy.

B. Procedure

If a faculty member believes that a student has committed an academic integrity violation, the faculty member shall, under normal circumstances, notify the student, allowing the student an opportunity to respond. Following this initial communication with the student, all subsequent communications by the student or parent go to the dean (or designee). Faculty members who have questions about whether an incident constitutes an academic

integrity violation are urged to consult with their chair, dean, or with the chair of the Academic Integrity Board. If the faculty member continues to believe that a violation has occurred, the faculty member assigns an appropriate grade penalty. The instructor may impose a grade penalty up to and including failure in the course. In the School of Business, all faculty members assign a grade of zero to any work in violation of the Code. At the sole discretion of the faculty member, the faculty member may offer the student an opportunity to redo the work or complete an alternate or additional piece of work. If the faculty member assigns a grade penalty, the faculty member must report in writing to their dean (or designee) and chair or program director that an academic integrity violation has occurred. A form is available for reporting violations or faculty members may write a letter. The letter should give a brief account of the matter and, where appropriate, should include copies of the assignment and other documentary evidence. The faculty member must also make a recommendation to the dean (or designee) as to whether the violation should be treated as a Class I violation or as a Class II violation. Typically, violations of the Academic Integrity Code are treated as Class I violations, but in cases which are less

If the student denies that an academic integrity offense has occurred, the dean (or designee) will refer the matter to the Chair of the Board of Academic Integrity, with notification of this to the other parties.

Upon receiving notice from the dean (or designee), the chair of the Board of Academic Integrity will assemble a panel consisting of three faculty and two student members of the Board of Academic Integrity. The panel will make a determination (based on a preponderance of the evidence) of whether academic dishonesty has occurred. The Chair of the Board of Academic Integrity will convey the panel's finding to the dean (or designee), the student, the faculty member and department chair; and will advise the student and faculty member of their rights of appeal. If several students are involved in one case, the dean (or designee) may request that the panel consider the situation of all involved students, even if one or more do not deny having committed an academic integrity offense. If the panel finds that no violation has occurred, the faculty member's dean (or designee) or the Chair of the Board of Academic Integrity will advise the faculty member to re-grade the assignment in question (on the premise that no violation has occurred), and notification will be sent to all parties. The Chair of the Board of Academic Integrity may make informal recommendations to the dean (or designee) on issues relating to the level of the violation, but the purpose of the panel is to consider whether an academic integrity violation has occurred. The panel does not make recommendations on issues such as mitigating circumstances or the severity of the punishment.

If the panel determines that a violation has occurred, the original grade assigned by the faculty member will stand. If a student believes that the grade assigned is inappropriate, the student may appeal the grade through the normal procedure for handling complaints concerning grades. In such cases, the instructor's stated policy regarding grading and academic integrity will be taken into account and given great weight. The complaint process will only consider the grade, and will not review the panel's decision that an academic integrity violation has occurred.

If the student accepts responsibility, the faculty member's dean (or designee) sends a notification to all parties. If the student is found responsible by the panel hearing the appeal, then the Chair of the Board of Academic Integrity sends a notification to all parties. Once it has been determined that a violation has occurred, the case is turned over to the student's dean (or designee). The student's dean (or designee) will supervise a program of education and reflection on the meaning and importance of academic integrity. This may include any or all of the following: written exercises; participation in an academic integrity educational program supervised by the college; or community service. If this program is

consult with other academic deans if one or more of the cases occurred in another college. Absent extenuating or mitigating circumstances, the student will be dismissed from the University and a record of the reason for the dismissal will be retained in t

Where possible, students should inform their instructors if they plan to be late or absent from class. In all cases, students should be prepared to provide documentation to petition for excused absences to the appropriate Assistant or Associate Dean of their college. Excused absences do not count toward a failure in the course for first year students. Absence from class does not release the student from work assigned. Students who miss an in-class obligation (exam, presentation, etc.) due to an excused absence will not be penalized - the instructor may offer a make-up test, arrange an alternative time for a presentation, exempt a student from the assignment, or provide another arrangement.

The University's list of excused absences for all students includes the following:

participation in NCAA athletic competitions
participation in special academic events (e.g., conferences, field trips, project competitions)
participation in official university business (e.g., student representatives attending meetings related to university governance)
attendance at significant events involving the immediate family (e.g., funerals, weddings)
religious holidays - see the University's policy on Religious Holidays
college-approved participation in placement activities (e.g., job interviews, graduate school interviews, attending job fairs)
legally required absence (jury duty, court appearance, short-term military service)
documented serious illness or disability (see below how to document)

If instructors want to verify that the absence qualifies as an excused absence under the university list, or verify that the student is permitted to participate in the activity, they should contact the designated Assistant or Associate Dean of the student's College.

The College of Professional Studies has separate attendance policies for FastFoward courses and the online degree programs. The College of Nursing has a separate attendance policy for the online RN to BSN program. Graduate Studies in the College of Liberal Arts and Sciences has separate attendance policies for online degree programs.

Documenting a Serious Illness or Disability

The Student Health Center does not provide notes to excuse absences for students missing class due to their visit to the Student Health Center, or to excuse class absences due to most common illnesses. The Student Health Center will also not provide notes to excuse absences for medical conditions that were not treated at the Student Health Center. The purpose of this policy is to eliminate unnecessary visits from students whose sole purpose is obtaining class absence notes for their professors.

Some illnesses may legitimately prevent a student from attending classes, but are not serious enough to require evaluation and treatment from the Student Health Center. Students often provide self-care, which is very appropriate for many common illnesses such as cold, viral infection, or uncomplicated flu. Students should inform their instructors if they are missing class for a common illness. Instructors have the discretion to decide if the absence due to a common illness is excused. If a student wishes to appeal the instructor's decision, the student may do so by contacting the instructor's Department Chair or Program Director, who will consult with the appropriate Assistant or Associate Dean of the instructor's college, before deciding the outcome of the appeal.

If in the judgment of the Student Health Center staff, the student will be out of class due to a

14. COMMENCEMENT, CONVOCATIONS, AND SPECIAL EVENT

Unless excused by their dean, faculty members ar

according to a faculty member's election. Special stipends and salary supplements, if any, usually are included in one's monthly salary check.

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2. Employment Outside the University During Summer.

If such external activities in total exceed 20 per cent of one's time, they are subject to the policy on "released time" under which the outside institution or grantor must reimburse Villanova for the faculty member's time and effort. If there is a question about the extent of the involvement in section (c) above, the faculty member should consult their chair or dean.

Faculty may not pay themselves as consultants on grants or contracts they may hold as Principal Investigator or Co-Principal Investigator.

Faculty members may not, without the prior written permission of their dean and the Provost, hold ownership, managerial or fiduciary positions in any outside corporations, agencies, or other commercial or non-profit entities, or hold other positions, such as those involving research, advertising, public relations, or other responsibilities, that constitute or appear to constitute a conflict with their University commitments. If such corporations, agencies, or other commercial or non-profit entities are engaged in activities that overlap or parallel University activities, or if they serve as suppliers to or agents of the University, the faculty member must report their involvement and the nature of the overlap or parallel activities to their dean.

Faculty members may use University facilities, equipment, services, or personnel (including graduate or undergraduate student assistants, whether paid or unpaid) for consultation or outside work projects only with the written consent of their deans. Financial reimbursement for such usage may be required. Faculty proposing to use University facilities for consulting services shall confer with the University Compliance Office to determine any compliance requirements, e.g., related to export controls, and shall comply with any such requirements.

Teaching incidental classes and/or giving occasional guest lectures at other institutions, consulting, and other external professional activities that are merely incidental and occasional remain subject to the "Conflict of Interest" policy, reporting requirements (below), and the condition that such

infringement is a violation of University policy and can result in the imposition of University discipline up to an including dismissal for faculty and staff and expulsion for students.

Educational Materials Regarding Copyright. The old adage, "ignorance of the law is no excuse" is particularly apt in the area of copyright. Villanova University students, staff and faculty are expected to have a basic understanding of copyright law in order to ensure compliance with the law and this policy. Copyright Educational Materials are available at https://www1.villanova.edu/villanova/generalcounsel/copyright.html. Important topics covered by these materials include: Copyright General Subject Matter; Infringement, Discipline and Penalties;

faculty members from the college, all six at the rank of Professor, if possible, chosen by the college's delegation to Faculty Congress. The dean may reject up to two of the committee members at their discretion. In such a case, two others will be chosen by the college's delegation to Faculty Congress. In any college in which there are not a sufficient number of full-time faculty members to constitute an FSC, the faculty and staff surveys will be combined into one, and faculty will be consulted by OSPIE, on behalf of the Provost, to suggest college-specific supplemental questions for this survey.

C. September-October

1. **Finalization of faculty survey:** The FSC will collaborate with the dean to develop a modest number of supplemental questions, specific to the particular college, which will be added to the standardized faculty survey. These should be based on the dean's job description and statement of activities.

2. **Non-faculty survey questions:** The dean will work with OSPIE to develop any necessary college-specific questions to supplement the non-faculty surveys.

3. **Tabulation of survey results:** On behalf of the Provost, OSPIE will administer all surveys and tabulate results, including appropriate cross-tabulations as requested by the

5. The dean will prepare a written response to the survey results, including any actions they plan to take to address survey findings, and submit this response to the Provost.

E. December-January

1. The Provost will review the original statement of the dean, all

3. Department chairs hold twelve month appointments and are responsible for supervising departmental activities throughout the year, including summer.

B. Functions. Among other functions, the chair:

1. Works with departmental colleagues to develop vision and strategic planning for the department, and leads the department in the implementation of strategic planning.

2. Supervises all departmental instruction and, with due consideration of principles and priorities established in consultation with department members, distributes work assignments and schedules as they judge necessary and proper. The chair also supervises the secretarial and support personnel for the department.

3. Is responsible for (or delegates) academic guidance of the students majoring in the department and is responsible to the deans for seeing that the students fulfill degree requirements as specified in the catalog.

4. After consultation with the members of the department and others as appropriate, makes recommendations to the dean concerning modifications of the departmental curricula.

5. Is responsible for the periodic evaluation of the academic and professional competence of faculty and staff members, their h[(fBT o)9(m)-4(p)11(et792 reW* 0Copr)-3(a)9(t)-4(eg)9(i)-hp2 0 6Ga4E

department, the dean finds that none is acceptable, or if a department is unable to nominate an eligible candidate, the dean will meet with the faculty of the department to discuss and, hopefully, resolve the situation. If there is no mutually agreeable resolution, then the dean may recommend to the Provost, the appointment of an acting chair, who ideally but not necessarily is a member of the department, until a successful chair selection process occurs. Normally, an acting chair should not be appointed for more than one year.

Ad-hoc review and recall of the chair. A written statement by two-thirds of the eligible faculty members of a department to their dean of the department's desire to recall the incumbent or acting chair shall be considered sufficient cause for the dean to review the chair's performance and take appropriate action, subject to the approval of the Provost. This procedure may be initiated at any time during the incumbent chair's three-year term.

Vacancies in the chair. If a department chair becomes vacant, or if a chair is unable due to illness or other circumstances to fulfill the duties of the position, the dean will, as soon as feasible and after appropriate consultation with the faculty of the department, recommend to the Provost the appointment of an acting chair, normally a faculty member of the department or, if the dean believes that no department member would be appropriate, of the college/school, until such time as the chair is able to resume their duties or until the normal selection process for the chair can take place. If such a selection process occurs, the newly appointed chair may take office immediately if the Provost approves. If this occurs in the first semester of an academic year, that year shall count as the first year of a normal three-year term. If the selection occurs in the second semester, the newly elected chair normally will serve the balance of that semester plus three full years.

10. **Outside Search for a Chair.** If after due consultation with the department, including an advisory vote by the department concerning the need to search outside, whose results and associated minutes are sent to the Provost, the dean's recommendation that the chair be filled by means of an external search is approved by the Provost, the standard faculty recruitment process is to be followed, with three special provisions: (1) The dean will appoint a search committee, which will include at least two departmental faculty members eligible to vote for the position of chair, chosen by the department's faculty; (2) the search process will combine a concern for the qualities specified above for a department chair with the standard concern for all-round excellence spelled out in the University's faculty recruitment policy; and (3) all candidates for chair will be interviewed by the Provost. If the dean judges that the department cannot or will not select a search committee that is likely to recruit and present to the department and dean candidates for the position of chair who sufficiently possesses those characteristics described in paragraph B above, the dean, with the approval of the Provost, will appoint a search committee which will include at least one departmental faculty member eligible to vote for the position of chair. The departmental faculty member shall be elected by the department.

11. **Adjudication Procedure**

1. **ELIGIBILITY TO VOTE** (please check the box to confirm eligibility)

I am a tenured, or a tenure-track or continuing non-tenured faculty member who has served at least three semesters at Villanova

2. **ACCEPTABILITY OF CANDIDATES**

Please list each candidate for department chair in one of the two columns.

Acceptable	Not Acceptable
_____	_____

29. DISABILITIES, FACULTY WITH

Villanova University strives to provide a supportive environment for the faculty and to that end complies with all pertinent provisions of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. The University makes every effort to assist faculty members and prospective faculty members who need and request reasonable accommodations to assist in performing the essential functions of their positions. The faculty member is an integral part of the ac

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33. DISMISSAL AND SUSPENSION PROCEDURE FOR FACULTY

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

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

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

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

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

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

E. **Notice of Hearing.** The Committee shall forthwith meet for the purposes of (1) electing a permanent chair, and (2) determining the time and place for a hearing, said hearing to be held no more than sixty (60) days after the Committee is appointed by the Faculty Rights and Responsibilities Committee. The Committee shall cause notice of the hearing to be served upon the President's representative and the faculty member. The notice shall inform both parties of the time and place of the hearing, and of their right to present evidence and arguments. Notice shall be served on the President's representative and the faculty member at least three (3) weeks before the date of the hearing. The President'

order to permit adequate preparation, and the Committee shall freely grant reasonable requests for postponement.

F. 6 8 **Challenge to Committee Members.** Within seven (7) days after receiving notice of the hearing, the faculty member and the President's representative shall forward to the Faculty Rights and Responsibilities Committee, in writing, any challenge to a particular member or members of the Committee, specifying the member or members challenged and the cause for the challenge. The Faculty Rights and Responsibilities Committee shall rule on the sufficiency of the cause for challenge, and in the event that it sustains the chage, and in t3et2(n11.04 TfTh 0 61

34. EMERGENCIES AND DISASTERS

In the extraordinary event of a University emergency or disaster requiring the suspension of University instructional activities, the University may extend the period of employment under contract, along with all obligations and expectations pertinent to such employment, to summer, fall or spring break, the weeks between normal semesters, weekends, or extraordinary evening hours to enable students to complete their academic year studies. In such cases, the period of extension would not exceed the period of suspension. Faculty who are seriously inconvenienced by such extension may, upon application explaining the reasons therefore, be exempted in whole or in part by the Office of the Provost from instructional and related academic duties and functions during such extension.

35. EVENTS AND SPEAKERS POLICY

A. Values

Villanova University is a Catholic, Augustinian institution of higher learning that is committed to academic excellence, academic freedom, and intellectual, spiritual, moral, and social growth. Above all, the University seeks to reflect the spirit of St. Augustine by the cultivation of knowledge and the encouragement of freedom of inquiry, by respect for individual differences, and by adherence to the principle that mutual love and respect should animate every aspect of University life.

Respecting the principles and responsibilities of academic freedom, and recognizing the importance of the perceptions of both internal and external communities, the University

speaker may unexpectedly deviate from anticipated content and style, or that members of an audience might engage in inappropriate behavior.

The following standards and procedures govern speakers and events being proposed by faculty:

B. Conditions

Permission to invite a guest speaker to a class or to a university event, or to host an event open to the campus community, is automatically granted as long as all of the following conditions are met. If there is good reason to believe that one or more of them might not be met, the person inviting the speaker or organizing the event must take reasonable steps, as specified under "Procedures" below, to ensure as best as possible the consistency of the speech or event with the principles of academic discourse and with the academic values of the University.

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36. EXAMINATIONS – SEE FINAL EXAMINATIONS AND GRADES AND ASSESSMENTS

37. EXPORT CONTROLS POLICY

I. PURPOSE

It is the policy of Villanova University to comply with all applicable statutes, executive orders, regulations, and contractual requirements covering the exports to foreign entities and persons, including foreign persons employed by and/or taking classes or conducting research at Villanova.

II. SCOPE

This policy applies to all Villanova University faculty, staff and students. This policy also applies to department chairs, academic deans, and all University administrators who have responsibility or oversight over research projects, service activities, and academic undertakings that are subject to U.S. Export Control Laws.

III. POLICY STATEMENT

Villanova University is committed to maintaining an open academic environment, protecting the academic freedom of its faculty and students, and encouraging the dissemination of information resulting from research and other activities. At the same time, some activities may be subject to U.S. Export Control Laws and regulations that govern the export of certain commodities, software, and technology items and related non-fundamental or unpublished research and research results.

In practice, these laws have a direct impact on what research instruments, materials, software and technology that we, as a U.S. University, can export (*i.e*. transfer) out of the country by any means; and in rare cases, what sensitive items and technology we can share with foreign national individuals (visa holders) working in and/or visiting our research facilities. These regulations also

as loss of federal funding or of export privileges. Failing to abide by the export control and sanctions policies and procedures adopted by the University can result in disciplinary action up to, and including, termination and expulsion.

IV. DEFINITIONS

1. **Export:** in export control regulations, there are several meanings which include any of the following: 1) actual shipment of any covered goods or items; 2) the electronic or digital transmission of any covered goods, items or related goods or items; 3) any release or disclosure, including verbal disclosures or visual inspections, or any technology, software or technical data to any foreign national; or 4) actual use or application of covered technology on behalf of or for the benefit of any foreign entity or person anywhere.
2. **Export Control Laws:** The set of U.S. laws, policies, and regulations that govern the export of controlled items to an individual, entity or country. Export controls consist of a series of regulatory frameworks overseen by various federal agencies and include the laws and regulations enforced by the agencies listed in Defined Terms numbers 3 through 7 below.
3. **Export Administration Regulations (EAR):** The Commerce Department's Export Administration Regulations govern "dual-use" items. These are items having both civilian and military or defense applications.
4. **International Traffic in Arms Regulations (ITAR):** The Department of State's International Traffic in Arms Regulations govern defense articles and activities, as well as all space launch related items and activities.
5.

14. **U.S. Person:** A U.S. citizen, permanent U.S. resident alien, or protected individual, wherever that person is located. U.S. incorporated, organized firms and their foreign branches are also considered "U.S. Person(s)."
15. **Export License:** A written authorization provided by a governing regulatory authority having jurisdiction detailing the specific terms and conditions under which export or re-export of export controlled items is allowed.
16. **Foreign National:** An individual who (1) is not a U.S. citizen, or

Any further communication with potentially sanctioned parties should be coordinated with the Office of Research Administration and/or the Office of the Vice President and General Counsel.

Faculty members, staff and students who are engaged in research activities subject to a Technology Control Plan are required to complete the CITI online export controls training course available through the Office of Research Administration. All members of our University community who work or participate in activities or projects that may be subject to the U.S. Export Control laws are strongly encouraged to take this online training. In addition, departmental training may be requested through the University Compliance Office, Office of Research Administration or the Office of the Vice President and General Counsel. These offices are also available to respond to any questions or concerns that a faculty member, staff or student may have regarding the applicability of the U.S. Export Control Laws or the existence of a potential instance of non-compliance.

Faculty, staff and students may also raise any compliance-related questions or concerns via the

may collect examination papers from students so that these cannot be circulated in later semesters, or faculty members may make previous examinations available to students either electronically or

Novasis system within the time limits specified by the Registrar. Please refer to sections on **FINAL EXAMINATIONS** and **SYLLABI** in this *Faculty Handbook*.

The grade report at the end of the semester is part of the student's permanent record. Any inaccuracy on this record must be reported to the Registrar according to the following deadlines; otherwise, the record will stand as it is:

Spring Semester grade errors: Last Friday in June
Summer Semester grade errors: Last Friday in August
Fall Semester grade errors: Last Friday in January

Faculty members are responsible for maintaining the integrity of the evaluation and grading system. Presented below is the *Undergraduate* Grading System; the *Graduate* Grading System may be found in each college's Graduate Catalog:

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

42. GRIEVANCE POLICY FOR FACULTY MEMBERS

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

Four areas are specifically excluded from the province of this grievance policy. The first is the case of the dismissal or suspension without pay of a tenured faculty member, for which a well- defined and distinct set of procedures already exists. The second includes all decisions as to the granting of tenure or promotion where practice already provides for appeal from the determinations of the University Rank and Tenure Committee directly to the President. The third is the non-renewal of academic contracts where the denial of tenure is not involved. The fourth is a decision by any university committee required by law to be constituted to ensure compliance with government regulations ("Compliance Committee"), e.g., the Institutional Review Board for Human Subjects Research, the Institutional Animal Care and Use Committee, the Bio-Safety Committee, or the Radiation Safety Committee. If a faculty member has a

Trademarks

Trademarks are words, symbols, sounds, packaging, colors or other devices associated with a good or service. Trademarks must be distinctive; that is, they must be uniquely associated with a good or service rather than being simply a

description or generic name for a class of goods. Trademarks must be used in commerce in association with goods and services. They are not protected if they are simply used in writings but the goods or services are not offered to the public. Trademarks may

to the Intellectual Property, such as work related to sponsored research/industry projects, or collaboration agreements, or work in which a staff member or faculty advisor could reasonably be regarded as a co-inventor.

Any work owned by students due to the University's waiver of ownership rights under this section, but which was developed during academic, research or other University-related activities or using University resources shall be subject to a license to the University, which will include broad non-exclusive world-wide, royalty free, perpetual, and irrevocable rights to make, license and use such intellectual property in the ordinary course of its teaching, research, scholarship, service, and administrative functions.

B. General Policy Independent Projects

The University asserts no ownership rights to Intellectual Property generated by a University employee that is not part of the creator's employment responsibilities and that is developed on their own time without making substantial use of University funds, resources or facilities. Except as noted below with respect to external consulting activities, as relates to Copyright, the University does not consider use of standard resources provided by the University (including College and Department resources) such as office space, internet, library facilities, graduate assistants, internal grants to support summer research, access to discipline specific databases, and University-issued laptops to be a substantial use of resources.

Intellectual Property created by those covered by this policy who consult with external entities (corporations, businesses, government agencies, foundations, etc.) without making substantial use of University funds, resources or facilities, and while abiding by University policies on consulting, is presumed retained by the external entity or the individuals as specified by the terms of the consulting agreement.

1. In collaboration with the Principal Investigator(s) (PI(s)), the University may negotiate and sign agreements including contracts and grants between external sponsors or collaborators such as corporations, government agencies or foundations and the University, that specify completely or partially the ownership of patents and inventions created as a result of specific sponsored projects or collaborations. This category includes ownership requirements that result from a government funding source by operation of law (e.g., laws pertaining to intellectual property, including patents, created using federal funds). All individuals working under such an agreement shall be notified in advance of the terms of ownership under the agreement for any intellectual property which may be created on behalf of the University while working on the project and will execute appropriate assignments, licenses, or other terms regarding intellectual property rights where required.

2. Any invention or discovery which is conceived or reduced to practice by those covered by this policy, and which is conceived or reduced to practice at least in significant part in the course of employment or engagement by the University, or in the course of any University related academic or research activity of a student, or through the uncompensated use of University facilities or property, or otherwise at University expense or with the aid of funds administered by the University, shall, as between the University and each such inventor, belong exclusively to the University, and shall be governed exclusively by this policy. The University shall be entitled to a prompt and full disclosure of every such invention or discovery, and each such inventor hereby assigns to the University all right, title and interest therein, including the right to secure patent protection thereon throughout the world.

3. Any invention or discovery which is conceived or reduced to practice by those covered by this policy, but which is not conceived or reduced to practice at least in significant part under any of the circumstances described in paragraphs 1 or 2 immediately above, shall, as between the University and each such inventor, belong exclusively to the inventor, and shall be outside the scope of this policy; provided, however, that the University shall be entitled to receive prompt notification of every such invention or discovery, including a general description of its nature and function, and a full statement as to the circumstances under which it was conceived or reduced to practice; and provided further, that the University may, in the exercise of its sole discretion, accept a voluntary assignment of any such invention or discovery in which event such invention or discovery shall belong exclusively to the University and thereafter be governed exclusively by this policy.

4. With respect to each invention or discovery which it acquires and retains under this policy, the University shall cause to be made an evaluation as to

whether the invention or discovery is likely to qualify for commercially significant patent

protection in the United States. On the basis of such evaluation, the University may cause to be filed and prosecuted such applications for patent in the United States, and in countries foreign to the United States, as the University, in the exercise of its sole discretion, may elect and the inventor(s) shall fully support the University in the preparation and prosecution of such patent applications and patents.

5. The University in the exercise of its sole discretion and at any time may elect to waive or relinquish and transfer, to the inventor or inventors, any, some or all of the University's rights with respect to any invention or discovery governed by this policy, including without limitation the right to apply for patent on such invention or discovery in one or more countries, and any right under any patent granted on such invention or discovery in one or more countries, in which event any such right or rights so waived or relinquished and transferred shall revert back to and vest in the inventor or inventors and the University shall have no further interest therein; provided, however, and notwithstanding any such waiver or relinquishment and transfer, that in every such case the University shall retain and hold no less than an irrevocable, non-exclusive and royalty-free right and license worldwide, to use, license or practice the invention or discovery that is the subject of the right or rights so waived or relinquished and transferred, and any patent thereon, solely for the University's own purpose; and provided further, that the University may condition any such waiver or relinquishment and transfer, on its being reimbursed in full by the inventor or inventors for all of the University's prior and related costs and expenses. In cases where the Dean of the applicable College has confirmed that the College has no interest in retaining rights to a particular invention or discovery, the decision to waive the University’s rights may be made within a reasonable time by the Provost, acting in consultation with the Vice President and General Counsel.

6. The University undertakes to exercise its ownership over any patent on an invention or discovery which it acquires under this policy, for the good of the public, the University and the inventor or inventors. To this end, the University shall make, or shall cause to be made, efforts which in its sole opinion are reasonable in order to promote the commercial development and utilization in the United States of every invention or discovery which enjoys commercially significant patent protection in the United States, and the University may make such arrangements for the licensing or sale of any invention or discovery patented in the United States or elsewhere as, in the sole opinion of the University, will reasonably serve the interests of the public, the University, and the inventor or inventors. In doing so, the University will reserve the right for the University to use the invention for internal non-commercial educational, research, and scholarly activities, and will seek to reserve such rights for other nonprofit research institutions. The University, in the exercise of its sole

discretion, may take such action as it deems appropriate in order to enforce or defend any patent on an invention or discovery which it acquired under this policy, and any such action, including the conduct and any settlement thereof, shall be subject to t

In general, all copyrightable Intellectual Property developed by those covered by this policy is subject to the provisions described below. In order of precedence, copyright ownership of Intellectual Property shall be specified as follows:

1. Externally Sponsored Projects, Collaborations and Other Agreements. In collabo

any unaddressed ownership issues shall be governed by this policy.

3. Rights in Academic Works: The following rights pertain only to the extent that works are not otherwise (i) governed by the terms of Externally Sponsored Projects, Collaborations and Other Agreements or (ii) considered University Sponsored Works.
    a. Traditional Academic Works. Villanova University has historically not claimed any copyright interest it legally possesses to traditional

The Intellectual Property Policy Board (IPPB) serves as an advisory committee to the Provost on intellectual property issues. The IPPB advises the Provost regarding (i) the application, interpretation, implementation and administration of this policy, (ii) the modification or development of policy and procedure and (iii) the resolution of disputes (e.g., concerning ownership of specific intellectual property) that the Provost, in consultation with the IPPB Chair and the Associate or Deputy General Counsel, determines should be submitted to IPPB. The Provost will review proposed amendments to this policy after consulting with the IPPB. The membership of the IPPB consists of the Vice Provost of Research, who serves as chair; an Associate or Deputy General Counsel; the Chief Information Officer; one dean selected by the Provost; one full-time faculty member from each of the colleges of the University; the Executive Director of the Institute for Innovation and Entrepreneurship; one undergraduate and one graduate student. The faculty and student representatives shall be selected by their respective constituent organizations.

VI. Related Information/Forms

Faculty Handbook section on COPYRIGHTS AND COURSEPACKS and USE OF UNIVERSITY'S NAME AND TRADEMARK
Student Handbook section on COPYRIGHT AND OTHER INTELLECTUAL PROPERTY and COPYRIGHT INFRINGEMENT AND ILLEGAL FILE SHARING
UNIT Acceptable Use Policy section on Copyright Infringement and Illegal File Sharing COPYRIGHT INFRINGEMENT AND ILLEGAL FILE SHARING

45. INTERNATIONAL FACULTY(A)5(T)-0 612 792 eW*nBT/F10 12 Tf1 0 0 1 126.5 374.69 Tm0 g[ )]TJETQ0.00

seeking visa renewals or status changes; unless such contact is made, there is no assurance of University assistance in the visa renewal or change process.

Faculty members who are not United States Citizens or do not hold a valid green card often may not be eligible to work on any research projects sponsored by the United States Government. Further specifications on hiring and status of international faculty members on visas are found in the *Faculty Recruitment Guidelines and Procedures* document.

46. LANGUAGE USE: WRITTEN AND ORAL COMMUNICATIONS ON CAMPUS

All written and oral communications of administrators, the faculty, staff, and students should be consistent with the University's belief that all persons are sacred. Language used on campus should respect the dignity and inherent worth of every individual regardless of age, ethnic or racial identification, gender, mental or physical ability, religious persuasion, sexual orientation, and social class. To be encouraged is language which does not perpetuate stereotypes or unfairly characterize any individuals on the basis of group identification.

47. LEAVE OF ABSENCE, FAMILY (PARENTAL/ADOPTION) LEAVE

All full-time faculty members are eligible to take up to one semester of leave upon hire in order to care for the faculty member's newborn child; the faculty member's adoption of a child, or placement of a foster child with the faculty member and to care for the faculty member's newly placed child. All requests for leave must be made in writing and in accordance with University procedures."

Please refer to the **RANK AND TENURE POLICY** for extension of the probationary period before tenure.

48. LEAVE OF ABSENCE POLICY

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

1. Unpaid leaves of absence normally are limited to a maximum of one year. Upon the recommendation of the faculty member's dean and department chair, leaves may be extended upon application to and approval of the Provost (or designee); but, normally, no faculty member or academic administrator will be granted an unpaid leave of absence from the University for more than two years total during any ten year period.

2. During the term of the unpaid leave, the faculty member will be responsible for payment of all premiums for benefits, including the University portion, in all programs they wish to continue. If, upon the recommendation of their department chair and dean, the Provost (or designee) judges that the unpaid leave is sufficiently in the University's interest as to warrant the

50. NON-SOLICITATION POLICY

To avoid disruption of business operations or disturbance of faculty, staff, visitors, and students, the University has implemented this Non-Solicitation Policy (the "Non-solicitation policy"). For purposes of the Non-solicitation Policy, "Solicitation" (or "Soliciting") shall include, canvassing, soliciting or seeking to obtain membership in or support for any organization, requesting contributions, and posting or distributing handbills, pamphlets, petitions, and the like of any kind ("Materials") on University property or using University resources (including without limitation bulletin boards, computers, mail, e-mail and telecommunication systems, photocopiers and telephone lists and databases). "Commercial Solicitation" means peddling or otherwise selling, purchasing or offering goods and services for sale or purchase, distributing advertising materials, circulars or product samples, or engaging in any other conduct relating to any outside business interests or for profit or personal economic benefit on University property or using University resources. Solicitation and Commercial Solicitation performed through verbal, written, or electronic means, are covered by the Non-Solicitation Policy. Items to be distributed or offered for sale, which contain University trademarks, names (including building names) or design elements (T-shirts, posters, etc.), must be approved by the Office of University Communication.

A. Students

Any Solicitation or Commercial Solicitation undertaken by a student, registered student club, or student organization must be approved by the Office of Student Development, conducted in compliance with the *Student Handbook* and procedures established by the Office of Student Life, and comply with all applicable laws and University policies.

Any Solicitation or Commercial Solicitation undertaken by a student or student organization at a University athletic event or facility must be approved by the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.

The provisions of this Section I shall apply to each student and student organization of the Villanova University School of Law (the "Law School") except that for those Law School students and organizations, the terms "Office of Student Life" and "Office of Student Development" shall be replaced with "Law School Office of Student Affairs." Solicitation or Commercial Solicitation by Law School students and organizations must be approved by the Law School Office of Student Affairs, and must be conducted in compliance with procedures established by that office.

Student violators of the Non-Solicitation Policy and/or procedures are subject to disciplinary action under the Code of Student Conduct (or Student Handbook for Law students, as applicable).

Inquiries regarding the Non-Solicitation Policy should be directed to the Office of Student Development (or Law School Office of Student Affairs as applicable).

professors as soon as possible, normally at least two weeks in advance of such a day. Absence from classes or examinations for religious reasons does not relieve students from responsibility for any part of the course work required during the absence. Faculty members, if possible, should try to accommodate students with make-up tests or exams if the absence falls on a day when these tests are being administered and/or provide students with reasonable alternative opportunities to complete their academic assignments.

For implementation, please refer to section on **COURSE AND CLASS REGULATIONS** in this *Faculty Handbook*. Should a disagreement arise over the implementation of this policy, the matter should be taken to the chair of the department or the program director having jurisdiction over the class in question. If no resolution is reached at that level, the issue will be resolved by the dean of the college having jurisdiction over the class, and their decision shall be final.

54. RESEARCH, MISCONDUCT

Villanova University relies on its faculty to establish and maintain the highest standards of ethical practices in academic work including research. All individuals engaged in research at Villanova University are responsible for adhering to the highest standards of intellectual honesty. Faculty members and supervisors of research personnel (including graduate students) have a special obligation to set an example and create an environment that encourages absolute intellectual integrity.

Any form of fraud, falsification, cheating, plagiarism, intellectual dishonesty, or misuses of funds in the conduct of research undermines basic academic goals and serves to diminish the credibility established by the University in its constituents. Villanova University condemns misconduct in research and is obligated to establish procedures to investigate allegations of misconduct as set out in this Policy.

A. **Policy.**

ORI means the Office of Research Integrity, a component of the Office of the Director of the National Institutes of Health (NIH)
PHS means the Public Health Service, an operating division of the United States Department of Health and Human Services ("HHS")

D. **Procedures**

1. **Confidentiality.** The University shall protect to the maximum extent possible under the circumstances, the privacy of those who in good faith report apparent misconduct and those who are the subject of an allegation of misconduct.

1. **Complaints.** Complaints or allegations of misconduct in research shall be initiated by a written complaint from any individual, whether or not associated with the University, filed with the Director. The complaint should be detailed and specific and accompanied by appropriate documentation. The Director shall commun

5. The Director shall maintain sufficiently detailed documentation of inquiries to permit a later assessment of the reasons for determining that an investigation was not warranted. The Director shall maintain such documentation in a secure manner for a period of at least 3 years after the termination of the inquiry.

6. If the Director determines, in consultation with the Provost

6. The investigation should ordinarily be completed within 120 calendar days of its initiation. At the conclusion of the investigation, the Investigator shall prepare a report describing the policies and procedures under which the Investigation was conducted, how and from whom information was obtained relevant to the Investigation, the findings, and the basis of the findings; and the Investigator will include the actual text or an accurate summary of the views of any Respondent. The Investigator shall make the report available to the Respondent for comment. If they can be identified, the Complainant(s) should be provided with those portions of the report that address their role and opinions of the investigation. The Investigator shall provide the entire report including the comments, if any, of the Complainant and Respondent, to the Provost, the Director, and the appropriate dean and department chair.

7. In the event that the Investigator determines by a preponderance of the evidence that the complaint of misconduct has not been substantiated, the Investigator shall so inform the Provost and the Director and recommend to the Provost that no further action be taken. If the Provost (in consultation with the Director) concurs, the investigation shall be concluded and the Investigator shall inform the Complainant, Respondent, dean, and department chair that the complaint has not been substantiated. If the Provost (in consultation with the Director) does not concur in the recommendation, the Provost may determine on the basis of the report and its underlying documentation that misconduct has occurred and (in consultation with the Director, the appropriate dean and department chair) may impose a sanction in accordance with the sanction section of these procedures. The Provost shall inform the Complainant and Respondent that the complaint has been substantiated and inform the Respondent, the Director, Dean, and department chair of the sanction.

8. In the event that the Investigator determines by a preponderance of the evidence that the complaint of misconduct has been substantiated, the Investigator shall so inform the Provost and the Director and recommend to the Provost that sanctions be imposed. If the Provost (in consultation with the Director) concurs, the Provost (in consultation with the Director, the appropriate dean, and department chair) may impose a sanction in accordance with the sanctions section of these procedures. The Provost shall inform the Complainant and Respondent that the complaint has been substantiated and inform the Respondent, Director, Dean, and department chair of the sanction. If the Provost (in consultation with the Director) does not concur in the conclusion and recommendation, the Provost may determine on the basis of the report and its underlying documentation that misconduct has not occurred. In that case the Investigation shall be concluded and the Investigator shall inform the Complainant, Respondent, dean, and department chair that the complaint has not been substantiated.

8. If the Investigator is a committee, the Investigator's recommendation to the Provost shall be the recommendation of a simple majority of the committee.

G. **Sanctions**

1. Faculty. The Provost may impose any appropriate sanctions including, without limitation, removal from a particular project, an oral or written reprimand, special monitoring of future work, probation, reduction of salary or salary raise, and reduction in rank. The Provost may in cases involving major offenses recommend the termination or suspension of a faculty member provided, however, that with respect to faculty members

covered by the University's Faculty Dismissal and Suspension Procedure, no suspension or termination shall occur unless either the Respondent agrees to accept the sanction or the President determines to impose that sanction after a complete review has been undertaken in accordance with the University's Faculty Dismissal and Suspension Procedure.

A faculty member who is covered by the University's Faculty Grievance Policy may grieve the imposition of a sanction (excepting a suspension or dismissal covered by the Faculty Dismissal and Suspension Procedure) under the University's Faculty Grievance Procedure.

2. Staff. The Provost may impose any appropriate sanctions including but not limited to

5. If the Investigator determines that the Investigation cannot be completed within 120 days, the Investigator shall so inform the Director as promptly as possible. The Director will submit to the ORI a written request for an extension and an explanation for the delay that includes an interim report on the progress to date and an estimate for the date of completion of the report and other necessary steps.

6. The Director shall notify ORI if it is ascertained at any stage of the inquiry to investigation that any of the following conditions exist:

   There is an immediate health hazard involved;

   There is an immediate need to protect federal funds or equipment;

   There is an immediate need to protect the interest of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as their co-investigators and associates, if any;

   There is a probability that the alleged incident is going to be reported publicly;

   There is a reasonable indication of possible criminal violation.

7. The Investigator shall inform the Director and the Director shall keep the ORI apprised of any developments during the course of the investigation which disclose facts that may affect current or potential Department of Health and Human Services funding for the

research subjects. Likewise, when these subjects are used in *non-sponsored* projects the requirement that the research plan and the animal care protocols be reviewed by the appropriate board must still be met. The federal laws and implementing regulations are not as concerned about who funds the research as they are about what is to be done with the subjects. Any practice which constrains, invades, inquires or reviews subject data must be reviewed for evidence of subject protection or the minimization of subject discomfort. The primary link between the research and teaching faculty and these significant review boards is through the Office of Research Protections' staff. Please refer to the section on **SPONSORED RESEARCH** in this *Faculty Handbook*.

56. RESEARCH SUPPORT PROGRAM

In addition to assisting members of the faculty to compete for extramural funding for research and pedagogical grants, and assisting them in budgeting and record-keeping (see "Sponsored Research" in this *Handbook*), the University sponsors research support programs designed to encourage faculty members to develop their research programs, continue research they have already begun, and to seek extramural grants for both research and teaching-related activities.

The University Summer Grant (USG) program provides support to faculty to be engaged in research, scholarly activities, and creative artistic projects. Overarching goals of the USG program are to foster the intellectual development of faculty and to facilitate faculty efforts to achieve national and international recognition in their scholarly field.

Eligibility for USG awards is limited to full-time tenured and tenure-track faculty in the College of Liberal Arts and Sciences, School of Business, College of Engineering, and the College of Nursing. Individuals may receive USG awards no more frequently than every other year.

Each proposal will be peer reviewed by an internal Evaluation Committee of distinguished Villanova scholars and researchers. Review of proposals will be based on the following criteria (adopted from the American Council of Learned Societies):

- The potential of the project to advance the field of study in which it is proposed and make an original and significant contribution knowledge.
- The quality of the proposal with regard to its clarity, methodology, scope, theoretical framework, and grounding in the relevant scholarly literature.
- The feasibility of the project and the likelihood that the applicant will execute the work within the proposed timeframe.
- The scholarly record and career trajectory of the applicant.

Instructions for applying for USG program can be found at the University Internal Research Programs website.

Individual Villanova colleges, schools, and other offices (e.g., Mission Effectiveness, Office of the

Summer salary included in the USG

Relinquish senior leadership or endowed positions.

C. **Phased Retirement for faculty Age 67 and Older at Retirement Date**

Faculty who finally retire at age 67 or greater receive no benefits from Table 1. However, they may take a phased retirement spread over one, two, or three years leading up to their chosen retirement date. During this period, faculty will work a half load on average over the academic year but will receive more than half their base salary for this work as further detailed in Table 2, Table 3 and Table 4. The final semester is taken as a terminal leave.

During the phase-out period, faculty are expected to relinquish senior leadership or endowed positions. Furthermore, faculty will forgo participation in Department, College and University

taken either for a semester at full pay or a year at half pay. With permission of the Provost or (designee), a faculty member may count the spring term of one year and the following fall term as one year for purposes of this sabbatical policy. Untenured faculty sabbaticals are only for a semester. An explicit condition of any sabbatical leave – unless waived by the Provost (or designee) – is that the faculty member will return to and teach at Villanova for one full year after the completion of the leave. Nonfulfillment of this condition for reasons other than disability will result in the faculty member's having to repay the University for all compensation received during the sabbatical period. During sabbaticals the University will continue its contribution to insurance
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The policy described above does not cover commercially published textbooks written by Villanova faculty members. Those texts are handled by the normal process of textbook approval and are sold through the University Shop in the normal way and the publishers may pay royalties to the authors without the dean's approval. Used copies of textbooks written by faculty members should be sold in the University Shop in exactly the same way that used texts of non-faculty books are handled. No royalties will be paid to faculty members for the sale of used texts.

Please refer to the section on **COPYRIGHTS AND COURSEPACKS** in this *Faculty Handbook*.

60. SEXUAL MISCONDUCT

Sexual misconduct includes any unwelcome conduct of a sexual nature and includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment and stalking and will not be tolerated at Villanova University. Employees or students who engage in such conduct are subject to the full range of the University's disciplinary policies. Anyone making a report, filing a complaint or participating in the investigation or resolution of an allegation of sexual misconduct is protected from retaliation by law and this University's .

staff member enters into a romantic and/or sexual relationship with an employee whom they supervise, a power differential may exist which can compromise an individual's exercise of such choice in personal relationships. Others may also perceive such a relationship as one of preferential treatment that may be detrimental to themselves or others. Thus romantic and/or sexual relationships between faculty/staff members and employees under their supervision – even though consensual – are strongly discouraged. If such relationships are entered into, they should be approached in a sensitive manner, with an understanding of how they may be perceived by others, and comply with the reporting procedure described below. Similarly, relationships among individuals on the same level, even where there is no component of supervisory authority or influence, may be misinterpreted by others and should be approached in a sensitive manner.

Employees are not permitted to use social media applications (e.g. Grindr, Tinder, Facebook) to pursue romantic or sexual relationships with Villanova undergraduate students or any Villanova students under their supervision.

62. SMOKING

The University smoking policy can be found at
https://www1.villanova.edu/villanova/hr/policies/university/tobacco.html

63. SPONSORED RESEARCH

complaint cannot be amicably resolved in the chair's judgment, the chair may make such disposition of the complaint as the chair deems warranted. The chair shall ordinarily communicate their disposition of the complaint to the student initiating the complaint and the faculty member.

6. If either the student or the faculty member is dissatisfied with the chair's disposition of the

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

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

D. Appeals Process

In the extraordinary case when a student or faculty member is unwilling to accept the decision of the chair with respect to a complaint or the departmental complaint committee with respect to a faculty performance complaint, they may appeal the decision in writing to the dean within seven days of that decision but only on the following basis:

1. material procedural defect in the Committee, or
2. material procedural defect in the chair's handling of the matter, or
3. new material evidence not reasonably available at the time of the committee or chair's review of the matter.

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

E. Complaints Involving Discrimination and Harassment

For cases of grade complaints or faculty performance complaints which may involve sexual harassment or discrimination in violation of University policies. Please refer to the sections on **SEXUAL HARASSMENT POLICY and DISCRIMINATION AND HARASSMENT POLICIES** in this *Faculty Handbook*.

Thus the time between notification of closure and termination of the faculty member would likely be substantial. However, if a faculty member is to be terminated for these reasons and if the closure must be effected more quickly, they shall be entitled to receive full salary (at the current rate or at a discounted rate if such discount has been applied to all retained faculty members of the University) and benefits (a) through the end of the academic year during which the termination notice is given or (b) for a period of six months after termination notice is given, whichever provides the greater amount of salary. Until the termination date specified in the notice, the faculty member may continue to work in their own field or on some other activity mutually agreed upon.

In all cases of termination of appointment for the aforementioned reasons, the place of a tenured faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and given thirty days in which to accept or decline such reinstatement.

71. TRAVEL WITH OR TEACHING STUDENTS OFF CAMPUS

A. **Class Trips.** At Villanova, it is not uncommon for faculty members to participate in class trips with students, and several departments have vans. Before a faculty member may drive a University-owned vehicle, they must seek approval to do so from the Director of Insurance and Risk Management, who maintains the University driver list for auto insurance purposes. If there is an accident while driving a University-owned vehicle, such as a Department van, it should be reported immediately to the Department of Public Safety; in such event, so long as the faculty or staff member is an approved driver, the faculty or staff member would be covered by the University's insurance policies. If faculty or staff members are in an accident with or without student passengers while driving their personal vehicles, the faculty or staff member's personal auto insurance would provide primary coverage. This is true even if the faculty or staff member's personal car is being used for University business or a class trip. The University's insurance would only apply for University business or class trips once the faculty or staff member's personal auto insurance coverage is exhausted.

Pennsylvania State Law prohibits carrying K-12 school children in anything larger than a ten-passenger van, so Department vans may not be used for any trips that involve K-12 school children.

B. **Voluntary Trips or Trips Outside the United States.** Special rules apply to voluntary trips and trips outside the United States. If a faculty member is leading a trip for which participation

72. USE OF UNIVERSITY'S NAME AND TRADEMARK

I. PURPOSE

Villanova University was founded in 1842 by the Order of St. Augustine. Our Augustinian Catholic tradition is the foundation of a community where students learn to think critically, act compassionately and succeed while serving others. This community embodies over 175 years of faculty, students, staff, alumni and other leaders investing their passion and energies to build and preserve the values and integrity of the University. Villanova's Names and Marks (defined below) represent and convey those values, integrity, community and experience.
Therefore, each member of the Villanova University community has a responsibility to honor and protect the tradition and reputation of the University by ensuring proper use of Villanova's Names and Marks (defined below). This responsibility includes ensuring that any association with the University or activities related to the University are accurately portrayed and are consistent with Villanova's educational mission and purposes.

II. SCOPE

This policy describes for Villanova faculty, staff, students and any other person or entity seeking to use Villanova's Names or Marks what uses are permitted, what permission(s) or approval(s) are required, and any additional procedures, guidelines or requirements that may apply. This policy also describes prohibited or unauthorized uses of Villanova's Names or Marks, including uses by donors, research funders and other program sponsors, and provides guidance regarding agreements on use of Villanova's name and marks; use of Villanova's name and marks on promotional materials; use of Villanova images; quotes or appearances by Villanova community members; press releases; film and video; cast studies; program sponsors and social media.

III. DEFINITIONS

Marks: Villanova's trademarks, service marks, logos, brands, trade dress, emblems and other images, including, without limitation, the University seal, the Villanova "V," etc., and iconic campus images such as the Oreo, Main Quad, or St. Thomas of Villanova Church.
Names: All official names used to describe Villanova University (e.g., Villanova University, Villanova University in the State of Pennsylvania, Villanova), its colleges and schools (e.g., Villanova University College of Engineering, Villanova University Charles Widger School of Law), institutes and centers (e.g., Anne Welsh McNulty Institute for Women's Leadership, Center for Church Management) and facilities (e.g., Connelly Center, Driscoll Hall).

IV. POLICY

A. Agreements Regarding the Use Only authorized officials of Villanova University may enter into agreements on behalf of the University, including any agreement (including letter agreements, purchase orders, proposals, and click-thru or online terms.) granting permission to use Villanova's Names or Marks. Any agreement or authorization to permit any third party use of Villanova's Names or Marks first must be reviewed and approved by Villanova's offices of the Vice President and General Counsel and University Communication and Marketing, and either the Provost (for agreements related to student, faculty and academic matters), the Executive Vice President (for agreements related to staff and administrative department matters), the Director of Athletics (for agreements related to Athletics matters) or their authorized designees.

B. or Marks in Promotional Materials: Villanova's Names or Marks may not be used in any Promotional Materials developed or used by non-Villanova entities or for any activities that are not officially sponsored by Villanova or one of its colleges/schools, departments or units. Villanova's name may be included **only** on a client list of a vendor currently providing products or services under an agreement or contract with Villanova, either for internal or external use (e.g., on a web site), provided that such addition to a client list is approved in advance in writing by the applicable University-area Vice President, Director of Athletics and by the offices of the Vice President and General Counsel and University Communication and Marketing. Any use of Villanova's Names or Marks on merchandise produced for promotional purposes, whether or not offered for sale, is not permitted without prior approval by the offices of the Vice President and General Counsel and University Communication and Marketing, and, in the case of Marks used by Villanova University Athletics, the Athletic Director's Office. All approved uses of Villanova's Names or Marks must comply with Villanova University's Brand Guidelines (see "Section VI. Related Information/Forms" below).

C. Use of Villanova Images: Photographs, drawings or other graphic representations of Villanova buildings and other campus landmarks (such as the Oreo, Main Quad or St. Thomas of Villanova Church) may not be used in any Promotional Materials developed or used by non-Villanova entities. Two exceptions are:

(i) Conferences and summer camps sponsored by non-Villanova entities may include in their brochures or websites a photograph of the specific building(s) in

to have certain agreements, waivers or insurance coverage that is approved by the offices of the Vice President and General Counsel and Insurance and Risk Management.

G. Case Studies: Use of case studies describing the experience of a vendor with the University or one of its colleges/schools or departments is **strongly discouraged** and must be approved in advance by the Vice President of University Communication and Marketing, and the appropriate Dean or Vice President with responsibility for the college/school, department or area featured in the case study.

H. Donors, Research Funders and other Program Sponsors: Villanova values support from its donors, research funders and other program sponsors. Except as otherwise agreed with those parties or as described elsewhere in this Policy (e.g., see "Press Releases" above), factual information regarding such support, donation, sponsorship or other funding and including Villanova's Name, as appropriate, may be distributed. However, endorsements, either actual or implied, of such external collaborators by Villanova University, its colleges/schools, departments or other units are not permitted. Event and other program sponsors may be listed in event and other program materials as long as they are clearly identified as sponsors and their names and logos are not more prominently featured than the other program information.

I. Social Media: Any use of Villanova's Name and Marks on social media (e.g., Twitter, Instagram, Facebook, LinkedIn) must accurately convey the relationship between the account and the University and should otherwise comply with this Policy (e.g., see "Quotes or Appearances by Faculty, Staff or Students" above). Generally, official accounts created for use by the University or its personnel on behalf of the University should be designated as official or owned University accounts and approved by the Office of University Communication and Marketing, and the appropriate Dean or Vice President with responsibility for the college/school, department or area creating or using the social media account. Nonofficial accounts should be clearly marked as "unofficial" or "fan" accounts or such other similar designation(s) available on the particular social media platform. All uses of Villanova's Names

University contributions is available after three years of employment. Accounts are available with TIAA-CREF and/or The Vanguard Group. Immediate participation is permitted if the new tenure track or continuing non-tenure track faculty member was employed for a minimum of one year by a non-profit organization immediately prior to beginning employment with Villanova University and was a participant in an employer-funded retirement plan.

C. **Tuition Remission**

Full tuition remission is provided for the faculty member's study at Villanova beginning with