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## Faculty Senate Executive Committee Agenda, December 10, 2012

Utah State University

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## **FACULTY SENATE EXECUTIVE COMMITTEE**

December 10, 2012  
3:00 - 4:30 p.m.  
Champ Hall

### **Agenda**

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- 3:00 Call to Order**.....Renee Galliher  
Approval of Minutes November 19, 2012
- 3:05 Announcements**.....Renee Galliher
- Next Brown Bag Lunch w/President December 13th noon Champ Hall
- 3:10 University Business**.....Stan Albrecht, President  
Raymond Coward, Provost
- 3:30 Information Items**
1. Council on Teacher Education Report.....Francine Johnson
  2. Scholarship Advisory Board Report.....Patti Kohler
- 3:50 New Business**
1. EPC Items.....Larry Smith
  2. Short Discussion and Prioritization of Faculty Forum Issues.....Renee Galliher
- 4:05 Old Business**
1. PRPC Code Changes 402.12 (second reading).....Terry Peak
  2. PRPC 405.8.2 dealing w/ombudsperson.....Terry Peak
  3. PRPC 407 Medical Incapacity.....Terry Peak
- 4:30 (or later) Adjournment**



**FACULTY SENATE EXECUTIVE COMMITTEE MINUTES**  
**NOVEMBER 19, 2012 3:00 P.M.**  
**Champ Hall Conference Room**

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**Present:** Renee Galliher (Chair), Dale Barnard, Alan Blackstock, David Cassidy, Richard Clement (excused), Jennifer Duncan, Curtis Dyreson, Nancy Hills, Doug Jackson-Smith (excused Terry Peak sub), Yanghee Kim, Vincent Wickwar, President Stan Albrecht (Ex-Officio) (excused), Provost Ray Coward (Ex-Officio), Glenn McEvoy (Past President), Joan Kleinke (Exec. Sec.), Marilyn Atkinson (Assistant) **Guests:** Ed Heath, John Mortensen, Terry Peak, Larry Smith, Christian Thrapp,

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Renee Galliher called the meeting to order at 3:00 p.m.

**Approval of Minutes**

Glenn McEvoy made a motion to approve the minutes of October 15, 2012. The motion was seconded by Yanghee Kim and the motion passed unanimously.

**Announcements**

**Brown Bag Lunch with the President & Provost.** December 13, 12:00 noon in Champ Hall.

**University Business - President Albrecht and Provost Coward.**

No University Business was presented.

**Information Items**

**ASUSU – Christian Thrapp.** ASUSU has awarded \$8,200 of the available \$10,000 this semester for the Academic Opportunity Fund which supports travel for students to academic conferences. The budget comes from student fees.

ASUSU considers the newly implemented Common Hour a success and Christian indicated that the Common Hour allows for great opportunities for students and faculty. Attendance of the featured lecturers so far has been very good.

A motion to place the ASUSU report on the consent agenda was made by Jennifer Duncan and seconded by Nancy Hills. The motion passed unanimously.

**Retention and Student Success Report – John Mortensen.** John highlighted a few items from his report. The greatest focus over the last year has been on data. Prior to the announcement of the LDS church regarding the change in missionary ages, Student Services had begun work on a new leave of absence website to help streamline this process for students.

Student Services is also using "Student Tracker", a free service available through the National Student Clearinghouse to track student populations. They are studying the 2004 – 2011 USU student cohorts. Student Tracker will provide a course by course report on students regardless of what university they begin or end their education.

Other projects include: 1) a registration website for students enrolled in remedial level math courses which allows these students to pre-register for their next math courses; 2) the development of another new website, which will provide course recommendations for incoming freshmen; 3) the registrars' office has obtained computer code, from another university, that will enable them to make advising assignments for students automatically in Banner; and 4) they are implementing an Early Alert System that ties in with Canvas. Instructors set a grade threshold for the first exam score and the system will automatically send an email to students who may be academically at risk and it will provide them with information on available student services and resources.

A motion to place the report on the consent agenda was made by Vince Wickwar and seconded by Glenn McEvoy. The motion passed unanimously.

## **New Business**

**EPC Items – Larry Smith.** Larry reported that there was no October meeting of the Academic Standards Subcommittee. The General Education subcommittee reviewed a few action items. The bulk of the report deals with a continuation of the changes made to graduate programs resulting from the graduate program review. There were five proposals for discontinuation of graduate programs, and a proposal to reduce the number of doctoral credits in the PhD program in Electrical Engineering and a proposal to provide an advanced standing option for the Masters of Social Work program.

A motion to place the EPC monthly report on the consent agenda was made by Vince Wickwar and seconded by Glenn McEvoy. The motion passed unanimously.

**Code Changes 406 "Program Discontinuance, Financial Exigency and Financial Crisis" – Vince Wickwar.** Vince presented the outcomes of the work of the taskforce. The taskforce was originally charged with reviewing sections 406 and 407, but 406 was a much larger issue than initially thought. They have met 15 times beginning in February 2012 until now, with each meeting lasting from 2 to 4 hours.

The results are changes in the order of subsections, definitions being moved to the beginning of the section, flowcharts inserted to help clarify the process, and some minor language changes. The new items were a shortening of the timeframes necessary to declare financial crisis and exigency, and the creation of a Financial Crisis Advisory Committee, very similar in structure and function of the ad hoc committee that was formed during the recent budget cuts.

FSEC then engaged in a thorough discussion about the process for taking these proposed changes through the faculty system an efficient and timely manner. A motion was made and seconded, that the taskforce provide the information packet that was given to FSEC to the AFT and BFW committees and meet with them to collect feedback, answer questions, and incorporate their suggestions. They would then bring the issue back to FSEC if necessary, meaning sufficient changes had been made requiring additional review by the FSEC. If no substantive changes are made it will be taken directly to PRPC. The motion passed unanimously.

**Code Change suggestion from faculty member regarding 405.8.2 – Renee Galliher.** A request was made from a faculty member that the senate may want to reconsider this section of code. If a committee member is on sabbatical or is otherwise unable to attend committee meetings it is problematic for departments to appoint replacements, and therefore a code change allowing for partial committees to meet or to meet by electronic means may be advantageous. During the discussion Glenn McEvoy clarified that there is already an exception built into the code for extension faculty. Renee Galliher commented that we do need to maximize flexibility in the code but without compromising integrity in the process. The consensus was that partial committees would not serve the candidate well and that this issue does not seem to be a widespread problem.

A motion to send the issue to PRPC to clarify if an ombudsperson can participate electronically in annual P&T meetings was made by Alan Blackstock and seconded by Glenn McEvoy. The motion passed unanimously.

**PRPC Code Changes 402.12 and 407 – Terry Peak.** Section 402.12 "Senate Standing Committees" contained very minor language changes for clarification.

A motion to place this item on the agenda as new business for a first reading was made by Glenn McEvoy and Yanghee Kim seconded. The motion passed unanimously.

**Section 407 "Academic Due Process: Sanctions and Hearing Procedures"** was reviewed at the request of Brandl Faupel, Director of Human Resources who found it to be in violation of federal law. PRPC reviewed only the medical incapacity issue. During the discussion there was confusion about language that was removed in the revision that was viewed as inappropriate.

A motion to send section 407 back to PRPC for re-consideration of 407.1.1 was made by Glenn McEvoy and seconded by Curtis Dyreson. The motion passed unanimously.

**Commissioner's 66% Initiative – Ray Coward.**

A new initiative by the Governor and State Board of Regents is that 66% of the Utah adult population will hold a bachelors degree by the year 2020. Provost Coward asked the FSEC if they would like him to brief the full senate on USU's plan to help reach this goal.

A motion to place this item on the agenda as New Business was made by Vince Wickwar and seconded by Jennifer Duncan. The motion passed unanimously.

**Discussion and Prioritization of Faculty Forum Issues – Renee Galliher.** This discussion was postponed due to time constraints.

### **Adjournment**

The meeting adjourned at 5:00 p.m.

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Minutes Submitted by: Joan Kleinke, Faculty Senate Executive Secretary, 797-1776

Annual Report to the Faculty Senate

From The

University Council on Teacher Education

(One Page Summary)

Academic Year  
September 1, 2011 - August 31, 2012

College of Education and Human Services

Utah State University

## ***Activities of the Council***

### **New Programs**

The Council approved the following new programs:

- \* Two new teaching minors for students seeking secondary education licensing: 1) Chinese teaching minor, and 2) American Sign Language teaching minor.
- \* Dual Immersion Endorsement, effective Fall 2012. This endorsement will become available to all teaching majors and does not require a foreign language major/minor. Selected elementary public schools in Utah have immersion programs (K-12) in Chinese, French, German, Portuguese, and Spanish.

### **Program Changes**

The Council approved the following program changes:

- \* Waiving INST 4015, Technology Tools and Integration for Teachers, for both the Math Education Program and the Music Education Program.
- \* Reducing the number of total course requirements for the Earth Science Composite Major from 108 credits to 99 credits. This program will now be more in line with other institutions' total credit requirements.
- \* Eliminating SCI 4300, Science, Technology, and Society (STS), as a required course for Science Teaching majors. This content is now embedded in the STEP science courses.
- \* Requiring students completing the math emphasis in the Graduate Route to Licensing Program to complete Math 5010, Capstone Mathematics, Statistics, and Technology for Teaching, and MATH 5020, Testing and Cognition of Math.
- \* Eliminating the Agriculture Education Emphasis in the BS Agricultural Education degree. This will create a single-track of major requirements

### **Policy Changes**

The Council voted to approve the policy that secondary education students will be required to have taken and passed the Praxis II Content Test or have registered for the exam prior to submitting their student teaching applications.

### **Information Items**

1. Three of USU's educators' licensing programs (teacher education, school counseling, educational leadership) were nationally reviewed by the Teacher Education Accreditation Council (TEAC) on March 5-9, 2012. All programs were officially approved by the Accreditation Committee of the Board of Directors of TEAC on June 11, 2012. The teacher education programs and the school counseling program submitted an Inquiry Brief and were approved for seven years. The educational leadership program submitted an Inquiry Brief Proposal and was approved for five years.
2. Northern Utah Superintendents strongly recommended that our teacher education students complete an English as a Second Language (ESL) minor/endorsement if possible.
3. Announcements from the Utah State Office of Education included the following:
  - \* USOE is considering requiring all students applying for a Utah license must take and pass the full Pre-Professional Skills Test (PPST) which includes a writing component. They are seeking documentation of writing competency and subject matter knowledge.
  - \* Effective September 1, 2012, Elementary Education majors will be required to take and pass the Praxis II Content test, 5031: Elementary Education: Multiple Subjects Test. The exam consists of our subtests (Reading/Language Arts, Mathematics, Social Studies, Science). All four subtests must be passed with a minimum score of 165. Students who do not pass all subtests can retake only the subtests they did not pass.

## ***Student Profile***

There was an increase of 4% in total number of students admitted into Teacher Education programs during the 2011-2012 year. The mean ACT scores (24.80) of new admissions continue to remain comparable to the University's average for mean ACT scores (23.3). There was a 2.1% decrease in the number of graduates recommended for educator licensure this year. The pass rate for the Praxis content tests was 85%. The pass rate for the Praxis Principles of Learning and Testing test which is needed for advancement to the Level II teaching license was 93%. The placement rate for those seeking a teaching position was 83%.

Annual Report to the Faculty Senate  
From The  
University Council on Teacher Education

Academic Year  
September 1, 2011 - August 31, 2012

Emma Eccles Jones  
College of Education and Human Services  
Utah State University

## **INTRODUCTION**

During the past year, September 2011 - August 2012, the University Council on Teacher Education has continued to exercise its responsibility for the coordination and regulation of the Teacher Education Program at Utah State University. Operating within the framework of the Utah State University Code of Policies and Procedures, the Council has concerned itself with the:

1. development of teacher education curricula.
2. approval of all teacher education curricula.
3. admission and counseling procedures for students desiring to enter teacher education programs.
4. graduation requirements and the recommendation of graduates for professional licensure.

## **MEMBERSHIP**

The University Council on Teacher Education is composed of 25 voting members consisting of the Dean of the Emma Eccles Jones College of Education and Human Services, who serves as Chairperson, the Vice Provost for Undergraduate Studies and Research, representatives from the departments within the Emma Eccles Jones College of Education and Human Services involved in the preparation of teachers, and representatives of the colleges offering teaching majors and minors. These members are nominated by the respective deans, in consultation with their staffs, and appointed by the Senate. The term of office is for three years with staggered appointments. The faculty member from the Emma Eccles Jones College of Education and Human Services selected to serve on the University Educational Policies Committee (EPC) is appointed by the Dean of the Emma Eccles Jones College of Education and Human Services to serve on the Council. Inasmuch as all curriculum matters relating to any

teacher licensure program should receive consideration by the Council prior to submission to the EPC, this appointment provides the necessary correlation and communication between the two bodies. In addition, the State Department of Public Instruction, the Utah Education Association, and the Society of Superintendents are represented on the Council by one voting member from each respective organization. Students at the University are represented by the Senator from the Emma Eccles Jones College of Education and Human Services who has the privilege of one vote. An alternate student is designated to attend in the absence of the College's Senator. The membership of the Council for the 2011- 2012 academic year is identified on page 10 of the report.

The Council meets regularly on the third Monday of each month. Attendance at the meetings is indicative of the involvement of Council members in the affairs of the Council. During the past year, approximately 65 percent of the membership was in attendance at all meetings.

## **ACTIVITIES OF THE COUNCIL**

### **Action Items**

#### ***New Programs:***

The Council approved the following new programs:

1. Two new teaching minors for students seeking secondary education licensing:
  - \* Chinese teaching minor
  - \* American Sign Language teaching minor
2. Dual Immersion Endorsement: This endorsement will become available to all teaching majors beginning Fall 2012. A foreign language major/ minor is not required. Utah public school children begin the immersion program at

kindergarten in Spanish, French, Chinese, German or Portuguese. Elementary students have two teachers, one for English (reading, writing) and one for the world language (social studies, math).

### ***Program Changes***

1. The Council approved the following program changes:
  - \* Waiving INST 4015, Technology Tools and Integration for Teachers, for both the Math Education Program and the Music Education Program
  - \* Reducing the number of total course requirements for the Earth Science Composite Major from 108 to 99 credits. This will make USU's program more in line with other institutions' requirements and enable USU's program to be more competitive.
  - \* Removing SCI 4300, Science, Technology, and Society (STS), as a required class for Science Teaching majors. The STS emphasis has been integrated into most of the courses within the STEP science program.
  - \* Requiring students completing the math emphasis in the Graduate Route to Licensing Program to complete MATH 5010, Capstone Mathematics, Statistics, and Technology for Teaching, and MATH 5020, Testing and Cognition of Math.
  - \* Eliminating the Agriculture Education Emphasis in the BS Agriculture Education degree. This change will enhance advising and create program consistency (a single- track of major requirements) in preparing secondary agriculture teachers.
  - \* Approving several proposed curriculum changes by the Departments of Communicative Disorders and Deaf Education; Health, Physical Education, and Recreation; Special Education and Rehabilitation; and the School of Teacher

Education and Leadership. These changes involved multiple departmental course approval forms.

### ***Policy Changes***

1. The Council voted to approve the policy that secondary education students will be required to have taken and passed the Praxis II Content Test or have registered for the exam prior to submitting their student teaching application.

### **Information Items**

1. Three of USU's educator licensure programs [(teacher education- elementary education, secondary education, special education); school counseling; and educational leadership] were nationally reviewed by the Teacher Education Accreditation Council (TEAC) on March 5-9, 2012. All programs were officially approved by the Accreditation Committee of the Board of Directions of TEAC on June 11, 2012, The teacher education programs and the school counseling program submitted Inquiry Briefs and were approved for seven years. The educational leadership program submitted an Inquiry Brief Proposal and was approved for five years.
2. Northern Utah Superintendents strongly recommended that our teacher education students complete an English as a Second Language (ESL) minor/endorsement if possible.
3. Announcements from the Utah State Office of Education included the following:
  - \* They are considering requiring the full Pre-Professional Skills Test (PPST) which includes a writing component for all students applying for a Level I teaching license. This would provide the USOE with standardized documentation of writing competency and subject matter knowledge for all Level I teachers.

- \* Effective September 1, 2012, Elementary Education majors will be required to take and pass the Praxis II Content test, 5031: Elementary Education: Multiple Subjects Test. The exam consists of four subtests (Reading/Language Arts; Mathematics; Social Studies; Science). All four subtests must be passed with a minimum score of 165. Students can retake only the subtests which they did not pass.

## **STUDENT PROFILE**

***Students in the Teacher Education Program.*** Admission into the Teacher Education Program at Utah State University requires formal application to the Office of the Associate Dean for Graduation, Educator Licensing and Accreditation in the Emma Eccles Jones College of Education and Human Services as well as the department where the major work is being offered. Students are not permitted to enroll in professional courses in education until they have been admitted to the Teacher Education Program. The current admission guidelines require that an applicant have a cumulative 2.75 GPA and a minimum score of 21 in each of three areas (English, Social Sciences, and Natural Sciences) and 25 in Mathematics of the American College Test (ACT). In those areas where the ACT score is below the minimum, the applicant must complete the required General Education course work with a pre-established GPA.

A total of 513 students were admitted into the Teacher Education Program during the period September 1, 2011 through August 31, 2012. This total represents an increase of 4 percent from the previous year. Table 1 presents a comparison of the students admitted into the Teacher Education Program by teaching major for the two-year period 2010-2010 and 2011-2012. Tables 2, 3, and 4 provide comparative data related to the criteria upon which students

were admitted into the program and ACT scores of the applicants. Table 5 provides data related to the mean ACT scores, USU GPA, and cumulative GPA.

A review of these data indicate that ACT scores and GPAs of students admitted into the Teacher Education Program continue to compare favorably with the ACT scores and GPAs of their counterparts at the University. Four hundred two (402) students admitted into the Teacher Education Program during the 2011-2012 academic year submitted ACT scores. The mean composite ACT score of these 402 students was 24.80. During the same period of time, the mean composite ACT scores of entering freshmen at Utah State University was 23.3. The 513 students admitted into the Teacher Education Program had a mean USU GPA of 3.46 and a mean cumulative GPA of 3.51. The Office of Analysis, Assessment and Accreditation at the University reported the following mean GPAs for all students at USU for the 2011-2012 academic year.

Fall Semester 2011:                      Mean GPA = 3.46

In addition, there were 155 students admitted to post-bachelors education licensing programs. These programs include: Administrative Supervisory Certificate (AS/C); Endorsements - Secondary Education Graduate Route to Licensure, and School Counseling.

***Graduates Recommended for Certification.*** There were five hundred thirty-six (536) students recommended for educator licensing and endorsements. This total is an decrease of 3.9 percent in 2012 as compared to 2011 (see Table 6). Four hundred seven (407) students were recommended for initial licensing in 2012. This total is a decrease of 2.1 percent in the number of initial licenses granted.

***Praxis Content Testing.*** Table 7 shows that there were 608 students who attempted the ETS Praxis II Content test in their major area. Five hundred fourteen (514) or 85% passed and

thus will receive NCLB “highly qualified status” when they receive their Utah Level I teaching license. Pass rates for each content area ranged from 51% to 100%. The following content areas had a 100% pass rate: Art, Biology, Dual Elementary/Deaf Education, Engineering Technology Education, German, General Science, Physical Science, Psychology, School Psychology, Social Studies, and Special Education.

Although students are not required to take the Praxis Principles of Learning and Teaching Test (PLT) until they have received their Level 1 teaching license, USU strongly encourages students to take the exam prior to graduation to enhance their marketability with school districts. Ninety (90) students attempted the PLT and 84 passed the exam, resulting in a 93% pass rate.

***Placement of Program Graduates.*** The job placement rate of program graduates continues to be of interest to the Council. In 2012 a total of 407 graduates were recommended to the Utah State Office of Education for initial licensing in new concentration areas. Two hundred ninety-two (57%) responded to our placement survey. Of these, 204 (70%) were employed in Utah and 13 (4%) accepted teaching contracts out-of-state. These percentages represent an 83 percent placement rate for those seeking teaching positions (see Table 8). The 2012 placement rate is lower than the rate achieved in 2011, which was 86 percent. Some teaching majors have a much higher placement rate than others, and students seeking admission into the pre-service teacher preparation program should be informed that the probability for employment in some majors may not be as favorable as in other teaching areas. Placement rates for each major ranged from 50% to 100%. The following majors had placement rates less than 75% : Administrative/Supervisory and School Counseling.

Additional statistics are as follows: fourteen (4.7%) were still seeking a teaching position; twenty-one (7.1%) were not seeking a teaching position; fourteen (4.7%) had secured other employment, and ten (3.4%) were continuing their education.

## **SUMMARY**

This report provides the Faculty Senate with an account of the activities of the University Council on Teacher Education and the status of the Teacher Education Program for the 2011-2012 academic year. The Council's primary activities during this period have been directed at maintaining a quality program.

The membership of the Council is cognizant of the need for improving the quality of education offered by our public, private, and charter schools. This need, as a minimum, requires the preparation of highly motivated, well-trained professionally competent teachers. In response to this challenge, the University Council on Teacher Education will continue with its efforts to provide leadership, service, and control for the Teacher Education Program at Utah State University. The intent is to maintain a high quality pre-service teacher preparation program that will attract the "best and brightest" potential teachers. The information in this report provides evidence that the academic performance of students in the pre-service teacher education program compares favorably with and, in some instances, exceeds the performance of their peers in other academic programs.

**UTAH STATE UNIVERSITY  
COUNCIL ON TEACHER EDUCATION MEMBERSHIP  
2011-2012 through 2013-2014**

College and Number	Department or Area	2011-12	2012-13	2013-14
Dean, CEHS (1)	Chairman			Beth Foley
Associate Dean, CEHS (1)				Francine Johnson
Administration (1)	Vice Provost			<i>PENDING</i>
Agriculture (1)	Ag. Education, Family, Consumer Sci			Brian Warnick
Education (6)	Teacher Education and Leadership			Sylvia Read Martha Dever
	Inst Tech		Sheri Haderlie	
	Com Dis & Deaf Education	Lauri Nelson*		
	Special Education & Rehabilitation			Ben Lignugaris/Kraft
	HPER			Dennis Dolny
	Psychology			Carrie Madden
Engineering (1)	ETE		Gary Stewardson	
Humanities and Social Sciences	English		Steve Shively	
Caine College of Arts (2)	Fine Arts	Leslie Timmons*		
	Theater Arts		Matt Omasta	
Natural Resources (1)	Geography			<i>PENDING</i>
Science (2)	Mathematics			Jim Cangelosi
	Biology			Richard Mueller
State Department of Public Instruction (1)	Teacher Personnel			Linda Alder
University (1)	Educ. Policy Com.		Scott Hunsaker	
UEA (1)	Public Schools			Tom Nedreberg
Society of Supts. (1)	Superintendents		Ron Wolff	
ASUSU (1)	ASUSU	Becky Checketts*		
RCDE (1)	Regional Campus			Martha Archuleta

\* Terms expire May 30

TABLE 1

**A COMPARISON OF STUDENTS ACCEPTED INTO THE TEACHER EDUCATION  
PROGRAM, 2010-11 AND 2011-2012, BY TEACHING MAJOR**

MAJOR	2010-11	2011-12	DIFFERENCE
Early Childhood	31	43	12
Elementary Education (1-8)	133	138	5
Elementary Education (K-6)	21	33	12
Dual, Elem Educ & Early Child *	n/a	n/a	n/a
Composite, Elem Educ & Deaf	8	20	12
Composite, Elem Educ & Spec Educ	12	26	14
Composite, Spec Educ & Early Child	1	3	2
Special Education	80	47	-33
<b>Secondary Education Majors</b>			
Chemistry	1	1	0
English	22	31	9
Geography	1	2	1
Health Education	8	8	0
History	26	18	-8
Languages	2	5	3
Mathematics	19	6	-13
P.E.	15	14	-1
Physics	0	3	3
Political Science	0	0	0
Psychology	6	1	-5
Sociology	0	1	1
<b>Composite Majors</b>			

**TABLE 1 (cont.)**

<b>MAJOR</b>	<b>2010-11</b>	<b>2011-12</b>	<b>DIFFERENCE</b>
Agricultural Education	8	8	0
Art Education	6	15	9
Biological Science	4	7	3
Earth Science	1	0	-1
Engineering Technology Educ (ETE-TIED)	5	6	1
Family & Consumer Sciences Education	23	16	-7
Mathematics/Statistics	25	26	1
Music	9	18	9
Physical Science	2	2	0
Social Studies	20	13	-7
Theatre Arts	4	2	-2
<b>Teacher Education TOTAL</b>	493	513	20
<b>Post Bachelors Licensing Program</b>			
Administrative Supervisory Certificate	57	53	-5
Communicative Disorders (SLP)	20	13	-7
Alternative Special Education	31	34	3
Graduate Route Licensing SCED	1	4	3
School Counseling	56	52	-4
<b>Post BS TOTAL</b>	165	155	-9
<b>Grand TOTAL</b>	658	668	11

\*NOTE: Dual Elementary Education/Early Childhood Education is a dual major, student receive two degrees. These numbers have been added to each department.

**TABLE 2**

**STUDENTS ADMITTED INTO THE TEACHER EDUCATION PROGRAM CATEGORIZED BY  
ADMISSION CRITERIA  
2011-2012**

CATEGORY	NUMBER OF STUDENTS ADMITTED			
	2010-2011	% of Total	2011-2012	% of Total
ACT Scores $\geq$ 21 in <u>ALL</u> four areas	222	45%	256	50%
ACT Scores $\geq$ 21 in at least one area	127	26%	112	22%
ACT Scores < 21 in <u>ALL</u> four areas	16	3%	11	2.1%
2 <sup>nd</sup> BS Degree (GPA of $\geq$ 2.75 on last 45 credits)	48	1%	11	2.1%
No ACT Score available	128	26%	130	25%
<b>TOTAL</b>	493		513	

**TABLE 3**

**ACT SCORES OF STUDENTS ADMITTED TO TEACHER EDUCATION  
BY TEST AREA  
2010- 2011 AND 2011-2012**

<b>ACT TEST AREA</b>	<b>NUMBER OF STUDENTS ADMITTED</b>			
	<b>2010-2011</b>		<b>2011-2012</b>	
	<b>ACT <math>\geq</math> 21</b>	<b>ACT &lt;21</b>	<b>ACT <math>\geq</math> 21</b>	<b>ACT &lt;21</b>
English	295 (81%)	70 (19%)	366 (97%)	13 (3.4%)
Mathematics	277 (76%)	88 (24%)	313 (83%)	66 (17%)
Social Sciences	303 (83%)	62 (17%)	331 (87%)	48 (13%)
Natural Sciences	305 (84%)	60 (60%)	324 (85%)	55 (15%)
	N=365		N=379	

**TABLE 4**

**STUDENTS ADMITTED INTO THE TEACHER EDUCATION PROGRAM CATEGORIZED BY  
ADMISSION CRITERIA, BY MAJOR  
SEPTEMBER 1, 2011 - AUGUST 31, 2012**

<b>Teaching Major</b>	<b>Total # of Students Admitted</b>	<b># students with ACT scores <math>\geq</math> 21 in at least one area</b>	<b># of students with ACT scores &lt; 21 in all areas</b>	<b># students with B.S. degree</b>	<b># of students with no ACT scores</b>
Agricultural Education	8	6	0	0	2
Art Education	15	11	1	0	3
Biological Science	7	4	1	0	2
Chemistry	1	1	0	0	0
Early Childhood	43	14	0	0	29
Earth Science	0	0	0	0	0
Elem Education (1-8)	138	137	1	2	0
Elem Education (K-6)	33	32	0	0	1
Engineering Technology Educ	6	2	0	3	4
English	31	20	0	0	11
Dual, El Ed & ECH *	n/a	n/a	n/a	n/a	n/a
Composite, El Ed & Deaf Educ	20	6	0	0	14
Composite, El Ed & Spec Educ	26	21	0	1	4
Composite, Spec Ed & Early Child	3	0	0	0	3
FCSE	16	13	0	1	3
Geography	2	2	0	0	0
Health Education	8	3	1	0	4
History	18	8	1	2	9
Languages	5	2	1	0	2
Math	6	3	0	0	3

<b>Teaching Major</b>	<b>Total # of Students Admitted</b>	<b># students with ACT scores <math>\geq 21</math> in at least one area</b>	<b># of students with ACT scores <math>&lt; 21</math> in all areas</b>	<b># students with B.S. degree</b>	<b># of students with no ACT scores</b>
Math/Stat	26	23	0	0	3
Music	18	14	0	0	4
Physical Education	14	10	1	0	3
Physical Science	2	1	0	0	1
Physics	3	0	0	0	3
Political Science	0	0	0	0	0
Psychology	1	0	0	0	1
Social Studies	13	9	0	1	4
Sociology	1	1	0	1	0
Special Education	47	41	6	0	0
Theatre Arts	2	1	0	0	1
<b>TOTAL</b>	<b>513</b>	<b>384</b>	<b>113</b>	<b>11</b>	<b>114</b>

\*NOTE: Dual Elementary Education/Early Childhood Education is a dual major, student receive two degrees. These numbers have been added to each department.

**TABLE 5**

**STUDENTS' MEAN COMPOSITE ACT SCORES, USU GPA,  
CUMULATIVE GPA BY MAJOR, AT THE TIME OF ADMISSION INTO THE TEACHER  
EDUCATION PROGRAM  
SEPTEMBER 2011 THROUGH AUGUST 2012**

<b>Teaching Major</b>	<b>No. of Students Admitted</b>	<b>Students with ACT Scores</b>	<b>Students w/o ACT Scores</b>	<b>No. of Students with BS</b>	<b>Mean ACT Score</b>	<b>Mean USU GPA</b>	<b>Mean Cum GPA</b>
Agricultural Education	8	6	2	0	21.25	3.36	3.44
Art Education	15	12	3	0	18.25	3.61	3.57
Biological Science	7	5	2	0	26	3.48	3.54
Chemistry	1	1	0	0	20.50	3.43	3.51
Early Childhood Education	43	14	29	0	22.5	3.57	3.56
Earth Science	0	0	0	0	n/a	n/a	n/a
Elem Education (1-8)	138	138	0	2	26	3.5	3.47
Elem Education (K-6)	33	32	1	0	21.5	3.54	3.56
Engineering Tech Ed (ETE)	6	2	4	3	25.75	3.19	3.14
English	31	20	11	0	26	3.6	3.61
Dual, El Ed & ECH *	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Composite, El Ed & Deaf Educ	20	6	14	0	31.5	3.69	3.69
Composite, El Ed & Spec Educ	26	21	4	1	23.5	3.63	3.63
Composite, Spec Educ & EC	3	0	3	0	n/a	n/a	n/a
FCSE	16	13	3	1	20	3.32	3.25
Geography	2	2	0	0	21.75	3.32	3.19
Health Education	8	4	4	0	16.75	3.17	3.15

Teaching Major	No. of Students Admitted	Students with ACT Scores	Students w/o ACT Scores	No. of Students with BS	Mean ACT Score	Mean USU GPA	Mean Cum GPA
History	18	9	9	2	24.8	3.51	3.54
Languages	5	3	2	0	23.25	3.59	3.42
Math	6	3	3	0	24	3.58	3.53
Math/Stat	26	23	3	0	32.75	3.5	3.56
Music	18	14	4	0	23.75	3.72	3.65
Physical Education	14	11	3	1	22.25	3.15	3.24
Physical Science	2	1	1	0	22.25	2.77	3.0
Physics	3	0	3	0	n/a	n/a	n/a
Political Science	0	0	0	0	n/a	n/a	n/a
Psychology	1	0	1	0	n/a	3.0	3.97
Social Studies	13	9	4	1	28.25	3.56	3.47
Sociology	1	1	0	1	23.25	3.87	3.87
Special Education	47	47	0	0	24.5	3.6	3.6
Theatre Arts	2	1	0	1	26	3.85	3.85
<b>TOTAL</b>	<b>513</b>	<b>384</b>	<b>113</b>	<b>11</b>	<b>23.85</b>	<b>3.51</b>	<b>3.51</b>

\*NOTE: Dual Elementary Education/Early Childhood Education is a dual major, student receive two degrees. These numbers have been added to each department.

**TABLE 6**  
**TEACHER EDUCATION PROGRAM GRADUATES**  
**RECOMMENDED FOR TEACHER LICENSING**  
**2005-2012**

	2005	2006	2007	2008	2009	2010	2011	2012
<b>Composite</b>	34	34	34	44	44	31	29	8
<b>Early Childhood</b>	8	3	5	6	0	4	4	17
<b>Elementary</b>	163	151	172	156	149	112	123	109
<b>Elementary K-6</b>	n/a	n/a	n/a	n/a	n/a	8	7	17
<b>Secondary</b>	125	92	111	143	113	105	167	113
<b>Endorsements</b>	134	143	127	131	57	46	79	85
<b>Art</b>	8	3	6	3	3	2	8	5
<b>ComD</b>	14	11	16	26	23	13	20	13
<b>HPER</b>	24	24	8	22	16	20	17	27
<b>Lib Media</b>	17	13	6	22	11	15	1	4
<b>Music</b>	13	4	11	9	9	10	10	8
<b>School Counseling</b>	31	32	19	53	18	34	19	52
<b>School Psychology</b>	4	3	4	5	2	1	2	3
<b>Special Education</b>	119	92	123	113	120	94	89	75
<b>TOTAL</b>	694 (544)	605 (468)	642 (475)	733 (548)	565 (466)	495 (425)	558 (416)	536 (407)

\*Numbers in parenthesis indicate the number of **initial** certificates for that year.

**Table 7**

**PRAXIS RESULTS OF TEACHER EDUCATION PROGRAM GRADUATES  
RECOMMENDED FOR LICENSING  
2008-2012**

Program	Praxis Test Number and Name	Passing Score	2008		2009		2010		2011		2012	
			Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed
Administrative/Supervisory Certificate	0411/5011- Educational Leadership & Supervision	151	4	#	19	18 (95%)	25	25 (96%)	44	43 (98%)	60	55 (61%)
Ag Education	0700-Agriculture	520	12	#	3	3	22	20 (91%)	8	8 (100%)	7	6 (88%)
Art Education	0134/5134- Art: Content Knowledge	158 #	4	#	3	0 (0%)	18	17 (94%)	7	7 (100%)	5	5 (100%)
Biology	0235/5235- Biology: Content Knowledge	149	8	8 (100%)	8	8 (100%)	8	8 (100%)	17	17 (100%)	8	8 (100%)
Business Education Bis Comp & Info Sys	0100/5101-Business Education	154	3	3 (100%)	5	5 (100%)	n/a	n/a	n/a	n/a	n/a	n/a
Chemistry	0245/5245- Chemistry: Content Knowledge	151	5	4 (80%)	7	6 (86%)	0	0	9	7 (78%)	3	2 (67%)
Composite: Early Childhood//Deaf Education*	0014/5014-Elementary Educ: Content Knowledge	150	0	0	0	0	2	2 (100%)	n/a	n/a	n/a	n/a
Dual: Early Childhood/Elementary Education*	0014/5014-Elementary Educ: Content Knowledge	150	9	7 (78%)	24	22 (92%)	4	4 (100%)	n/a	n/a	4	4 (100%)
Composite: Elementary/Deaf Education	0014/5014-Elementary Educ: Content Knowledge	150	3	3 (100%)	6	6 (100%)	6	6 (100%)	10	10 (100%)	4	4 (100%)
Composite: Elementary/Special Education	0014/5014-Elementary Educ: Content Knowledge	150	8	8 (100%)	16	15 (94%)	9	8 (89%)	14	14 (100%)	19	18 (95%)
Early Childhood	0014/5014-Elementary Educ: Content Knowledge	150	2	2 (100%)	0	0	16	13 (81%)	21	16 (76%)	17	14 (82%)
Earth Science	0571/5571- Earth Sci: Content Knowledge	153	1	1 (100%)	2	2 (100%)	0	0	0	0	0	0

Program	Praxis Test Number and Name	Passing Score	2008		2009		2010		2011		2012	
			Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed
Elementary Education	0014/5014-Elementary Educ: Content Knowledge	150	125	109 (86%)	149	140 (94%)	130	125 (96%)	78	74 (95%)	89	79 (89%)
Engineering & Technology Education	0050/5051-Technology Education	159 #	5	5 (100%)	7	7 (100%)	3	3 (100%)	4	4 (100%)	3	3 (100%)
English	0041/5041-English Lang: Literature & Composition: Content Knowledge	168	27	20 (74%)	22	16 (73%)	44	22 (50%)	32	22 (69%)	25	19 (76%)
Family & Consumer Science	0120/5121-Family & Consumer Sciences	159	18	#	11	11 (100%)	26	24 (92%)	19	19 (100%)	13	12 (92%)
French	5174-French: Content Knowledge	160 #	1	1 (100%)	0	0	0	0	0	0	3	2 (67%)
Geography	0920-: Geography	630	6	5 (83%)	2	2 (100%)	4	4 (100%)	1	1 (100%)	0	0
German	5183-German: Content Knowledge	160 #	1	1 (100%)	1	1 (100%)	2	2 (100%)	0	0	1	1 (100%)
Health Education	0550/5550-Health Educ	670	16	16 (100%)	8	8 (100%)	11	11 (100%)	1	1 (100%)	11	7 (66%)
History	0941/5941- World & US History: Content Knowledge	156	44	23 (52%)	19	12 (63%)	45	23 (51%)	48	29 (60%)	39	20 (51%)
Integrated Science	0435/5435-General Sci: Content Knowledge	166	0	0	0	0	0	0	0	0	19	11 (58%)
Latin	0600-Latin	610	2	1 (50%)	0	0	0	0	0	0	2	2 (100%)
Marketing Education	0100/5101-Business Educ	154	3	3 (100%)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Math Level II Endorsement	0069/5061-Middle School Mathematics	145	10	10 (100%)	15	15 (100%)	14	13 (93%)	51	50 (98%)	59	55 (93%)
Mathematics/ Math/Stats	0061/5061-Mathematics: Content Knowledge	138	42	31 (74%)	21	20 (95%)	59	48 (81%)	34	26 (76%)	53	43 (81%)
Music	0113/5113-Music Content Knowledge	156	4	4 (100%)	9	9 (100%)	11	11 (100%)	20	19 (95%)	8	6 (75%)

Program	Praxis Test Number and Name	Passing Score	2008		2009		2010		2011		2012	
			Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed
Physical Education/ PE/Coaching	0091/5091- Physical Ed: Content Knowledge	152	8	8 (100%)	9	9 (100%)	7	6 (86%)	7	5 (71%)	0	0
Physical Science	0070-Chemistry, Physics, General Sci	570	0	0	0	0	4	2 (50%)	0	0	1	1 (100%)
Physical Science	0481-Physical Sci: Content Knowledge	150	2	#	1	1 (100%)	3	3 (100%)	1	1 (100%)	1	1 (100%)
Physics	0265/5265- Physics: Content Knowledge	136	4	3 (75%)	4	3 (75%)	1	0	4	2 (50%)	9	6 (69%)
Political Science	0930-Government/ Political Sci	660 #	6	#	2	1 (50%)	4	3 (75%)	9	7 (78%)	0	0
Psychology	0390- Psychology	620	6	#	1	1 (100%)	2	2 (100%)	4	3 (75%)	3	3 (100%)
Reading Endorsement	0204/5204-Teaching Reading	154	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	13	12 (92%)
Sch Counseling	0421/5421-Sch Guidance & Counseling	156 #	1	#	18	18 (100%)	39	38 (97%)	19	18 (95%)	63	58 (92%)
Sch Psychology	0401/5401- School Psychologist	165	2	2 (100%)	2	2 (100%)	1	1 (100%)	7	7 (100%)	5	5 (100%)
Social Studies	0081/5081-Social Studies: Content Knowledge	159	8	7 (86%)	6	5 (83%)	11	6 (55%)	22	17 (77%)	2	2 (100%)
Sociology	0950-Sociology	550 #	1	1 (100%)	0	0	0	0	0	0	0	0
Speech	0220/5221-Speech Communication	144 #	1	#	0	0	0	0	0	0	0	0
Spanish	0191-Spanish: Content Knowledge	165 #	3	3 (100%)	13	13 (100%)	21	17 (81%)	3	3 (100%)	0	0
Special Education	0014/5014-Element ary Educ: Content Knowledge	150	22	22 (100%)	41	38 (93%)	28	24 (86%)	22	22 (100%)	41	37 (90%)
Special Education	0351/5354-Educ of Exceptional Students: Core Content Knowledge	151 #	13	13 (100%)	22	22 (100%)	17	17 (100%)	0	0	1	1 (100%)

Program	Praxis Test Number and Name	Passing Score	2008		2009		2010		2011		2012	
			Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed
Special Education	0511-Fundamental Subjects: Content Knowledge	150	25	24 (96%)	38	37 (97%)	n/a	n/a	n/a	n/a	n/a	n/a
Special Education	0069-Middle School Math	145	3	3 (100%)	2	2 (100%)	16	14 (88%)	7	7 (100%)	23	20 (87%)
Special Education	0049-Middle School English/Language Arts	155	1	1 (100%)	1	1 (100%)	13	10 (77%)	2	2 (100%)	7	4 (57%)
Theatre	0640-Theatre	630	3	#	3	3 (100%)	1	1 (100%)	2	2 (100%)	0	0
		<b>TOTAL</b>	472	352* (85%)	520	482 (93%)	633	530 (84%)	527	443 (84%)	621	526 (85%)

Praxis Test Test Number	Praxis Test Number and Name	Passing Score	2008		2009		2010		2011		2012	
			Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed	Attempt	Passed
Principles of Teaching & Learning: Early Childhood	0621/5621	160	8	7 (86%)	0	0	8	8 (100%)	10	10 (100%)	5	5 (100%)
Principles of Teaching & Learning: Grades K-6	0622/5622	160	111	104 (94%)	33	32 (97%)	130	117 (90%)	75	72 (96%)	70	66 (94%)
Principles of Teaching & Learning: Grades 5-9	0623/5623	160	11	9 (81%)	3	3 (100%)	4	4 (100%)	3	2 (67%)	3	3 (100%)
Principles of Teaching & Learning: Grades 7-12	0624/5624	160	69	66 (96%)	48	48 (100%)	156	144 (92%)	118	113 (96%)	90	84 (93%)
		<b>TOTAL:</b>	199	186 (93%)	84	83 (99%)	298	273 (92%)	206	198 (96%)	168	158 (94%)

# - No Utah cut-off score established

\* - Percent does not include tests with no cut-off score

**TABLE 8**

**PLACEMENT OF TEACHER EDUCATION PROGRAM GRADUATES  
RECOMMENDED FOR INITIAL LICENSING FOR THE PERIOD  
SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2012**

1	2	3	4	5	6	7	8	9	10	11
Teaching Major	Total No. Certified	Total No. Responded	In State	Outside State	Other Employment	Seeking Teaching Position	Not Seeking Teaching Position	Continuing Formal Education	% Placement in Teaching of Total Responded	% Placement in Teaching of Total Seeking Employment
Ad/Supervisory	52	25	15	1	8	2	1	0	64%	67%
Ag Ed	8	2	2	0	0	0	0	0	100%	100%
Art Ed	4	2	2	0	0	0	0	0	100%	100%
Biological Science	14	7	6	1	0	0	0	0	100%	100%
Chemistry	3	2	2	0	0	0	0	0	100%	100%
Com Dis	11	1	1	0	0	0	0	0	100%	100%
Earth Science	0	0	0	0	0	0	0	0	n/a	n/a
Composite Majors	6	4	3	0	0	0	1	0	75%	100%
Early Childhood	17	8	6	0	0	0	2	0	75%	100%
Elem Educ (1-8)	106	65	54	1	2	1	6	1	85%	95%
Elem Edu (K-6)	17	11	9	1	0	0	1	0	91%	100%
English	19	11	8	0	1	1	0	1	73%	80%
ETE/ITE/TIED	5	4	3	0	0	0	1	0	75%	100%
FCSE	21	17	16	0	0	0	1	0	94%	100%
Geography	1	1	0	0	0	0	0	1	n/a	n/a
Health Education	9	3	3	0	0	0	0	0	100%	100%
History	23	13	11	0	0	1	1	0	85%	100%
Mod Languages	4	1	0	0	0	0	1	0	%	%
Math	22	16	14	1	0	0	0	1	93%	100%
Music Ed	8	6	0	3	1	0	0	2	50%	75%

1	2	3	4	5	6	7	8	9	10	11
Teaching Major	Total No. Certified	Total No. Responded	In State	Outside State	Other Employment	Seeking Teaching Position	Not Seeking Teaching Position	Continuing Formal Education	% Placement in Teaching of Total Responded	% Placement in Teaching of Total Seeking Employment
PE	18	8	4	1	1	0	0	2	63%	83%
Physical Science	3	2	1	0	0	0	1	0	50%	100%
Physics	1	1	1	0	0	0	0	0	100%	100%
Political Science	5	3	2	0	0	0	1	0	67%	100%
Psychology	5	3	3	0	0	0	0	0	100%	100%
School Psychology	3	0	0	0	0	0	0	0	n/a	n/a
Social Studies	14	10	6	1	0	2	0	1	70%	78%
Special Education	40	32	25	2	1	0	3	1	84%	96%
Special Education Alternative	23	18	18	0	0	0	0	0	100%	100%
Speech/Theater	3	0	0	0	0	0	0	0	n/a	n/a
Library Media	4	0	0	0	0	0	0	0	n/a	n/a
School Counselor	41	16	6	1	0	7	2	0	44%	50%
TOTALS	510	292	207	13	14	14	21	10	74%	84%

NOTES: Percent (Column 10) =  $\frac{\text{Column 4} + \text{Column 5}}{\text{Column 3}}$

Percent (Column 11) =  $\frac{\text{Column 4} + \text{Column 5}}{\text{Column 3} - \text{Column 8} - \text{Column 9}}$

- No data available

\*graduate may be teaching in major or minor content area

# SCHOLARSHIP YEAR END REPORT FOR 2011-12

Undergraduate scholarships reported by college. Waivers are awarded by the Admissions Office according to legislative mandates and university policy.  
College and departmental awards are determined at the college/department level from endowments or cash accounts.

Scholarship Type	# of Recipients	\$AMOUNT	Change from 2010/11, Recipients	Change from 2010/11, Amount
<b>COLLEGE OF AGRICULTURE</b>				
University In-State Tuition (10% Waivers)	164	\$ 465,251	23%	25%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	73	\$ 553,887	16%	20%
Other Admissions Scholarships	134	\$ 296,511	-12%	-21%
Alumni Legacy Scholarship	63	\$ 584,233	85%	107%
Departmental Scholarships	212	\$ 299,762	28%	29%
Other USU Scholarships	72	\$ 324,432	22%	25%
Cash from Outside Sources	111	\$ 206,277	-11%	-9%
Total Unduplicated Recipients*	586	\$ 2,730,352	11%	24%

<b>CAINE COLLEGE OF THE ARTS</b>				
University In-State Tuition (10% Waivers)	138	\$ 422,853	3%	15%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	69	\$ 581,143	-5%	-11%
Other Admissions Scholarships	111	\$ 232,215	-28%	-26%
Alumni Legacy Scholarship	51	\$ 463,340	46%	53%
Departmental Scholarships	269	\$ 508,772	26%	85%
Other USU Scholarships	57	\$ 245,992	-64%	10%
Cash from Outside Sources	87	\$ 209,641	-8%	-11%
Total Unduplicated Recipients*	532	\$ 2,663,955	-0.19%	25%

<b>EMMA ECCLES JONES COLLEGE OF EDUCATION AND HUMAN SERVICES</b>				
University In-State Tuition (10% Waivers)	464	\$ 1,276,683	21%	33%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	138	\$ 1,123,661	-5%	-1%
Other Admissions Scholarships	323	\$ 613,857	-17%	-29%
Alumni Legacy Scholarship	148	\$ 1,342,303	35%	41%
Departmental Scholarships	236	\$ 546,588	27%	25%
Other USU Scholarships	163	\$ 304,374	25%	24%
Cash from Outside Sources	282	\$ 643,030	-15%	-5%
Total Unduplicated Recipients*	1,259	\$ 5,850,496	-3%	11%

<b>COLLEGE OF ENGINEERING</b>				
University In-State Tuition (10% Waivers)	405	\$ 1,152,451	53%	51%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	124	\$ 1,043,125	-4%	-4%
Other Admissions Scholarships	342	\$ 709,035	-11%	-18%
Alumni Legacy Scholarship	74	\$ 654,103	48%	55%
Departmental Scholarships	238	\$ 384,198	-2%	0.15%
Other USU Scholarships	148	\$ 958,046	5%	-20%
Cash from Outside Sources	213	\$ 502,056	18%	16%
Total Unduplicated Recipients*	950	\$ 5,403,015	13%	5%

<b>COLLEGE OF HUMANITIES &amp; SOCIAL SCIENCES</b>				
University In-State Tuition (10% Waivers)	270	\$ 811,665	-4%	5%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	81	\$ 694,688	-14%	-4%
Other Admissions Scholarships	237	\$ 543,078	-30%	-30%
Alumni Legacy Scholarship	91	\$ 774,642	25%	29%
Departmental Scholarships	190	\$ 373,489	20%	24%
Other USU Scholarships	130	\$ 534,741	-2%	25%
Cash from Outside Sources	150	\$ 326,880	-34%	-25%
Total Unduplicated Recipients*	827	\$ 4,059,184	-41%	0.46%

<b>JON M. HUNTSMAN SCHOOL OF BUSINESS</b>				
University In-State Tuition (10% Waivers)	182	\$ 505,003	-18%	-26%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	66	\$ 531,243	-19%	-19%
Other Admissions Scholarships	266	\$ 973,688	-8%	30%
Alumni Legacy Scholarship	54	\$ 509,515	69%	75%
Departmental Scholarships	251	\$ 677,737	-1%	-7%
Other USU Scholarships	260	\$ 1,420,090	8%	21%
Cash from Outside Sources	129	\$ 278,924	18%	6%
Total Unduplicated Recipients*	806	\$ 4,896,199	4%	8%

Scholarship Type	# of Recipients	\$AMOUNT	Change from 2010/11, Recipients	Change from 2010/11, Amount
<b>S.J. &amp; JESSIE E. QUINNEY COLLEGE OF NATURAL RESOURCES</b>				
University In-State Tuition (10% Waivers)	27	\$ 70,341	-13%	-9%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	26	\$ 232,980	37%	63%
Other Admissions Scholarships	25	\$ 53,389	-24%	-42%
Alumni Legacy Scholarship	14	\$ 126,772	75%	126%
Departmental Scholarships	63	\$ 155,646	-9%	-3%
Other USU Scholarships	21	\$ 75,548	11%	293%
Cash from Outside Sources	38	\$ 86,289	-3%	-25%
Total Unduplicated Recipients*	151	\$ 800,964	1%	21%

<b>COLLEGE OF SCIENCE</b>				
University In-State Tuition (10% Waivers)	253	\$ 782,801	-1%	4%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	78	\$ 631,671	-6%	-9%
Other Admissions Scholarships	245	\$ 507,937	-24%	-26%
Alumni Legacy Scholarship	71	\$ 626,254	13%	15%
Departmental Scholarships	99	\$ 201,641	4%	18%
Other USU Scholarships	64	\$ 237,327	-30%	-50%
Cash from Outside Sources	120	\$ 301,215	-27%	-19%
Total Unduplicated Recipients*	602	\$ 3,288,846	-14%	-11%

<b>TRANSITION MAJORS**</b>				
University In-State Tuition (10% Waivers)	250	\$ 493,657	0.40%	-13%
ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75	136	\$ 1,054,561	-21%	-16%
Other Admissions Scholarships	177	\$ 260,129	-22%	-28%
Alumni Legacy Scholarship	125	\$ 1,050,256	36%	56%
Departmental Scholarships	26	\$ 28,412	-13%	6%
Other USU Scholarships	135	\$ 278,418	7%	-32%
Cash from Outside Sources	210	\$ 468,037	-12%	-12%
Total Unduplicated Recipients*	786	\$ 3,633,470	12%	-5%

\* Indicates the total unique number of students in each college that received an award.

\*\*Transition Majors include Continuing Education and Undeclared Students.

<b>TOTAL FOR EACH ACCOUNT PLUS GRADUATES AND ATHLETES</b>				
Scholarship Type	# of Recipients <sup>8</sup>	\$AMOUNT	Change from 2010/11, Recipients	Change from 2010/11, Amount
University In-State Tuition (10% Waivers) <sup>2</sup>	2,153	\$ 5,980,704	10.24%	12.78%
NR Waivers (ISU/USU, 100 Mile Radius, WUE, SB170 , & HB75) <sup>3</sup>	791	\$ 6,446,958	-8.13%	-5.30%
Other Admissions Scholarships <sup>4</sup>	1,860	\$ 4,189,839	-18.85%	-17.52%
Alumni Legacy Scholarship <sup>5</sup>	691	\$ 6,131,418	39.03%	48.52%
Departmental Scholarships <sup>6</sup>	1,584	\$ 3,176,245	12.02%	16.76%
Other USU Scholarships <sup>7</sup>	1,050	\$ 4,378,969	-4.28%	-1.06%
Cash from Outside Sources	1,340	\$ 3,022,348	-11.26%	-8.22%
Graduate Students	1,070	\$ 6,628,327	4.49%	14.67%
Athletes	354	\$ 3,031,621	2.02%	-0.96%

<b>Grand Total<sup>1</sup></b>	<b>7,736</b>	<b>\$ 42,986,428</b>	<b>0.17%</b>	<b>5.88%</b>
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#### LEGEND FOR 2011-12 SCHOLARSHIP REPORT

<sup>1</sup>Indicates the total unduplicated amount of students, total scholarship funding, and the overall changes from the 2010/11 year.

<sup>2</sup>10%: Legislative approval for 10% of in-state tuition to be awarded as waivers to students.

<sup>3</sup>ISU/USU, 100 Mile Radius, Western Undergraduate Exchange, SB170 & HB75: \$5258 (ISU), \$2629 (100) and \$4074 (WUES) per semester respectively.

<sup>4</sup>Other Admissions Scholarships: Waivers not included in 10% or NR, and cash scholarships.

<sup>5</sup>Alumni Legacy Scholarship: Legislative approval for nonresident students with parents whom are Alumni to pay resident tuition (nonresident portion waived).

<sup>6</sup>Departmental Scholarship: Funded by endowments, cash or contracts set up by departments.

<sup>7</sup>Other USU Scholarships: Includes Student Support Services, Auxiliaries, Special Programs and Categories and other scholarships that are not categorized as Admissions or Departmental.

<sup>8</sup># of Recipients: A student may be listed in more than one category due to multiple awards.



**USU FACULTY SENATE  
MINUTES  
NOVEMBER 5, 2012  
Taggart Student Center Auditorium**

The Faculty Forum is convened in lieu of the regularly scheduled November meeting of the Senate. This annual scheduled meeting of the Faculty Forum is open to all faculty members to attend and speak, with the exception of the President of the University, the Provost, the presidential appointees, deans and department heads, or the student members of the Senate, unless specifically requested by the Executive Committee of the Faculty Forum... Participants may discuss subjects of current interest, question and debate any policies and procedures, and formulate recommendations for consideration by the Faculty Senate... The Faculty Forum Executive Committee sets the agenda for the November meeting... The agenda includes all items raised by the petition(s) of faculty, together with items deemed pertinent by the Executive Committee. (Code Section: 402.9.1 & .9.2)

Renee Galliher called the forum to order at 3:00 pm.

**Welcome and review of the outcomes of last year's forum discussion.**

**Follow-up from Faculty Forum 2011**

- **Post-tenure review.** A task force convened last year to gather information on the post-tenure review process, and is ready to produce recommendations that will be presented to the senate in the coming months. The task force recommends an evaluation process that addresses concerns raised in last spring's information gathering meetings, recognizes performance, and supports faculty who are struggling to meet expectations.
- **Faculty involvement in campus planning.** Recently an Architectural Review Committee headed by Dave Cowley has been developed with faculty representation to engage faculty in campus wide planning.
- **Extra-service compensation.** The BFW Committee is working on this issue and solicited comments from across campus. They are currently in the process of summarizing their findings and will be presenting a proposal to the faculty senate in the near future.
- **Integration of USU-Eastern.** Each spring the Faculty Senate Presidency has traveled to USU-Eastern to have an informal meeting with our colleagues to facilitate communication and find solutions to problems that have arisen. The sense is that every year, things are improving. Communication is vitally important as we integrate our colleagues into our colleges and departments. The smoothest integration has been by those department heads and deans who actively reach out to CEU-Eastern faculty members and integrate them fully into department decision making.

**Introduce the six chairs of the standing university committees.**

- [Faculty Senate Executive Committee \(FSEC\)](#)
  - [Academic Freedom and Tenure Committee \(AFT\)](#) Bryce Fifield, Chair (excused)
  - [Budget and Faculty Welfare Committee \(BFW\)](#) Carol Kochan, Chair

- [Committee on Committees \(CoC\)](#) Cathy Bullock, Chair (excused)
- [Educational Policies Committee \(EPC\)](#) Larry Smith, Chair
- [Faculty Evaluation Committee \(FEC\)](#) Karen Mock, Chair
- [Professional Responsibilities and Procedures Committee \(PRPC\)](#) Terry Peak, Chair
- [Faculty Diversity, Development, and Equity Committee \(FDDE\)](#) Kevin Brewer, Chair

#### **Forum Discussion Items:**

- **Opinions and concerns regarding the implementation and interpretation of results of the IDEA faculty rating system.**

Comments on the IDEA Evaluation system included concerns that the evaluations are too long, complex and possibly unnecessary. There were also comments made in support of the IDEA system. One faculty member stated that although it does take more time and effort to implement this system, if done correctly it will benefit students and encourage quality teaching. It was stated that the continued focus needs to be on: helping faculty understand and implement the evaluation, educating faculty on how to select objectives, and educating administrators on the use and interpretation the results. Concerns were raised about maximizing response rates. A faculty member stated that Michael Torrens in the office of Analysis, Assessment, and Accreditation (AAA) is happy to help faculty and department heads with any of these issues. The FEC committee will be working on these issues throughout the year as well. Please contact your senators or the FEC committee directly if you have further questions or comments on this topic.

- **How to successfully achieve tenure and/or promotion with a heavily teaching oriented role-statement.**

The Senate President asked several faculty members with high teaching loads, who were recently tenured and/or promoted, to take a few seconds to discuss their individual experience with the process. The focus of their comments follow: one faculty member engaged in the teaching side of their discipline vigorously; this involved volunteering for journals and attending conferences that were teaching oriented. Another's strategy was to increase his teaching load from two to five courses and do whatever possible to engage in service at the state and regional level and focus any research efforts on the scholarship of teaching. Another faculty made the research and scholarship agenda about teaching, and how to make distance education effective by writing and publishing on that topic. A member of the Central P&T Committee stated that the committee uses the role statement as their guide and looks at the context given by the supporting documents in the binders.

Another faculty member made the comment that teaching loads and percentage of time in role statements are not standard across the university system. The Senate President used this question to segue into the next topic of the forum.

- **Fairness and consistency in allocating teaching assignments.**

This topic began with a discussion as to whether the specified area of excellence must be the highest percentage area in the role statement. The Central P&T Committee representative stated that a person may negotiate this with their department head. A faculty member commented that at a previous institution where she taught, percentages were standardized and clear; for example a class represented 10% towards their role statement; however, at USU she has had 3 or 4 different explanations of how teaching load translates to the percentage on her role statement. Another faculty commented that there seems to be a consistent lack of following the role statements when the code says "excellence for your major area".

A question was raised regarding role statements for Assistant Professors that include only teaching and service components; is there any precedent for an assistant professor being

evaluated on this type of role statement, and can we have a definition of what should be included in the P&T binders?

Another faculty member asked a question about what the procedures are for bringing issues to administration that are not necessarily a grievance. The Faculty Senate President explained that in the past the Faculty Senate had convened an ad hoc Code Compliance Committee to deal with such situations and stated that perhaps the senate will need to consider this option again.

- **Faculty involvement in the appointment of upper level administrators.**

There were no comments specifically on this issue.

- **Open forum.**

A faculty member commented that the thing most faculty members gloss over in the code is the idea of shared governance. It was suggested there be an evaluation of administrators. For example if an administrator receives a review and has less than 50% of support from the faculty, he has one year to improve or he would return to the faculty. He wanted a change in the code that specifies that faculty is not advisory to the president, but rather retains decision making authority with regard to university policy. The same faculty member said that interpretations of the code tend to be used as a hammer if it favors the administration; but if it does not favor the administration it is ignored. Another faculty suggested that grievances go to binding arbitration rather than to the president for resolution. The senate president suggested that perhaps specific areas of the code need to focus on giving faculty a stronger voice with the administration rather than re-vamping large segments of the code. The floor was open for one or two more questions or comments before the time to close the meeting. There were no more comments, questions or concerns.

The Faculty Senate President thanked the faculty for their participation and the forum was adjourned at 4:30 p.m.



## **POLICY MANUAL**

### **FACULTY**

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#### **Number 402**

**Subject: The Faculty Senate and Its Committees**

**Effective Date: July 1, 1997**

**Revision Dates: November 16, 2001, April 29, 2002, January 12, 2007, April 30, 2007, March 6, 2009, August 13, 2010, July 8, 2011**

**Date of Last Revision: January 6, 2012**

#### **402.12 SENATE STANDING COMMITTEES**

##### **12.1 Executive Committee**

###### **(1) Duties.**

The Executive Committee shall perform the following duties:

- (a) prepare Senate meeting agendas;
- (b) propose such standing and special committees of the Senate as may be needed;
- (c) examine the work of the Senate committees to discourage duplication of effort and to ensure that all committee assignments are carried out;
- (d) act as a steering committee to direct problems to the proper committees;
- (e) act as a liaison to harmonize the work of all committees;
- (f) transact such business as may be referred to it by the Senate; and

###### **(2) Membership.**

The Senate Executive Committee shall consist of the following members:

- (a) the Senate President;
- (b) the President-Elect of the Senate;
- (c) immediate Past President;
- (d) elected faculty senators, representing each of the academic colleges, Regional Campuses, USU-CEU, Extension, and the Library;

- (e) the president of the university and executive vice president and provost, who shall serve as ex-officio members; and
- (f) a senator appointed by the president and approved by the Senate.

All members have a vote.

### (3) Eligibility; election; term.

Any elected senator who is completing or has completed one year of a Senate term is eligible to serve on the Executive Committee, subject to the following exceptions: (1) Senators with only one year remaining in their terms; and (2) Senators who are completing their terms, unless they have been re-elected to the Senate for an additional, successive term.

The election of Executive Committee members shall be conducted each spring following the election of new members to the Senate. Elections shall be by separate caucus of faculty senators within each academic college, Regional Campuses [and Distance Education](#), USU-CEU, Extension, and the Library. Caucuses shall be held within one week following the April meeting of the Senate.

A faculty senator elected to the Executive Committee shall serve for a two-year term, renewable (reelected) once.

### (4) Joint meeting of new and old Executive Committees.

Newly elected Executive Committee members will attend the April meeting of the old Executive Committee.

### (5) Meetings; Senate agenda.

The Executive Committee shall meet at least 14 days in advance of regularly scheduled Senate meetings to prepare the agenda and make assignments to those who are to report to the Senate.

### (6) Reports and recommendations of other Senate committees.

The Executive Committee will place reports and recommendations of other Senate committees on the Senate agenda without alteration.

## **12.2 Committee on Committees (CoC)**

The responsibility of the Committee on Committees is to: (1) apportion Senate elective positions annually; (2) coordinate and supervise the election of members to the Senate; (3) prepare eligibility slates and supervise nominations and elections within the Senate; and (4) recommend to the Senate the appointed members of all Senate committees and the members of university committees that include Senate representatives.

The Committee on Committees shall consist of three elected faculty senators. They are elected according to the same procedures, at the same time, and with the same eligibility restrictions that govern election of the Senate President-Elect. See policy 402.10.3 and 7.3. Members of the Committee on Committees serve two-year terms. They elect a chair from within their membership.

### **12.3 Academic Freedom and Tenure Committee (AFT)**

#### **(1) Duties.**

##### **(a) Jurisdiction as an administrative hearing body.**

The Academic Freedom and Tenure Committee, as represented by each of its hearing panels is an administrative hearing body, with jurisdiction in matters related to academic freedom, tenure, promotion, dismissals, and other sanctions; and actions alleged not to be in accordance with the adopted standards, policies, and procedures of the university. In relation to these matters, the committee may hear both complaints initiated by the university against a faculty member and grievance petitions brought by a faculty member.

##### **(b) Procedural due process.**

Hearing panels of the Academic Freedom and Tenure Committee shall, when hearing grievances, determine whether procedural due process was granted the petitioner as provided in this policy and determine whether the grievance is valid or not valid (see policy 407.6.6(8)) The recommendation of the hearing panel shall be binding on the general membership of the Academic Freedom and Tenure Committee.

##### **(c) Policy revisions.**

The Academic Freedom and Tenure Committee shall recommend to the Professional Responsibilities and Procedures Committee possible policy revisions arising from within the Academic Freedom and Tenure Committee's jurisdiction.

##### **(d) Review.**

The Academic Freedom and Tenure Committee will review, for consideration by the Senate, all matters pertaining to faculty rights, academic freedom, and tenure.

#### **(2) Membership.**

The Academic Freedom and Tenure Committee consists of the following members:

(a) one faculty member elected by and from the faculty in each academic college, Regional Campuses [and Distance Education](#), USU-CEU, Extension, and the Library, and (b) three faculty members appointed from the elected faculty senators by the Committee on Committees.

#### **(3) Election and appointment of members; terms.**

Committee members elected from the faculty shall be elected and will serve terms in accordance with policy 402.11.2. Committee members appointed from the Senate shall be selected in accordance with policy 402.12.2(4) and will serve three year terms (see also policy 402.11.2).

(4) Officers.

(a) Eligibility; election; term. No later than the last day of the Spring semester (before the terms of the newly elected members begin), the Committee shall elect from among its members a new chair and vice chair, each to serve a one-year term beginning July 1. Any member who has at least one year remaining in a committee term or who has been re-elected to an additional, successive term is eligible to serve as chair or vice chair.

(b) Responsibilities of the chair and vice chair. The chair shall set the agenda for and preside at Academic Freedom and Tenure Committee meetings, and appoint hearing panels as required. In the absence of the chair, the vice chair shall assume these duties. The vice chair shall be responsible for the recording of the minutes.

(5) Supplemental appointments.

If necessary in order to hear grievances in a timely manner, supplemental members of the Academic Freedom and Tenure Committee may be appointed by the Committee on Committees from the elected members of the Senate. This appointment process shall be initiated by the chair of the Academic Freedom and Tenure Committee. The term of these appointees shall expire June 30 following appointment.

(6) Hearing panels.

Hearing panels shall be appointed as necessary to hear grievances. Four members shall be appointed by the chair of the Academic Freedom and Tenure Committee from the Academic Freedom and Tenure Committee, and the remaining member shall be an administrator who holds a faculty appointment appointed by the president of the university. Faculty members of hearing panels shall be selected by the chair of the Academic Freedom and Tenure Committee on a rotating basis. All five panel members have a vote. Even if their Academic Freedom and Tenure Committee terms expire, hearing panel members shall serve until the recommendation of the hearing panel has been submitted to the Academic Freedom and Tenure Committee and to the president of the university.

#### **12.4 Budget and Faculty Welfare Committee (BFW)**

(1) Duties.

The duties of the Budget and Faculty Welfare Committee are to (a) participate in the university budget preparation process; (b) periodically evaluate and report to the Senate on matters relating to faculty salaries, insurance programs, retirement benefits, sabbatical leaves, consulting policies, and other faculty benefits; (c) review the financial and budgetary implications of proposals for changes in academic degrees and programs, and report to the Senate prior to Senate action relating to such proposals; (d) report to the Senate significant fiscal and budgetary trends which

may affect the academic programs of the university; and (e) provide faculty representatives for the Benefits Advisory Committee (BAC).

(2) Membership.

The membership, election, and appointment of members; term of members; officers; and meetings and quorum of the Budget and Faculty Welfare Committee shall be parallel to those of the Academic Freedom and Tenure Committee, as stated in policy 402.12.3(2) through 12.3(5).

## **12.5 Professional Responsibilities and Procedures Committee (PRPC)**

(1) Duties.

The Professional Responsibilities and Procedures Committee shall advise the Faculty Senate regarding composition, interpretation, and revision of Section 400 in University Policies and Procedures. Recommended revisions shall be submitted to the Senate for its consideration.

(2) Membership.

The membership, election, and appointment of members; term of members; officers; and meetings and quorum of the Professional Responsibilities and Procedures Committee shall be parallel to those of the Academic Freedom and Tenure Committee, as stated in policy 402.12.3(2) through 12.3(5).

## **12.6 Educational Policies Committee (EPC)**

(1) Duties.

The major function of this committee shall be to serve as the Senate committee on educational policy, including program discontinuance for academic reasons (policy 406.2). In addition to conducting studies and making recommendations as specifically instructed by the Senate, the committee itself may initiate such activities. Routine actions taken under established policy, such as approval for specific course changes, additions, or deletions, shall be submitted to the Senate as information items. All policy recommendations and major actions shall be referred to the Senate for approval or disapproval. Specific duties of the Educational Policies Committee shall include consideration of standards and requirements for university designated honors such as cum laude, magna cum laude, and summa cum laude.

(2) Membership.

The Educational Policies Committee consists of the executive vice president and provost or designee; one faculty representative from each academic college, Regional Campuses [and Distance Education](#), USU-CEU, Extension, and the Library; one faculty representative from the Graduate Council; the chairs of the EPC Curriculum Subcommittee, General Education Subcommittee, Academic Standards Subcommittee, two student officers from the elected

ASUSU student government and one student officer from the GSS. The faculty representatives are elected to the committee in accordance with policy 402.11.2.

(3) Term of members.

The term of office for faculty members on the Educational Policies Committee shall be in accordance with policy 402.11.2. The term of office for student members shall be one year and shall coincide with the term of ASUSU and GSS officers.

(4) Chair.

The executive vice president and provost or his/her designated representative shall serve as chair of the Educational Policies Committee. The Committee will elect a vice chair from its members to serve in the absence of the chair. The chair or his/her designee will report to the Senate on the committee's actions.

(5) Curriculum Subcommittee.

The Curriculum Subcommittee will formulate recommendations on curricular matters, such as course changes, and forward the same to the Educational Policies Committee. This subcommittee shall consist of the chairs of the curriculum committee of each academic college, three faculty members appointed from the elected membership of the Educational Policies Committee, one faculty representative [each](#) from [each](#) Regional Campuses and Distance Education, USU-CEU, Extension, and the Library, and two students, one from the ASUSU and one from the GSS. The terms of Educational Policies Committee members on the subcommittee will correspond to their terms on the Educational Policies Committee. The term of office for student members shall be one year and shall coincide with the term of ASUSU and GSS officers. The subcommittee shall elect a chair annually, preferably at the last meeting of the academic year.

(6) General Education Subcommittee.

The General Education Subcommittee formulates and reviews policy with respect to general education. The subcommittee shall consist of three faculty members and one student appointed from the Educational Policies Committee. Their terms will correspond to their Educational Policies Committee terms. Additional members may be appointed to the subcommittee for two-year terms by the Educational Policies Committee to lend academic expertise to the areas of emphasis in the general education program of the university. Recommendations developed by the General Education Subcommittee will be submitted to the Educational Policies Committee. The subcommittee shall elect a chair annually, preferably at the last meeting of the academic year.

(7) Academic Standards Subcommittee.

The Academic Standards Subcommittee (a) recommends policy on all matters pertaining to academic evaluation of students, including admission, retention, grade assignment, and graduation; (b) recommends discipline policy regarding student academic dishonesty; and (c)

approves the process for discipline regarding alleged academic violations by students and for grievance hearings in cases of alleged student academic dishonesty. The subcommittee shall consist of four faculty members and one student appointed from the Educational Policies Committee. Their terms will correspond to their Educational Policies Committee terms. Additional members may be appointed to the subcommittee for two-year terms by the Educational Policies Committee to lend expertise.

Recommendations from this subcommittee will be submitted to the Educational Policies Committee. The subcommittee shall elect a chair annually, preferably at the last meeting of the academic year.

## **12.7 Faculty Evaluation Committee (FEC)**

### **(1) Duties.**

The Faculty Evaluation Committee shall (a) assess methods for evaluating faculty performance; (b) recommend improvements in methods of evaluation; and (c) decide university awards for Professor and Advisor of the Year.

### **(2) Membership.**

The committee shall consist of one faculty representative from each academic college, Regional Campuses and Distance Education, USU-CEU, Extension, and the Library, two student officers from the ASUSU and one student officer from the GSS. The faculty representatives are elected to the committee in accordance with policy 402.11.2. The committee will elect a chair annually, preferably at the last meeting of the academic year.

## **12.8 Faculty Diversity, Development, and Equity Committee (FDDE)**

### **(1) Duties.**

The duties of the Faculty Diversity, Development, and Equity Committee are to: (1) collect data and identify and promote best practices for faculty development, mentoring, and work environment to facilitate the success of diverse faculty at all career levels; (2) provide feedback and advocate processes for faculty recruitment, promotion, and retention that promote diversity, fair pay standards, and work/life balance for the faculty; (3) report on the status of faculty development, mentoring, diversity, and equity; and (4) make recommendations for implementation of proposals related to faculty diversity, development, and equity.

### **(2) Membership.**

The membership, election, and appointment of members; term of members; officers; and meetings and quorum of the Diversity, Development, and Equity Committee shall be parallel to those of the Academic Freedom and Tenure Committee, as stated in policy 402.12.3(2) through 12.3(5).

### **12.9 Executive Committee of the Faculty Forum (ECFF)**

The Executive Committee of the Faculty Forum shall have the duty of composing the agenda for the annual meeting and any special meetings of the Faculty Forum. The membership of this committee shall consist of the elected members of the Faculty Senate Executive Committee excluding administrators (see policy 402.12.1(2a-2d)).

### **12.10 Senate Handbook Committee (SHC)**

The Senate Handbook Committee composes and/or revises annually the Senate Handbook (policy 402.2.3). This committee consists of the Faculty Senate President, President-Elect of the Senate, and the Past President of the Senate. Additional members may be appointed by the Committee on Committees.

### **402.13 UNIVERSITY COUNCILS AND COMMITTEES WITH FACULTY REPRESENTATIVES**

The Senate Committee on Committees recommends to the Senate faculty members to be appointed to the following university councils, boards, and committees: Athletic Council, Graduate Council, University Research Council, Council on Teacher Education, University Libraries Advisory Council, Honors Program Advisory Board, University Scheduling Committee, Calendar Committee, Bookstore Committee, Honorary Degrees and Awards Screening Committee, Diversity Council, and Parking Policy Committee. The faculty representative need not be a Senate member unless his/her role on the council or committee is to represent the Senate specifically as well as the faculty generally. See also policy 402.10.3, 11.2 and 12.2(4). In the spirit of shared governance, at the Regional Campuses and USU-CEU, the chancellor and regional campus deans will establish procedures whereby faculty members on those campuses can be actively engaged and represented in key local decisions parallel to the councils and committees described in this paragraph.

## 6.5 Ombudspersons

All academic units will appoint ombudspersons to serve in the promotion, tenure, and post-tenure review processes. Ombudspersons will be tenured faculty members (as defined in section 401.2.1) and elected or appointed in their respective academic units. The provost's office will develop and implement a plan for the ombudsperson program that defines the election or appointment process, the terms of office, the training, and the implementation of the ombudsperson program.

An ombudsperson must be present in person or by electronic conferencing at all meetings of a promotion advisory committee or a tenure advisory committee. Ombudspersons must receive adequate advance notice of a committee meeting from the chairperson.

### 7.1 Annual Event

#### (1) Meetings of the tenure advisory committee.

An initial meeting of the committee shall be held to acquaint the candidate with the members, to discuss the professional plans of the candidate, to review the role statement, and to initiate an annual review of the candidate's progress. An ombudsperson must be present in person or by electronic conferencing at all meetings of the tenure advisory committee in accordance with policy 405.6.5. All tenure advisory committee members shall participate interactively in all committee meetings, either physically or by electronic conferencing, at the appointed date and time.

~~Ombudspersons must be present in person, with the exception of meetings for field-based extension faculty, when they may participate by electronic conferencing.~~

#### (2) Evaluation and recommendation by the tenure advisory committee.

After the initial meeting, the tenure advisory committee shall meet with the candidate at least annually and review the candidate's file to evaluate progress toward tenure. An ombudsperson must be present in person or by electronic conferencing at all meetings of the tenure advisory committee in accordance with policy 405.6.5. The committee will submit, each year, a written report to the department head or supervisor.

### 8.3 Procedures for Promotion

#### (2) Evaluation and recommendation by the promotion advisory committee.

The promotion advisory committee shall review and evaluate the candidate for promotion, based on the information in his or her file including external peer reviews. An ombudsperson must be present in person or by electronic conferencing at all meetings of the promotion advisory committee in accordance with policy 405.6.5. The committee

members shall make a decision with respect to its promotion recommendation by a majority vote and the names of those for and against shall be recorded.

#### **11.4 Events During the Year in which a Promotion Decision is to be Made**

(2) Evaluation by the promotion advisory committee.

The promotion advisory committee shall review and evaluate the candidate for a promotion, based on the information in his or her file including external peer reviews where applicable. An ombudsperson must be present in person or by electronic conferencing at all meetings of the promotion advisory committee in accordance with policy 405.6.5.

#### **405.8.2**

(1) Meetings of the promotion advisory committee

When the promotion advisory committee, formed by the department head or supervisor in consultation with the faculty member and with the approval of the chancellor or regional campus dean (where applicable) and the academic dean, meets for the first time, the purpose of this meeting, similar to the first tenure meeting, will be to ensure that an appropriate role statement is in place and to provide information to the faculty member about promotion to the rank of professor. This information could include historical information about the records of the last several department members promoted to professor or information about the committee's understanding of what is necessary for promotion to professor. All promotion advisory committee members shall participate interactively in all committee meetings, either physically or by electronic conferencing, at the appointed date and time. Ombudspersons must be present in person or by electronic conferencing, with the exception of meetings for field-based extension faculty, when they may participate by electronic conferencing. Subsequent to this first meeting the faculty member may request additional meetings with the promotion advisory committee if desired.



## POLICY MANUAL

### FACULTY

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#### Number 407

**Subject:** Academic Due Process: Sanctions and Hearing Procedures

**Effective Date:** July 1, 1997

**Revision Dates:** October 12, 2001; January 30, 2004; August 31, 2006;

March 2, 2008; May 23, 2008, March 6, 2009, August 21, 2009

**Date of Last Revision:** July 8, 2011

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#### 407.1 INTRODUCTION

This section of the policy manual describes allowable sanctions that may be imposed on a faculty member and specifies procedures for the imposition of a sanction, ~~for establishing medical incapacity,~~ and for conducting a grievance hearing.

Where administrators have faculty assignments, they are subject to the provisions of this policy, such provisions to be carried out by their immediate supervisors.

In the absence of the president, or where a potential or actual conflict of interest exists, the president may designate a tenured faculty member to act on his/her behalf. If the provost is not a tenured faculty member or where a potential or actual conflict of interest exists, the provost may designate a tenured faculty member to act on his/her behalf.

In all proceedings in this policy, the rights of access to records are maintained (see Policy 405.6.4).

##### 1.1 Non-punitive Measures

Non-punitive measures such as guidance, ~~counseling, therapy,~~ leave of absence, voluntary resignation, or early retirement should be considered and taken in lieu of a sanction when: (1) it is available; (2) it will provide reasonable assurance that the faculty member will not repeat his/her violation of professional responsibility; (3) substantial institutional interests are not undermined; and (4) the faculty member consents thereto. The faculty member should consult with the Americans with Disabilities Act (ADA) Coordinator within the Office of Human Resources (HR) if performance issues are medically related.

## **1.2 Definitions of Days**

In all proceedings under Policy 407, a day is defined as a calendar day (Sunday through Saturday, excluding official university holidays).

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## **407.2 SANCTIONS**

Misconduct contrary to the standards of conduct set forth in Policy 403 may lead to sanction. Minor departures from responsible professional behavior are likely to be minor lapses, which can be corrected simply by calling the matter to the attention of the faculty member involved. Such minor lapses are handled within the faculty member's academic unit.

Apparent failures to comply with the standards of conduct are approached by positive attempts to improve faculty performance such as sustained attempts to inform, persuade, and improve. If appropriate, positive efforts to improve faculty performance shall precede or accompany all sanctions.

### **2.1 Authorized Sanctions**

#### **(1) Reprimand.**

A reprimand is a written statement detailing a violation of the standards of conduct in Policy 403.

#### **(2) Probation.**

Probation is a period of time, not to exceed one year, during which faculty members who have violated the standards of conduct in Policy 403 are afforded the opportunity to demonstrate their ability to comply with their professional responsibilities. Failure to fulfill the terms of probation may result in the imposition of another sanction.

#### **(3) Suspension.**

Suspension is the barring of a faculty member from the exercise of all or part of his/her duties for a period of time, not to exceed one year. Suspension may be imposed with full pay, partial pay, or without pay.

#### **(4) Reduction in rank.**

Reduction in rank is a one-step reduction in faculty rank as defined in Policies 401.4 and 401.5. Reduction in rank is different from reduction in status (see Policy 406.2.3 (2)).

#### **(5) Dismissal.**

Dismissal is the ending of employment.

Termination and non-renewal are defined here to differentiate them from dismissal.

Termination and non-renewal are not sanctions. Termination means the ending of employment of a tenured faculty member or a faculty member with term appointment for [medical reasons](#), program discontinuance, financial crisis, or bona fide financial exigency.

Non-renewal means the ending of employment of a faculty member without tenure or a faculty member with term appointment by non-renewal of his/her contract (see Policy 405).

## **2.2 Purpose**

The imposition of a sanction should serve one or more of the following purposes: (1) to induce self-improvement and reform by a faculty member whose conduct demonstrates the need for self-improvement and reform; (2) to indicate to the faculty member the seriousness of his/her violation and thereby deter him/her from future violations; (3) to reassure the institutional community that violations of the standards of conduct will not be tolerated, thereby helping to maintain respect for and commitment to the standards by other members of the institutional community; or (4) to remove from institutional employment faculty members whose violation of the standards of conduct makes them unsuitable to continue in beneficial service to the institution.

## **2.3 Imposing a Sanction**

The decision to impose a sanction should be guided by mercy and restraint. A sanction shall be imposed when: (1) the purpose set forth in Policy 407.2.2 cannot be adequately served by non-punitive measures; (2) the sanction is not disproportionately severe in relation to the violation of the standards of conduct for which it is imposed; and (3) the imposition of such sanction is fair and just to the faculty member involved, giving due consideration to the situation and to any relevant matters tending to mitigate the seriousness of the violation.

Sanctions are mutually exclusive and are imposed by the authority of the president. However, probation and another sanction consequent on the failure to fulfill the terms of probation cannot be imposed simultaneously. Sanctions are not cumulative; the sanctions are progressive in severity, but do not have to be imposed progressively.

## **2.4 Restitution**

When a sanction less than dismissal is imposed, the terms of imposition may include the requirement that the faculty member take reasonable action to make restitution or to remedy a situation created by a violation of the standards of conduct.

## **2.5 Double Jeopardy**

No faculty member shall be twice subject to proceedings under this policy for the same instance of a violation of a standard of conduct.

Where a faculty member has been subject to proceedings in a court of law, a sanction shall not be imposed on the faculty member for the same acts unless the acts constitute violations of the standards of conduct in Policy 403.

### **407.3 PROCEDURES FOR REPRIMANDS**

#### **3.1 Notification of Intent to Issue a Reprimand**

If a faculty member's department head or supervisor and academic dean or the vice president for extension, or, where appropriate, chancellor or regional campus dean believe that a faculty member has violated the standards of conduct in Policy 403 and such violation warrants a reprimand, they shall notify the faculty member of the basis of the proposed reprimand. The faculty member shall be afforded an opportunity to meet and persuade them that the proposed reprimand should not be imposed. If a reprimand is imposed, it must be issued within 5 days of the meeting.

#### **3.2 Review of Reprimand**

If a faculty member believes that the reprimand has been unjustly imposed, he or she may request a review of the reprimand by the Academic Freedom and Tenure Committee. Such request must be made in writing to the chair of the committee within 20 days after the faculty member receives the reprimand. Within 20 days of receipt of a written request for review, the chair of the Academic Freedom and Tenure Committee shall select by lot and convene a special panel of three members of the Academic Freedom and Tenure Committee (see Policy 402.12.3(2)). The panel shall provide the faculty member with the opportunity to submit a detailed written statement if he or she desires. The panel shall decide whether the facts merit a reprimand hearing. Submission of a request for review does not automatically result in a reprimand hearing.

The panel may seek to bring about a settlement of the matter with the consent of all parties involved. If settlement is not possible or appropriate within 20 days after the panel is convened, the panel will decide whether or not to hold a hearing on the matter.

#### **3.3 Reprimand Hearing**

The reprimand hearing will occur within 10 days after the review of the reprimand by the panel. The hearing will be informal but will provide the faculty member and those imposing the reprimand with the rights to be present, to be heard, and to present evidence.

Within 10 days after the hearing, the panel will report its findings and recommendations in writing to the faculty member and to those imposing the reprimand. If the panel determines that the written reprimand is unjust or otherwise inappropriate, such sanction shall be rescinded by those who imposed it and removed from the faculty member's file.

#### **407.4 PROCEDURES FOR SANCTIONS OTHER THAN REPRIMANDS**

Probation, suspension with other than full pay, reduction in rank, and dismissal may be imposed on a faculty member only after it has been determined, by the proceedings in this policy, that he or she has violated the standards of conduct in Policy 403. The president may suspend a faculty member with full pay pending completion of the procedures described below. In all proceedings to impose a sanction other than a reprimand, the following procedures shall govern, except for procedures which govern allegations of research fraud (see Policy 407.8) and sexual harassment (Policy 407.9).

##### **4.1 Initiation**

Whenever there are grounds to believe that a faculty member has failed to comply with the standards of conduct in Policy 403, the president, upon his/her own initiative, upon a recommendation from a department head, supervisor, academic dean, the vice president for extension, chancellor, regional campus dean, or other administrative office, upon request of the Board of Trustees, or upon the receipt of complaints from any person, may initiate proceedings for probation, suspension, reduction in rank, or dismissal of a faculty member.

##### **4.2 Notice of Intent to Impose a Sanction**

At the direction of the president, the provost shall cause written notice to be delivered personally or by certified mail, return receipt requested, to the faculty member under investigation. A copy of this notice shall be sent to the chair of the Academic Freedom and Tenure Committee, along with a statement confirming the date the faculty member received it. Copies will also be sent to the faculty member's department head or supervisor and academic dean, vice president for extension, or, where appropriate, chancellor or regional campus dean.

Such notice shall contain the following:

(1) A concise and clear statement of the facts, conduct, or circumstances reported to constitute failure to comply with the standards of conduct in Policy 403, including a statement of the standard or standards the faculty member is alleged to have violated.

(2) A statement of the sanction proposed.

(3) A statement that (a) the faculty member has the right to be heard in a conference with the provost (see Policy 407.4.5) either in person or by electronic conferencing; (b) the faculty member may have an advisor of his/her own choosing present at such conference; (c) this conference must be requested in writing within 5 days after receipt of the notice by the faculty member; and (d) this conference must be held within 10 days after receipt of notice by the faculty member.

(4) A statement of the schedule of events that lead to a formal hearing, and that a faculty member may be accompanied at such hearing by an advisor of his/her own choosing.

(5) A statement that within 20 days of the receipt of this notice, the faculty member, if he or she wishes to contest the alleged violation, must file in writing with the chair of the Academic Freedom and Tenure Committee a statement of intent to contest the alleged violation through formal hearing; and that failure to do so will result in the imposition of the proposed sanction.

(6) A statement that within 20 days of the filing of the written statement of intent to contest the alleged violation through formal hearing, the faculty member must file, with the chair of the hearing panel, a written response which answers the alleged violation contained in the original notice; and that failure to do so will result in the imposition of the proposed sanction.

#### **4.3 Schedule of Events**

The proceedings shall commence with the receipt by the faculty member of the written notice as described in Policy 407.4.2. A copy of the notice must be delivered by the provost to the chair of the Academic Freedom and Tenure Committee within 10 days of receipt of notice by the faculty member.

If the faculty member desires a conference with the provost, he or she must request it within 5 days of receipt of notice. The conference must be held within 10 days of receipt of notice.

The faculty member must present to the chair of the Academic Freedom and Tenure Committee a written statement of intent to contest the alleged violation through formal hearing within 20 days of receipt of notice. The chair of the Academic Freedom and Tenure Committee must notify the provost of the faculty member's intent to contest the alleged violation through formal hearing within 10 days of receiving such statement of intent.

The chair of the Academic Freedom and Tenure Committee must appoint four members of a hearing panel (Policy 402.12.3(7)), including a hearing panel chair, within 10 days of the filing of the written statement of intent to contest the alleged violation through formal hearing. The president must appoint an administrative member of the hearing panel within the same time.

The faculty member must file, with the chair of the hearing panel, a written response which answers the alleged violation contained in the original notice, within 20 days of the filing of the written statement of intent to contest the alleged violation through formal hearing. The chair of the hearing panel must provide the president with a copy of the faculty member's written response which answers the alleged violation contained in the original notice within 5 days of receiving such response.

A prehearing conference will be held within 10 days prior to the formal hearing. The formal hearing will be held within 40 days of receipt of the faculty member's statement of intent to contest the alleged violation through formal hearing. The chair of the hearing panel will schedule the hearing date. The hearing panel must provide a written report of its

recommendation to the president, provost, and to the faculty member within 20 days of the hearing.

The schedule of events for sanctions may be suspended for a reasonable time if key participants are not available either in person, by teleconference, by letter, or other appropriate means. The hearing panel, appointed by the chair of the Academic Freedom and Tenure Committee, will determine by a majority vote whether a suspension of the schedule of events for sanctions is warranted.

#### **4.4 Emergencies**

Emergencies may be grounds for a reasonable extension of the time limits for filing a notice of intent to contest the alleged violation, or for responding to the alleged violation, or for conducting the hearing. Such emergencies must be of a serious and compelling nature, and any such extension shall be by mutual agreement. Failing agreement, an extension for filing a notice of intent to contest the alleged violation is granted only by a majority vote of the Academic Freedom and Tenure Committee; an extension for filing a written response or for conducting the formal hearing is granted only by a majority vote of the hearing panel.

#### **4.5 Conference with Provost**

A faculty member notified of an intent to impose a sanction has the right to be heard in conference with the provost either in person or by electronic conferencing. The schedule for requesting and holding a conference is specified in 4.3 above. Both the faculty member and the provost may each have an advisor of their own choosing present at the conference. The purpose of the conference is to attempt to reach an agreement or settlement. In the event that the alleged violations are disposed of by mutual agreement or negotiation at the conference, no hearing need be held. A copy of such settlement shall be sent to the chair of the Academic Freedom and Tenure Committee.

The right to a conference with the provost is discretionary with the faculty member; requesting or rejecting such a conference does not abrogate the faculty member's right to a formal hearing.

#### **4.6 Notice of Intent to Contest the Alleged Violation**

A faculty member notified of action leading to sanction must file a notice of intent to contest the alleged violation if the faculty member desires a formal hearing. The notice of intent to contest the alleged violation must be filed with the chair of the Academic Freedom and Tenure Committee within 20 days of receipt of notice. Failure to do so will result in entry of the faculty member's default in the premises, and the imposition of the proposed sanction.

#### **4.7 Response to the Alleged Violation**

The faculty member must file a written response which answers the alleged violation contained in the original notice with the chair of the hearing panel within 20 days of the filing

of the written statement of intent to contest the alleged violation. Appropriate, substantiating documentation shall be submitted with the response. Failure to do so will result in entry of the faculty member's default in the premises, and the imposition of the proposed sanction.

#### **4.8 Pre-hearing Conference**

Within 10 days prior to the date set for the hearing, a pre-hearing conference will be held before the chair of the Academic Freedom and Tenure Committee, who shall preside, and the chair of the hearing panel. At this pre-hearing conference the provost or administrative representative and the faculty member shall make available to each other lists of their proposed witnesses and the documentary evidence to be introduced at the hearing. The pre-hearing conference shall delineate the issues to be examined at the hearing, stipulate the facts to be agreed upon, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

Before the formal hearing begins, upon request, either party shall allow the other to examine all documentary evidence and any written or recorded statements that were made by witnesses listed by either party.

#### **4.9 Hearing to Consider Imposition of a Sanction**

(1) Date.

The formal hearing will be held within 40 days of receipt of the faculty member's statement of intent to contest the alleged violation through formal hearing. The chair of the hearing panel will schedule the hearing date. The formal hearing may be continued upon good cause shown by either party. The panel will grant adjournment to enable either party to investigate evidence to which a valid claim of surprise is made.

(2) Records; witnesses; counsel.

Upon request by either the provost or administrative representative, the faculty member, or any member of the hearing panel, the chair of the hearing panel shall request the production of university records and the presence of witnesses to appear and testify. Compliance with such requests is an obligation of employment of any university official or employee except that the privilege against self-incrimination and access to university records as provided in Policy 405.6.4 shall be honored by the panel.

The faculty member and the provost or administrative representative each have the right to have present any one person as an advisor of their choice at all stages of the hearing. The faculty member and the provost or administrative representative shall also each have the right to confront and cross-examine witnesses, to present evidence and call witnesses in their own behalf, to testify, and to be present with their advisor and/or counsel at all meetings and proceedings of the panel except sessions which are closed for deliberation and vote. The faculty member's advisor and the provost or administrative representative's advisor are permitted to advise and counsel their respective parties but are not permitted to argue the case

or interrogate witnesses. Members of the hearing panel may question witnesses and parties to the hearing.

(3) Opening the hearing to the public.

Hearings shall be closed to the public unless the faculty member requests that they be open and the panel determines, following such request, that an open hearing will not prejudice the interests of the university, the faculty member, or the witnesses. When an open hearing is requested by the faculty member but such request is denied, the specific reasons for denial shall be stated in the record. In any closed hearing the faculty member and the provost or administrative representative shall each have the right to the presence of not more than three persons each designated by them as observers.

(4) Hearing record.

A verbatim record of the hearing or hearings shall be made by the president's office and, upon request, a written copy shall be made available to the faculty member without cost.

(5) Burden of proof.

The burden of proof that adequate cause exists to impose a sanction rests with the provost or administrative representative and shall be satisfied only by a preponderance of the evidence in the record considered as a whole.

The panel will not be bound by rules of evidence, and will admit any evidence that is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

The findings of fact and the recommendation will be based solely on the hearing record.

(6) Publicity.

Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by all parties and persons involved or present will be avoided as far as possible until the proceedings have been completed.

(7) Deliberations; standards for review.

Hearing panel deliberations and voting shall be conducted in closed sessions from which all other persons are excluded. Upon request of any member of the panel, votes shall be taken by secret written ballot. A simple majority of members shall be required for recommendations by the hearing panel. The panel chair shall be entitled to vote on all questions. The hearing panel may recommend the sanction proposed by the provost or a less severe sanction, including no sanction.

The standard of review by the hearing panel shall be whether the imposition of the proposed sanction (a) is an arbitrary or capricious action, (b) fails to accord the faculty member the academic due process statutory, or constitutional, established by these policies, (c) violates the academic freedom of the faculty member, or (d) violates the legal, statutory, or constitutional rights of the faculty member. If the faculty member asserts a violation of statutory or constitutional civil rights in any of the protected categories of race, color, religion, sex, national origin, age, disability, marital or parental status, or veteran's status, in the faculty member's written response to the alleged violation or at any time during the course of the proceeding, such claims shall be immediately referred in writing to the Affirmative Action/Equal Opportunity (AA/EO) Office by the chair of the hearing panel. All such statutory and constitutional civil rights claims shall be handled as outlined in Policy 305.

The hearing panel must report its recommendation to the president, the provost, and to the faculty member within 20 days of the hearing.

#### **4.10 Decision by the President**

The president shall review the report and recommendation of the hearing panel and notify the faculty member, the provost, and the chair of the Academic and Freedom Committee of his/her decision within 10 days.

Prior to making his/her decision, the president may remand the matter to the hearing panel for review and further hearing, if necessary. The president shall state in writing to the chair of the hearing panel the specific purposes or reasons for the remand. The further review and hearing shall be limited to those purposes or reasons. The hearing panel shall complete its review and report its conclusions to the president within 20 days after receipt of the remand by the chair of the hearing panel. The president shall review the report and notify the faculty member, the provost, and the chair of the Academic Freedom and Tenure Committee within 10 days of his/her decision.

The decision of the president is final.

#### **4.11 Temporary Suspension with Full Pay Pending Legal Action**

In the event that a faculty member is charged with a felony that affects an institutional interest, the president may temporarily suspend the faculty member with full pay without following the procedures above upon written notice to the faculty member. This suspension shall remain in effect until such time as the faculty member has resigned, been acquitted of the felony charges, or been sanctioned according to procedures above.

#### **~~407.5 MEDICAL INCAPACITY~~**

~~A faculty member may be transferred to the university's disability program because of medical incapacity which does not allow the faculty member to perform his/her duties and responsibilities. Procedures for this purpose shall be as follows.~~

### **5.1 Faculty Member Initiation**

When a faculty member feels unable to perform his/her duties because of medical incapacity, he or she may request transfer to the university's disability program. The request for transfer will be sent to the faculty member's department head or supervisor and must include a letter from the faculty member's physician certifying the incapacity.

The department head or supervisor will send a recommendation to the appropriate academic dean or vice president for extension and, where appropriate, to the chancellor or regional campus dean, requesting that the faculty member be placed on the medical disability program.

A faculty member's transfer from the department or division's budget to the disability program shall be in accordance with the provisions of the university's group disability insurance policy.

### **5.2 University Initiation**

Procedures to transfer a faculty member to the disability program may also be initiated by a written statement alleging medical incapacity made to the provost by the faculty member's department head or supervisor, academic dean, vice president for extension, or, where appropriate, chancellor or regional campus dean.

Within 20 days after the receipt of such written allegation, the provost shall notify the faculty member thereof and inform him or her of the rights to a conference with the provost and to be examined at university expense by two appropriately licensed professionals. The two professionals shall be chosen by the Budget and Faculty Welfare Committee from lists submitted by the provost and the faculty member.

If the faculty member refuses medical examination or if the medical examiners find the faculty member to be suffering from a medical condition which could substantially and adversely affect the performance of his/her duties, the provost may recommend that the president initiate procedures described in Policy 407.4 to transfer the faculty member to the disability program. Under these circumstances, references to imposing a sanction shall be replaced by references to transferring to the disability program. A transference to the disability program is a termination (see Policy 407.2.1(5)).

## **407.56 GRIEVANCES**

Faculty members may grieve actions taken against them, including actions initiated by the university against the faculty member. Grievances are allegations of arbitrary or capricious conduct; violations of legal, constitutional, or statutory rights; or violations of this code or other adopted policies and procedures. A faculty member may not grieve a decision reached under Policies 407.3, and .4, and .5.

### **56.1 Initiation**

A faculty member who has grounds to file a grievance may file written notice of intent to grieve with the chair of the Academic Freedom and Tenure Committee in a timely fashion, but in no instance later than 120 days after the grievant knew or should have known the facts and circumstances giving rise to the grievance.

However, if the subject of the grievance is termination, non-renewal (including the denial of tenure), or reduction in status a faculty member must file written notice of intent to grieve with the chair of the Academic Freedom and Tenure Committee within 20 days of receipt of notice of termination, non-renewal, or reduction in status.

Once notice of intent to grieve has been filed with the chair of the Academic Freedom and Tenure Committee, the actual grievance statement must be filed in writing with the chair of the Academic Freedom and Tenure Committee within 20 days. Failure to file the grievance statement during this time dismisses the intent to grieve with prejudice against the faculty member refiling.

Proceedings for grievances may be suspended for a reasonable time if key participants are not available either in person, by teleconference, by letter, or other appropriate means. The hearing panel, appointed by the chair of the Academic Freedom and Tenure Committee, will determine by a majority vote whether a suspension of grievance proceedings is warranted.

### **56.2 Grievance Statement**

The grievance statement must include a specific identification of the grievance, a concise summary of the evidence with supporting documentation, and a list of individuals (i.e., respondents) who are asked to respond to the grievance statement. Five copies plus an additional copy for each respondent must be filed with the chair of the Academic Freedom and Tenure Committee.

If a faculty member asserts a violation of statutory or constitutional civil rights in any of the protected categories of race, color, religion, sex, national origin, age, disability, marital or parental status, or veteran's status in his/her grievance statement (or at any time during the course of the proceeding), such claims shall be immediately referred in writing to the AA/EO Office by the chair of the Academic Freedom and Tenure Committee. All such statutory and constitutional civil rights claims shall be handled as outlined in Policy 407.98. The chair of the Academic Freedom and Tenure Committee shall inform the faculty member in writing.

### **56.3 Grievance Hearing Panel**

Once the grievance statement has been filed, the chair of the Academic Freedom and Tenure Committee must, within 15 days, appoint a grievance hearing panel in accord with Policy 402.12.3. The president will appoint the fifth member of the grievance hearing panel within 15 days of the filing of the grievance statement.

#### **56.4 Distribution of Grievance Statement and Responses**

Within 5 days after the filing of the grievance statement, the chair of the Academic Freedom and Tenure Committee must distribute copies of the grievance statement to each of the respondents named in the grievance.

Within 20 days after the filing of the grievance statement, these respondents must file six copies of their written responses with the chair of the grievance hearing panel. Within 25 days after the filing of the grievance statement, the chair of the grievance hearing panel must distribute the respondents' responses to the grievant.

Within 25 days after the filing of the grievance statement, the chair of the grievance hearing panel must distribute copies of the grievance statement and the respondents' responses to the remaining members of the grievance hearing panel.

#### **56.5 Pre-hearing Conference**

Within 40 days after the filing of the grievance statement, a pre-hearing conference shall be held before the chair of the Academic Freedom and Tenure Committee, who shall preside, and the chair of the grievance hearing panel. At this pre-hearing conference the parties shall make available to each other lists of their witnesses and the documentary evidence to be introduced at the hearing. The pre-hearing conference shall delineate the issues to be examined at the hearing, stipulate the facts to be agreed upon, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

Before the formal hearing begins, upon request, either party shall allow the other to examine all documentary evidence and any written or recorded statements that were made by witnesses listed by either party.

#### **56.6 Grievance Hearing**

(1) Date.

The grievance hearing will be held within 20 days of the pre-hearing conference. The grievance hearing panel will schedule the hearing. The grievance hearing may be continued upon good cause shown by any of the parties and mutual agreement thereto. The grievance hearing panel will grant adjournment to enable either party to investigate evidence to which a valid claim of surprise is made.

(2) Records; witnesses; counsel.

Upon request by either of the parties to the grievance, the hearing panel shall request the production of university records and the presence of witnesses to appear and to testify.

Compliance with such requests is an obligation of employment of any university official or employee except that the privilege against self-incrimination and access to university records as provided in Policy 405.6.4 shall be honored by the hearing panel.

Each party to the grievance has the right to have present any one person as an advisor of his/her choice at all stages of the hearing. Each party shall also have the right to confront and cross-examine witnesses, to present evidence and call witnesses in his/her own behalf, to testify, and to be present with his/her advisor at all meetings and proceedings of the hearing panel except sessions which are closed for deliberation and vote. The advisors and counsels are permitted to advise and counsel their respective parties but are not permitted to argue the case or interrogate witnesses. Members of the hearing panel may question witnesses and parties to the hearing.

(3) Opening the hearing to the public.

Grievance hearings shall be closed to the public unless a party requests that they be open, the other party agrees, and the hearing panel determines that an open hearing will not prejudice the interests of any of the parties to the grievance. Where an open hearing is requested on the mutual consent of the parties but such request is denied, the specific reasons for denial shall be stated in the record. In any closed grievance hearing the parties shall have the right to choose and to have present not more than three persons each designated by them as observers.

(4) Record.

The chair of the hearing panel will be responsible for seeing that a taped record of the hearing is taken. If a written record is desired by either party to the grievance, the parties will share equally in the cost of the transcription.

(5) Burden of proof.

The burden of proof that adequate cause for grievance exists rests with the faculty member and shall be satisfied only by a preponderance of the evidence in the record considered as a whole.

The grievance hearing panel will not be bound by strict rules of evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

The findings of fact and the recommendation will be based solely on the hearing record.

(6) Publicity.

Except for such simple pronouncements as may be required covering the time of the hearing and similar matters, public statements and publicity about the grievance by either party will be avoided as far as possible until the proceedings have been completed.

(7) Deliberations.

Hearing panel deliberations and voting shall be conducted in closed sessions from which all other persons are excluded. Upon request of any member of the hearing panel, votes shall be taken by secret ballot. A simple majority of members shall be required for recommendations. The chair shall be entitled to vote on all questions.

(8) Recommendation of the hearing panel.

In its finding, the hearing panel will determine only whether the grievance is valid or not valid; that is, whether or not there has been arbitrary or capricious conduct, violations of legal, constitutional, or statutory rights, or violations of these policies or other adopted policies and procedures. The determination of the hearing panel shall be binding on the Academic Freedom and Tenure Committee as a whole. A hearing panel shall submit a written report and recommendation to the president within 20 days of the hearing. A copy of the hearing panel's report shall be forwarded to both parties to the grievance.

(9) Presidential review and recommendation.

The president shall review the report and recommendation of the hearing panel and notify the parties to the grievance of his/her decision within 10 days.

The decision of the president is final.

## **407.67 NON-RENEWAL**

### **67.1 Definition of Non-Renewal**

Non-renewal is the ending of employment of tenure-eligible or term appointment faculty, other than by dismissal (Policy 407.2.1(5)) or by termination (Policy 406.2.3(2)). When non-renewal occurs at the end of the pre-tenure probationary period for tenure-eligible faculty (Policy 405.1.4), it is a denial of tenure.

### **67.2 Reasons for Non-Renewal**

There are only three reasons for non-renewal: unsatisfactory performance of the faculty member's assigned role (Policies 405.6.1 and 11.1); failure to satisfy the criteria for the award of tenure; or cessation of extramural funding that is required for a substantial portion of the salary support of the faculty member. Non-renewal prior to the end of the pre-tenure probationary period for tenure-eligible faculty is an administrative decision of the department head or supervisor, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, and must be approved by the provost and president. In making a decision regarding non-renewal, the department head or supervisor, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean is to take into consideration the most current and all previous reports from the Tenure

Advisory Committee when making a decision regarding non-renewal (Policy 405.6.2(1)). Tenure-eligible and term appointment faculty members may not have their appointments non-renewed for reasons which that violate their academic freedom or legal rights.

### **67.3 Notice of Non-Renewal**

#### **(1) Delivery of notice.**

The president or the president's designee shall prepare written notice of non-renewal and shall deliver the notice personally to the faculty member, or shall have the notice delivered by certified mail, return receipt requested. If the notice is thus mailed, it is deemed effective for all purposes.

#### **(2) Notification schedule.**

For tenure-eligible faculty appointments, non-renewal must first be preceded by the following minimum notice (a) not later than March 1 for first-year and second-year appointees; (b) not later than December 15 for third-year appointees; (c) no later than January 29 prior to the issuance of a terminal year appointment for fourth-year and fifth-year appointees, except in the case of denial of tenure (see Policy 407.76.1), where minimum notice shall be not later than April 15.

For term appointments commencing at times other than the beginning of the academic year, notice of non-renewal must be no later than: (a) 60 days prior to the end of the first year of service; (b) 130 days prior to the end of the second year of service; or (c) 30 days prior to the issuance of a terminal year appointment after two or more years of service.

### **67.4 Procedures**

#### **(1) Statement of reasons for non-renewal.**

Reasons for non-renewal may be stated in the notice of non-renewal, at the president's discretion.

#### **(2) Conference.**

Within 5 days of the receipt of the notice of non-renewal, at the faculty member's request, a conference to discuss the non-renewal shall occur between the department head and the faculty member who received notice of nonrenewal.

#### **(3) Review by higher administrative level.**

Within 15 days of the notice of non-renewal, at the faculty member's request, the non-renewal and relevant documentation shall be reviewed in a conference including the faculty member and the academic dean or vice president for extension, and, where appropriate, the chancellor

or regional campus dean. Unless specifically requested by the faculty member, this conference shall not include the department head or supervisor.

## **407.78 INQUIRY INTO ALLEGATIONS OF SCIENTIFIC MISCONDUCT IN RESEARCH AND IMPOSING SANCTIONS FOR RESEARCH FRAUD**

In order to distinguish misconduct from honest error and ambiguities of interpretation that are inherent in scientific research, and to provide an environment that promotes integrity, the university has adopted procedures for assessing allegations and conducting inquiries and investigations related to possible scientific misconduct in research. These procedures are contained in the most recent version of “UTAH STATE UNIVERSITY Scientific Misconduct Procedures” (USU-SMP). The USU-SMP procedures were recommended by the Office of Research Integrity of the U. S. Department of Health and Human Services and modified by USU. The USU-SMP are maintained and made available by the vice president for research and dean of the school of graduate studies. They shall also be included in the Faculty Handbook.

### **78.1 Applicability**

The Scientific Misconduct Procedures apply to all faculty, professional employees, graduate and undergraduate researchers, trainees, technicians, staff members, fellows, guest researchers or collaborators conducting funded research at USU.

If the imposition of a sanction is recommended for a member of the faculty as a result of such inquiry and investigation, these sanctions shall apply for research fraud as defined in Policy 407.78.2(2) and shall be governed by the procedures in described in Policy 407.4.

### **78.2 Definitions**

#### **(1) Definitions of Scientific Misconduct in Research**

Scientific misconduct or misconduct in science means fabrication, falsification, plagiarism, using data generated by someone else without permission, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.

#### **(2) Definition of Research Fraud for the Imposition of a Sanction**

Research fraud is an act of deception which that is different from unintentional error. For the purposes of imposing a sanction under Policy 407.4, research fraud is considered to be a violation of the standards of conduct set forth in Policy 403 which occurs within a research setting and involves one or more of the following deceptive practices: plagiarism (Policy 403.3.2(1)); falsification of data (Policy 403.3.2(2)); misappropriation of other’s ideas (Policy 403.3.2(3)); failure to exercise “reasonable care” where appropriate in research (Policy

403.3.2(7) and 403.5)); and misuse of confidential or privileged information (Policy 403.3.2(4)).

(3) Definition of the Accuser in Scientific Misconduct

The accuser is a person who makes an allegation of scientific misconduct.

(4) Definition of the Respondent in Scientific Misconduct

The respondent is the person against whom an allegation of scientific misconduct is directed or the person who is subject of the inquiry or investigation.

**78.3 Research Integrity Officer**

The Research Integrity Officer is responsible for assessing allegations of scientific misconduct and determining when such allegations warrant inquiries and for overseeing any inquiries and investigations. This officer will be the vice president for research and dean of the school of graduate studies.

**78.4 Inquiry into Allegations of Scientific Misconduct**

The procedures detailed in the USU-SMP will be followed when an allegation of possible misconduct in science is received by an academic or administrative officer. Special circumstances in an individual case may dictate a variation from the normal procedure when doing so is deemed to be in the best interest of the university. Any change from the normal procedure must ensure fair treatment to the subject of the inquiry or investigation. Any significant variation must be approved in advance by the vice president for research and dean of the school of graduate studies.

**78.5 Protection of the Good Faith Accuser and the Respondent**

University employees who receive or learn of an allegation of scientific misconduct will treat the accuser with fairness and respect and, when the allegation has been made in good faith, will take reasonable steps to protect the position, confidentiality, and reputation of the accuser and other individuals who cooperate with the university against retaliation. Likewise, university employees who receive or learn of an allegation of scientific misconduct will treat the respondent with fairness and respect. In both instances, university employees will protect, to the maximum extent possible, the confidentiality of information regarding the accuser, the respondent, and other affected individuals.

**407.89 SEXUAL HARASSMENT**

**89.1 Definition of Sexual Harassment**

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

- (1) Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity, including a student's academic success;
- (2) Submission to or rejection of such conduct is used as a basis for an employment decision affecting an individual; or
- (3) Such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or learning environment.

#### **89.2 Policy Statement**

No faculty member shall engage in sexual harassment. Sexual harassment will not be tolerated by the faculty or administration of the university. Any statement in Policies 407.~~98~~<sup>98</sup> and 407.~~499~~ that refers to faculty also applies to students with teaching or research responsibilities and other instructional personnel of the university.

Sexual harassment may involve a misuse of power and threaten relationships between teacher and student or supervisor and subordinate and may exist among peers.

#### **89.3 Examples of Sexual Harassment**

Sexual harassment encompasses the verbal or physical conduct prohibited by Policy 407.~~98~~<sup>98</sup>.1 above and also includes, but is not limited to:

- (1) Sexual assault and physical molestation;
- (2) Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
- (3) Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring or touching of a sexual nature or unwelcome "sexual talk;"
- (4) Sexual conduct (not legitimately related to the subject matter of a course in which one is involved) that produces discomfort or humiliation, or both, and that includes one or more of the following: (a) comments of a sexual nature; or (b) sexually explicit statements, questions, jokes, pictorials, or anecdotes;
- (5) Sexual conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following: (a) unnecessary touching, patting, hugging, or brushing against a person's body; (b) remarks of a sexual nature about a person's clothing or body; or (c) remarks about sexual activity or speculations about previous sexual experience.

#### **89.4 Isolated Acts**

For sexual harassment to be committed in some instances, a pattern of prohibitive conduct is required. Members of the university community who, without establishing a pattern of doing so, engage in isolated conduct of the kind described in Policy 407.98.3 demonstrate insensitivity that necessitates remedial measures. When university administrators become aware that such activities are occurring in their areas, they should direct that those engaged in such conduct undertake an educational program designed to help them understand the harm they are doing and must advise the AA/EO Office of such activities.

#### **89.5 Procedures for Inquiry into Allegations of Sexual Harassment and Other Violations of Statutory and Constitutional Civil Rights**

##### **(1) Initiation.**

A complaint that the provisions of this policy have been violated may be brought by any member of the university community to any academic or administrative office. The complaint shall be filed with the AA/EO Office. The complaint must be filed within 120 calendar days of the last alleged occurrence. Alleged incidences outside the timeline should nonetheless be brought to the attention of the AA/EO Office for review.

##### **(2) Procedures.**

An inquiry or investigation shall be conducted in accordance with the policies and practices of the AA/EO Office. Since damage could result to the career and reputation of any person accused of a violation of this policy, or other constitutional or statutory civil rights laws, all information regarding such matters should be held as confidential, to the maximum extent possible.

In the event the allegations in the complaint are not substantiated, all reasonable steps will be taken to restore the reputation of the accused faculty member.

A complainant found to have been intentionally dishonest in making the allegations or to have made them maliciously is subject to sanction or other university discipline.

Any appeal of the findings and recommendation of the inquiry or investigation shall also be conducted in accordance with the policies and practices of the AA/EO Office.

##### **(3) Temporary suspension with full pay pending final disposition.**

In extraordinary circumstances, where the provost finds that it is reasonably certain that the alleged sexual harassment has occurred and serious and immediate harm will ensue if the faculty member continues to work, and after consulting the chair of the Academic Freedom and Tenure Committee, the provost may at any time during or after an inquiry or investigation

into a sexual harassment complaint recommend to the president the suspension with pay of any faculty member or teaching assistant accused of sexual harassment.

(4) Report to the Academic Freedom and Tenure Committee.

Whenever a referral has been made by an Academic Freedom and Tenure grievance committee to the AA/EO, the Director of the AA/EO shall meet periodically with the Academic Freedom and Tenure grievance committee and the chair of the Academic Freedom and Tenure Committee to discuss any inquiry or investigation.

(5) Exclusive action.

| A faculty member may not file a grievance under Policy 407.67 to challenge the proceedings under this policy.

## | **407.910 CONSENSUAL RELATIONSHIPS**

### | **910.1 Rationale**

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

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. Amorous relationships between faculty members and students are not acceptable to the university when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his/her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the university will view it as unprofessional conduct if faculty members engage in amorous relations with students in certain situations, even when both parties appear to have consented to the relationship.

### | **910.2 Consensual Relationships in the Instructional Context**

No faculty member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member, whose academic work (including work as a teaching assistant) is being supervised by the faculty member, or whose

present or future academic or professional success is controlled or influenced by the faculty member. A violation of this policy is considered to be violation of the standards of conduct set forth in Policy 403.

### **910.3 Consensual Relationships Outside the Instructional Context**

Amorous relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitive. Further, in such situations (and others that cannot be anticipated), the faculty member may face serious conflicts of interest and should be careful to distance himself/herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or had an amorous relationship is considered to be in violation of the standards of conduct set forth in Policy 403.

## **407.104 COMPLAINTS**

A complaint alleging violations of Policies 407.98 or 407.409 may be informally or formally registered by any person, or the formal process (Policy 407.4211) may be initiated by the provost.

### **410.1 Informal Complaint**

At the complainant's option, a complaint that one or more provisions in Policies 407.98 or 407.409 have been violated may be brought to any appropriate member of the university community, including any academic or administrative officer of the university such as the provost, the AA/EO Director, the vice president for student services, any academic dean, vice president of extension, chancellor, regional campus dean, supervisor, department head, ombudsperson, or advisor.

The person to whom the complaint is brought will counsel the complainant about the options available under this policy and, at the complainant's request, may help the complainant resolve the complaint informally and/or help the complainant draft a formal complaint if the complainant decides to follow that route.

The person to whom the informal complaint is brought will not inform the accused of the complainant's action without the consent of the complainant.

### **410.2 Formal Complaint**

A complainant who wishes to make a formal complaint should file it with the AA/EO Office.

**407.~~1211~~ PROCEDURES FOR INQUIRY INTO ALLEGATIONS OF VIOLATIONS OF POLICY ON SEXUAL HARASSMENT AND CONSENSUAL RELATIONSHIPS (Policy 407.~~89~~ and 407.~~940~~)**

In all proceedings to impose a sanction for violations of Policies 407.~~89~~ and/or 407.~~940~~, the following rules and procedures shall govern.

**~~1211.1~~ Initiation of a Preliminary Inquiry into Alleged Violations of Policies 407.~~89~~ and/or 407.~~940~~**

Whenever there are grounds to believe that a faculty member has violated Policies 407.~~98~~ and/or 407.~~109~~, the Director of the AA/EO, upon the filing of a complaint, will initiate a preliminary inquiry. In conducting the preliminary inquiry, the Director of the AA/EO may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge. At all times, the Director of the AA/EO will conduct the preliminary inquiry in a manner to ensure confidentiality.

The Director of the AA/EO must decide whether or not an inquiry is appropriate, and must inform those filing the complaint of this decision within 10 days of receiving the complaint of alleged violation of Policies 407.~~89~~ and/or 407.~~940~~. If an inquiry is warranted, the Director of the AA/EO will inform the provost who shall cause an inquiry panel to be established.

**~~1211.2~~ Inquiry into Allegations of Violation of Policies 407.~~89~~ and/or 407.~~940~~**

(1) Purpose.

An inquiry into allegations of violation of Policies 407.~~89~~ and/or 407.~~940~~ shall determine from review of factual evidence whether the initiation of actions described in Policies 407.1 through 407.4 is warranted. The purpose of the inquiry is to establish whether there is a reasonable basis for believing that the alleged violation of this policy has occurred.

(2) Notification of faculty member.

Within 10 days of the decision to hold an inquiry, the provost shall notify the faculty member in writing, return receipt requested, of the specific allegations filed against him/her and the procedures described in this policy regarding the inquiry.

(3) Membership of the inquiry panel.

The inquiry will be conducted by a panel of three faculty members, including two chosen by the chair of the Academic Freedom and Tenure Committee from the membership of that committee or from the Faculty Senate at large, and one to be chosen by the provost. Each member of the inquiry panel shall be impartial and shall be removed and replaced if there are any real or apparent conflicts of interest. Not all members of the inquiry panel shall be of the same sex.

(4) Inquiry panel deliberations.

In conducting the inquiry, the inquiry panel may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge. At all times, the inquiry panel will take steps to ensure confidentiality. The inquiry will afford the accused a full opportunity to respond to the allegations.

The inquiry panel must review the allegations and provide a written report of its findings within 20 days after the provost's notification to the accused. The inquiry panel will review the evidence relating to the allegations and determine whether or not actions as described in Policies 407.1 through 407.4 are warranted.

(5) Inquiry panel report.

The written report of the inquiry panel shall be submitted to the provost. If the report recommends proceedings to take actions described in Policies 407.1 through 407.4, the provost shall forward a recommendation to the president to initiate such proceedings, and will so notify the complainant and the accused. If the inquiry panel report indicates that the allegations are unsupported, the provost shall so notify the complainant and the accused.

The outcomes of the inquiry are either a judgment that the allegations are not warranted or the recommendation of actions described in Policies 407.1 through 407.4.

### **4211.3 Protection of Complainant and Others**

(1) Consent of complainant.

Inquiries will be initiated only with the complainant's consent. The complainant will be informed fully of steps taken during the inquiry.

(2) Protection of witnesses.

All reasonable measures will be taken to assure that the complainant and all others testifying before the hearing panel will suffer no retaliation as the result of their activities in regard to the process. Steps to avoid retaliation might include: (a) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and (b) arrangements that academic and/or employment evaluations concerning the complainant or others be made by an appropriate individual other than the accused, and/or (c) temporary suspension with full pay pending final disposition.

In extraordinary circumstances, after consulting the chair of the Academic Freedom and Tenure Committee, the provost may, at any time during or after an inquiry into a sexual harassment complaint, recommend to the president the suspension with pay of any faculty member or teaching assistant accused of sexual harassment if, after reviewing the allegations and interviewing the accused, the complainant, and, if it seems appropriate, others, the

provost finds that it is reasonably certain that the alleged sexual harassment has occurred and serious and immediate harm will ensue if the person continues to work.

#### **1211.4 Protection of the Accused**

At the time the inquiry commences, the accused will be informed of the allegations, the identity of the complainant, and the findings of the preliminary inquiry. In the event the allegations are not substantiated, all reasonable steps will be taken to restore the reputation of the accused.

A complainant found to have been intentionally dishonest in making the allegations or to have made them maliciously is subject to sanction or other university discipline.