

Faculty Handbook

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HOLY NAMES UNIVERSITY

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FACULTY HANDBOOK

ACADEMIC YEAR 2019-2020

INTRODUCTION

The 2019-2020 Faculty Handbook is a compilation of important information for use by the University's faculty members.

PART I: OVERVIEW OF THE UNIVERSITY

A. Highlights of the University's History

Holy Names University (HNU) was founded by the Sisters of the Holy Names, a religious congregation from the Roman Catholic Church. Members of a teaching order which came to Oakland from Montreal, the Sisters established in 1868 on the shores of Lake Merritt a school for girls. By 1880 it had flourished to the point where the state of California empowered it to grant baccalaureate degrees. The primary purpose at the outset was to fill a need to qualify teachers for the schools under the order's jurisdiction.

The original Sisters who came to Oakland were six in number and young, the Superior being only twenty-six. They made the strenuous journey by sea from New York to the Isthmus of Panama, crossed it by train, and continued by ship up the Pacific Coast, through the Golden Gate to San Francisco. On arrival, May 10, 1868, the weary but excited travelers were greeted with great warmth and provided with a substantial meal for which strawberries and cream were the dessert, an exotic treat this time of year for the Sisters from Canada.

The Sisters crossed the bay to Oakland two days later to take possession of the convent and school built for them by Father Michael King. His parish consisted of the entire East Bay; Oakland's population at the time was 10,500.

In gratitude for Father King's extraordinary kindness and the hospitable welcome he extended to them, the Sisters celebrated the anniversary of their arrival by serving strawberries at their school, a tradition that is still continued each year on Founders' Day.

Secular students were admitted to College classes in 1916, and in 1917 Holy Names Junior College was formally inaugurated. Nine years later baccalaureate degrees were first granted at a public ceremony.

Initially known as the Convent of Our Lady of the Sacred Heart when started in 1868, the institution underwent a change of name in 1908 to Convent and College of the Holy Names. In 1956 it was separately incorporated as College of the Holy Names, a name which was shortened in 1971 to Holy Names College.

While the College seemed inseparably identified with Lake Merritt, the need for more space forced the decision to seek a new location. In January 1957, a new era for the College began when it moved to its new and enlarged campus on Mountain Boulevard in Oakland.

Male students had taken work as undergraduates on a part-time basis for many years, and in 1971 they were invited to matriculate as full-time students in all departments of the College. The College has admitted men into the Graduate Division since its establishment in 1955. In 2004 the articles of incorporation were amended and the name of the institution was changed to Holy Names University to reflect that it offers both undergraduate and graduate programs.

B. Mission

The University is an academic community committed to the full development of each student, and offers a liberal education rooted in the Catholic tradition, empowering a diverse student body for leadership and service in a diverse world.

It was founded because of the dedication of the religious community to education. The University was first established to qualify teachers for the schools under the jurisdiction of the Order, and throughout its history the institution's purpose has been service through education.

The traditions of the University are founded on the liberal arts, and its ultimate goal is the formation of educated and responsible persons. Through its academic programs the University fosters in the student not only the acquisition of skills necessary for work and life in the contemporary world but also the intellectual growth and the development of a sense of values that come from humanistic study. The educational assumption of the University is that, in addition to acquiring a wide range of knowledge and professional skills, the student will also develop a responsible self, aware of others and dedicated to an ideal of service, and extend to others the benefits of education received in a Catholic university that values both spiritual and material life.

The Core Values of the University are:

- Full Development of the Human Person
- Education in the Faith
- Hospitality
- Dedication to Women and Children
- Dedication to Justice
- Service to People who are Poor or Marginalized
- Commitment to Liberating Action
- Love for the Names of Jesus and Mary

C. The Governance of the University

The Board of Trustees. Prior to its March 1956 incorporation by the State of California as a non-profit public service corporation, the University was owned and operated by the Sisters of the Holy Names through the Provincial Superior and Council of the California Province of the religious congregation.

Currently, the Articles of Incorporation provide that the Members of the Corporation are the current Provincial Superior and Provincial Councilors, and designates a Board of Trustees as the authority for "full and complete responsibility for the University as a corporate entity." With the approval of the candidate by the Members of the Corporation, the Board elects the President of the University.

The Articles of Incorporation originally described a Board of nine members; an amendment in 2000 increased the maximum membership to 36. In addition, ex officio members of the Board are the Provincial Superior of the Sisters of the Holy Names in California, or another professed member of the Sisters of the Holy Names who serve as her designee, and the President of the University. The remaining trustees are elected; one over one-third of the membership must be Sisters of the Holy Names. Elected members have a term of three years, renewable at the discretion of the Board. The Board meets at least four times each academic year.

Regents. The University also has Regents, established by the Board of Trustees and the University administration in 1974, and whose duties were amended in 2000. The Regents place their professional expertise and contacts at the service of the University by raising funds, fostering support and favorable public opinion, and advising and assisting the administration of the University in the areas of support and public relations. Regents may be appointed to Trustees' advisory committees in areas of the Regent's experience and expertise.

D. Administrator Positions at the University

President of the University. The President is the chief executive and administrative officer of the University, the presiding officer of the faculty, and educational leader of the University. He/she is responsible to the Board for the appointment of administrative officers and for the administration of the University, conferring with the Board on matters of institutional policy and advancement. He/she acts on recommendations from senior administrators, the Institutional Planning Council, the Faculty Senate and joint standing committees concerning faculty issues, the annual budget and other fiscal matters, academic development, and student concerns. He/she represents the University both on and off the campus and is the University liaison with the Provincial Superior and Council in the assignment of Sisters to the University. The Executive Assistant serves as the primary point of initial contact for both internal and external constituencies on any matter directed to the Office of the President.

The Vice President for Academic Affairs and Dean of Faculty. Appointed by and responsible to the President for the academic quality of the University, the Vice President for Academic Affairs is specifically responsible for, directly or in collaboration as appropriate, leadership in establishing a strong academic and collegial community of faculty and students. To this end, the Vice President rigorously maintains the integrity, appropriateness and strength of the academic curriculum and the quality of classroom instruction and academic co-curricular activities.

The Vice President recommends to the President faculty appointments and reappointments, sabbaticals and leaves of absence, orients new faculty members, and oversees on-going development and assessment of chairpersons and faculty. The Vice President coordinates the setting of academic policies included in the Faculty Handbook, the University *Catalog*, etc.

The Vice President consults on and approves the budgets of the academic units and of those administrative departments of the University which report to the Vice President. The Vice President hears appropriate informal and formal appeals by faculty and students; meets with faculty and students, singly and in groups, regarding matters of academic concern; presents all degree candidates to the President; serves ex officio on the Rank and Tenure Committee, the Planning Council, and the Faculty Senate; and staffs the Academic Affairs Committee of the Board of Trustees. The Vice President serves as Liaison Officer for the University to the Western Association of Schools and Universities in its accrediting functions; informs the President regarding academic affairs; and acts in the President's stead during short-term absences. The Academic Chairpersons, graduate program Directors, Registrar,

Director of the Library, Director of Information Technology, and Executive Director of Raskob University and Day School report to the Vice President.

Assistant/Associate Dean of Academic Affairs. Responsible to the Vice President for Academic Affairs, the Assistant/Associate Dean is responsible for overseeing academic advising programs and the in-service development of undergraduate academic advisors, for developing adjunct faculty orientation materials and coordinating adjunct faculty contract requests with area budgets, for developing and chairing the Institutional Review Board for Research involving Human Subjects. He/she is a member of the Senate Program Review and Assessment Committee, and attends both Undergraduate and Graduate Curriculum and Standards Committee meetings to coordinate administrative tasks with these groups. He/she also undertakes other assignments as requested by the Dean.

Vice President for Finance and Administration. The University's Chief Financial Officer (CFO) is appointed by the President. He/she is responsible to the President and to the Board of Trustees for University assets and liabilities and business administration. The CFO reports directly to the University President on all business and financial matters of the University. The annual preparation of the budget is the responsibility of the CFO in consultation with the Planning Council, the Cabinet and other campus groups.

The CFO is also responsible for campus safety, maintenance, accounting, student billing, food service, bookstore and human resources. The CFO consults authorized professionals on matters of law, insurance, investments, banking; arranges for the annual independent audit of the institution's records and financial statement; makes reports required by the Administration, the Board of Trustees, the federal government, banks, and associations. As the officer responsible for business administration, The CFO oversees personnel policies, fringe benefits, payroll procedures and the employment of employees of the University other than faculty.

The Vice President for Student Affairs. Appointed by and responsible to the President, the Vice President for Student Affairs is the senior administrator responsible for the design, development and coordination of all co-curricular programs and services. He/she oversees athletics, campus life (student activities, residence life, and ASHNU), student orientation, career services, counseling, international student services, health services, disability support services, and retention programs), and civic engagement initiatives. He/she is also responsible for student conduct and discipline codes and enforcement. The Vice President for Student Affairs is a member of the President's Cabinet and the administrative liaison to the Enrollment Management Committee of the HNU Board of Trustees.

The Associate/Assistant Deans of Student Affairs. The Assistant Deans of Student Affairs are specialists responsible to the Vice President for Student Affairs for development and implementation of particular programs and services.

The Assistant Dean, Career and Life Planning Service coordinates career counseling and vocational testing, and maintains listings of career opportunities, resources for off-campus part-time employment and internships, placement files, and a career planning resource library; provides career and personal developmental counseling; and performs special projects as assigned by the Dean.

The Assistant Dean, Adult Learners develops and coordinates programs, services, and communication systems to assist students, particularly returning adult learners.

The Assistant Dean for Residence Hall Life lives on campus and is responsible for the operation and supervision of the residence halls. This Assistant Dean reports to the Vice President for Student Affairs concerning the selection, supervising, and scheduling of staff members and the training of student resident assistants; enforcement of residence policies; conduct of counseling and crisis intervention; provision for ESL special needs; quality of residence hall academic atmosphere, social life and discipline; response to student health needs and spiritual needs; planning for residence hall orientation; preparation of the annual operating budget for the residence halls. The Assistant Dean, Residence Halls, reports to the Vice President for Finance and Administration concerning the physical facilities, the business and maintenance operations of the residence halls. The Assistant Dean works with the Admissions Office as to admissions of resident students.

The Vice President for University Advancement. The Vice President for University Advancement is the senior administrator appointed by and directly responsible to the President for university advancement in the areas of financial support, alumni relations, special events, marketing, communications and public relations. He/she develops and directs all university fundraising programs; plans and coordinates all university approaches to and contacts with foundations, corporations, government agencies, alumni, and friends of the University; is responsible for the major gifts and deferred giving programs; with the President, sees to appropriate social correspondence with the University. He/she is responsible for maintaining HNU brand integrity through various communications: website, publications, newsletters, and advertising. The Vice President serves ex officio on the University Advancement Committee of the Board of Trustees, and represents the University at civic and social events.

The Vice President for Mission Effectiveness. The Vice President for Mission Effectiveness is the senior administrator appointed by, and who assists, the President in enabling the charism, mission, and philosophy of the Sisters of the Holy Names to be vital and operational in the University. She/he carries appropriate authority in the institution so as to exert influence regarding the fulfillment of the charism and mission of the Sisters of the Holy Names. This position is responsible for the promotion of the Catholic, Holy Names identity and consequent mission of the University among faculty, staff, students, and the Diocese of Oakland and facilitates and promotes the relationship between the University and the Sisters of the Holy Names. She/he serves as the Director of Planned Giving. The Vice President serves ex officio on the University Advancement and Enrollment Management Committees of the Board of Trustees.

Academic Chair. Academic Chairs are the administrative officers who lead an academic division department within the University. The Chair is appointed by the President upon the advice of the Vice President for Academic Affairs and holds office at the President's discretion. In matters relating to academic personnel, the Chair is responsible to the President and the Vice President for Academic Affairs; in matters relating to instruction, to the Vice President for Academic Affairs.

Division or Department Chair positions carry a three-year term, which is renewable with departmental recommendation to and approval from the Vice President for Academic Affairs. It is recommended that a Chair not serve more than three (3) terms or a total of nine (9) years unless otherwise contracted. To facilitate transitions, an incoming Chair will be nominated and approved at least one semester in advance of assumption of Chair duties. Outgoing Chairs are eligible for three (3) administrative units during the semester after transition to serve as mentors for incoming Chairs who have not previously held the position. Mentoring duties will include departmental appropriate tasks that are established in negotiation with the incumbent chair and the Vice President for Academic Affairs.

The Chair's administrative duties are to consult with department faculty and prepare for review by the Vice President for Academic Affairs and the Committee of Academic Chairs, the department's proposed annual budget, program objectives, course offerings, faculty assignments and program directors or coordinators, curricular revisions, course descriptions, and plans for program development, and reports on the department. In consultation with the Assistant Vice President for Academic Affairs, the Chair recommends advisors for undergraduate and graduate programs. The Chair coordinates with the Rank and Tenure Committee for faculty undergoing evaluations.

After consultation with the faculty member(s) concerned and the Vice President for Academic Affairs, the Academic Chair appoints the members of the Peer Review Committee(s) for faculty within the unit undergoing reviews for promotion in rank and/or advancement in tenure. The chair of these committees is often the Chair of the department and is responsible to the chair of the Rank and Tenure Committee for completing all of the review procedures in accordance with University procedures.

Following consultation with the appropriate faculty within the department, the Chair advises the Vice President for Academic Affairs on sabbaticals and leaves of absence, and on the non-renewal, layoff, suspension, or dismissal of faculty members within the department.

The Chair represents the department in regular meetings of chairs with the Vice President for Academic Affairs and other times as determined by the Vice President for Academic Affairs, and with the Faculty Senate and other officers, administrators and committees of the University.

The Chair administers the operations of the department by selecting and supervising departmental office staff. The Chair provides information for administrative offices and University committees; approves expenditures of the programs within budget responsibilities; and assigns to other faculty members, specific duties needed for the effective operation of the department.

The Chair assists with Faculty Development, working with the Associate/Assistant Dean in the orientation of new faculty members; promoting active faculty participation in appropriate learned and professional societies and research, publishing, performing, and consulting activities by faculty.

The Chair assists full-time, pro rata, and part-time faculty (part-time who have taught seven classes at the University) with their specific program and their specific professional goals for the preceding and coming year. These reviews provide a basis for faculty planning for professional development.

The Chair assesses teaching performance of the faculty within the department through review of student evaluations, course syllabi, grading procedures, and visiting classes. The results of these evaluations are typically shared with the respective faculty members during the annual review with the Chair; a summary of these yearly evaluations for all full-time faculty and pro rata faculty in their first three years, are provided to the Vice President for Academic Affairs and form part of the personnel file for these faculty members. Reviews of part-time faculty are done after they have taught seven classes; these reviews, in turn, are shared with the faculty members by their Chair and become part of the personnel file of each faculty member.

The Chair promotes Program Development, program academic standards, and the general welfare of the University by convening meetings of the department faculty, program directors and coordinators in order to evaluate academic programs, discuss curriculum revisions, make necessary changes in academic

procedures, plan the future program changes within the academic unit and conferring individually with faculty members and students pertaining to the work of the department; and by assuring the appropriate discipline-specific University memberships.

The Chair promotes the academic development of students within the department; supervises academic procedures by which students are advised, accepted as majors, and approved for graduation; with faculty members and the Student Affairs career counseling and job placement staff assists students in gaining admission to graduate or professional schools as well as internship experiences; evaluates student complaints regarding classes and faculty and handles them in accordance with University procedures; and reviews undergraduate student petitions before these petitions are referred to the Committee of Academic Chairpersons.

The Vice President for Academic Affairs reviews the performance of Academic Chairs based on self-assessment and appraisal, faculty peers, and other persons as appropriate. A copy of any written performance appraisal is given to the Chair and for reply comment, and shared with the President.

Director of Athletics and Recreation. Responsible to the Vice President for Student Affairs, the Director of Athletics and Recreation develops, implements and supervises the intercollegiate athletic program, intramural activities, and recreational programs. He or she represents the University at athletic league meetings; schedules intercollegiate contests; and schedules officials for home athletic events. The Director of Athletics and Recreation approves and supervises transportation and field/court reservations for athletic events, intramural activities, and recreational programs.

In conjunction with the Vice President for Student Affairs, the Director recommends coaches for hiring; arranges media coverage for athletic events and sports information; aids in recruiting students with athletic potential; plans award ceremonies for intercollegiate and intramural teams; and submits an annual budget.

Director of Alumni Affairs. Responsible to the Vice President for University Advancement, this staff member serves as liaison between the Alumni Association and the University and coordinates alumni activities; is a member of the Alumni Executive Board; performs a variety of administrative duties to support Alumni Board and Association business and projects; maintains a current mailing list and oversees alumni mailings; performs related duties and staff special events as requested by the Vice President for University Advancement, the President of the Alumni Association, and the President of the University. Performs alumni prospect and donor prospect research activities in support of institutional advancement.

Director of Campus Ministry. Responsible to the Vice President for Mission Effectiveness, the Director heads the pastoral apostolate of service to the entire campus community. He/she coordinates the various liturgical ministries, the pastoral counseling program, sacramental preparation, retreat planning, efforts to stimulate Christian witness on social and moral issues, and other activities appropriate to the ministry team. He/she provides faith development opportunities for the campus community. The Director is responsible for the administration of the Campus Ministry Office and for the training of student members of the team and its support groups. The Director submits an annual budget.

Director of Annual Giving. Responsible to the Vice President for Institutional Advancement, the Director of Annual Giving collaborates in the planning and implementation of the annual fund development programs; oversees direct mail solicitations, student phonathon program, and special

events; supervises the Annual Fund; assists in processing and acknowledging gifts and in maintaining routine records, reports, communications, and other tasks.

Director of Corporate and Foundation Relations. Responsible to the Vice President for Institutional Advancement, the Director of Corporate and Foundation Relations collaborates in the planning and implementation of all foundation and corporate sector solicitations; researches institutional funding needs in consultation with the Vice President for Institutional Advancement, the President and faculty members; researches foundation funding interests; writes grant proposals and stewardship reports.

Director of the Ellen K. Raskob Learning Institute. Responsible to the President for the overall administration and quality of the University programs, the Director is directly responsible to the Vice President for Finance and Administration for the business aspects of the University. The Director hires and supervises and terminates the office, clinic, and Day School personnel; plans in-service professional growth and development; in cooperation with the University Public Relations Office, oversees advertising and publicity; maintains educational quality; builds good relationships with the campus community and represents the University to off-campus professional bodies; cooperates with the University Department of Education in the use of University staff and facilities in the graduate degree and credential programs in learning disabilities and thus is responsible to that department for standards and academic procedures; in consultation with the President, prepares the annual budget for the University.

Director of Financial Aid. Reporting to the CFO, the Director is responsible for the administration of all federal, state, and institutional student financial aid programs; for the maintenance of necessary records; and for reporting required information. The Director keeps abreast of federal, state, and other public developments in financial aid programs; protects the University by adhering to federal, state, and banking regulations and standards; provides students with information and counseling; determines applicant eligibility and allocates aid; cooperates with the Business Office in record keeping and aid dispersal; helps develop institutional policies on aid and implements them faithfully; acts as advisor to the Enrollment Taskforce in financial aid questions; searches for new sources of funding and keeps the Vice President for University Advancement appropriately informed; keeps the Administration informed on financial aid issues, program development and administration; maintains payroll records for all student employees on campus (except Food Service employees); prepares an annual operations budget.

Director of Marketing and Public Relations. Coordinates and implements the University program of public information. The Director publicizes the programs, objectives, and personalities involved in the University community; directs a news bureau operation, channeling information about the University through a variety of news media; maintains communication with campus units and media sources for publicity and public information purposes; maintains up-to-date biographical files on members of the Boards of Directors and Regents and other campus personnel; assembles data, writes and edits news releases; plans media mailings; sees to photo coverage of appropriate University vents and maintains photo file. This staff member also initiates and implements certain special events. The Director serves as HNU brand champion ensuring accuracy and consistency of message and cohesiveness in graphic design. Responsible for internal and external communications via the web, newsletters, publications and other promotional materials (direct marketing and advertising).

Director of Special Programs. Reporting to the CFO, the Director is responsible for the use of campus facilities by outside persons or groups; maintains and oversees the use of general audiovisual equipment; develops special summer programs; oversees the continuing education program in accordance with the

academic and fiscal policies of the University; and, in consultation with the Dean, submits an annual budget. The Director is responsible to the Vice President for Academic Affairs for the academic quality of continuing education offerings.

Librarian. The Librarian is directly responsible to the Vice President for Academic Affairs for the administration of the University Library. The Librarian cooperates with the Academic Chairpersons in the general development of the Library in relation to the total academic program of the University, consults with the professional staff and the Academic Chairpersons in determining library policies and budget allocations, maintains appropriate records of resources and materials, represents the Library at appropriate meetings, submits an annual report and an annual budget.

Director of Information and Technology. The Director of Information and Technology oversees/coordinates the information technology needs of the University.

Plant Manager. The Plant Manager is directly responsible to the CFO for the operation, maintenance and repair of the total physical plant: buildings, grounds, machinery, equipment, supplies. The Manager plans maintenance and work schedules; supervises all plant personnel; monitors the contracts with custodial and other companies; develops and maintains standards for campus security, safety, sanitation, and fire prevention; maintains blueprints and maintenance/repair records for facilities; determines and enforces parking regulations; makes studies and reports as requested by the Vice President for Finance and Administration or the President; in consultation with the Vice President for Finance and Administration, submits an annual budget.

Registrar. The Registrar is responsible to the Vice President for Academic Affairs for maintaining academic records, compiling academic statistics, conducting registration procedures, preparing required studies and reports, the basic academic calendar, evaluating collegiate transcripts, planning examination schedules, preparing and distributing schedules of classes, assigning classroom space, preparing an annual budget, and for records-related policies of the University.

E. Administrative Committees of the University

The President's Cabinet. The President's Cabinet consists of the President, the Vice Presidents for Academic Affairs, Finance and Administration, Student Affairs, Institutional Advancement, and Mission Effectiveness. The President's Cabinet advises the President on the internal and external policy questions which face the institution; it coordinates operations and services of the University.

The Institutional Planning Council. The Institutional Planning Council (IPC) is a University venue for shared governance. This portion of the Faculty Handbook shall constitute the bylaws of the Council.

The purpose of the IPC is to provide effective input into strategic planning decisions as well as to budgetary decisions that relate to priority funding. To this end, the IPC: reviews the institutional strategic plan and recommends modifications as necessary; discusses and recommends priorities for resource allocation; monitors progress towards the plan's goals and fosters effective communication within the University community by widely disseminating the long-range goals and priorities of the University and promoting feedback amongst its various constituencies. The Planning Council is responsible for sharing constituent insights; representing an institutional perspective; making open, honest and strong recommendations to the President; engaging in reflective discernment for the best outcome; and communicating with campus-wide community.

The membership of the IPC includes three faculty representatives, two staff representatives, two student representatives, members of the President's Cabinet and the President. The Chair, Vice Chair, and outgoing Chair of the Faculty Senate constitute the faculty membership. (If none of the faculty representatives has experience as a Division Chair, the Appointments Committee will appoint someone with such experience in lieu of the outgoing Chair of the Faculty Senate). The Chair and the Vice Chair of the Staff Advisory Council constitute the staff membership. The ASHNU President and one other student constitute the student membership.

The Vice President for Mission Effectiveness and the Chair of the Faculty Senate serve as Co-chairs of the IPC. The Co-chairs preside at meetings of the Council. The Co-chairs, in consultation with the President, set the agenda for the meetings. The Co-chairs ensure that proper records are kept, send notices of meetings, arrange in advance of any meeting the presentation of adequate information to the Council regarding matters to be considered, and oversee the preparation and distribution of the minutes of each meeting.

The Co-chairs promote input and feedback from appropriate segments of the University community and foster open and effective communication of the Council's actions to the University community.

The Council will endeavor to meet at least twice a semester. Special meeting days for planning, other projects, or emergent issues may be scheduled as needed.

- **Agenda.** Agenda items may be submitted by any Council member and are distributed by the Chair prior to the meeting.
- **Joint Sessions.** The Faculty Senate or ASHNU or the Staff Advisory Committee may request, through their representatives, a joint session with the Council to explore a topic of particular importance; the Council in turn may request a meeting with any group on campus.
- **Committees.** The Council may establish ad hoc committees or task forces as it deems necessary to conduct its business.

Amendment of the Bylaws of the IPC-Amendments may be proposed by any established group representing a constituency of the University. Written notice of the proposed amendment, accompanied by a statement of the purpose and effect of the proposal, is sent to each member of the Council at least five working days prior to the meeting at which the amendment is to be discussed. Upon a two-thirds vote of approval by the Council, notice of the proposed amendment is sent to each member of the Faculty Senate and to the President's Cabinet. Bylaws may be amended by a majority vote of both the Faculty Senate and the President's Cabinet, voting separately. Amendments to the Bylaws must be approved by the President before taking effect.

F. Faculty Senate Constitution and Bylaws

CONSTITUTION OF THE FACULTY SENATE

ARTICLE I – PURPOSE

The Faculty Senate is the main venue through which the faculty as a body exercises its role in the governance of the University, and has the major role in setting policy for the curriculum, subject matter and methods of instruction, admission and graduation requirements, research policy, faculty status, and such aspects of student life as relate to the educational process. On these matters the President and the Board of Trustees should exercise their power to reverse a Faculty Senate decision only in exceptional circumstances and for compelling reasons which should be clearly stated in writing to the Faculty Senate.

The Faculty should also have substantial and effective participation in decisions affecting the academic calendar, planning, rank and tenure, budget (academic and non-academic), the well-being of the faculty (salary, benefits, workload), faculty development, sabbatical leaves, faculty appeals and student well-being. On these matters the Faculty Senate is advisory to the President.

ARTICLE II – MEMBERSHIP

All full-time and pro rata faculty members are members of the Faculty Senate. The University Librarian is an ex officio member of the Faculty Senate. Membership conveys obligations to attend Senate meetings and participate in meetings and committees in a meaningful and collegial manner, such obligation including to attend at least one meeting per semester; to participate on committees; and to review the minutes of meetings which are issued electronically.

All part-time faculty who wish to participate in Senate activities and who accept ad hoc committee assignments are also eligible to vote in their third semester of employment.

BYLAWS OF THE FACULTY SENATE

ARTICLE I – OFFICERS

The officers of the Faculty Senate are a Chair, a Vice Chair, and a Secretary.

The Chair. The Chair serves a one-year term after serving one year as Vice Chair. The Chair oversees the Faculty Senate, maintains a current roster of its members, distributes the call for its meetings, sets the agenda and presides at meetings. The Chair maintains and updates the official permanent file of the Senate and its committees, including all minutes and reports, and makes them available in electronic format on the University website.

The Chair serves ex officio on the Appointments Committee, and reports to the Senate all appointments to standing Senate and ad hoc committees, and replacements of members on such committees.

The Chair appoints the Secretary, reviews and issues the approved minutes of the proceedings, which are recorded and distributed electronically by the Secretary. The Chair prepares proposed revisions of the Faculty Senate Constitution and Bylaws.

The Chair serves as the Senate spokesperson for general faculty issues. The Chair establishes ongoing communication with the President and the Vice President for Academic Affairs, attends meetings of the Academic Chairs, co-chairs the Institutional Planning Council, and serves ex officio on the Undergraduate Curriculum and Standards Committee.

The Chair transmits actions of the Senate in writing to appropriate groups and to administrative officers, and conveys all pertinent information back to the Faculty Senate. The Chair refers to appropriate groups all materials received for presentation to the Senate, and invites other members of the University community to attend faculty meetings when appropriate. The Chair receives six administrative units for his or her service.

The Vice Chair. The Vice Chair is elected by the Faculty Senate for a two-year term and moves up to Chair for the second year. Any voting member of the Faculty Senate is eligible to serve as Chair or Vice Chair. In addition to assisting the Chair, the Vice Chair sets the Faculty Senate agenda with the Chair. The Vice Chair presides at Faculty Senate meetings in the absence of the Chair; oversees faculty welfare matters and serves ex officio as Chair of the Faculty Welfare Committee; and assumes the office of Chair if the Chair is unable to complete his or her full term. The Vice Chair receives three administrative units for his or her service.

ARTICLE II – ELECTIONS

By the beginning of April of each year, the Appointments Committee oversees the nomination and election of the new Vice Chair. This annual election process will be scheduled to enable the Vice Chair's term of office to begin on June 1. Each nominating petition for the office of Vice Chair must be signed by five voting members and must contain certification of acceptance by the nominee. On the first ballot a majority of the votes cast is necessary to elect the Vice Chair. On the second ballot if necessary, a plurality suffices.

ARTICLE III – REGULAR MEETINGS

The Senate meets regularly at least three times per semester and additionally as convened by the Chair. The Chair and the Vice Chair prepare the agenda for meetings and distribute copies of the agenda in advance. Any member of the Senate may propose items for inclusion in the agenda and having done so, is expected to attend the meeting. These items should be submitted in written form so that background, context and implications of the issue are clear.

Order of Business. Because minutes of prior meeting and the agenda for the current meeting are previously issued by e-mail, business need not include reading or distribution of these. Business will proceed as determined by the Chair and will include IPC reports and Senate committee reports; old business, new business; announcements; and votes if needed.

Quorum. Fifty percent of the voting members of the Senate constitute a quorum for the conduct of binding votes at any meeting of the Senate.

ARTICLE IV – FACULTY SENATE COMMITTEES

Accountability. Each standing committee of the Faculty Senate is accountable to the Faculty Senate and must report on its work to the Senate when such reporting is consistent with its charge. In addition, the committee may render services to administrative officers, again reporting their recommendations to the Senate.

Jurisdiction. Any standing committee may establish subcommittees composed of its own members in order to carry out its designated tasks. Two or more standing committees may establish a joint ad hoc committee, composed of their own members, in order to accomplish a common task.

Minutes and Reports. Standing committees electronically post minutes of their meetings and transmit copies to the Chair of the Faculty Senate. Standing committees prepare written reports at the end of the Spring semester which are appended to the minutes of the last regular meeting of the Faculty Senate.

Membership and Terms. All faculty members of committees must be members of the Faculty Senate. Unless otherwise specified, faculty members and chairpersons of standing committees are appointed by the Appointments Committee, subject to the approval of the Faculty Senate. Committee members are normally appointed for terms of two years, with an additional term of one or two years possible. To ensure continuity, the terms are staggered so that approximately one half of the terms expire each year. Terms of new committee members start on June 1 of the year in which the appointment is made. Chairpersons and ex officio members may vote and exercise the same powers as other members.

Standing Committees. The standing committees of the Faculty Senate are the Admissions Policy Committee; Appointments Committee; Faculty Development Committee; Faculty Hearings Committee; Faculty Welfare Committee; Program Review and Assessment Committee; Teaching and Information Learning Technologies; Undergraduate Curriculum and Standards Committee; Graduate Curriculum and Standards Committee; and Rank and Tenure Committee.

Ad Hoc Committees. When the need for an ad hoc committee arises, the Faculty Senate Chair and the Vice Chair (and the ASHNU President, when student representation is desirable) make appointments, taking into consideration faculty workload and the need to insure broad and varied representation. The ad hoc committee will require a firm sense of its task and the date of its completion.

ARTICLE V – STANDING COMMITTEES

Admissions Committee. (See “Standing Committees and Councils of the University”, Part I, Item G)

Appointments Committee. The Appointments Committee consists of three members: the Vice Chair, the Chair, and previous (outgoing) Chair of the Faculty Senate. The Appointment Committee oversees the nominations and elections of the new Vice Chair of the Faculty Senate and the faculty members of the University Standing Review committee. The Committee makes appointments to all other standing committees of the Faculty Senate and, when requested, to campus-wide committees and task forces which include faculty members. The Committee holds elections and makes appointments of faculty to committees by the beginning of April.

Faculty Development Committee. The Committee consists of three faculty members, chosen to represent different academic divisions and departments, and the Vice President for Academic Affairs, who serves as Chair. The Faculty Development Committee makes recommendations to the Senate regarding faculty development goals and policies, promulgates criteria for funding, evaluates applications for Faculty Development funds, votes on the disbursement of funds, annually reviews the process and criteria for funding and the use of funds.

Faculty Hearings Committee. The Faculty Hearings Committee reviews faculty complaints and grievances and reviews disciplinary and dismissal actions. The Faculty Senate appointments committee shall nominate and the faculty senate shall elect three tenured faculty members to the FHC for terms of two years staggered. Terms will start on July 1 of the year of election.

Faculty Welfare Committee. This Committee consists of the Vice Chair of the Faculty Senate, who serves as Chair of the Committee, and three other faculty members appointed by the Appointments Committee. The Committee serves as a forum for discussion of matters of concern relating to the faculty as a whole. At the request of the Faculty Senate or individual faculty members, the Committee reviews employment policies and practices, including but not limited to the following: Faculty compensation and benefits; academic workload; sabbatical leave policy; on-teaching responsibilities; financial aid for professional development; conditions of employment, including concerns about teaching schedule and the academic calendar; and workplace conditions, including health and safety issues.

On such matters of faculty welfare, after consultation with appropriate academic and administrative constituencies, the Committee makes recommendations to the Faculty Senate. In order to address diverse welfare issues more effectively, the Committee may establish task forces and call on the expertise of other faculty and administrators as appropriate. The recommendations of such task forces are reviewed by the Faculty Welfare Committee before presentation to the Faculty Senate.

Program Review and Assessment Committee. This Committee consists of three faculty members, one of whom serves as Chair, the Vice President for Academic Affairs, and one Chairperson selected by the Academic Chairs from among themselves. The Committee's objectives are: to consider pending decisions about undergraduate and graduate programs; to make recommendations to the Senate regarding substantive changes in educational programs; and to supervise the assessment of the University-wide curriculum and its outcomes in view of the mission of the University. The criteria for review include strengths, weaknesses, needs, options, fiscal implications and future possibilities for the general curriculum and for the academic program. The review process is submitted to the Senate for approval.

The Committee may respond to requests from the Chairs, the Faculty Senate, the President, the Vice President for Academic Affairs, or the IPC to review programs. The Committee may establish task forces and call on the expertise of other faculty and administrators as appropriate. The recommendations of such task forces are reviewed by the Committee before presentation to the Faculty Senate.

Teaching and Information Learning Technologies. The Teaching and Information Learning Technologies Committee (TILT) consists of five faculty members, one of whom serves as Chair. The University librarian and the director of instructional technology serve as non-voting members. Appointments are for two years, arranged so that terms are overlapping.

The Committee's objective is to represent the instructional technology needs of the faculty to the Faculty Senate and the HNU administration. Representatives from Academic Affairs, Student Affairs, Information Technology, and ASHNU may be invited to meetings for input.

The Undergraduate Curriculum and Standards Committee. The Undergraduate Curriculum and Standards Committee (UGCS) is composed of the Undergraduate Division and Department Chairs and the ISAC Program Director or their designated representatives. The Faculty Senate Chair, the Liberal Studies Director, and the University Registrar also serve as non-voting ex officio members and act as resources to the Committee. The UGCS Committee elects from its membership a Chairperson, who serves a one-year term that can be renewed.

The Committee meets regularly and considers decisions that pertain to Undergraduate Programs and forwards recommendations to the Senate for ratification. These include but are not limited to policies on: general education; articulation with community colleges; admission requirements; academic progress; independent and special studies courses, academic advising; grading; academic warning and disqualification; learning resources (tutoring, library, etc.); graduation requirements; and exceptions to the policies other than admissions.

The Committee reviews and evaluates Undergraduate Programs in the light of the Strategic Plan including proposals for new Undergraduate Programs or proposals for major revisions to existing Undergraduate Programs. If recommended for adoption by the Undergraduate Curriculum and Standards committee, the new program or major revisions to Undergraduate Programs is submitted to the Senate for consideration and approval shall be by a majority of the voting membership on a written ballot. Recommendations regarding new programs or major revisions are sent to the Vice President for Academic Affairs, who then makes a recommendation to the President. A list of the actions taken by the Committee will be sent to the Vice President for Academic Affairs at the end of each semester.

The Graduate Curriculum and Standards Committee. GCSC is composed of the Graduate Program Directors and Chairs or their designated representatives, and the Vice Chair of the Faculty Senate. The Committee elects a Chair from its membership, who serves for a one-year term. The Committee meets regularly and performs the following functions:

1. Makes recommendations on academic policies and procedures that pertain to Graduate Programs and forwards them to the Senate for ratification. These include but are not limited to policies on admission requirements; program requirements; and academic matters such as academic advising; grading; academic warning and disqualification; learning resources (tutoring, library, etc.); graduation requirements; and exceptions to the policies other than admissions.

2. Reviews and evaluates Graduate Programs according to the Strategic Plan, including: Proposals for new graduate programs or proposals for major revisions to graduate programs. Recommendations by the Graduate Curriculum and Standards committee regarding the new program or major revisions are submitted to the Senate for consideration, and approval shall be by a majority of the voting membership on a written ballot. They are then sent to the Vice President for Academic Affairs who makes a recommendation to the President.

The Committee also assists the Vice President for Academic Affairs in establishing policies regarding faculty recruitment and hiring. A list of the actions taken by the Committee will be sent to the Vice President for Academic Affairs at the end of each semester. Those actions needing to take immediate effect will be sent to the VPAA for immediate review.

Rank and Tenure Committee. The Rank and Tenure Committee consists of the Vice President for Academic Affairs and four members of the faculty having tenure: three appointed by the Faculty Senate and one by the President, with a balance between lay and religious members and representation from a variety of disciplines. Appointments are for two years, arranged so that terms are overlapping. The Committee selects its own Chair from among its second-year faculty members.

The Committee develops a time line and conducts faculty periodic reviews. It considers recommendations for and qualification of faculty members eligible for promotion and/or tenure and submits recommendations to the President. The Rank and Tenure Committee does not report to the Faculty Senate on any of its recommendations relating to faculty members. Upon the request of its members or Faculty Senate or the Faculty Welfare Committee or the President, it reviews the criteria for faculty periodic reviews, for promotion in rank and for advancement to tenure, and may recommend changes to the Faculty Senate.

ARTICLE VI – AMENDMENTS TO THE BYLAWS

These Bylaws may be amended by the Faculty Senate. Amendments to these Bylaws may be proposed by a petition signed by at least five members of the Senate. Written notice of the proposed change must first be sent to the Chair, who reviews its implications for the Constitution and Bylaws as a whole, and refers it to any appropriate group when necessary to facilitate its consideration by the Senate. The text of the proposed change must be sent to all members at least five working days prior to the meeting at which it will be discussed. A written ballot will be distributed following the meeting at which members determine that discussion is closed. A two-thirds vote of the members voting is required for approval.

ARTICLE VII — PARLIAMENTARY AUTHORITY

Roberts Rules of Order, Revised shall govern the procedures of the Holy Names University Faculty Senate, except where such rules manifestly conflict with the Senate bylaws, in which case, the Senate bylaws shall take precedence.

G. Standing Committees and Councils of the University

Academic Administrative Council. This Council, whose Chairperson is the Vice President for Academic Affairs, and whose members are the directors of both Undergraduate and Graduate programs, is the venue for discussion of administrative issues affecting academic programs. The Council meets as a whole at least twice each year; at other times, the Undergraduate and Graduate Program Directors meet separately with the Academic Affairs staff to discuss administrative issues particular to their programs. Individual members of the Academic Affairs staff (the Associate Dean, Registrar, Library Director, and IT Director) attend these meetings on an as needed basis. The goal of the Academic Administrative Council is to support the smooth running of each academic program. It is not the purview of this Council to review curriculum or to mandate standards. Those functions lie with the Undergraduate and Graduate Curriculum and Standards Committees.

Admissions Committee. The Admissions Committee is composed of four faculty members, appointed for two-year staggered terms, one of whom serves as Chair, the Vice President for Academic Affairs, the Vice President for Student Affairs, the Enrollment Manager, and a student appointed by the ASHNU President. The Committee reviews policies and formulates guidelines for undergraduate admissions, probation and dismissal. The Admissions Committee has a responsibility to link its work with the advising system and to call in the expertise of departments and other faculty as necessary. An orientation session for new members will be held with the Vice President for Academic Affairs and the Registrar. The Committee delegates decisions regarding any specific admissions cases to its Admissions Subcommittee.

The Enrollment Manager serves as ex officio chair of the Admissions subcommittee. The subcommittee should include faculty with expertise in English or math instruction and/or having experience with international students and grading systems. This committee is responsible for studying the files of students who do not clearly meet all entrance requirements and making decisions concerning these cases.

Enrollment Taskforce. Chaired by the Enrollment Manager, this committee of faculty, staff, administration and student members, is charged with planning and advising concerning the direction of the student recruitment, admission, and retention programs of the University.

University Standing Review Committee. The Standing Review Committee (SRC) hears faculty and staff complaints and grievances and reviews disciplinary actions. The Faculty Senate Appointments Committee shall nominate and the Faculty Senate shall elect two tenured faculty members to the SRC for terms of two years, staggered. Terms will start on June 1 in the year of election. The President will likewise appoint two administrative persons for terms of two years, staggered. Such administrators should be selected from personnel who would not normally be parties to a faculty or staff grievance. These four individuals will meet within ten working days of their appointment and will select one further faculty or administrative member for a two-year term as SRC chairperson if the chairperson position will be vacant in the coming academic year.

A vacancy on the SRC shall be filled by the appointing or electing body, within ten working days of the vacancy, to fill out the unexpired term of said vacancy.

The Teacher Education Committee. The Teacher Education Committee, chaired by the Chair of the Education Department, is composed of the coordinators of the credential programs and faculty members from disciplines with waived majors; the Vice President for Academic Affairs serves as an ex officio

member. Faculty members from disciplines other than education are appointed by the Chair of the Education Department following recommendations by the appropriate Academic Chairpersons and the Vice of Academic Affairs. Terms are for two years, with reappointments as recommended. The Committee's functions include:

1. Granting formal admission of credential candidates into the Multiple Subjects and Single Subject programs;
2. Serving as the hearing committee for formal student petitions and/or academic appeals by students in these credential programs (see Appendix); and
3. Recommending to the Academic Chairpersons and to appropriate academic units curricular changes and modifications which would enhance the curricula of the waived majors and the credential programs. Such changes are subject to review by appropriate University committees and administrators.

In its function of admitting students to its programs, the Teacher Education Committee is responsible to the Vice President for Academic Affairs as admissions officer for the Graduate Division.

The Associated Students of Holy Names University. The ASHNU, to which all enrolled students belong, serves as a student voice to the administration, faculty, staff, and community. It encourages awareness of student rights and responsibilities and supports constructive efforts to promote student affairs and concerns. The Executive Council, composed of executive officers and class officers, is the governing body of the ASHNU; the monthly Student Forum provides open discussion of student issues.

Staff Advisory Committee. Accountable to the Vice President for Finance and Administration, this committee of staff representatives from various campus academic and administrative areas encourages and facilitates communications, serves as an avenue for staff members to express concerns or ideas regarding the University, plans staff social and professional development events, assists in developing policies and procedures. The Committee's Chair and Vice Chair, elected by the staff campus-wide, sit on the Institutional Planning Council.

PART II: FACULTY PERSONNEL POLICIES

A. Introduction

This section contains the policies of the University with respect to the employment of the faculty of the University. Part II is specifically incorporated by reference into the letter of appointment/contract for each ranked faculty member.

B. Definition of “Faculty”

Faculty at the University are those whose appointment is designated by the University as “faculty.” The University reserves the appointment to the faculty for those whose role is primarily instructional, such status being conferred on both full-time and part-time faculty members. In addition, the following administrative officers of Holy Names University are faculty (but not tenured) solely by virtue of their office: President; and Vice President for Academic Affairs.

C. Ranked Faculty

A ranked faculty member is an employee of the University who has been appointed to one of the following four academic ranks: Instructor, Assistant Professor, Associate Professor, or Professor. Ranked faculty ordinarily have full-time teaching duties, or have teaching and other duties (e.g., research, academic administration, advising) equivalent to a full-time teaching load; fulfill the duties and responsibilities of faculty members; and meet or exceed the criteria for academic rank as detailed below.

Ranked faculty appointments are usually full-time, but may be pro-rated on a part-time basis with pro rata compensation/benefits and duties. All pro rata ranked appointments should be spelled out on an individual basis, detailing any special conditions, in the initial letter of appointment. Any changes in these conditions should be spelled out in subsequent letters of reappointment.

D. Part-Time Faculty

A part-time faculty member is an employee of the University who has been assigned one of the following academic titles: Adjunct Instructor, Lecturer, Senior Lecturer, and Affiliate Professor.

A part-time faculty member is appointed by the President upon a recommendation by the respective Academic Chair and by the Vice President for Academic Affairs. In making a presentation to the President, the Vice President for Academic Affairs will review the basis of the Chair’s selection and recommendation.

A part-time faculty member does not thereby accrue time toward acquisition or evaluation for tenure or for any other appointment with the University such as the regular academic ranks; and does not have any entitlement to continued employment after the anticipated term specified in the part-time contract expires, whether or not there is prior notice that there will be or will not be a further appointment, unless otherwise stated in the first and each subsequent letter of appointment executed by the Vice President.

A part-time faculty member has less than a full-time teaching load; usually has no other faculty duties and responsibilities, except those listed below; meets or exceeds the criteria of the appropriate temporary academic title; and is employed for a finite period of time to be set forth in the letter of appointment.

Adjunct Instructor. Adjunct instructors are hired for a finite period of time to be set forth in the letter of appointment, to teach and assist in courses. There is no prior service requirement in a university or University or elsewhere; but they must have a Master's degree or its equivalent, from an accredited institution.

Lecturers. Lecturers are hired to teach specific courses for a finite period of time to be set forth in the letter of appointment.

Selection of lecturers should be consistent with the academic standards of the University. A person assigned this title should have a doctorate in his/her field. In lieu of these requirements, outstanding experience in an appropriate technical, artistic, or professional field may be substituted. There is no requirement of prior university or University experience.

Senior Lecturer. This title may be assigned to a part-time faculty member in recognition of distinguished teaching service to Holy Names University, its students, and faculty, over a period of at least ten years. Assignment of this title is made by the Vice President for Academic Affairs upon the recommendation of the Academic Chair and the Committee on Rank and Tenure, and with the approval of the President.

Affiliate Professor. This is an honorary title which may be assigned to individuals who offer educational experiences to the students of the University on a regular part-time basis. Such individuals have no contractual arrangements with the University although they may receive an honorarium for their services.

Other Policies for Part-Time Faculty. Part-time faculty members in the above ranks do not have such privileges as tenure, retirement plans, life insurance, medical and hospitalization insurance, family tuition remissions, sabbatical leaves, travel allowances (except allowances reimbursable for specific project-related or departmental studies).

Part-time faculty have the same freedom and responsibility in the management of assigned courses as full-time faculty members.

Part-time faculty are expected to be available for a reasonable amount of time (approximately 1.5 hours per week per twenty students enrolled in each three-unit course taught) to advise students regarding their coursework.

Staff members of the University who instruct in the University part-time, will be assigned to an academic title appropriate to part-time faculty, and sign a separate contract for the class. They do not receive extra compensation benefits for such teaching, nor faculty privilege nor responsibility except as part-time faculty.

***Note:** Minimum requirements for appointments in all cases include that, in the judgment of the evaluators at the University, the candidate has full ability and fitness to conform to the expectations for professional behavior towards peer faculty, towards students and toward staff.*

E. Ranked Faculty Contracts

Term Contracts. Term contracts are contracts conferring employment to a ranked faculty member for a designated anticipated period of time. Faculty holding term contracts are not on tenure track; do not accrue time toward acquisition or evaluation for possible tenure; and do not hold entitlement to continued employment after the anticipated term specified in the contract expires, whether or not there is prior notice that there will be or will not be a further appointment.

A term contract may be offered to a full-time, or to a pro rata (less than full-time) faculty member, when such members are a visiting faculty member, a replacement, a grant-generated faculty member, or when a curricular program or other operational circumstances make, in the judgment of the Vice President for Academic Affairs and the President, such a contract preferable to a probationary (tenure track) contract.

For faculty on term contracts, the terms and conditions of employment are set forth in the written letter of appointment.

Term contracts may be changed to probationary status upon the written recommendation of the Chairperson of the Division/Department/Institute to the Vice President for Academic Affairs. A faculty member holding a term contract may be offered a probationary (tenure-track) contract only by a letter of appointment from the President upon the recommendation of the Vice President for Academic Affairs, which expresses the offer of the probationary (tenure-track) contract.

***Note:** Term contracts may also be offered to part-time faculty members. The terms and conditions of employment are set forth in the written letter of appointment.*

Probationary Contracts (Tenure-Track). Probationary contracts of one academic year's duration or less may be initially offered to faculty members, and thereafter may be annually renewed by a writing of the University.

For faculty on probationary contracts, the terms and conditions of employment are set forth in the written letter of appointment.

Probationary contracts are on the tenure-track. They enable a faculty member to apply for a position of tenure upon successful completion of the requirements for submitting an application for tenure, as stated in this Handbook.

In the event that the University does not renew a probationary contract, it must give advance written notice of non-renewal of a length in time stated in Part II, Section O of this Handbook.

Period of Service at the University under Probationary Contracts. For a faculty member who has never held the rank of instructor or higher at another institution of higher learning, the total length of time at the University while serving under probationary contracts is a minimum of six years and maximum of seven years of full-time service. For new University faculty members with previous full-time service with the rank of instructor or higher at another institution of higher learning, such service may be counted in computing the same minimum and maximum and, if so, shall be set forth in the letter of appointment.

However, in all such cases the total length of time at the University while serving under probationary contracts must be minimum of two years of full-time service at the University above the rank of instructor and may extend to as many as four years (the length to be stated in writing at the time of initial

appointment), even when the total full-time service in the profession thereby exceeds seven years. Time spent on unpaid leave of absence will not count as probationary period of service, unless the individual and the University agree to the contrary at the time the leave is granted and is specified in writing signed by the Vice President for Academic Affairs.

Although rare, a request for an extension of the probationary period beyond the periods specified above may be made by a faculty member to the Vice President for Academic Affairs, e.g., if the faculty member has had extensive non-teaching responsibilities during the University probationary period. If the request is approved by the Vice President for Academic Affairs, a writing signed by her/him shall set a time limit for the continued probationary period and shall inform the faculty member, the Academic Chair, the Committee on Rank and Tenure, and the President.

During the probationary period, faculty members are evaluated under the criteria, standards and evidence stated in Part II, Section K of this Handbook.

Continuous Contracts (Tenure). Continuous contracts at Holy Names University are given to ranked faculty members who have attained tenured status, as provided for in this Handbook. Faculty members employed under continuous contract may expect an annual contract renewal by Holy Names University, unless separated pursuant to the provisions of this Handbook. The attainment of tenured status at the University may be evidenced only by a letter addressed to the faculty member and executed by the President of the University, following the approval of same by the Board of Trustees. Tenured status may not be attained by length of time of employment with the University, regardless of the number of years of service.

F. Minimum Requirements for Ranked Faculty Appointments

On Initial Appointment. Whenever a decision is necessary on whether an individual has the equivalent of the degree required for a particular rank, such decision will be made in the final judgment of the President, first recommended by the department and reviewed by the Vice President for Academic Affairs. Thereafter, inquiries concerning equivalency will be referred by the faculty member to his/her chair who will refer recommended changes to the Vice President for Academic Affairs who may confer with the Rank and Tenure Committee and will give a written decision to the faculty member and the Chair, after decision by the President.

Special Note on Equivalency. At time of promotion, equivalency in lieu of the doctoral degree may be acceptable in the judgment of the President under the following conditions: (a) if the degree held is the appropriate highest degree for the professional or performance field, or (b) the faculty member is recognized as accomplishing the equivalent of a degree by his/her peers. Equivalency in place of a degree must be explicitly evidenced by objective means of evaluation, i.e., publications, delivery of papers at professional meetings, on-going performances or exhibits in the arts, professional degree-related consulting experiences. This evidence of professional growth must be recent, that is, on or since hiring or last advancement and of the same caliber expected of faculty holding doctoral degrees and seeking the same rank.

The determination of the minimum requirements is made by the peer faculty and the administrators in their respective professional judgments.

Instructor. Possession of a Master's degree from a graduate institution of recognized standing or its equivalent (e.g., professional recognition in the creative arts or in the professional community); and demonstrated potential to earn an appropriate Doctor's degree or the appropriate terminal professional degree.

Assistant Professor. Educational requirements include either:

- Possession of an appropriate earned doctorate from a graduate institution of recognized standing;
- an appropriate terminal professional degree (e.g., C.P.A. and Master's or licentiate or M.F.A.) from a graduate institution of recognized standing;
- accomplishments that are considered equivalent (e.g., outstanding performance in the creative arts or in the professional or business community); or
- evidence satisfactory to the University, of substantial progress toward the doctorate or terminal professional degree (e.g., completion of all requirements except the dissertation), with the commitment that the degree will be obtained before further advancement.

Other minimum requirements include:

- Three years of full-time, ranked teaching in a regionally accredited university or other university, or foreign equivalent, with at least one such year at Holy Names University. Any or all of the teaching experience requirement may be waived if an appropriate earned doctorate from a graduate institution of recognized standing, or an appropriate professional degree, or accomplishments that are considered equivalent, is obtained prior to promotion to this rank;
- either by means of proven or presumptive potential for satisfactorily fulfilling the duties and responsibilities of a faculty member; and
- either proven or presumptive scholarship in the subject matter field and for professional competence in instruction.

Associate Professor. Educational requirements include either:

- Possession of an appropriate earned doctorate from a graduate institution of recognized standing;
- possession of an appropriate terminal professional degree (e.g., C.P.A. and continued certification and Master's degree, licentiate, M.F.A.) from a graduate institution of recognized standing; or
- accomplishments that are considered equivalent (e.g., outstanding recognition in the creative arts or in the professional or business community).

Other minimum requirements include:

- A minimum of seven years of full-time, ranked teaching in a regionally accredited university or other university, or foreign equivalent; or a minimum of four years of full-time teaching at the rank of Assistant Professor, with at least two such years at the University; evidence of sustained excellent teaching at the University;
- persuasive evidence of noteworthy fulfillment of the duties and responsibilities of a faculty member; and
- persuasive evidence of developed scholarship in the subject matter field or continued noteworthy performance in the profession or in the creative arts.

The rank of associate professor may be one in which the faculty member may remain for the duration of his or her appointment at the University.

Professor. Educational requirements include either:

- Possession of an appropriate earned doctorate from a graduate institution of recognized standing; or
- possession of an appropriate terminal professional degree (e.g., C.P.A. and continued certification and Master's degree) from a graduate institution of recognized standing; or
- accomplishments that are considered equivalent (e.g., widely acclaimed recognition in the creative arts or in the professional or business community).
- Other requirements include:
- A minimum of twelve years of full-time, ranked teaching in a regionally accredited university or other university, or foreign equivalent; or a minimum of four years of full-time teaching at the rank of Associate Professor with at least two such years at the University;
- continued evidence of outstanding teaching;
- persuasive evidence of distinguished faculty leadership and of sustained service to the students, the faculty, and the University; and
- persuasive evidence of mature scholarship in the subject matter field, or of widely acclaimed accomplishments in the profession or in the creative arts.

Promotion to this rank, which is considered a most weighty recognition by the University and by the academic community at large, does not depend solely on length of service or the attainment of higher degrees, but is a distinction reserved for those who make an outstanding contribution to their discipline, their institution, and their profession.

Professor Emeritus(a). This rank may be awarded to Associate Professors or Professors who have limited or terminated their responsibilities as a faculty member for valid reasons (e.g., retirement, illness) after ten or more years of distinguished and meritorious service to the University. A Professor Emeritus(a) is so designated and appointed by the President upon the recommendation of the Vice President for Academic Affairs, and the Committee on Rank and Tenure. Faculty members may initiate the recommending process by writing to the Chair of the Rank and Tenure Committee. A Professor Emeritus(a) is accorded the privileges of the regular ranked faculty, except for tenure. The faculty member's name will be recorded at this rank in the University *Catalog* during the remainder of his or her lifetime.

No compensation or fringe benefits accrue by virtue of this rank, unless by mutual written agreement between the Department, the Vice President for Academic Affairs, the President, and the individual. A part-time term contract may be offered to teach or fulfill other duties. In such cases, supplementary benefits, if any, will be set forth in the written appointment letter.

Professor Alumnus(a). Any full-time faculty member with ten or more years of service at Holy Names University who is not given the title of Professor Emeritus(a) and who voluntarily leaves employment with the University will be assigned the honorary title of Professor Alumnus(a).

G. Status and Privileges of Retired Faculty Members

Professor Emeritus(a), Alumnus(a). Holy Names University is committed to retaining close ties with its faculty members who are retired. To this end, the following assistance and privileges are available to these faculty. The University will provide meeting facilities for such former faculty members who wish

to meet as a group, and to the extent that it is financially feasible, will facilitate written communication among group members or between the group and the University. Upon retirement, a faculty member may exchange the Faculty Identification Card for an Emeritus(a) or an Alumnus(a) Faculty Card at the President's Office and this card will provide (subject to the current policies, restrictions and fees applicable to full-time faculty) access to the University's recreational and athletic facilities, its Library, Bookstore, campus parking permits, and its cultural, athletic, and educational events. Such a faculty member may take any course(s) at the University tuition free.

Further, if a spouse and/or dependent(s) is/are receiving benefits under the tuition remission plan in force at the time a faculty member retires, such benefits will continue until the spouse and/or dependent(s) has(have) completed their program of study, or for three years, whichever occurs first. The Public Relations office at the request of such a faculty member, provided that this person keeps his/her current address on file, will assure that notices of major campus activities are sent to the retired faculty member. Such retired Alumnus(a) or Emeritus(a) faculty members may attend the meetings and other activities of their former department or division. However, only those who have active faculty status by current appointment may vote in these meetings. These faculty members are invited to participate in the University's graduation and commencement exercises with appropriate academic dress if they so wish.

H. Visiting Faculty

The University recognizes that from time to time it may employ a part- or full-time visiting faculty member from another institution. Such personnel will be employed by the University on a term contract basis.

This title is assigned to individuals who hold or have held professorial rank (Assistant Professor, Associate Professor, or Professor) at another institution of higher education or have accomplishments that are considered equivalent (e.g., outstanding performance in the creative arts, or in the business or medical community). This academic appointment (e.g., as scholar or artist in residence) is for a limited period of time on a term contract, such time to be agreed upon in writing between the visiting professor and the Vice President for Academic Affairs in consultation with Department/ Chair and with the approval of the President. The University recognizes their academic standing and accords them the usual privileges of ranked faculty including, if full-time or pro rata, a vote and serving on committees.

Any supplementary benefits or special contractual status must be agreed upon prior to recommendation by the Vice President for Academic Affairs and appointment by the President and be stated in the letter of appointment issued.

***Note.** Minimum requirements for appointments in all cases include that, in the judgment of the evaluators at the University, the candidate has full ability and fitness to conform to the expectations for professional behavior towards peer faculty, towards students and toward staff.*

I. Policies on Recruitment and Appointment

Recruitment. The quality of initial appointments is so vital to the pursuit of excellence to which both Holy Names University and the academic departments are committed that the following statements of policy are deemed important guidelines to professional recruitment:

- To assist Holy Names University to maintain an outstanding faculty and to create a professionally challenging atmosphere for the individual, the University is highly selective in making initial appointments.
- In recruiting new faculty members, the University conforms to the Equal Employment Opportunity policies of the University.

Requests to employ additional faculty members, ranked or part-time, ordinarily originate in the Department and are based upon consultation with the relevant faculty. Such requests, with supporting data, are transmitted in writing to the Vice President for Academic Affairs by the Academic Chair.

If the request is denied, the Vice President for Academic Affairs will communicate the reasons for denial and, upon request, will fully discuss them with the Department. If the academic unit is not satisfied, it may request a review of the decision by the President. The President's decision is final.

If the request is approved, the Vice President for Academic Affairs will communicate this decision and will discuss with the Academic Chair pertinent matters such as salary ranges, the means to be used for interviewing prospective candidates, and the recruitment budget.

It is the responsibility of the Academic Chair to publicize the opening in conformity with University policies and to follow administrative procedures for the recruitment process. Faculty members have an obligation to review all applications, to participate in discussions related to the recruitment process, and to opine all questions pertaining to the selection of candidates for interview and the selection of the person to be appointed. They are further obligated to treat all application files and all relevant departmental deliberations as confidential material. The final recommendation to the President rests with the Vice President for Academic Affairs in consultation with the Academic Chair.

The primary focus in evaluating candidates is on their academic and teaching competencies in the field, in light of the program's needs. The Vice President for Academic Affairs is also charged with reviewing a candidate's general orientation towards the Mission of the University. In reviewing the vitae of the candidates, the Chair and faculty members, and/or the Vice President for Academic Affairs, may obtain consultation or opinions from inside or outside the University. All evaluators are expected to form a judgment of the candidate's ability and fitness to conform to the behavior expectations placed upon faculty of the University.

The Department/Division will submit to the Vice President for Academic Affairs, the vitae and other supporting materials, including official transcripts of degree studies, for the candidates judged most adequate for the position and will indicate the candidate selected by the faculty. The Vice President will recommend the candidate selected by the faculty unless the Vice President's own review indicates in his/her judgment, a lack of qualification or of congruence between the candidate's general educational orientation and the Mission of the University and/or insufficiency in the candidate's ability and fitness to conform to the expectations for professional behavior towards peer faculty, towards students and toward staff.

In such a situation, the Vice President will discuss his/her reasons with the faculty and an attempt will be made to resolve the difference of opinion. If no resolution is achieved, the Vice President will direct the academic unit to select another candidate or will refer it to the President for a final decision. All appointments of faculty are made by the President. It is the responsibility of the Academic Chair and the Vice President for Academic Affairs to transmit this Handbook to the offeree.

The Vice President for Academic Affairs, in consultation with the Academic Chair, will determine the amount of prior teaching experience to be recognized as applicable towards promotion and/or tenure and will communicate this information in writing to the offeree and the Chairperson.

No person at the University is authorized to make commitments to prospective appointees, other than the Vice President for Academic Affairs, who must first have budgetary clearance from the Vice President for Finance and Administration and approval from the President.

Appointment of Ranked Faculty. All appointments of faculty are made by the President, on the recommendation of the Vice President for Academic Affairs and the respective Department. In making the presentation to the President, the Vice President for Academic Affairs will review the basis of the departmental selection and recommendation.

All initial ranked appointments are either term or probationary and are for one year only, unless explicitly stated to the contrary in the letter of appointment. The precise terms and conditions of every new appointment will be clearly stated in the initial letter of appointment. The rank offered new faculty members must be in accord with requirements of that rank and with the policies on promotion and tenure in this Faculty Handbook. Every appointment to the faculty will be made by letter of appointment signed by the faculty member and the President of the University, and will state the rank, salary, length of appointment and other conditions of the appointment.

Each offeree will be presented with a copy of the Faculty Handbook. Acceptance of the appointment will be indicated by signing the letter of appointment which is deemed to include Part II of this Handbook.

Appointment of Part-Time Faculty. Appointment of part-time faculty is made for a specific scheduled length of time. Such appointments are usually also subject to adequate enrollment in the faculty member's course. The letter of appointment for part-time faculty will include title, salary, course number, hours of credit, and required enrollment. The contract may indicate the date by which the appointment must be accepted.

Appointment of Summer Session Faculty. Summer Session faculty may be ranked or part-time. They are selected by the Academic Chairperson in consultation with the Vice President for Academic Affairs in accordance with the needs of the University. Summer Session faculty are hired to teach specific courses during the summer. Time spent teaching in Summer Session does not count toward promotion. The contract for teaching in the Summer Session will include title, salary, course number, hours of credit and required enrollment. The contract may indicate the date by which the appointment must be accepted. Summer Session faculty are expected to be available for a reasonable amount of time to advise students regarding their coursework. While it is difficult to specify the appropriate amount of time a faculty member should be available, because of the varying types of courses offered and number of students enrolled, the amount of time allotted should be based on a minimum of one and one-half hours per week for each three-hour course.

J. Personnel Documents and Records

Because appointment as a ranked faculty member may lead to a continuing relationship with the University, it is essential that there be adequate and detailed documentation to support every important action pertaining to appointment, promotion, tenure, layoff, and dismissal. The University maintains personnel files for each faculty member. These files are kept in the office of the Vice President for Academic Affairs.

A pre-employment file contains all materials required or received by the University in connection with the faculty member's original employment. Prior to appointment, this file is available only to the Vice President for Academic Affairs, his/her professional staff, and the members of the academic unit considering the person's application for employment. After appointment, items in the file which are not of a confidential nature (e.g., academic transcripts, reprints) are transferred to the faculty member's personnel file.

The individual personnel file will include, but not be limited to, the following: information relating to the faculty member's academic and professional accomplishments, submitted by the faculty member or placed in the file at his/her request; copies of Chairperson's evaluations of the faculty member's professional performance and the formal recommendations of the Committee on Rank and Tenure, and of administrators; personnel information official transcripts for degree work; a resume of the faculty member's accomplishments; annual contract request; evidence of professional accomplishment; self-studies prepared by faculty member for periodic reviews and rank and tenure reviews; official action letters for promotion; and at the faculty member's direction, his/her response to documents within the personnel file.

This file is available only to the President, Vice President for Academic Affairs and his/her professional staff, the Department/Chair, the individual faculty member, the Committee on Rank and Tenure, the Director of Human Resources, CFO, and University legal counsel. In addition, the faculty member may, for the cost of duplication, obtain copies of materials in his/her personnel file. Any such copies will be made by a staff member of the Office of the Vice President for Academic Affairs. Notice of 10 working days in ordinary situations should be given the Vice President for Academic Affairs by a faculty member who wishes a file or materials therefrom copied.

Files will be kept in strictest confidence in the office of the Vice President for Academic Affairs and will be available for confidential use only in or near that office during regular business hours and only to the individuals indicated above. However, for a valid reason, the faculty member may request in writing for the University to give access to his/her file to a person not indicated above.

Further, the University may permit access to and copying from such files pursuant to lawful requests of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.

The University's Human Resource department will maintain separate files containing pay, health and grievance information, respectively.

Official Roster. The Vice President for Academic Affairs maintains a complete official roster of faculty members, showing for each faculty member his/her name, email address, telephone number, address, title, and such other information as is deemed desirable. All faculty employed by Holy Names University should notify the Vice President for Academic Affairs of any change of address and telephone number; otherwise any notice sent by United States mail to the address of record shall be deemed to have been sufficiently given. In addition, the Dean maintains a list of ranked faculty which includes information on dates of appointments, of tenure, of latest reviews, of sabbaticals and leaves of absence, etc.

K. Evaluation Criteria and Procedures for Decisions on Periodic Review, Promotion in Rank, and Advancement to Tenure

Throughout each faculty member's career there is regular evaluation. In the first two years of full-time employment, or its equivalent, this will be done annually by the Chair, who reports to the Vice President for Academic Affairs. The faculty member is entitled to receive copies of such evaluations and related recommendations. See Appendix for Annual Evaluation Form. Evaluation will be done by the Committee on Rank and Tenure at intervals specified in this Handbook.

Evaluation Criteria. By establishing criteria for the review, reappointment and advancement in rank, the University demonstrates its commitment to acquiring and retaining the best possible faculty. The criteria are grounded in the Catholic and liberal arts character of the University. The University's Mission is partially reflected in the faculty member's commitment to personalized education of students, humane values, tolerance, and respect for other disciplines.

Of primary importance, but not alone sufficient for advancement or tenure, are Teaching Effectiveness and Development. Service to Students and to the University, Professional Activities, Research and Creative Work are also essential. Service to the Community is taken into account. Demonstrated commitment to maintaining professional behavior towards peer faculty, students and staff, is also essential.

The Criteria

Teaching Effectiveness and Development. The attributes and qualifications which should be demonstrated and documented in assessing teaching effectiveness and development include, but are not necessarily limited to:

- Command of the subject and currency in one's discipline (cf. Chairperson's Evaluation and Self-Evaluation, Student Evaluations, Syllabi);
- logical, organized, and imaginative presentation of subject matter in the classroom (cf. Student Evaluations, Chairperson's Evaluation, Self-Evaluation, Syllabi);
- ability to evoke and broaden students' academic interest in the subject matter (cf. Student Evaluations, Self-Evaluation);
- fairness and objectivity in teaching in accordance with the principles of Academic Freedom and Professional Ethics as stated in the Handbook (cf. Chairperson's Evaluation, Student Evaluations, Self-Evaluation);
- effective use of teaching methods appropriate to the subject matter (cf. Chairperson's Evaluation, Self-Evaluation, Syllabi);
- development of new courses or programs and/or adjustments to existing courses (cf. Self-Evaluation, Chairperson's Evaluation); and
- involvement in activities designed to improve teaching and/or enhance command of discipline and general education program, such as attending Integrative Studies across

Cultures Program conferences, Dean's conferences, faculty colloquia, workshops, conferences, or special courses (cf. Self-Evaluation, Chairperson's Evaluation).

Service to Students. The faculty member's service to students includes, but is not limited to:

- Effective academic advising and availability to assigned advisees and to students in taught classes (cf. Self-Evaluation, Chairperson's Evaluation, Student Evaluations);
- demonstrated interest in student development other than in academic advising, as evidenced by such things as serving as a student activities advisor or participating in student activities;
- service as an advisor in academic enrichment programs and as a mentor for the Integrative Studies across Cultures Program;
- encouragement of student participation in professional organizations and involvement in career development, cooperative education, and/or intern programs (cf. Chairperson's Evaluation, Self-Evaluation);
- availability to teach students in both traditional and adult baccalaureate degree programs; and
- support for the Mission of the University and its institutional philosophy, which minimally includes respectful behavior toward each member of the diverse University community.

Service to the University. Activities and qualities to be assessed include, but are not limited to:

- Performance and initiative in divisional and program responsibilities (cf. Chairperson's Evaluation, Self-Evaluation);
- willingness to accept and carry out in a faithful manner administrative assignments as evidenced by service as Academic Chairperson, Program Director/Coordinator, Committee Chairperson, etc. (cf. Self-Evaluation);
- service on University committees and attendance at Faculty Senate, Division/Department/University meetings, attendance at University Assemblies (cf. Self-Evaluation, Chairperson's Evaluation, committee lists); and
- participation in special activities and events such as Orientation, Campus Days, Career Nights, Alumni and Advancement Office projects, recruitment, and/or participation in other special University programs such as University symposia, lecture series (cf. Self-Evaluation).

Professional Activity, Research and Creative Work. The faculty member's commitment to his or her profession and discipline will be demonstrated by, but not limited to:

- High quality performance in research or creative work as evidenced in publication, grants and projects, patents and/or inventions, performances, professional papers and speeches, acting as a professional consultant (cf. Self-Evaluation); and
- high quality involvement in professional activities such as receipt of fellowships or grants, membership in professional organizations, attendance at professional conventions, conferences or University (cf. Self-Evaluation).

***Note:** Minimum requirements for appointments in all cases include that, in the judgment of the evaluators at the University, the candidate has full ability and fitness to conform to the expectations for professional behavior towards peer faculty, towards students and toward staff.*

General Procedures

The policies and criteria set forth in this Handbook for the periodic review of all full-time and pro rata faculty members and the granting of promotion in rank and/or advancement in tenure shall be implemented by the Rank and Tenure Committee of the Faculty Senate. In order to do this as fairly and efficiently as possible, the Committee has developed forms, guidelines, and timelines to be used by both faculty members and chairpersons. (See Appendices.)

A distinctive feature of these procedures is that the faculty member shall complete an extensive and high-quality self-evaluation (Faculty Review Form), which necessitates considerable explanation and documentation. Faculty members are encouraged to keep accurate records of their academic responsibilities, service to the University and community, professional growth, and scholarly pursuits. They are also encouraged to seek advice from their Chair or the Chair of the Rank and Tenure in preparation for their Self-Evaluation.

Periodic Review Procedures. All full-time and pro rata ranked members of the faculty are required to undergo periodic review. Untenured members (probationary and term) are minimally reviewed at their third and fifth year of full-time employment (or its equivalent) and at three-year intervals thereafter. Tenured members are reviewed every five years.

The Committee on Rank and Tenure notifies the faculty member who is to be reviewed, providing the necessary timelines to both the faculty member and his/her Chairperson.

Each faculty member being reviewed compiles the material requested on the Faculty Review Form (Appendix) and submits copies to the Chairperson of the Rank and Tenure Committee, to his/her Chair, and to the Vice President for Academic Affairs. The faculty member also submits course syllabi to the Rank and Tenure Committee. The Division/Department/University Chairperson, after consulting with the appropriate tenured faculty (in special situations, non-tenured faculty members may be consulted), submits to the Chairperson of the Rank and Tenure Committee an evaluation of the faculty member being reviewed, basing this evaluation on materials submitted by the faculty member, the student evaluations and perceptions of the member's qualifications, achievements, strengths and weaknesses. The Chairperson also submits student evaluations, including summary compilations, to the Committee. The Committee on Rank and Tenure assesses all of this information and sends to the faculty member its own evaluation, sending copies to the Division/Department/University Chairperson, the Vice President for Academic Affairs, and the President. If the faculty member being reviewed is a Chairperson, he/she will consult with the Dean who will, in turn, appoint a tenured faculty member to gather the necessary information and write the letter to the Rank and Tenure Committee.

Promotion Procedures. Written requests for reviews for promotion are made to the Chair of the Rank and Tenure Committee, with a copy to the Vice President for Academic Affairs. These requests are usually presented by the respective Division/Department/University Chairperson but may be initiated by individual faculty members. Before being considered for promotion a faculty member must have had a periodic review conducted by the Rank and Tenure Committee. The faculty member being considered compiles the material requested on the Faculty Review Form and submits copies to the Committee on Rank and Tenure, the Chairperson and the Vice President for Academic Affairs. The faculty member also submits copies of course syllabi to the Peer Evaluation Committee.

The Department Chair, in consultation with the faculty member and the Vice President for Academic Affairs, selects a Peer Evaluation Committee. The Peer Evaluation Committee should have five persons who can appropriately conduct a peer review. The Committee includes the Chair and four tenured members selected from the faculty members of the Department who are currently at or above the rank being sought by the faculty member being reviewed. Committee members may be supplemented as needed by tenured faculty from related subject areas. If the person being considered is an Academic Chair, the Vice President for Academic Affairs selects an appropriate peer review committee chair who, in consultation with the Dean, forms the committee. The Peer Evaluation Committee submits to the Rank and Tenure Committee (with a copy to the Vice President for Academic Affairs) a written evaluation of the faculty member's qualifications for the advancement in rank in accordance with the guidelines in Appendix and this Handbook. The Peer Evaluation Committee also submits the originals and summaries of student evaluations as well as course syllabi to the Rank and Tenure Committee.

The Committee on Rank and Tenure studies all materials submitted and the Review Committee's evaluation. Additional materials may be requested by the Committee to assist with the evaluation. It makes its recommendation to the President, whose decision on this matter, when reviewed by the Board of Trustees, is final. All decisions about promotions are given to the faculty member in writing by the President. All petitions regarding these decisions should be addressed to the President. See this Handbook for grievance procedures.

Tenure Application Procedures. Written requests for evaluation for tenure are made to the Chairperson of the Rank and Tenure Committee (with a copy to the Vice President for Academic Affairs). Since the acquisition of tenure is solely by an affirmative act evidenced by a writing signed by the President of the University, the individual must in writing request review for tenure during the seventh year of probationary status or its equivalent in cases where the probationary period was shortened or extended by written agreement. Consultation with the Chair and the Vice President for Academic Affairs should precede the written request to the Rank and Tenure Committee. The individual faculty member may not apply for tenure until he/she is in his/her seventh year of probation or its equivalent, as defined above.

The faculty member compiles the material requested on the Faculty Review Form. It is the faculty member's responsibility to provide evidence to demonstrate competence, professional and intellectual growth, and his/her particular qualifications for effective future membership in the academic community, at the level required to persuade evaluators. One copy of the material is submitted to the Committee on Rank and Tenure, one copy to the Vice President for Academic Affairs, and one copy with course syllabi to the Department/Division Chair, who organizes the faculty member's Peer Evaluation Committee.

The Department/Division Chair, in consultation with the faculty member and the Vice President for Academic Affairs, selects a Peer Evaluation Committee. The Peer Evaluation Committee should have five persons who can appropriately conduct a peer review. The Committee includes the Chair and four tenured members selected from the faculty members of the Department, or tenured faculty from related subject areas. If the person being considered is an Academic Chair, the Vice President for Academic Affairs selects an appropriate peer review committee chairperson who, in consultation with the Dean, forms the committee. The Peer Evaluation Committee submits to the Rank and Tenure Committee (with a copy to the Vice President for Academic Affairs) a written evaluation of the faculty member's qualifications for tenure in accordance with the guidelines in Appendix. It also submits the originals and summaries of student evaluations and the course syllabi.

Each member of the Committee on Rank and Tenure studies all material submitted and the Review Committee's evaluation. Additional materials may be requested to assist with the Committee's evaluation. The evaluation for the awarding of tenure is the most stringent assessment. It differs from previous evaluations for promotion because the tenured faculty member will have a significant long-term influence on the academic community and will have expectation of employment as a faculty member until retirement. On the basis of its well-considered judgment, the Committee on Rank and Tenure presents a written evaluation and recommendation as to the faculty member's candidacy for tenure. The written evaluation and recommendation is transmitted by the Chair of the Committee on Rank and Tenure to the President, who makes the decision and presents it to the Board of Trustees. The decision on the application for tenure is communicated to the faculty member in writing by the President. The faculty member may thereafter within 30 days, request the Vice President to provide the faculty member with a written statement of the reasons for a decision of denial of the application. All petitions regarding this decision are to be addressed by the faculty member to the President. See this Handbook for grievance procedures.

L. Other Policies on Advancement in Rank and Tenure

Promotion in Rank. A definition of ranked faculty is given in this Handbook together with the number of years one must serve in a rank to be eligible for promotion to a higher rank. Advancement in rank is not automatically conferred following completion of the minimum time of service for each rank. In order to be promoted, the candidate must not only have satisfied the criteria for the rank and the required years of teaching, but also in the judgment of the reviewers, must have satisfied the criteria described above.

The Committee on Rank and Tenure and other evaluators will consider the primary criterion, teaching effectiveness and development, to be the most essential qualifications for advancement in rank. In applying the other essential criteria, the Committee will take into consideration differences inherent within the disciplines and the rank being sought. The higher the rank, the greater the expectation that each of the criteria will be fulfilled in greater degree.

A faculty member who has been denied promotion may ask to be reviewed again by the Committee on Rank and Tenure if, in responding to the specific points made in the President's letter explaining the denial, he/she believes he/she has significantly improved his/her rating on the criteria. A faculty member may request such a review only after two years; the number of reviews for the same rank will be limited to a total of two.

Advancement to Tenure. Tenure is granted in a specific discipline or in specified cross-disciplines, and not granted in the University as a whole. An award of tenure at Holy Names University is solely acquired by and evidenced by a letter of appointment and contract with continuous status, executed by the President, and is not acquired on the basis of length of employment with the University, however long.

Tenure is not granted solely on the basis of time served in teaching. To be granted academic tenure at Holy Names University, full time ranked faculty members must not only be judged to fully fulfill the criteria for the rank which they are pursuing, but also be judged capable of being promoted to the next rank at the appropriate time and show promise that they will remain productive members of the academic community and of the University.

***Note:** Minimum requirements for appointments in all cases include that, in the judgment of the evaluators at the University, the candidate has full ability and fitness to conform to the expectations for professional behavior towards peer faculty, towards students and toward staff.*

The review for advancement to tenure is only done once. A faculty member who is denied tenure may be offered a final one-year full-time term contract.

Special Action by the Board of Trustees. Promotion or tenure may be granted by special action of the Board of Trustees on recommendation from the President given in his/her sole and reviewable discretion, when a person's unique qualifications make this appropriate, even though they differ from those required. Recognized scholarship and eminent contributions to education, both inside and outside the classroom, are criteria that may influence the Board to waive requirements.

M. Intellectual Property Policy, Academic Freedom, Faculty Code of Ethics, Rights and Obligations of Faculty Members

Intellectual Property Policy

General Rule: At Holy Names University (HNU), each faculty member owns the copyright to all scholarly and artistic work (including all derivatives thereof) that s/he creates in the course of employment with HNU and only the following exceptions will be applied. Scholarly and artistic work includes items such as books and articles, novels, plays, musical creations, choreography, works of art, films, textbooks, software, and original parts of University course materials.

Use of Course materials pertains to original work created by University faculty members such as lecture notes, study guides, visual aids, images, diagrams, multimedia presentations etc. As to the work that the faculty member creates and its derivatives, the creating faculty member and the University each has the full right to use without permission of or cost to the other, except that sale to or use of the course by for-profit entities is prohibited. However, the University may not use works that contain the image or voice of a faculty member without the permission of that faculty member.

On-Line Course Development: Rights of the University and the faculty member in the work created when the University assigns a faculty member to develop on-line, hybrid and/or

“distance learning” courses are allocated and stated in a special written work-for-hire agreement voluntarily signed by the University and the faculty member.

University-commissioned work is the work created when the University assigns the employed faculty member to perform a specific task with a defined outcome. This is a work for hire for which the University holds the copyright.

Supported work is the work created when there is significant financial or other support for the work from the University or from an external sponsor. This is a work for hire for which the University and/or the third party holds the copyright unless the applicable third-party agreement cedes the copyright to the creator of the work. Incidental use of University resources such as University space or office, library, computer, time of University administrators and employees, and the like does not make the work a “supported” work. “Significant financial or other support” does not include sabbatical or other leaves or internal grants unless the University specifically so designates at the time the leave or grant is awarded.

Additional Policy for Course Materials: For full-time faculty members who contribute original work to course materials, while the faculty member is employed by the University, original work should not be revised, edited, supplemented, or incorporated into courses taught by others without an opportunity for that faculty member to provide editorial input and correction. The University shall give written notice to the faculty member who created the work contained within University course materials. No notice is required when used by the University in courses being taught by the creator. The purpose of this notice is to afford an opportunity for the creator to inform the University if the University’s intended use of the work is academically incorrect in the view of the creator.

Fair Use: The University’s mission is to educate engaged and accomplished citizens. Increasingly this requires copying, digitizing, distributing, or displaying library or other materials that may be under copyright. Fair use is a broad, flexible doctrine that can assist educational institutions and their faculty and students to meet their mission in the digital age.

The University supports fair use as defined by The Association of Research Libraries (ARL). In addition, the University supports the use of a “Fair Use Checklist” for using copyrighted materials in teaching. Fair use is determined, in part, on the application of four factors: (1) the *purpose* of the use; (2) the *nature* of the work used; (3) the *amount* and substantiality of the portion used; and (4) the *effect* of the use upon the potential market for or value of the work used. The University Library website provides information on fair use including a checklist to assist faculty in evaluating materials for fair use.

University Students: Original work solely created by a student of the University while a student is governed by the policies above. The student right does not extend to the data or other scholarly information that the student may have collected, obtained or used during a project, research or other work supervised by University faculty or other employees. The University may display, copy, and distribute works of student-developed material, including but not limited to undergraduate or graduate theses, for University use without payment of royalties or other fees to the student.

Work created by a student or student-employee in the course of being directed by a faculty member, to assist in that faculty member’s scholarly work, shall be considered the work of the faculty member and not of the student. The University shall have, as a condition of its award of

academic degrees, the royalty-free right to retain, use and distribute a limited number of copies of dissertation, thesis and related material, together with the right to require its publication for archival use, for educational-related purposes.

Patents: All patented inventions, and all potentially patentable inventions by members of the University faculty or staff (including student-employees) of the University in the course of their University responsibilities, and/or with more than incidental use of University resources, shall be disclosed in writing to the University Provost. The faculty member and the University shall share royalties from inventions 50-50 after deduction of 15% to cover the administrative overhead.

Works of Non-University Employees: Works of non-University employees, including independent contractors and consultants, are considered commissioned or supported works.

Disputes and Exceptions: Disputes involving current faculty members will be handled under the Grievance Procedure of the Faculty Handbook. Any exceptions to the policy must be stated in written agreements between the Provost and the faculty member.

Statement on Academic Freedom and Professional Ethics. It is fundamental to the health of an academic institution and ultimately to the health of a society at large that individual persons and groups of persons exercise their God-given responsibility and freedom to search for the truth, and to speak the truth as it is discovered. In an academic community, the corporate person of the University institution and the persons of the faculty, administration, and the student body bear mutual responsibility to exercise professional competence and to extend to one another the trust and respect which foster an environment for the exercise of academic freedom.

Holy Names University endorses the principles of academic freedom. As a learned person and as a teacher at a Catholic university, each faculty member must recognize that people will judge both the profession and the institution by what is said in the classroom and in public. With this preamble, the University will honor the following specific statements on academic freedom and on professional ethics with the clear understanding that these are Holy Names University's policies and procedures, though similar to those recommended by the American Association of University Professors and other organizations.*

Academic Freedom

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties; but research for pecuniary return will be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to the subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.

* The American Association of University Professors, Policy Documents and Reports (January 1977): "Academic Freedom and Tenure" (1940) Statement of Principles; "Statement on Professional Ethics" (1966).

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

Professional Ethics

1. Guided by a deep conviction of the worth and dignity of the advancement of knowledge, faculty members recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, they spend energy on developing and improving their scholarly competence. They accept the obligation of exercising critical self-discipline and judgment in using, extending and transmitting knowledge. They practice intellectual honesty. Although faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, faculty members encourage the free pursuit of learning in their students and hold before them the best scholarly standards of their discipline. They demonstrate respect for students as individuals and serve as their intellectual guides and counselors. They make every reasonable effort to foster honest academic conduct and to assure that the evaluation of students reflects their true merit. Faculty members respect the confidential nature of the relationship between professor and student. They avoid any exploitation of students for private advantage and acknowledge significant assistance from them. Faculty members protect the students' academic freedom.
3. As a colleague, the faculty member has obligations that derive from common membership in the community of scholars: to respect and defend the free inquiry of associates; to show due respect for the opinions of others in the exchange of criticism and ideas; to acknowledge academic debts and to strive to be objective in the professional judgment of colleagues; to accept a share in faculty responsibilities for the governance of the institution.
4. As members of an academic institution, faculty members seek above all to be effective teachers and scholars. Although they observe the stated regulations of the institution, provided these do not contravene academic freedom, they maintain the right to criticize and seek revision. When considering the interruption or termination of their service, faculty members recognize the effect of this decision upon the program of the institution and give due notice of their intentions.
5. As members of society, faculty members have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibility to their subject, to students, to the profession, and to the institution. When speaking or acting as private persons, faculty members avoid creating the impression of speaking or acting for the University. As citizens engaged in a profession that depends upon freedom for its health and integrity, faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Disputes involving a charge that academic freedom has been abrogated or that professional ethics have not been maintained are to be settled through the established Grievance Procedure (see page 58). While affirming academic freedom as a right, Holy Names University recognizes that, in some circumstances, the question of academic freedom becomes enmeshed in questions of professional incompetence or irresponsibility. In the effort to distinguish between these two easily confused issues, the guiding principle is that charges of professional incompetence or irresponsibility shall not be used to limit academic freedom, nor shall appeals to academic freedom be acceptable as a shield for professional incompetence or irresponsibility.

N. Workload and Responsibilities

Workload. Every full-time faculty member is expected to devote full-time service to Holy Names University, and to pursue those academic activities which will be of benefit to the students, the Department, the University, and the faculty member's own academic growth. Teaching and affiliated scholarship are at the core of the mission of the faculty at HNU. Affiliated scholarship includes research, publication, presentation, exhibition, performance, or similar creative expressions and public disseminations associated with a member's field of endeavor. Academic advising is an essential extension of the faculty member's role as teacher.

Faculty members, both full-time and pro rata, have certain collective responsibilities, exercised through the work of faculty committees: Faculty Senate, Department, and specific program committees. Faculty members determine the curriculum in the liberal arts tradition; they continually study its effectiveness and work to introduce changes as they become desirable. The faculty establishes and maintains standards by which the University can guarantee that its academic programs and services express the Mission of the University and the tradition of a Catholic liberal arts university.

Faculty members, full-time and pro rata, are responsible for attending Department meetings, Faculty Senate meetings, various other academic and all-campus meetings, serving on committees, and attending Convocation, Baccalaureate, Master's Hooding (where appropriate), and Commencement.

Full-time Faculty members are expected to serve on two committees. This includes Faculty Senate Committees and any University-wide Committees, excluding search committees. Full-time faculty in their first year of employment and pro rata faculty are expected to serve on only one such committee. Emeritus faculty may serve on committees at their discretion, providing they meet committee requirements. The Chair, Vice Chair and outgoing Chair of the Faculty Senate jointly oversee all committee assignments to ensure an equitable distribution of workload.

In addition to collective responsibilities as committee members, faculty members have certain individual responsibilities with regard to teaching and advising. In order to provide students with adequate opportunity to confer and consult with their advisors, each faculty member should post his or her office hours. The faculty member is expected to be familiar with other services provided for the welfare of students and to make referrals to these services when a student's need for them is recognized. Full-time faculty and pro rata faculty are responsible for academic advising of approximately 25 students per term, as determined by the needs of the Department. Faculty members advising fewer than 10 students will be expected to assume one additional committee assignment or other responsibility at the University as mutually agreed upon by the faculty member, the Chair of the Senate and the Vice President for Academic Affairs. Faculty members advising more than 35 students will have only one committee assignment.

Because teaching involves time and energy above and beyond that spent in the classroom, the University restricts class loads and establishes norms for full-time status. Ordinarily, the full-time faculty load does not exceed twenty-four teaching units per academic year. The teaching load may be distributed over morning, afternoon or evening hours, Mondays through Saturdays. Under extraordinary circumstances, a faculty member may be requested by his/her Academic Chairperson and the Vice President for Academic Affairs to assume one extra course per academic year. Normally, a faculty member assuming additional course units per year beyond 24 will be compensated at the adjunct pay rate comparable to his/her rank. Teaching loads of fewer than 24 teaching units must be negotiated and included in the faculty member's contract.

Chair and the Vice President for Academic Affairs, after consultation with the faculty member, make the annual teaching assignments. Units are assigned as follows:

1. Lecture-type instruction: one student credit is equivalent to one teaching unit.

2. Special Circumstances:

- a. **Math and Sciences:** Lower division science laboratories: each class hour is equivalent to 0.75 teaching unit. Upper division science laboratories: each class hour is equivalent to one teaching unit. Each faculty member will teach no more than one upper division laboratory per year.
- b. **Music:** Performance, skill development, and Kodály practicum classes: one student unit is equivalent to 1.5 teaching units. Major performing ensembles: one student unit is equivalent to 3 teaching units.
- c. **Art studio classes, including combined levels of the same studio discipline:** each class hour is equivalent to 0.75 teaching unit.
- d. **Nursing:** The undergraduate and graduate Preceptor Coordinators are each given 4 teaching units.
- e. **Education:** During each semester that a candidate is enrolled in a Master of Education thesis supervision course (Education 298A-C), the faculty member chairing the thesis committee will receive 0.333 units per candidate, or one unit for every three candidates enrolled. In the Education Department, supervision units are assigned based on the number of visits to the credential candidate per semester. Every four visits to a site equal 0.25 units of supervision.
- f. **Graduate Practica with Field Supervision:** Faculty who teach a practicum that requires them to perform regular site visits to student field placements receive 0.25 units for each student supervised in the field plus one teaching unit for the on-campus seminar related to the course.
- g. **Undergraduate Academic Internships:** 0.25 teaching units for each student enrolled in an internship (196) class of 3 credit hours. Any units taught over the full-time load of 24 units will be compensated at the adjunct pay rate.
- h. **Team taught course (two teachers, shared responsibilities for the entire three-unit course):** two units each. A limited number of such courses may be offered each year as determined by

the Academic Chairs and the Vice President for Academic Affairs, consulting with the Vice President for Finance, and with the approval of the President.

- i. In order to encourage research and other creative endeavors above and beyond the norm, the University will make available every academic year three units in lieu of classroom teaching for every ten full-time faculty members under contract. The criteria for applying for and awarding such units will be set forth by the Faculty Development Committee. The Faculty Development Committee, in consultation with the Vice President for Academic Affairs and the Chairperson of the faculty member seeking such an award, will determine who receives any available units for the coming academic year.

If enrollment falls below the number approved by the Vice President for Academic Affairs for a particular class, the class may be cancelled in consultation with the respective Division Chair or Program Director. When such action is taken, the faculty member scheduled to teach that class may have other appropriate duties assigned in order to have the equivalent of a full workload.

3. Administrative Units:

- a. Administrative units are allotted for administrative roles within Divisions/ Departments/ Universities. Faculty members are appointed to each position by the President in consultation with the Chairperson and the Vice President for Academic Affairs. The appointment will define the position and will include goals which are updated annually.
- b. Within the Faculty Senate structure, the Chair of the Faculty Senate is given six administrative units and the Vice Chair, three. Aside from their already delineated responsibilities (e.g. attending meetings of the Institutional Planning Council, respective Undergraduate and Graduate Curriculum and Standards Committees, Faculty Welfare Committee and Academic Affairs Subcommittee), the Chair and Vice Chair will not be required to serve on any other committees.

Academic Standards, Responsibilities and Policies. The faculty member is expected to be familiar with the academic policies of the University which are stated in the University *Catalog* and summarized in Part III of this Handbook.

After conferring with the faculty member and Chairperson, the Vice President for Academic Affairs and the Registrar assign class hours and rooms, which then are printed in the schedule of classes. It is the faculty member's responsibility to request of his/her Chairperson and/or of the proper office any change deemed necessary and to fulfill his or her teaching schedule regularly.

Regular and reliable faculty attendance is essential to maintain the academic integrity of the University program. Classes should begin and end promptly to allow the full amount of class time to which students are entitled.

The ability to provide high-quality attendance for teaching and advisory services is essential for all faculty.

Because of the pivotal role held by faculty, absences impinge on the integrity of the assigned classes. Therefore, in case of a foreseeable absence, the faculty member should arrange for a substitute whenever

possible, either directly or through his/her Chairperson. In case of an emergency absence, the faculty member should notify the Chairperson and the Vice President for Academic Affairs. Missed class contact hours should be rescheduled by the faculty member. Due to the limited contact hours in the Weekend University format, all missed class hours must be rescheduled even if this means meeting on days and times other than on the schedule.

The University calendar, which is printed annually, includes the beginning and ending dates for all classes as well as scheduled academic holidays. Each faculty member is responsible for adhering to these dates and for notifying his/her Chairperson and the Vice President for Academic Affairs if, due to serious circumstance, he/she needs to deviate from these dates for his/her class meetings. Dismissing classes before the end of the scheduled term or at times other than scheduled holidays without these permissions is considered serious and creates unfair pressures on other faculty members.

On-Campus Hours. All faculty members should make themselves available for student consultation and appoint definite office hours. This schedule should be included on all course syllabi and posted so that students can have recourse to it when needed. It should be so arranged that it is possible for all students at some time to see their instructors outside of class times. Advisors should arrange extra hours for consultation during the first week of each term until final decisions regarding classes have been reached. During orientation and registration times and at the end of each term, faculty should be available for those who wish to have academic advising.

Service to the Institution. Holy Names University can function effectively only if its faculty members participate actively in University governance. Faculty members must be willing to undertake a reasonable number of non-teaching assignments, attend meetings, contribute their ideas and experience during the decision-making process, and shoulder their fair share of the work.

Department. The faculty member's first line of administrative responsibility is to his/her Chair and to the Department to which he/she is assigned. The faculty member should maintain regular communication with faculty members within his/her academic unit and perform the various duties assigned within this unit. All full-time and pro rata members are expected to attend their respective Department meetings and to participate actively in the work of the academic unit related to curriculum development, student advising, academic policy evaluation, and personnel matters.

University. All full-time and pro rata faculty members are expected to serve on University committees and to be available for other non-teaching assignments such as serving as a moderator of a student group, accepting short-term administrative responsibilities, and assisting at orientation and registration and/or pre-registration. Members of the full-time and pro rata faculty are expected to attend all meetings of the Faculty Senate and all University academic functions. The presence of the faculty is explicitly requested for Convocation, Master's Hooding (if appropriate), Baccalaureate and Commencement. As a courtesy, the faculty member should notify the Vice President for Academic Affairs (or the President of the University for Convocation, Baccalaureate, Commencement) when it is necessary for him/her to be absent from any of these functions.

Faculty members are encouraged to attend special meetings and workshops, lectures, concerts, dramatic productions, and other events sponsored by the University, the academic units, and student groups.

Political Activity. Any member of the full-time or pro rata faculty who wishes to engage in direct political activity which will involve a substantial amount of time (e.g., holding or running for political office, managing a campaign, directing group action on behalf of a political candidate or issue) is expected to work out a mutual agreement for released time with his/her Department Chairperson and the Vice President

for Academic Affairs at least one semester before undertaking such activity, In addition, his/her faculty contract may be renegotiated to reflect this change.

Outside Employment and/or Business Interests. Since the full-time faculty member is considered a professional at the University, his/her first duties are to the University. Outside employment, business interests or consulting activities must not diminish a faculty member's effectiveness as a member of the University faculty. These outside activities must be clearly subordinate to the individual's teaching, advising, and University service functions, and must be held to a minimum during the academic year.

A full-time faculty member who desires to establish an outside employment relationship or business interest during the regular academic year shall secure in advance the written approval of his/her Chair and the Vice President for Academic Affairs. Since the needs of the University and the academic units may vary, it is necessary to have such approval renewed each academic year at the time of contract negotiations. Violation of this provision constitutes breach of contract.

Recognizing both that faculty may wish occasionally to engage in additional teaching or employment and that there is also a need to acknowledge their primary responsibilities at Holy Names, a full-time faculty member may choose to do only one of the following per semester: engage in outside employment other than teaching one day a week; or be considered for teaching one three-hour course at another institution.

In the exceptional case, where a faculty member wishes to exceed the above guidelines for good cause and on a temporary basis not to exceed one academic year, such an exception must be agreed to in writing by the faculty member, the Chairperson, and the Vice President for Academic Affairs.

These restrictions do not apply during the summer, nor are they intended to restrain a faculty member from delivering occasional lectures at other institutions.

The outside employment should not be in competition with the University. The burden of proof for this non-competition rests with the faculty member to substantiate during his/her negotiations with the University.

Consulting. In some fields, there are opportunities for doing consulting work within one's professional areas. Within reasonable limits, this kind of pursuit may provide valuable experience for the faculty member and thereby promote his/her professional growth and development. The work done, however, must be of a professional character commensurate with the individual's capabilities, experience, and status. Insofar as consulting work is most often akin to outside employment, the faculty member is bound by the strictures set forth in "Outside Employment and/or Business Interests" above. He/she should not expect any reduction in load for engaging in consulting work unless the work is for Holy Names University, or such arrangements have been mutually agreed to in writing by the faculty member, the Academic Chairperson, and the Vice President for Academic Affairs.

Use by Full-Time Faculty of Research Grants/Stipends/Consulting Fees/Royalties. If the instructor wants release time, up to six units in an academic year, in order to conduct his/her professional activities, he/she must turn over to the University as unrestricted funds sufficient money from the grant/stipend/fees/royalties to cover the cost of his/her salary and fringe benefits, plus any other direct or indirect expenses, for the units involved.

These release-time teaching units may be accumulated over a two-year span to make possible a full semester of research; however, salary, etc. must be covered as above, and release time for an entire semester will be considered only every three academic years.

If the faculty member prefers to retain all the grant monies, not needing extra time to accommodate the work that is being funded, then the Holy Names University workload is to be maintained as usual. If the faculty member wishes to use HNU facilities for this work, he/she will negotiate the use of these facilities and services with the appropriate University offices; the results of these negotiations will be in writing.

In each of these cases, faculty responsibilities for advising, administrative work, committee service, etc., consistent with the Faculty Contract, remain in place, except that the faculty member's academic unit may be able to make some adjustments in the case of the semester described in the second paragraph above.

Planning for, and decisions about, release time require the approval of the Chairperson, the Vice President for Academic Affairs, and the President of the University, and are normally negotiated one semester prior to their implementation.

This policy does not apply to authorized sabbatical periods nor to the use of University facilities and services during these periods.

Institutional Grants from Outside Sources. Any faculty member seeking an institutional grant from an outside source must first obtain approval from the Deans of Academic Affairs and Finance and Administration, who will evaluate the academic and financial feasibility of the proposal, and then from the President. Faculty members are to work closely with the Office of University Advancement, which is charged with assisting faculty in obtaining grant monies and equipment for the University.

Recipients of institutional grants from outside sources will abide by all the conditions of the award and, in consultation with the Vice President for Finance and Administration, are responsible for reporting properly to the granting agency.

Institutional Grants from Holy Names University. A faculty member interested in obtaining institutional funding in the form of a mini-grant should consult with his/her Chairperson and the appropriate administrator in the Academic Affairs office. Details of the procedures are available in the Academic Affairs office. Applications should be completed at the time of budget negotiations and, following the approval of the Chairperson, the Vice President for Academic Affairs, and the President, are implemented into the subsequent academic year.

Supervising Responsibilities. Faculty members who supervise professional staff and/or hourly employees are required to abide by the non-academic personnel procedures of the *Staff Handbook*. Any questions regarding these procedures and/or specific staff concerns should be directed by the supervisor to the Vice President for Finance and Administration. Lack of staff policy, or discrepancies in staff policy in matters of substance, and recommendations of additions to or modifications of staff policies or procedures should be brought to the attention of the Vice President for Finance and Administration.

O. Faculty Development

The continuing professional development of faculty members is a special concern of the University. Faculty members are encouraged to seek professional development continuously, through in-service activities and programs both on and off-campus, through participation in the ongoing programs of professional associations, and through judicious planning for sabbatical leaves, in order to make them productive for the individual, for the University and the scholarly community in general.

Courses Without Charge and Events on Campus. Ranked faculty at Holy Names University may take one course per academic term on a credit or non-credit basis without charge. As a rule, such a course is taken outside scheduled classes or office hours. Faculty members, with their families, are invited to attend cultural and recreational activities sponsored by the University. When an admission charge is made for the public, a reduced rate is at times available to faculty members.

Convention Allowance. Holy Names University encourages its faculty members to participate in professional societies through membership, scholarly contributions and attendance at conventions. Personal membership dues must be assumed by the individual, while the University assists in defraying the expenses of attendance at conventions.

Faculty members, after receiving the approval of the Academic Chairperson, may submit a Faculty Development Funding Application to the Faculty Development Committee for such assistance. The Academic Affairs Office will supply the application form. The amount of subsidy provided within an academic year is specified in the annual institutional budget.

Sabbatical Leave. Holy Names University, recognizing the necessity for faculty members to enrich their teaching or to secure uninterrupted time for research and writing, supports the principle of the sabbatical leave. The University desires to encourage professional growth and increased competence and productivity among faculty members by subsidizing significant research, creative work, or a program which is judged to be of equivalent value, such as the exchange of teaching responsibilities with a faculty member at another four-year university or University, or significant retraining of the faculty member. The purpose of the sabbatical will be mutually agreed upon by faculty and administrators.

Eligibility. Any full-time faculty member with the rank of Assistant Professor or higher who has served seven or more consecutive years at the University is eligible for consideration for a sabbatical leave.

Number of Leaves. Regardless of the length of the leave granted to an individual faculty member, Holy Names University will grant sabbatical leaves in any given academic year to no more than five percent of the total full-time teaching faculty. Moreover, a maximum of one sabbatical leave will be granted for any one discipline in any given academic year.

Stipend. Stipends for sabbatical leaves are: one semester at full salary or one academic year at one-half of full salary. Normal raises and benefits will not be withheld by reason of the sabbatical leave. Moreover, while the faculty member is on sabbatical leave, both he/she and the University will continue to pay their normal full share toward retirement, group life, health, disability insurance and federal programs to the extent permitted by law.

In the case of a sabbatical leave granted to a faculty member who will receive a salary, grant, or stipend from another source for his/her work while on leave, the University may reduce the sabbatical stipend accordingly. In such a case the University will assure that its normal full share of retirement, group life, health, and disability insurance and Social Security are paid; it may also bill, if necessary and appropriate, the faculty member for his/her normal share of these items.

Application Policies and Procedures. Sabbatical leaves are not granted automatically upon the completion of the necessary period of service. The faculty member must demonstrate in writing, as part of his/her application, evidence of sound research, creative activity, or other academic achievement to support the program of work which he/she plans to do for the sabbatical period. He/she must also show that his/her proposed program will accomplish one or more of the general purposes set forth for sabbatical leave.

Requests for sabbatical leave should be made by November 1 of the year in advance. The duration of the leave (one semester or two) should be stipulated in the request.

The Procedures for requesting a sabbatical leave are as follows:

- In a letter to the Vice President for Academic Affairs, the applicant formally requests a sabbatical leave and demonstrates eligibility under the provisions of the *Handbook*.
- A plan is submitted describing some project or program in artistic, scientific, literary or professional pursuits which will demonstrate measurable progress or yield some demonstrable results.
- A letter of recommendation is required from the faculty member's Academic Chairperson to the Vice President for Academic Affairs.
- The Vice President for Academic Affairs recommends applicants to the President, outlines the plan for replacing the faculty member during the absence with an estimate of the cost of replacement.
- The Vice President for Academic Affairs is responsible to see that provisions of the University are followed.

Obligations of Sabbatical Recipients. The recipient of a sabbatical leave incurs these obligations:

- to make a reasonable effort to fulfill the terms of the sabbatical;
- to return to the University for a minimum of one year following the completion of the sabbatical leave; and
- to file a detailed report on the actual results of his/her project with the Academic Chairperson and with the Vice President for Academic Affairs, within ninety days after the beginning of the semester following the sabbatical leave. At the request of the Vice President for Academic Affairs, such reports may be made orally to an audience of interested faculty or students.

Additional Information. Sabbatical leave will not be granted to subsidize any form of work on advanced degrees not in a faculty member's primary field or for work which is not directly related to the faculty member's teaching function at the University, except by mutual agreement in advance in writing.

Time toward each new sabbatical begins immediately upon return to full-time service regardless of the semester of return.

Time on sabbatical leave counts toward promotion in rank and/or tenure, unless the faculty member and Holy Names University agree in writing to waive this provision at the time the leave is granted.

P. Leaves of Absence and Family Support Policies

Pregnancy Disability Act Leave (PDL). In addition to being eligible for family and medical leaves, pregnant faculty members may take leave if they are disabled by the pregnancy, childbirth or a related medical condition. Pregnancy disability leave begins on the first day that the employee's health care provider certifies she is unable to work and ends when her health care provider certifies she is able to return to work, up to a total of four months of leave. Pregnancy disability leave may be taken intermittently or on a reduced work schedule when medically advisable. Family leave to care for a newborn child may be available following pregnancy disability leave. Faculty members are encouraged to consult with HR to request leave, in writing, as far in advance as possible or in the event of an emergency as soon as possible.

Family and Medical Leave. Under the federal Family and Medical Leave Act of 1993 (FMLA) and the California Family Rights Act, individuals who have twelve (12) months of total service with the University and have worked at least 1250 hours during the previous twelve (12) months, can take an unpaid leave time for the birth or adoption of a child; for the serious health condition of a child, parent, or spouse; or for their own serious health condition. Up to twelve (12) weeks of family and medical leave is allowable in any 12-month period, and the leave can be taken in one (1) or more increments.

During such a leave, the University is required to maintain and pay for health insurance to the same extent premiums would have been paid by the University if the staff member had not gone on leave.

A faculty member must give thirty (30) days advance notice to the University for the need to take unpaid family or medical leave when it is foreseeable for the birth or adoption of a child, or for planned medical treatment. Otherwise, give as much notice as possible, upon learning of the need for family and medical leave.

An individual who is pregnant may combine pregnancy leave and family leave for a total unpaid time of as long as seven months (up to four (4) months' pregnancy disability leave plus twelve (12) weeks family and medical leave); or, the leave under both laws may run concurrently, enabling the individual to avail herself of the continuation of University support of health insurance premiums that is available under family leave but not under unpaid pregnancy leave.

When leave is requested for the care of a child, spouse or parent who has a serious health condition, or for the staff member's own serious health condition, the University will require a medical certification of illness. That certification will include the date on which the serious health condition began; the probable duration of the condition; and a statement that due to the serious health condition, or the faculty member is needed to provide care for the child, spouse or parent who has the serious condition and therefore is unable to perform the functions of his or her position.

At the completion of the leave, the University will provide the opportunity for the individual to return to the same or a comparable position unless it does not exist for reasons unrelated to the faculty member's reason for the leave of absence.

Sick Leave/Short Term Disability for Faculty Members. In case of absence from work due to illness, the University will grant full pay for the current contract year less the amount received from State Disability Insurance.

Sick leave is a benefit which all full-time and pro rata ranked faculty members may exercise only in the event of a bona-fide illness or disability. Sick leave is not granted to a faculty member who is absent due to an injury covered by Worker's Compensation, or incurred while working for an employer other than Holy Names University. The Vice President for Academic Affairs may request a physician's verification of the illness or disability.

In order to receive compensation for the sick leave period, the employee shall notify his/her Chair before the sick leave or, if this is impossible, as soon as possible during the sick leave. The Division/Department/University Chair informs the Vice President for Academic Affairs, who, in turn, informs the Vice President for Finance and Administration, with whom the faculty member consults regarding particulars of compensation while on sick leave.

If, in the opinion of the Vice President for Academic Affairs, a faculty member is unable to perform his/her work properly due to a health-related condition, the Vice President may direct the faculty member to be evaluated at Holy Names University expense by a physician approved by the University. If the physician finds that the faculty member is physically or mentally unable properly to perform his or her duties with or without reasonable accommodations, the President may compel the faculty member to take sufficient leave so that he/she may again properly perform his/her duties.

Emergency Leaves. For compassionate reasons (i.e., death in the immediate family, family medical problems), emergency leave will be arranged on an individual basis with the Chairperson and approved by the Vice President for Academic Affairs. The Chairperson keeps a record of these emergency leaves and will notify the Vice President for Academic Affairs if the circumstances or number of such leaves would impinge on the ability of the faculty member to perform his/her duties in a satisfactory manner. The faculty member, the Chairperson, and the Dean will work together to help resolve the needs of the faculty member and those of the University.

Leave of Absence for Reasons of Maternity/Paternity

Maternity Leave. Holy Names University treats pregnancy, childbirth, and any medical conditions associated therewith, and temporary disability resulting from any of the above conditions, as any other short-term disability.

Faculty wishing to have an extended period of maternity or paternity leave may take a leave of absence without pay not to exceed one year. A deliberate effort should be made, however, to arrange such leaves to coincide with academic terms. Such arrangements are made with the Vice President for Academic Affairs.

Probationary Period Extension for Tenure-Track Faculty Following Leave of Absence for Reasons of Disability, Maternity or Paternity. A tenure track faculty member then serving within the first five years of the probationary period may request the Vice President in writing for extension of one year of the probationary period, where the faculty member has (or will) receive approval from the Vice President for FMLA/CFRA/PDL leave of all faculty duties in an amount equal to or in excess of 12 continuing weeks within one academic year, if the period of absence is continuous.

Q. Disciplinary Procedures

Discipline for cause is a corrective action by which the University seeks through discipline to correct the behavior of a faculty member.

Cause for discipline must be directly and substantially related to the fitness of a faculty member to continue in his/her professional capacity as a teacher. Disciplinary proceedings may be on the basis of the following grounds:

- Professional incompetence;
- Continued neglect of academic duties in spite of oral and written warnings;
- Serious professional misconduct. Serious professional misconduct is that which occurs in the course of, arising from, or reasonably related to the faculty member's University position, duties or responsibilities with the University, or demonstrably affecting in a significantly adverse way, the effective performance of University functions. Examples are dishonest or illegal or unethical behavior in the faculty member's teaching, research or service duties; preventing or obstructing functions of the University; acts of sexual or other unlawful harassment; other professional misconduct of a serious nature, including but not limited to, intentionally inflicting physical harm or other serious harm on a member of the University community, knowingly violating a University policy regulating behavior of faculty members; and attempting to, abetting or inciting another to, engage in conduct which would violate this policy if engaged in by the faculty member;
- Deliberate and serious violation of the rights and freedom of fellow faculty members, administrators, or students;
- Conviction of a crime directly related to the faculty member's failure to follow the canons and professional ethics of one's discipline or the teaching profession in general; and
- Serious failure to follow the canons and professional ethics of one's discipline or the teaching profession in general.

In any case involving discipline for cause, the burden of proof that cause exists shall be on the University, which proof shall be clear and convincing evidence in the record considered as a whole.

In all cases of discipline resulting in dismissal, the President determines what, if any, salary payments are to be made beyond the date of dismissal.

Disciplinary Procedures — General. Discipline involves either severe sanctions or non-severe sanctions. The determination of the level of sanctions is made by the Vice President for Academic Affairs. Proposed discipline may not be imposed except in compliance with faculty disciplinary procedures.

Non-Severe Sanctions — Defined. Non-severe sanctions are carried out at the discretion of the Vice President for Academic Affairs and may include, but are not limited to, any action from a letter from the Vice President for Academic Affairs placed in the faculty member's personnel file to suspension with pay.

Interim Suspension with Pay. Interim suspension is the temporary separation of a faculty member from the University. This occurs when the President determines that there is a strong likelihood that the

faculty member's continued presence at the University poses an immediate threat of harm to the University or to individual members of the University community. Suspension shall be with pay and shall last only so long as the threat of harm continues, the grievance process is completed, or until dismissal for cause occurs.

Faculty Disciplinary Procedures (non-Severe Sanctions). In the case of proposed sanctions which are non-severe, the Vice President for Academic Affairs will prepare a written statement of charges, the proposed sanctions, and a brief summary of relevant facts. In the event that the matter is not resolved to the mutual satisfaction of the Vice President for Academic Affairs and the faculty member within thirty (30) days of delivery of the written statement, the Vice President for Academic Affairs may impose discipline which carries non-severe sanctions. The Vice President for Academic Affairs will thereafter notify the faculty member in writing of the imposition of discipline. The Vice President for Academic Affairs may likewise impose non-severe sanctions, while proceedings for severe sanctions are pending. The faculty member may file a grievance with respect to non-severe discipline pursuant to grievance procedures of the *Faculty Handbook* (see Section S).

Severe Sanctions — Defined. Severe sanctions are: suspension from the University for a specified period without pay, or reduction of duties with corresponding reduction of pay; and/or termination of appointment for disciplinary reasons (see section **R 5. Dismissal for Cause**).

Faculty Disciplinary Procedures (Severe Sanctions). In order to initiate procedures for discipline for professional misconduct involving severe sanctions, the Vice President for Academic Affairs will prepare a written statement of charges, the proposed severe sanctions, and a summary of relevant facts. The Vice President for Academic Affairs will deliver such written statement to the faculty member, together with notice of opportunity to meet and confer with the Vice President for Academic Affairs to attempt to resolve the matter by agreement. In the event that the matter is not resolved to the mutual satisfaction of the Vice President for Academic Affairs and the faculty member within thirty (30) days of delivery of the written statement, these disciplinary hearing procedures may be invoked by notice of the Vice President for Academic Affairs to the faculty member. Hearings and final determination of the charges will be determined by use of the procedures set forth in the Faculty Grievance Policy (see section S).

R. Separation from Employment

At times, the University or individual faculty members may find it necessary to sever their contractual relationship. To protect the interests of both parties, the various types of separation are here defined, and the policies and procedures related to each category are set forth.

The types of separation are:

1. Resignation
2. Retirement
3. Non-reappointment—probationary faculty only
4. Layoff
5. Dismissal for cause
6. Prolonged inability to perform, due to disability or medical condition, where reasonable disability accommodation is not available.

1. Resignation. Resignation is a severance action by which a faculty member voluntarily severs

relationship with the University. Because of the extreme hardship which is often caused by untimely resignation it is requested that all faculty members provide the earliest possible notice of an intent to resign. The faculty are expected to give notice to their Chairperson and to the Vice President for Academic Affairs not later than sixty days prior to the start of the following term. It is expected that, except in unusual circumstances, resignation will be effective at the end of the designated academic term.

If a resignation is for reasons of prolonged mental or physical illness, the President, in consultation with the individual or his/her representative, may consider whether a leave of absence would be appropriate and beneficial for all parties concerned.

2. Retirement. Retirement from active service assignments at Holy Names University is the termination of demanding duties and scheduled responsibilities for the employee who, because of age, infirmity, or other valid reasons, has honorably had him/herself relieved from duties after rendering extended and sufficient service to Holy Names University.

Any ranked faculty member at Holy Names University who is eligible to retire and who retires is deemed, for the purposes of these rules, to have been separated from Holy Names University's service in good standing.

Retired faculty members may be rehired on a part-time basis under a term contract. Such a term appointment must be recommended by the Academic Chairperson and the Vice President for Academic Affairs and approved by the President, whose decision is final and binding.

Faculty Gradual Retirement Program. This program is available for those full-time faculty members who (1) are tenured, and (2) wish to reduce gradually their teaching obligations at Holy Names University.

A qualified faculty member, as specified above, who decides to enter the program must request this of his/her Academic Chairperson, and the Vice President for Academic Affairs, in writing, at least six months in advance. An approved request will go into effect in the following academic year. After entry into the program, if the faculty member wishes to retire completely, he/she may do so after the first year of the program, with six months' written notice to his/her Academic Chairperson and the Vice President for Academic Affairs.

On first entry into the program, the faculty member's teaching load will be reduced to less than full time at his/her own request and with the approval of his/her Academic Chairperson and his/her salary will be prorated accordingly. The faculty member will retain the duties and responsibilities of a ranked faculty member unless otherwise negotiated with the Chairperson and the Vice President for Academic Affairs.

At any time while in this program the faculty member may, with the approval of the Academic Chairperson and Vice President for Academic Affairs, choose progressively to reduce his/her load. Unless the faculty member chooses to reinstate the progressive reduction, he/she will retain that stage until full retirement. Ordinarily, the faculty member will not be able to return to a previous state (i.e., to increase his/her teaching load/back to the previous level).

3. Non-Reappointment—Probationary (i.e., tenure track) Faculty Only. The term "non-reappointment" means that the University has decided not to renew a faculty appointment at the

conclusion of the stated probationary contract term. The decision not to reappoint a ranked faculty member is made at the sole discretion of the President, except that any such decision may not be discriminatory, arbitrary or capricious. In cases where a faculty member believes that his/her non-reappointment has been discriminatory, arbitrary, or without adequate consideration, he/she may commence a review in accordance with grievance procedures of this *Handbook* found in Section S. The burden of proof shall be on the faculty member. The president shall act following completion of any grievance process.

Notice of Non-Reappointment of Probationary Contract Faculty. Notice of non-reappointment must be given in writing by the President of the University by the following dates:

- On or before March 1 of the first academic year of service, if the initial appointment is not to be renewed, or at least three months prior to the expiration of an initial appointment if it expires during an academic year;
- On or before December 15 of the second academic year of service, if the appointment is not to be renewed, or at least six months prior to the expiration of the appointment if it expires during an academic year;
- On or before June 30 of the year prior to the expiration of an appointment after two or more years of service at the University.

Since a notice of non-reappointment is not a dismissal for cause, it is not necessary for the University to set forth its reasons in the initial notice on non-reappointment. Every probationary faculty member is entitled to know the reason for his/her non-reappointment, however, and, at his/her request, in writing, to have these reasons given in writing. If the faculty member wishes to know the reasons for his/her non-reappointment, his/her request should be made to and be honored by the President.

Legitimate reasons for non-reappointment may include, but not necessarily be limited to, the following:

- Cancellation of or change in the program
- Declining enrollment in the University, or in a discipline or program
- Financial exigency
- Over-staffing
- Lack of excellence in teaching
- Inadequate service to the University
- Incongruence between teaching interests of the faculty member and the educational goals of the University
- Incongruence between the faculty member and the mission of the University
- Denial of tenure
- Demonstrated inability on fitness to conform to the expectations for professional behavior towards peer faculty, towards students, and towards staff.

4. Layoff. Layoff is the separation action by which the University terminates the services of a ranked faculty member before the expiration of his/her current contract, without regard to his/her performance. Reasons for layoff are:

- Major changes in academic program in whole or in part
- Financial exigency

Major Changes in the Academic Program in Whole or in Part. A program is a coherent sequence of

courses or educational activities which offers a student an in-depth study of a field or discipline. Layoff of a ranked faculty member may occur as a result of the major change, including discontinuation of an academic program or academic unit in whole or in part. Decisions on such major changes shall be made by the President in consultation with the Vice President for Academic Affairs and the Academic Chair, and with the approval of the Board of Trustees. Notice of layoff under this Section shall be given at least one year prior to layoff in the case of faculty members on continuous (i.e. tenured) contracts.

Financial exigency. Financial exigency is defined as an imminent financial crisis which threatens the University as a whole. It is a rare and serious institutional crisis. Before any faculty are terminated because of financial exigency, the Board of Trustees must officially declare that financial exigency exists. Subsequently, the faculty shall be represented in administrative processes relating to program reorganization, or the curtailment or termination of instructional programs due to financial exigency through the Academic Administrative Council. Faculty shall not necessarily be represented in individual personnel decisions. The President and the Board of Trustees shall have final authority in all matters related to financial exigency and layoffs so caused. In considering how to deal with the financial situation, the retention of a viable academic program at the University must be the primary goal.

If it is necessary to lay off continuous ranked faculty members, degrees, rank, and years of service will be taken into account. In all instances there will be consideration of the essential needs of each department and the academic integrity of the institution including affirmative action goals.

General Procedures regarding Layoff. When financial exigency or major changes in the educational program or department in whole or in part necessitate the layoff of ranked faculty members, institutional efforts will be made to assist such faculty members to find employment either at Holy Names or elsewhere.

If a ranked faculty member is laid off for reasons of financial exigency or major changes in the academic program in whole or in part, no replacement for his/her position will be hired within a period of two years unless the laid off faculty member has been offered reappointment under conditions comparable to those held at the time of layoff, and has been given at least one month after written notice of offer of reappointment within which to accept the reappointment.

It shall be the duty of a laid-off faculty member to keep the University informed of his/her current address for purposes of this Section, and notice sent to such address by the University shall be presumed received if sent by certified mail.

5. Dismissal for Cause.

Dismissal for cause is a severance action by which the University terminates its contract with the faculty member for just cause. This is the most severe sanction the university can impose, and it must be reserved for extremely serious grounds. Any teaching contract is subject to action under this section. Causes for dismissal are those listed under section Q: disciplinary procedures. Cause for dismissal must be directly and substantially related to the fitness of a faculty member to continue in his/her professional capacity as a teacher, and shall be finally determined in each instance by the President.

In any case involving dismissal for cause, the burden of proof that cause exists shall be on the University, which proof shall be a preponderance of the evidence in the record considered as a whole.

In all cases of dismissal, the President determines what, if any, salary payments are to be made beyond the date of dismissal.

S. Grievance Policy and Procedures

The University recognizes and endorses the importance of academic due process and of addressing grievances in a prompt and equitable manner, and wherever feasible, to encourage the informal and prompt settlement of grievances. The orderly processes hereinafter set forth provide mechanisms which implement University policies, including those related to due process, academic freedom, and tenure.

Faculty Grievance and Appeal Procedures

Faculty grievances and appeals are coordinated by the Faculty Hearings Committee as described in this Faculty *Handbook* under Article V of Faculty Bylaws, Standing Committees (page 18 in current *Handbook*). The procedures are designed to resolve conflicts which may arise between a faculty member or group of members and another party. The other party may consist of one or more faculty members or members of the University Administration such as academic administrators, deans, or senior administrators. Complaints involving faculty and staff or faculty and students are not heard by the Faculty Hearings Committee and should be referred to the University Standing Review Committee. Any of the grievances listed below should be filed with the Chair of the Faculty Hearings Committee or designee.

Definitions Related to Faculty Grievance and Appeal Procedures

A *grievance* is defined as a complaint by a faculty member, that one or more of the following have occurred:

- A breach, misinterpretation, or misapplication of the terms of University policy or procedures as set forth in this Faculty *Handbook* by the University or a representative of the University, which adversely affects the faculty member;
- An infringement of the rights of the grieving faculty member, as set forth in this Faculty *Handbook*, which relate to compensation, appointment or reappointment, tenure, promotion, dismissal, suspension, reassignment, or termination, if it adversely impacts the affected faculty member. A faculty member facing charges of dismissal may challenge the dismissal process and request a review by the Faculty Hearings Committee.
- A dispute with a senior administrator, a Department or Division Chair, a Program Director, or another faculty member or members for which other forums for resolution do not exist or have been exhausted, if it adversely impacts the grieving faculty member.
- A charge placed in a faculty member's employment file that may negatively impact his/her employment.

However, if a faculty member has a complaint of unlawful discrimination or any behavior noted in the University's policy against harassment, the complaint procedure in that policy should be used and she/he should promptly present a complaint under the University's harassment policy set forth in Part III in this Handbook. For issues relating to Dismissal for Cause, see Section R, number 5 of this Handbook.

An *appeal* is defined as a request by a party for review of the matter that was the subject of findings and recommendations of Faculty Hearings Committee.

The *parties* to the grievance are the *grievant* and the *respondent*:

- The “grievant” is the person or persons who file the grievance. The grievant carries the burden of proof.
- The “respondent” is the person or persons who are named in the grievance as responsible for the actions described in the grievance.
- In the case of dismissal for cause, the “grievant” or charging party is the Vice President of Academic Affairs, or other academic or senior administrators, who has the burden of proof, and the “respondent” is the faculty member who is being charged.

Steps in Resolving Grievances, Appeals and Charges

Grievances and Appeals

The following applies to all cases except those relating to dismissal for cause. For cases relating to dismissal for cause, see *Special Features in Grievance Policy and Procedures in Cases of Dismissal for Cause*, below.

1. Informal. The following informal steps must be completed before formal grievance and appeal proceedings can begin:

1. The first step in resolving faculty conflicts should be consultation, within a fifteen (15) working-day period following the occurrence of the events giving rise to the grievance or appeal, with the university ombudsperson. The ombudsperson is a designated neutral or impartial dispute resolution practitioner appointed by the president whose function is to provide confidential and informal assistance to members of the university community. The ombudsperson will attempt when feasible to resolve the issue among all parties.
2. If resolution cannot be reached by means of consultation with the university ombudsperson, the grievant may discuss the matter within an additional fifteen (15) working days with the respondent or appropriate academic or senior administrators or deans in a pre-grievance conference, looking toward a resolution satisfactory to the grievant. If the matter is resolved, upon request of any of the parties, they will prepare and execute a statement of resolution.
3. If the matter is still unresolved, a written grievance should be filed within fifteen (15) working days following completion of informal resolution steps. The written grievance will be filed with the Chair of the Faculty Hearings Committee.

The written grievance shall include the following:

- The faculty member’s name, department and appointment history;
- the events or decisions that give rise to the grievance;
- the adverse impact on him/her;
- if applicable, the part of his/her contract with the University, of the *Faculty Handbook*, other policies or of law that have been violated and in what manner there has been material damage to the faculty member;
- the resolution or remedy that is requested;
- the names of the decision-makers and other persons with knowledge of the matters at issue; and
- what the faculty member has done to attempt to resolve the complaint.

4. The Chair of the Faculty Hearings Committee will transmit a copy of the written grievance to the respondent, the Vice President of Academic Affairs, and the President. The Chair will thereafter convene within fifteen (15) working days a meeting or conference call of the Committee to begin consideration of the grievance.

2. Formal Grievance and Appeal proceedings consist of two progressive steps which must be followed in order:

Step 1: Hearings of the Faculty Hearings Committee. The Faculty Hearings Committee, consisting of three elected tenured faculty members, meets when grievance or dismissal charges are brought to its attention. The Committee conducts formal proceedings to hear evidence related to the grievance or dismissal charges. The Faculty Hearings Committee issues its findings and recommendations to the President in writing. If both parties accept the findings and recommendations, the matter may be resolved on the basis of the recommendations of the Faculty Hearings Committee; otherwise, the grievant (or charging party in the case of a charge of dismissal) may request that the grievance be resolved at the appeal stage.

Step 2: Appeal to the President. If there is an appeal, the President reviews the findings and recommendations of the Faculty Hearings Committee. Where deemed necessary or appropriate to the review, the President may review the record of evidence received by the Committee. After completing the review, the President issues a decision in writing resolving the appeal, which shall be the final decision of the University.

Detailed Proceedings of Steps 1 and 2 of the Formal Grievance and Appeal Procedures.

Step 1: Hearings of the Faculty Hearings Committee.

1. The Faculty Hearings Committee, consisting of three elected tenured faculty members, conducts formal hearings on grievance or dismissal charges as needed. When called by its Chair, the Committee meets to organize its procedures, consider the charges, and render its findings.
2. Active members of the Faculty Hearings Committee deeming themselves disqualified for bias or interest in a particular case will remove themselves from the case. In addition, either party in a grievance may request the removal of one active member of the Committee, provided that such a request is presented to the Chair of the Committee within five (5) days following the filing of the grievance or dismissal charges. If the member refuses to recuse him/herself, the member must present his/her reasons to the Committee, and the remaining Committee members shall by majority vote determine the action to be taken. When a replacement is needed, a faculty member will be chosen by special election by the Faculty Senate. The alternate member serves solely for the designated grievance or dismissal case.
3. Within three (3) working days of the initial meeting of the Faculty Hearings Committee to consider newly filed grievance or dismissal charges, the Chair will notify the grievant, the respondent, and the President regarding the procedures and schedule which will be followed in the formal hearings to be conducted by the Committee. Wherever practical, formal proceedings should begin no sooner than fifteen (15) calendar days and no later than thirty (30) calendar days after the initial meeting of the Committee.
 - The failure of the grievant or charger to comply with the established time limits without good cause as determined by the Committee shall result in waiver of his/her grievance.

- The failure of the respondent to comply within established time limits at any step without good cause as determined by the Committee entitles the grievant or charger to proceed with his/her case.
 - Time limits and levels may be waived or extended by mutual written consent of the parties.
4. The Faculty Hearings Committee may request that the parties exchange relevant documents. It is incumbent upon all parties to come forward promptly with evidence in support of their positions relative to the grievance or dismissal charges. Accordingly, at least ten (10) working days before the hearing, the parties should exchange with each other and present to the Committee copies of all documentary evidence that each will present at the hearing, as well as a list identifying witnesses whose testimony will be requested. The Committee has the authority to make determinations, as it deems appropriate to assure that the parties comply with these obligations.
 5. The Faculty Hearings Committee may convene such pre-hearing meetings with the parties as it determines to be appropriate to enhance the opportunity for fair, effective, and expeditious formal proceedings.
 6. Formal proceedings shall be private, unless both parties agree to other arrangements.
 7. The parties to the formal hearing may have the assistance or representation of an individual who is a member of the University community, selected from among current University faculty, administrators, or staff. Assistance or representation may include giving formal testimony, moral support, and written suggestions and advice to the grievant or respondent before and during the hearing.
 8. The Faculty Hearings Committee will arrange for formal proceedings to be recorded. With the approval of all parties, this may be an audio recording. Copies will be provided to the charging party or grievant, upon their request, at the expense of the University. In hearings on charges seeking the dismissal of a faculty member holding a tenured appointment or of a faculty member prior to expiration of a term of appointment, the University will arrange for hearings to be transcribed by a certified court reporter at University expense.
 9. All parties to the grievance should have the right to confront and cross-examine all witnesses who are called to testify before the Committee. If a witness cannot or will not appear, the Faculty Hearings Committee will assist in securing his/her attendance, but should he/she fail to appear, his or her statements shall not serve as the sole basis for a decision. The Committee may request written position statements from the party, and the party may submit written position statements if he/she so wishes.
 10. The Faculty Hearings Committee will grant adjournments to enable either party to investigate any evidence if a valid claim of surprise is made.
 11. The Faculty Hearings Committee will not be bound by rules of evidence and may admit any evidence that is of probative value in determining the issues involved.
 12. The burden of proof of adequate cause rests with the charging party, and will be satisfied only by a preponderance of the evidence in the record considered as a whole. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the Faculty Hearings Committee in securing witnesses and making available documentary and other evidence.
 13. In the case of challenging a decision of non-reappointment, denial of promotion or tenure, and denial of correct placement within the salary schedule, the grievant must allege that (a) appropriate University or committee policies or procedures, as set forth in this Faculty

Handbook, were violated and resulted in the decision being challenged; or (b) the decision in the above matters was based on considerations which violate the faculty member's academic freedom; or (c) the decision in the above matters was based on considerations which violate the policies of the University against discrimination on the basis of race, color, age, marital status, sex, national origin, ancestry, religion, veteran's status, sexual orientation, disability, or any other factors which cannot form the basis for an employment decision under California or federal law applicable to the University.

14. If the grievant alleges that a decision was based on inappropriate consideration given by the decision maker to the decision at issue, the Faculty Hearings Committee will determine whether the decision was the result of inappropriate consideration by the deciding person or persons in terms of the relevant standards set forth in this Faculty *Handbook*. The committee will not substitute its judgment on the merits of the decision for that of the deciding person or persons. If the committee believes that appropriate consideration was not given to the grievant's rights, it must request reconsideration by the deciding person or persons, indicating the respects in which it believes the consideration may have been inappropriate.
15. The Faculty Hearings Committee will endeavor to complete its work within fifteen (15) working days following the beginning of formal hearings. At the conclusion of the evidence, the Committee will deliberate in private to reach its findings and recommendations. The Committee may make its decision promptly, without having the record of the hearing transcribed, when it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby.
16. The Faculty Hearings Committee shall report its decision in writing, stating its findings and recommended disposition of the grievance or dismissal charge. The decision shall be based on evidence duly received by the Committee pursuant to procedures as set forth in this Faculty *Handbook*.
17. The Faculty Hearings Committee shall transmit its report to the parties and the President within fifteen (15) working days after it has closed the record of evidence, except when not feasible to do so.
18. The grievant or charging party and the respondent will notify the Chair of the Faculty Hearings Committee, within five (5) working days of receipt of the Committee's report.
 - Lack of response from a party will be interpreted as acceptance by that party of the findings. The Chair will transmit a report to each party and the President, identifying the acceptance by both parties and requesting the concurrence of the President to the recommended disposition.
 - If a party rejects the findings and recommendations, the party may institute Step 2 by filing an appeal with the President and by notifying the Chair of the Faculty Hearings Committee, both within five (5) working days of receipt of the findings. The Chair will send a letter reporting the rejection to both parties and to the President. The Chair will also transmit the records of the case to the President, including a copy of the transcript and the remainder of the record of evidence. The matter will automatically be removed to Step 2 in the event that the President declines to concur with the recommendation of the Committee.

Step 2: Appeal to the President

1. The President will review the matter, including in his/her discretion the record of the proceedings conducted by the Faculty Hearings Committee. In addition to the proceedings, the President may consider such additional evidence as seen fit, provided that the President fully discloses such additional evidence to the parties, allowing additional hearing time as may be required, before

reaching a decision. The President will provide opportunity for argument, oral or written or both, by the parties or by their representatives.

2. The President will render a decision regarding the appeal as promptly as feasible. The decision will be presented in writing to the parties and the Chair of the Faculty Hearings Committee, and will state the President's reasons for his/her decision.
3. The decision of the President shall be final.

General Provisions Regarding Grievance and Appeal Procedures

1. Extensions of time will normally be granted for good and sufficient reasons (e.g., illness as documented by a physician) by mutual agreement by the grievant or charging party or respondent and person coordinating the grievance and appeal procedures at the time the extension is requested.
2. The University recognizes that outside impartial assistance may sometimes be useful in resolving disputes. However, mediation or arbitration conducted by external agencies should be used with discretion; they are not substitutes for proper procedures internal to the University.
3. All parties involved in grievance and appeal procedures should feel free to ask questions or voice concerns about the procedures at any time. Members of the Faculty Hearings Committee can clarify details about the procedures but cannot discuss any material facts about the cases under study outside the confines of Committee-authorized meetings. The University Ombudsperson and the Faculty Senate Chair are also available to discuss grievance and appeal procedures but cannot act as advocates for any party's positions in a case.

Special Features in Grievance Policy and Procedures in Cases of Dismissal for Cause:

1. In the case of dismissal for cause, the charging party is the Vice President of Academic Affairs, or other academic or senior administrators, and the respondent is the faculty member who is being charged with cause for dismissal. The burden of proof of adequate cause rests with the charging party, and will be satisfied only by a preponderance of the evidence in the record considered as a whole.
2. Upon receipt of the notice of charges, the Chair of the Faculty Hearings Committee or designee will send, within two (2) working days, a copy of the notice of charges to the members of the Committee. The Chair will also schedule an initial meeting of the Committee, to be held, if feasible, within five (5) working days of receipt of the charges, to begin consideration of the newly filed dismissal charges.
3. In the case of dismissal for alleged incompetence, the testimony adduced by either party may include but is not limited to that of qualified faculty members from this or other institutions of higher education or testimony by other expert witnesses, as determined to be appropriate in the circumstances of the dismissal case.
4. In the case of dismissal proceedings, the Faculty Hearings Committee should make explicit findings and recommendations with respect to each of the charges of dismissal which were presented, and transmit a reasoned opinion in all cases.
5. In hearings on charges seeking the dismissal of a faculty member holding a tenured appointment or of a faculty member prior to expiration of a term of appointment, the University will arrange for hearings to be transcribed by a certified court reporter at University expense.

The procedures for subsequent determination of the charges are otherwise identical with the procedures for considering grievances. Formal dismissal proceedings consist of two progressive steps which must

be followed in order. Dismissal of a faculty member who has tenure or whose term appointment has not expired can become effective only when the two progressive steps are completed or waived by both parties.

Pending a final decision through the grievance and appeal procedures, the faculty member will be suspended or assigned to other duties in lieu of suspension only if the Vice President for Academic Affairs determines that immediate harm to the faculty member or others is threatened by continuance. Salary and fringe benefits will continue during the period of the suspension.

If a final decision to dismiss for cause is confirmed through the grievance and appeal procedures, the effective date of dismissal from the University will be determined by the President. Dismissed faculty lose all benefits and privileges at the University except for accrued retirement benefits.

PART III: UNIVERSITY POLICIES THAT ALSO APPLY TO OTHER COMMUNITY MEMBERS

A. Equal Employment Opportunity Policy

Holy Names University is an equal opportunity employer and makes employment decisions on the basis of merit. The University wants to have the best available person in every job. University policy prohibits discrimination based on race, color, creed, gender, gender identity, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. It also prohibits discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Acts of retaliation because a faculty member has exercised his or her employment-related rights under this policy or under law, are also prohibited. For purposes of this policy, “discrimination” includes retaliation.

The University is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in University operations and prohibits unlawful discrimination by any employee of the University, including supervisors and coworkers.

B. Individuals with Disability

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the University will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result.

Any applicant or employee with a “disability” as defined by law, who requires an accommodation in order to perform the essential functions of the job, should contact Human Resources and in writing request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The University will communicate with the employee or applicant to determine if an accommodation is reasonable under the circumstances. If the accommodation is reasonable and will not impose an undue hardship, the University will make the accommodation.

C. Complaints of Discrimination

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to Human Resources or if Human Resources is unavailable to you, then to the Vice President for your work area. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The University will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation. At any time, a faculty member may also file a complaint of discrimination with the U.S. Equal Employment Opportunity Commission and/or the California Department of Fair Employment and Housing, addresses for which are on the following websites: www.eeoc.gov and www.dfeh.ca.gov.

If the University determines that unlawful discrimination has occurred, effective remedial action will be taken. The University will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your coworkers.

D. Zero Tolerance for Harassment Policy

Holy Names University is committed to maintaining the campus community as a place of work and study for faculty, administrators, and students, free of unlawful harassment. University policy prohibits sexual harassment and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, gender, gender identity, national origin or ancestry, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. The University's anti-harassment policy applies to all persons involved in the operation of the University and prohibits unlawful harassment by any employee of the University, including supervisors and managers, as well as vendors, customers, independent contractors and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors; and
- retaliation for reporting or threatening to report harassment or has exercised his or her employment-related rights under this policy or under law.

If you believe that you have experienced or have observed harassment in violation of this policy, please immediately bring your complaint to the Director of Human Resources or if the Director of Human Resources is unavailable to you, then to the Vice President for your work area. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. The University will assess the complaint, including investigation of facts where necessary.

If the University determines that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the University to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to, and including termination. A University representative will advise all parties concerned of the results of the University's investigation. The University will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or coworkers.

The University encourages all employees to report any incidents of harassment forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in

employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book. See last page of this Handbook for addresses and contact information.

E. Close Personal Relationships Affecting University Teaching, Mentoring and Supervisory Functions

The University is committed to maintaining a learning and work environment that is free from unlawful harassment and also from the potentially adverse effects that can arise from close personal relationships in the course of teaching, mentoring and supervisory functions. Such relationships at the University may interfere with the ability of the teacher, mentor and supervisor (all herein called “supervisor”) to act fairly and without favoritism or may contribute to the perception of favoritism by others.

Except where explicit and advance authorization has been obtained in writing from the Vice President unit, no supervisor who is employed by the University may participate in a close personal relationship with an individual who is a member of the University community for whom the supervisor provides or may (by virtue of University assigned position or functions) reasonably be expected in the future to provide teaching, mentoring or supervision. Supervision includes grading or other academic evaluation, job evaluation, decisions pertaining to promotion, the direct setting of salary or wages, and job, internship, educational, or employment references or recommendations.

Close personal relationships include dating, sexual and similar close personal relationships that are or are not consensually undertaken by the supervisor and the individual. Such relationships do not include the usual and customary socializing at the University of teacher-student; mentor-mentee; supervisor-employee; faculty member-graduate student; co-workers; and supervisor-student employee. A supervisor is anyone who oversees, directs or evaluates the work of others, including, but not limited to, managers, administrators, coaches, directors, deans, chairs, advisors.

F. Criminal and Violent Behavior/Workplace Violence Policy

Holy Names University has adopted the following workplace violence policy to ensure a safe working environment for all employees.

The University does not tolerate any acts of violence or threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination. The University may place on administrative leave any faculty member, when the University believes that it is in the best interests of a safe workplace to do so, without regard to whether that faculty member has or has not engaged in an act in violation of University policy.

Possession of weapons on University premises and at University-sponsored events shall constitute a threat of violence and are not permitted.

It is every employee’s responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you reasonably believe is threatening or violent. You may report an incident to any manager, Campus Safety, or Human Resources.

A threat includes, but is not limited to, any indication of intent to harm a person or damage University property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

Pursuant to the University Workplace Violence Policy, in the event of a campus incident created by an individual(s) or group(s) involved in violent, criminal or abnormal behavior or disturbances, the following actions should be taken:

1. Immediately notify the police by calling 911. If time permits, call Campus Safety.
2. Provide the following information to 911 and/or Campus Safety:
 - Description of incident
 - Location of incident
 - Description of the person(s) involved
 - Description of the property involved
3. Individuals should avoid all personal risk in dealing with or observing any suspicious situations or criminal offense on his/her own.

The University's Workplace Violence Policy identifies hazards known to be associated with the three types of workplace violence:

1. Type I workplace violence involves a violent act by an assailant with no legitimate relationship to the workplace. In this situation, the individual enters the workplace to commit a robbery or other criminal act.
2. Type II involves a violent act by a recipient of a service provided by HNU, such as a client.
3. Type III involves a violent act by a current or former faculty member, or another person who has some employment-related involvement with HNU, including a faculty member's spouse or partner, relative, friend, or another person who has a dispute with an HNU faculty member.

G. Drug and Alcohol Use

Holy Names University promotes a safe, healthy, and productive work environment for all employees. We comply with federal, state, and local laws governing the possession, use, and distribution of unlawful drugs at the workplace. It is the objective of Holy Names University to have a workforce that is free from the influence of controlled substances (illegal drugs) and alcohol during work-hours. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the University. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the University to the risks of property loss or damage, or injury to other persons.

Holy Names University complies with the Drug-Free Schools and Communities Act (as amended in 1989) and has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by its students and employees on school premises or as part of any of its activities.

The University will impose discipline on students and faculty members who violate the standards of conduct. Students who violate the provisions of the drug-free campus policy may be subject to

suspension or expulsion. Employees of the University found to be in violation of this policy may be subject to disciplinary actions, up to and including dismissal.

The following rules and standards of conduct apply to all employees either on University property or during the workday (including meals and rest periods). Behavior that violates University policy includes:

- Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job;
- driving a University vehicle while under the influence of alcohol; and
- distribution, sale, or purchase of an illegal or controlled substance while on the job.

Violation of these rules and standards of conduct will not be tolerated. Holy Names University also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, Holy Names University reserves the right to conduct searches of University property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off University property will not be tolerated because such conduct, even though off duty, reflects adversely on Holy Names University. In addition, the University must keep people who sell or possess controlled substances off University premises in order to keep the controlled substances themselves off the premises.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect or seriously impair the employee's job performance. Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work. If there is concern that your ability to perform may be affected by use of the medication, you will be assigned to other duties if available or appropriate. Alternatively, you may be sent home and have the option of using any available accrued time off that you have available. You will be placed on an unpaid leave if you have no paid time off available.

Holy Names University will, to the extent required by law, reasonably accommodate employees with alcohol or drug dependencies who seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The University is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the University obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the University's treatment of employees who violate the regulations described previously.

H. HNU Annual Crime Report

The HNU Annual Crime Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings; property owned or controlled by Holy Names University; and on public property within or immediately adjacent to, and/or accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault and other matters. A copy of this report may be obtained by contacting the Campus Safety Department or by accessing <http://www.hnu.edu/communityVisitors/campusSafety.html>. This report is updated by October 1, annually.

I. Whistleblower Policy

A whistleblower as defined by this policy is an employee of Holy Names University who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management administrators are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or the Human Resources Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas: confidentiality and protection against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The University will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities should be promptly submitted to the Vice President for Finance and Administration who is responsible for coordinating the investigation and the appropriate corrective action.

Employees with any questions regarding this policy should contact the Director of Human Resources.

J. Background Check

Employment at Holy Names University is contingent upon a satisfactory background check. The type and extent of background check is dependent upon the specific position.

K. Paid Time Off from Work

Bereavement Leave. Holy Names University grants up to three (3) days of paid leave in the event of the death of the employee's immediate family member. An employee with such a death in the family may take up to 3 consecutive scheduled workdays off with pay upon approval of the University.

Jury Duty and Witness Leave. Regular faculty will receive full salary while serving on jury duty. Non-exempt employees will receive up to two (2) weeks of normal straight-time earnings. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. When appropriate, faculty members excused or released early from jury duty, are expected to return to work to complete at least two (2) hours of a shift allowing thirty (30) minutes for travel and an additional thirty (30) minutes for a meal period. You may retain any mileage allowance or other fee paid by the court for jury services.

Time Off for Voting. If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give his or her supervisor at least two (2) days' notice.

Other Income While on Approved Leave of Absence. Short-Term Disability Leave (Non-Occupational): A faculty member absent due to a non-work-related illness or injury may be eligible for disability benefits on the eighth day of illness or injury or on the first day of a hospitalization.

Long-Term Disability. The University currently maintains a Long-Term Disability plan, which provides certain coverage for faculty who regularly works at least 30 hours per week. Please consult the applicable Summary Plan Description available through Human Resources for more information.

Paid Family Leave. If you take a leave under this provision which qualifies you for payments for PFL, you will be required to use any accrued and unused sick leave so long as you are not receiving wage replacement through an employer-provided benefit. For additional information, please contact Human Resources for an informational brochure concerning your rights under the PFL program.

Workers' Compensation Benefits. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued any unused sick leave, the additional absences from work will be paid with the use of sick leave.

If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation/paid time off for further absences from work, related to your illness or injury.

In the event you sustain an injury or illness related to your employment, you may be treated for such injury or illness by your personal medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or medical group if your provider meets the requirements set forth by Worker's Compensation and as long as you provide the pre-designation information at least 30 days prior to a work-related illness or injury.

L. Unpaid Time Off from Work

Personal Leave. A personal leave of absence without pay may be granted at the discretion of the University. Requests for personal leave should be limited to unusual circumstances. A faculty member must complete and submit a written request to his/her supervisor for approval at least two (2) weeks in advance. The University will determine the conditions for approval of, or continuation of such a leave. Employment return at the end of the leave is subject to operational needs and the discretion of the University.

Except for military spouse leave, employees are required to take accrued and unused paid time off before taking unpaid leave or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement, unless the absence is pregnancy-related, so long as you are not receiving wage replacement through an employer-provided benefit.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for 7 calendar days. If you have accrued paid time off, paid time off will be used for the first 7 days before SDI payments begin unless you are receiving wage replacement through an employer-provided benefit.

SDI benefits do not replace all of your usual wages. Your SDI benefits can be supplemented with any accrued and unused paid time off, unless you are receiving wage replacement through an employer-provided benefit.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, you may use any accrued and unused paid time off, up to a maximum of two weeks in a 12-month period, unless you are receiving wage replacement through an employer-provided benefit.

Any personal leave taken that qualifies as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period.

Employees on unpaid leave do not accrue paid time off.

M. Leave Under Family/Medical Leave Act (FMLA) and Under California Family Rights Act (CFRA)

Pursuant to the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), the University will grant an unpaid leave of absence to employees of up to 12 workweeks in a 12-month period, under the following conditions:

- The employee has more than 12 months of service;

- the employee has worked at least 1,250 hours during the previous 12-month period before the need for leave; and
- the employee is employed at a work site where there are 50 or more employees within a 75-mile radius.

Leave may be taken for one or more of the following reasons:

- The birth of the employee's child, or placement of a child with the employee for adoption or foster care;
- to care for the employee's spouse, registered domestic partner, child, or parent who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform his or her job.

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, Holy Names University uses a 12-month rolling year.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

However, leave because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under California law (the California Family Rights Act). Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under federal law (the Family and Medical Leave Act). Employees who take time off for pregnancy disability and who are eligible for family and medical leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant employee is no longer disabled, she may apply for leave under the California Family Rights Act, for purposes of baby bonding.

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. California Family Rights Act leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, Holy Names University will grant a request for a California Family Rights Act leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

The following procedures shall apply when an employee requests family leave:

- Please contact Human Resources as soon as you realize the need for family/medical leave.
- If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee must notify the University at least 30 days before leave is to begin. The employee must consult with his or her supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to University operations. Any such scheduling is subject to the approval of the health care provider of the employee or the health care provider of the employee's child, parent, or spouse.

- If the employee cannot provide 30 days' notice, the University must be informed as soon as is practical.
- If the Family and Medical Leave Act/California Family Rights Act request is made because of the employee's own serious health condition, Holy Names University may require, at its expense, a second opinion from a health care provider that the University chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the University.
- If the second opinion differs from the first opinion, Holy Names University may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be considered final and binding on Holy Names University and the employee.

Holy Names University requires the employee to provide certification within 15 days of any request for family and medical leave under state and federal law, unless it is not practicable to do so. Holy Names University may require recertification from the health care provider if additional leave is required.

If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- probable duration of the condition;
- estimated amount of time for care by the health care provider; and
- confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by Holy Names University, and request simultaneous leave for the birth or placement for adoption or foster care of a child, the University will not grant more than a total of 12 workweeks of family/medical leave for this reason.

If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- probable duration of the condition; and
- inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition.

Holy Names University will require certification by the employee's health care provider that the employee is fit to return to his or her job.

Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

An employee taking family medical leave will be allowed to continue participating in any health and welfare benefit plans in which he/she was enrolled before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. Holy Names University will continue to make the same premium contribution as if the employee had continued working. The continued participation in health benefits begins on the date leave first begins under Family and Medical Leave Act (for pregnancy disability leaves) or under the Family and Medical Leave Act/California Family Rights Act (for all other family care and medical leaves). In some instances, the University may recover from an employee

premiums paid to maintain health coverage if the employee fails to return to work following family/medical leave.

Employees on family/medical leave who are not eligible for continued paid coverage may continue their group health insurance coverage through Holy Names University in conjunction with the federal COBRA guidelines by making monthly payments for the amount of the applicable premium. Employees should contact Human Resources for further information.

Paid leave **will be** substituted for unpaid leave when employee is not receiving wage replacement through an employer-provided benefit, in the following circumstances:

- Accrued sick leave is required to be used during Family and Medical Leave Act/California Family Rights Act leave for the employee's own serious health condition, or, up to a limit of that which is accrued over six months, to attend to the illness of a child, parent, or spouse of the employee.
- Vacation and other accrued time (other than sick leave) is required to be used for any family/medical leave qualifying event, except leave that is also pregnancy disability leave.

Paid leave **may be** substituted for unpaid leave in the following circumstances:

- Accrued sick leave may be used by the employee for the employee's own serious health condition.
- Accrued sick leave may be used for the care of a family member.
- Vacation and other accrued time (other than sick leave) may be used for any family/medical leave qualifying event.

Under most circumstances, upon return from family/medical leave, an employee will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee on family/medical leave would have been laid off had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of family/medical leave will not result in the loss of any employment benefit that the employee earned before using family/medical leave.

Reinstatement after family/medical leave may be denied to certain salaried "key" employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the work site at which the employee worked at the time of the leave request;
- the refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to the University's operations;
- the employee is notified of the University's intent to refuse reinstatement at the time the University determines the refusal is necessary; and
- if leave has already begun, the University gives the employee a reasonable opportunity to return to work following the notice described previously.

For additional information about eligibility for family/medical leave, contact Human Resources.

Coordination of PDL with Family/Medical Leave. If you take pregnancy disability leave (PDL) and are eligible under the federal or state family and medical leave laws, Holy Names University will maintain group health insurance coverage for up to a maximum of 12 workweeks (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not family and medical leave under California Law. If you are ineligible under the federal and state family and medical leave laws, while on pregnancy disability you will receive continued paid coverage on the same basis as other medical leave that the University may provide and for which you are eligible. In some instances, the University may recover premiums it paid to maintain health coverage for you if you fail to return to work following pregnancy disability leave.

If you are on pregnancy disability leave and are not eligible for continued paid coverage, or if paid coverage ceases after 12 workweeks, you may continue your group health insurance coverage through Holy Names University in conjunction with federal COBRA guidelines by making monthly payments to Holy Names University for the amount of the relevant premium. Contact Human Resources for further information.

N. Domestic Violence Leave

Employees who are victims of domestic violence are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your health, safety, or welfare, or that of your child.

You should provide notice and certification of your need to take leave under this policy, to Human Resources. Certification may be sufficiently provided by any of the following:

- A police report indicating that the employee was a victim of domestic violence;
- a court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court; or
- documentation from a medical professional, domestic violence advocate, health-care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

Holy Names University will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act of 1993 for eligible employees.

O. Military Spouse Leave

Employees who work more than 20 hours per week and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from military deployment.

Employees must submit a request for leave in writing to their supervisor within two business days of receiving official notice that his or her spouse will be on leave. Employees requesting this leave are required to attach to the leave request written documentation certifying the spouse will be on leave from deployment.

P. School Activities

This leave allows employees to participate in the school activities of their child(ren). The absence is subject to all of the following conditions:

- Parents, guardians, or grandparents having custody of one or more children in kindergarten or grades one to 12 may take time off for a school activity;
- the time off for school activity participation cannot exceed eight hours in any calendar month, or a total of 40 hours each school year;
- employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor;
- if both parents are employed by Holy Names University, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor;
- employees must use accrued vacation or personal days in order to receive compensation for this time off;
- employees who do not have paid time off available will take the time off without pay, and
- employees must provide their supervisor with documentation from the school verifying that the employee participated in a school activity on the day of the absence for that purpose.

Q. Suspension of Child from School

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

R. Victims of Crime Leave

An employee who is a victim of or who is the family member of a victim of a violent felony or serious felony may take time off from work under the following circumstances:

- The crime must be a violent or serious felony, as defined by law; and
- you must be the victim of a crime, or you must be an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim.

The absence from work must be in order to attend judicial proceedings related to a crime listed above.

Before you are absent for such a reason, you must provide documentation of the scheduled proceeding. Such documentation is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings will be unpaid, unless you choose to take paid time off, such as accrued vacation, personal leave time, sick leave or personal days.

S. Volunteer Civil Service Personnel

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. You are also eligible for unpaid leave for required training. If you are an official volunteer firefighter, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

T. Employee Benefits

The Faculty Employee Handbook includes only a general outline of University benefits. More information concerning University benefits may be found in the applicable Summary Plan Descriptions available through the University's Human Resources department. The Summary Plan Descriptions thus informs specific decisions. The terms of each benefit or benefit plan are exclusively governed by the Plan documents. The University and the Plan Administrator reserve the right to amend, delete, modify and/or terminate any of the benefit plans or benefits in whole or in part, with or without notice.

Group Health Insurance. Employees who work at least 20 hours per week are eligible to join any of the health insurance plans offered by the University. This insurance is available to individual employees and their eligible dependents. Employees may join a group plan within the first thirty (30) days of employment or eligibility, or enroll during the annual benefits open enrollment.

The University pays a portion of the premium for employees who actively work full-time (40) hours per week. Employees who are scheduled to work and do work less than 40 hours per week, but not less than 20 hours per week, are eligible to participate in group insurance, but are responsible for paying the entire cost of the premium.

The University's contribution to the employee's premium ends when an employee leaves the University; changes to an ineligible status; cancels coverage; stops making contributions; takes a leave of absence for reasons other than FMLA, CFRA, PDL, or PFL leaves; when the University ceases to provide health coverage.

Details of plans are contained in the Summary Plan Descriptions (SPD's).

Information about the employee benefit plans is also available in the Holy Names University Employee Benefits Booklet.

Disability Insurance (Non-Work-Related). Each employee contributes through payroll tax to California's state disability insurance programs. Disability insurance is mandated by the California Unemployment Insurance Code and administered by the Employment Development Department. Disability insurance is payable when you cannot work because of illness or injury not caused by employment at the University. An additional tax funds the state's Paid Family Leave program, and provides partial wage replacement for absences related to care of a family member, or bonding with a

new child. Specific rules and regulations governing disability, as well as forms, are available from Human Resources.

Portions of sick leave and/or vacation accrual balances will be used in conjunction with disability insurance.

Unemployment Compensation. Each year Holy Names University pays the cost to the California Unemployment Insurance Fund on behalf of its employees.

Social Security (Federal Insurance Contribution Act, “FICA”). All faculty members are subject to the regulations and benefits of Social Security. The University is required to deduct a percentage of each faculty member’s wages as required by law. Holy Names University pays a matching contribution to each employee’s Social Security taxes. Social Security provides retirement benefits as well as disability and survivorship plans.

Retirement Plan. The University provides a 403(b) plan for eligible employees.

Employees who are scheduled to work, and do work at least 20 hours per week, are eligible to enroll in the tax-deferred, defined contribution group retirement annuity (RA) plan after one full year of service, and otherwise subject to the terms of the Plan. The University determines the contribution rates by both the faculty member and the University. The University currently matches the contribution by the faculty member up to a maximum of 5% of the faculty member’s base salary. Before determining a change, the University will consult with and consider any suggestions of the Faculty Welfare Committee.

Employees who are scheduled to work, and do work at least 20 hours per week are eligible to enroll in the tax-deferred, Group Supplemental Retirement Account Plan (GSRA) at any time after their hire date or eligibility date. Employees may contribute up the IRS allowable maximum amount per year.

Contact Human Resources for information regarding eligibility, contributions, benefits, and tax status. All eligible participants will receive a summary plan description.

Paid Family Leave. Employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department. PFL provides limited compensation for up to six weeks after an unpaid, seven-day waiting period when an employee needs to take leave from work to care for a parent, child, spouse or registered domestic partner who is seriously ill, or for a working parent who wants time to bond with his or her newborn, foster child or newly adopted child. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit.

Workers’ Compensation. Holy Names University, in accordance with state law, provides insurance coverage for employees in case of a work-related injury. The workers’ compensation benefits provided to injured employees may include:

- Medical care;
- cash benefits, tax free, to replace lost wages; and
- assistance to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your supervisor;
- seek medical treatment and follow-up care if required;
- complete a written *Employee's Claim for Workers Compensation Benefits* (DWC Form 1) and return it to Human Resources and;
- provide the University with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been laid off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the University's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, the University's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

Workers' Compensation and FMLA/CFRA. Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and federal law (Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)), will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws runs concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period, based on a 12-month rolling year.

Tuition Remission Program. Faculty members who work full-time and who have completed six (6) months of active employment with the University may be eligible to register for coursework, free of tuition at the University, for up to six (6) units per term, not to exceed 18 units in an academic year. Manager permission must be obtained before enrolling in courses under the tuition remission program and the classes must not interfere with the employee's work schedule or work load. Tuition remission is only allowed for the attainment of the employee's 1st undergraduate degree and for the attainment of the employee's first graduate degree only. The employee must maintain a grade of C or better in coursework to retain eligibility for the tuition remission program.

Employees enrolling in the tuition remission program must apply for all federal, state, or employer gift assistance for which they may be eligible. Application for financial assistance must be completed by the March 2nd priority deadline prior to each academic year of desired attendance. Any award assistance received will reduce the amount of tuition remission and will not be in addition to the discount. New employees and their families will be expected to apply for award assistance as soon as possible after employment. In case of late application for a new employee hired after March 2nd, the amount of tuition remission will be reduced by the amount of federal or state assistance available.

Tuition remission is restricted to the term of employment of the faculty member, and faculty who resign prior to the end of a course are required to reimburse the University for the remaining tuition on a prorated basis. Where there are minimum enrollment requirements for a class, the faculty member will not be counted in fulfilling such requirements. Faculty member enrollment in courses is always on a space available basis. Private instruction, extended/continuing education courses and remedial instruction are not included. All fees, such as room and board, campus, application, test, graduation, registration, laboratory, activities, special music, art, and drama fees, must be paid by the faculty member.

Faculty members planning to enroll in courses and participate in the tuition remission program must apply for the tuition waiver for each term he or she plans to attend. It is the responsibility of the faculty member to submit tuition waiver applications prior to the deadlines each term. All applications must be approved by the employee's area Vice President. Late applications risk not being accepted. In no case will a tuition waiver application be accepted after the term to which the application pertains has begun.

The University also provides up to a full-time grant to any qualified dependent of a current, active full-time faculty person who has completed one (1) year of full-time continuous service with the University. The employee may be required to show proof of dependent eligibility. There is no limit on the number of credits that a dependent may take per term, up to a full-time academic load. Tuition remission is allowed for the attainment of the dependent's 1st undergraduate degree only. Grants do not include private instruction, extended (continuing) education and remedial instruction. Tuition remission benefits are restricted to the term of employment of the faculty member; if the faculty member resigns prior to the term, the remaining tuition will be paid to the University on a prorated basis. Where there are minimum enrollment requirements, these dependent students will not be counted in fulfilling such requirements and enrollment in all courses is on a space available basis.

Prior to applying for a tuition grant, the dependent must complete the usual forms for financial aid and be accepted as a student through the normal admissions process. Students eligible for dependent tuition benefits shall not be eligible for other University scholarships. All fees, such as room and board, activity, registration, laboratory, activities, special music, art, and drama fees, must be paid by the student.

In the case of full-time students, the University does not provide a tuition grant unless a prior application has been made first through appropriate sources of financial aid. If financial aid applicable to tuition is received from these or other sources, the University provides only the balance of the tuition cost.

U. Employment Standards

Conflict of Interest. All employees must avoid situations involving actual or potential conflict of interest. Personal involvement with a competitor, supplier, or employee of Holy Names University, which impairs an employee's ability to exercise good judgment on behalf of the University, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described, should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or Human Resources, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is

determined, Holy Names University may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with Holy Names University unless such is of a *de minimis* value (usually under \$50.00). Under no circumstances is it appropriate for the exchange of gifts or services to impact the potential or outcome of conducting business with the University, or of influencing business decisions, transactions or services. Please discuss expenses paid by such persons for business meals or trips with the University in advance.

Confidentiality. Each employee is responsible for safeguarding the confidential information obtained during employment. This includes compliance with the Federal Educational Rights and Privacy Act (“FERPA”) guidelines regarding the privacy of student records. Please make sure that you understand your responsibilities as they relate to FERPA requirements. Questions or issues should be directed to the University Registrar, who is designated as the compliance officer on campus.

In the course of your work, you may have access to confidential information regarding Holy Names University, its students, its suppliers, its customers, or perhaps even fellow employees. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a “need-to-know” basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by the University.

Outside Employment and/or Business Interests. A faculty member’s prime duties are to the University. Outside employment or business interests must not diminish a faculty member’s effectiveness as a member of the University community. These outside activities must be clearly subordinate to the individual’s principal occupational endeavors.

A full-time faculty member who desires to establish an outside employment relationship or business interest during the regular fiscal year shall secure in advance the written approval of the Vice President for Academic Affairs. Since the needs of the University vary, it is necessary to have such approval renewed at least each fiscal year. Non-University business or activities may not be performed on University premises or using University resources.

Employment of Relatives. Family members of employees may be eligible for employment with Holy Names University only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

Personnel Records. You have a right to inspect certain documents in your personnel file, as provided by law, in the presence of a University representative at a mutually convenient time. No copies of documents in your file may be made, with the exception of documents that you have previously signed. You may add your comments to any disputed item in the file.

Holy Names University will restrict disclosure of your personnel file to authorized individuals within the University. These individuals typically include the employee’s supervisor, any senior official at the University, and to University officers with a legitimate need to know. Information related to job performance and abilities are available to the hiring managers when a faculty member applies for a position. Any request for information contained in personnel files must be directed to Human Resources. Only Human Resources is authorized to release information about current or former employees.

Disclosure of personnel information to outside sources will be limited. However, Holy Names University will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

Employee Property. For security reasons, employees should not leave personal belongings of value in the workplace. The University is not responsible for loss or damage of personal property. University insurance does not cover personal property on University property.

Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent.

Terminated employees should remove any personal items at the time they leave Holy Names University. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

University Property. Desk, computers, equipment, University vehicles, and offices are Holy Names University property and must be maintained according to University rules and regulations. They must be kept clean and are to be used only for work-related purposes. Holy Names University reserves the right to inspect all University property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

University voice mail, e-mail, and internet access are to be used for University business purposes only. Holy Names University reserves the right to monitor phone and computer activity, to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

Holy Names University may periodically need to assign and/or change "passwords" and personal codes. These communication technologies and related storage media and databases are to be used only for University business and they remain the property of Holy Names University. Holy Names University reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system.

Prior authorization must be obtained before any University property may be removed from the premises.

Off-Duty Use of Facilities. Employees are expressly prohibited from using University facilities, University property, or University equipment for personal use, without specific, written permission from University management.

Parking. Holy Names University has developed parking and traffic regulations on its property to help maintain a safe campus environment. The University requires that all vehicles operated on University property observe all University parking and traffic regulations and all applicable provisions of the California Vehicle Code. All vehicles must have a valid license plate and display a valid campus parking permit.

Parking permits are required for all vehicles on campus 24 hours a day, seven days a week. All vehicles must display a current campus permit. Permits are issued through the Campus Safety office, and are the property of Holy Names University. Permits may be revoked at any time and must be surrendered upon

request. A Holy Names University parking permit allows the holder to park one vehicle on campus. Employees may park their vehicles in appropriate designated areas, if space permits.

Holy Names University is not responsible for any loss or damage to employee vehicles or contents while parked on University property.

Refer to Campus Safety for further, specific information.

Surveillance Monitoring. Parking areas may be monitored with video or other surveillance for purposes of protecting University property only. This surveillance system is in no way intended to provide employees with personal security.

University-Related Driving. Employees who are required to drive a University vehicle or their personal vehicle on University business will be required to show proof of a current valid driving license and current effective insurance coverage to Human Resources before being authorized to drive on behalf of the University.

Holy Names University participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

Holy Names University retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the University's policy, if driving is an essential part of the employee's job duties.

Employees who drive their own vehicles on University business will be reimbursed at the mileage rate published in accordance with the Holy Names University Business Office.

An employee who is involved in an accident while driving on University business must obtain the names of all persons involved in the accident and of all witnesses. The employee is also required to immediately report the accident to his/her supervisor and Human Resources.

Prohibited Use of Cell Phone While Driving on University Business. Employees must comply with all applicable federal and state laws when using cell phones while driving. The University strongly encourages employees not to use cell phones while driving.

Prohibited use of Cell Phone While Driving (Employees under Age 18). Beginning July 1, 2008, a person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law beginning July 1, 2008 and a violation of University rules.

Smoking. For the health, safety, and comfort of everyone, smoking is not permitted within 30 feet of any building.

Please be observant of this safety and health mandate, as an example to others, including students, colleagues, and the overall community.

Use of Electronic Media. Holy Names University provides access to various forms of information technology and electronic communications including, but not limited to computers, email, telephones, internet, cell phones, and PDA's for business use. All of these, including all software, databases, hardware, and digital files, remain the sole property of Holy Names University and are to be used only for University business and not for any personal use.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against University policy, or not in the best interest of the University.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment, or related actions will be subject to discipline and/or immediate termination.

Employees may not install personal software on University computer systems.

All electronic information created by any employee using any means of electronic communication is the property of Holy Names University and remains the property of Holy Names University. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the University's ownership of the electronic information.

Holy Names University will override all personal passwords if necessary for any reason.

Holy Names University reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of University policy or any law occurs.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by University management.

No unauthorized employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications.

Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications are required to use these methods in strict compliance with the trade secrets and confidential communication policy established by the University. These communications tools should not be used for communicating confidential or sensitive information.

Access to the Internet, websites, and other types of University-paid computer access are to be used for University-related business only. Any information about Holy Names University that will appear in the electronic media about the University must be approved by the Director of Marketing and Communications before the information is placed on an electronic information resource that is accessible to others.

Questions or issues related to electronic communications should be addressed to the Director of Information Technology.

Names and Addresses. Holy Names University is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the University in the event of a name or address change.

Business Attire. Each employee is a representative of the University and is expected to wear clothing that is appropriate for business and the department. A neat, clean, tasteful appearance also contributes to the favorable impression employees make on the University's students and their families. Certain departments may require more specific guidelines, based on business necessity. Employees should check with their respective managers if they are unsure about their workplace attire.

Due to allergies and other health conditions, employees are requested to be careful in the use of perfumes, lotions, and other scented products. The use of such products may compromise or exacerbate the health condition of others in the workplace. Employees are asked to use such products minimally when at work.

News Media and Other Contacts. Employees may be approached for interviews or comments by the news media or other entities. Only representatives designated by the President of the University may comment on Holy Names University policy or events relevant to the University. Contact the Director of Marketing and Communications for information.

V. Campus Safety and Other Operations

Safety and Health. All employees are responsible for their own safety, as well as that of others in the workplace. To help maintain a safe workplace, everyone must be safety-conscious at all times. Employees must immediately report all work-related injuries or illnesses, as well as any potential hazards they may notice, to their respective supervisors or to Human Resources.

In compliance with Proposition 65, Holy Names University will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity. Employees are required to be aware of chemicals in use in their work areas and to be familiar with Material Safety Data Sheet information about those chemicals.

The University's system for workplace safety includes: requiring all faculty members to comply with safe work practices; informing faculty members, supervisors and managers of the provisions of our Workplace Violence Policy; evaluating the performance of all faculty members in complying with HNU's workplace security measures; recognizing faculty members who perform work practices which promote security; providing training and/or counseling to faculty members whose performance in complying with workplace security practices is deficient; disciplining employees for failure to comply with workplace security practices.

Ergonomics. Holy Names University is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The University encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

Holy Names University believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being, and is essential to our business. The University intend to provide appropriate resources to create a risk-free environment.

For questions about ergonomics please contact Human Resources.

Heat Illness. Employees who work outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. Please talk to your supervisor for details on how to ensure you are protected from heat illness dangers.

Proprietary Safety. Holy Names University has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to the Campus Safety faculty. Secure your desk or office whenever you will not be present. When called away from your work area, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor or Campus Safety when persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

Payroll Schedule. The Payroll schedule is published annually. The schedule may be obtained from the Payroll or Human Resources offices.

Direct Deposit. Employees may begin and stop direct deposit at any time. To begin or make any changes to an employee's direct deposit, he/she must complete a Direct Deposit Form (available from Payroll or Human Resources).

PART IV: STUDENT POLICIES OF PARTICULAR INTEREST TO FACULTY

A. HNU Student Judicial Affairs Policies (*See HNU website*)

B. HNU Policy and Information on Alcohol and Other Drugs (*Updated Spring 2010*)

It is the policy of Holy Names University to promote a campus environment that is free of drug and alcohol abuse. Holy Names University prohibits the unlawful manufacture, distribution, possession, dispensing and/or use of alcohol, illicit drugs, controlled substances, and/or illegal drugs on property it owns or controls.

Federal and State laws prohibit the possession, sale and consumption of alcohol by anyone under 21 years old. Persons under 21 years of age are minors and therefore may not purchase, possess, or consume alcoholic beverages. Under strict supervision, alcohol may be served at approved events. Any individual or recognized student organization sponsoring an event associated with Holy Names University where students may be involved and alcohol will be provided must obtain approval from the Vice President for Student Affairs before the event.

Federal and State laws prohibit the sale and use of drugs not prescribed by a physician or available for regular retail sale. Any student known to be in possession of, using or distributing such drugs is subject to serious University disciplinary action (suspension or dismissal) and arrests under the state and federal

laws. Medications used at the University must be taken and/or disposed of properly and according to safe and acceptable medical practices. The University will facilitate counseling and referral to treatment as appropriate.

The University expects all members of the campus community to conduct themselves in an appropriate manner and encourages the adoption of a mature attitude towards the use of alcohol. Students who are 21 and over are responsible for setting a positive example for those under the age of 21, by discouraging alcohol-related behaviors that are abusive to themselves or others. It is the conviction of the University that drunkenness and public intoxication are unacceptable and that those who violate that standard will be subject to disciplinary sanctions. Accordingly, each person must assume full personal responsibility and face disciplinary action for any of their actions or the actions of their guests that violate any University policy. Intoxication and/or alcohol abuse is not permissible as an excuse for unlawful behavior or misconduct.

It is the University's policy to reserve the right to notify the Oakland Police Department whenever drugs or drug-paraphernalia are found on campus. Therefore, in addition to University-related disciplinary action, students violating drug policies risk arrest and prosecution for violations of drug-related laws by city, state, or federal offices.

Violations of this policy will be processed through the Student Code.

Review Process. The Vice President for Student Affairs is that person designated by the University to be responsible for the administration of University policies concerning drugs and alcohol. Working closely with representatives from various departments, the Vice President will conduct a review of Holy Names University's policies on alcohol and other drugs every two years to ensure that the University is in compliance with federal and state laws and that policies effectively address conditions regarding students, University organizations, student activity policies, and University employment issues.

Alcohol Use on Campus. Alcohol may be served, possessed and/or consumed by those individuals of legal age (21 years-old) on campus at University-approved events. For alcohol to be present at University-approved events where students are present, the appropriate procedures outlined in the section on Policies and Procedures for Serving Alcohol at University-Sponsored Events in this document must be followed. Additional guidance follows concerning the presence of alcohol in the residence halls and at athletic events.

Alcohol Use in the Residence Halls. Alcohol may be consumed or possessed by those students of legal age (21 years-old) only inside private living units with the door closed and not with underage persons (other than a roommate) present. The University has the authority to enter and search any room or area of the campus where there is reason to believe that established standards of conduct or health and safety regulations are being violated or when there is reason to believe that illegal drugs/substances may be stored, used, sold or otherwise distributed. Furthermore:

- Kegs, party balls, or other such containers not designed for individual consumption are strictly prohibited.
- Delivery of alcohol by retail or wholesale distributors to a Residence Life facility is prohibited.
- All alcoholic beverages transported on campus and within the living areas must be sealed and carried in a concealed fashion (in covered, nontransparent packages).
- Beer bongs or other funneling devices are not permitted in the residence halls.
- Public intoxication will not be tolerated.

Alcohol Use at Athletic Events. Alcoholic beverages may not be sold, distributed or consumed during intercollegiate athletics, intramural sports and club sport events sponsored on campus or in leased facilities used by the University for hosting athletic events. Violators may lose the privilege of participating in or attending athletics events and may be subject to disciplinary action. Athletes traveling for the purpose of competition are expected to abide by all University, state and local regulations.

Illicit Drug Prohibitions.

- Individuals involved in the sale or transfer of illegal drugs are subject to suspension from the University or dismissal from the University.
- In cases of use or possession of illicit drugs, University action may result in suspension from the University or dismissal from the University. If there are significant extenuating circumstances and/or an agreement with the student to participate in drug screening and a drug counseling and rehabilitation program, the student may be allowed to continue enrollment.
- The University reserves the right to evict a resident student involved in the use or possession of a controlled substance, or drug-related paraphernalia, from student housing at any time during the academic year.
- All administrative or judicial action is subject to appeal in accordance with the procedures outlined in the Student Conduct Code.
- The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal and/or state law. The University reserves the right to refer cases to federal, state and/or local authorities.

Disciplinary Actions Related to Violations of this Policy. Violation of the Alcohol Policy will result in the initiation of disciplinary action in accordance with the Student Conduct Code. Charges of violating the Alcohol Policy, along with other charges, will be initiated against students who violate other University rules and regulations while under the influence of alcohol. Sanctions will vary depending on the nature of the offense.

- Possible sanctions may also include but are not limited to: attending and/or sponsoring education alcohol programs, writing research papers, restitution, community work projects, fines, suspension from Residence Halls, limiting access to living areas, suspension or expulsion. When warranted, students will be referred for treatment that is more intensive.
- All moneys collected as a result of fines will be placed into a fund for leadership programs.
- The University's disposition of individual cases does not preclude criminal prosecution in accordance with federal and/or state law.
- All administrative or judicial action is subject to appeal in accordance with the procedures outlined in the Student Conduct Code.

Policies and Procedures for Serving Alcohol at University-Sponsored Events. Prior written approval from the Vice President for Student Affairs is required for events sponsored by the University that will involve students. Items that will be considered in granting approval include:

- If a student wishes to host a party and wants to serve alcohol, s/he must be 21 years of age or older and first attend an alcohol education program.
- Approval will not be granted for events during Orientation Week, exam weeks, or during times when children are invited to campus.

- Authorization must be obtained at least 72 hours prior to the event.
- The event host(s) must be at least 21 years of age. To obtain an approval for serving alcohol, the host(s) must agree not to consume alcohol prior to or during the event he/she is hosting. The host(s) is responsible for compliance with the Alcohol Policy and will be held accountable for any violation of the Policy.
- The host(s) must agree not to consume alcohol at least eight hours before or during the event. She/he also agrees to be responsible for making sure that guests comply with all campus regulations and the Alcohol Policy. Violations may result in the immediate closing of the party.
- An effective means for checking identification must be implemented and students who are less than 21 years old as well as intoxicated persons may not be served.
- A bartender may be required.
- Alcohol may not be sold at University-sponsored events.
- Types of Alcohol Allowed: The only types of alcohol allowed are beer, wine, and wine coolers. These may not be served for a time period of more than four hours.
- Food and Other Beverages: Nonalcoholic beverages must be featured as prominently as alcohol and available in sufficient quantities to serve the anticipated number of persons under the age of 21 and half of the anticipated persons over the age of 21. All beverages must be served in clear plastic cups. Food must be available in sufficient quantities to last the duration of the event and served free to guests. The serving of alcohol must end one hour prior to the end of the event or when the food runs out, whichever comes first.
- Be advised that leaders of campus organizations and departments sponsoring campus events at which alcohol is served could be held liable for any damages and injuries caused by intoxicated guests during or following the event.
- For student organizations the club advisor must be present at club-sponsored events where alcohol is served.
- Attendance at Campus Events with Alcohol: Campus events at which alcohol is served are open only to Holy Names University students, faculty, staff, alumni, ELSC students and their invited guests. Each member of the Holy Names University community is responsible for the behavior of his/her guest. Holy Names University students must present a valid Holy Names University ID for admittance to campus events. Valid proof of legal age must be presented to purchase alcohol.
- Intoxicated Participants and Driving: Anyone driving on campus that is suspected of being under the influence of alcohol or drugs may be stopped and detained by Holy Names University Security Officers. If a student is determined to be unable to safely drive a vehicle, a security officer will park the student's vehicle and retain the keys until the student is sober. The incident will be reported to the Vice President for Student Affairs and appropriate action will occur.
- Intoxicated commuter students or guests (non-students) on campus, under age 21 or otherwise, will be asked to leave campus. If they arrived in their own transportation, their keys will be confiscated by a security officer and they will need to find other transportation. They may return the following day for their vehicles and keys.

A Commitment to Help: Counseling Services at Holy Names University. A problem exists when a person's use of alcohol causes physical or emotional harm, impairs his or her judgment, infringes upon the rights of others, or interferes with his or her work, relationships, or daily life. Holy Names University regards an alcohol problem as it does other behavioral/medical ones and does not attach a moral or social stigma to such personal difficulties. Alcohol and other chemical dependency problems can be treated successfully if they are identified as early as possible and if appropriate treatment programs are promptly instituted. Holy Names University is committed to providing resources for prevention programs and

referral for treatment as needed. Specifically, workshops, counseling sessions, and referrals are available.

C. Policy on the Posting of Publicity and Announcements on Campus (*Updated Summer 2008*)

This policy applies to non-virtual areas of the HNU campus, including sidewalks, bulletin/chalk boards are to be used for posting approved publicity and announcements. The following policies govern the posting of printed material on campus by students and/or individuals not associated with HNU:

All written materials that are to be posted on bulletin boards, kiosks, and sidewalks (chalk messages only) must be approved by one of the following offices: Student Affairs, Residence Life, Campus Services, Athletics, and/or Public Relations. However, the following exceptions apply:

- Materials to be posted in the library must be approved by the library.
- Materials to be posted on bulletin boards of a particular office or academic department must be approved by the appropriate office manager or department chair.
- Approval must be obtained through the Campus Life for postings in the residence halls (Front Desk in the Residence Halls).

Authorization

- Authorization involves a review of the content of the item to be posted as well as instructions on where the item may be posted and the length of time that the item may be posted.
- Authorization involves a stamp of approval that includes the date when the item will be posted and the date when the item will be removed (3 days after the date specified on the event posting) by the sponsoring group or individual.
- Whenever possible, original materials should be brought for approval before making multiple copies.

Other Considerations

- Items may not include offensive language, offensive art work, references to alcohol, and/or references to illegal substances.
- Groups/Individuals are responsible for removing their flyers/postings by the date specified by the Office of Residence Life.
- Possible sanctions for groups or organizations found in violation of this policy include the suspension of posting privileges.
- No items may be posted on exterior building surfaces, including doors. Banners and bunting may be hung by Physical Plant staff with the approval of the Director of Marketing and Public Relations.
- Posting on doors is permitted only for special or emergency all-campus announcements (e.g. University closures, holiday office hours).
- Posting is permitted on interior surfaces of window panels next to doors. Items may not be posted on painted surfaces.
- Posting on trees or other plants is not permitted.
- Nails and glue must not be used to post items on any surface. Clear tape must be used on windows. Tacks may be used on bulletin boards. Masking tape must be used on wood.

- No credit card solicitations and/or postings are permitted.
- No tobacco advertising/postings are permitted.
- No alcohol advertising/postings are permitted.

Any materials posted in non-approved areas are subject to removal.

Questions concerning this policy should be directed to the Vice President for Student Affairs.

D. Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. Law enforcement agency information provided by California concerning registered sex offenders may be obtained through the [Office of the Oakland City Attorney](#).

E. Policy on Community Relations and Student Conduct

Guidelines for off-campus conduct have been established in order to uphold standards of behavior that should be demonstrated by Holy Names University students regardless of whether they are on or off campus. The University encourages its students to behave as exemplary citizens at all times and to demonstrate respect and concern for all members of our global community.

- Be respectful to local community residents. Prohibited behavior includes but is not limited to: littering, loitering, destruction/trespassing of private property, public urinating, public nudity, using rude or abusive language, or illegal parking.
- Play stereos, car stereos or other electronic equipment at reasonable sound levels, especially late at night or early in the morning.
- All activities sponsored, sanctioned or organized by registered student organizations, athletic teams or other groups must take place on-campus or in an off-campus facility specifically designed to host such events, i.e., community halls, auditoriums and restaurants.
- In all cases involving student misconduct off-campus, the University reserves the right to exercise judicial action. Students or organizations found responsible for violating these regulations will be subject to the same sanctions imposed for on-campus violations.

F. Policy on Acceptable Use of Holy Names University Computer, Network, Telephony and Other Electronic Resources

Holy Names University provides electronic resources to faculty, students and employees to facilitate their embodiment of the University's mission. The purpose of this policy is to explain the rights and responsibilities that users share in sustaining the electronic resources made available to them by the University. This policy provides a reference for University students, faculty, staff, and authorized guests, and communicates the roles and responsibilities of those charged with maintenance, operation and oversight of University e-resources. Within the University community each person will have differing purposes for accessing e-resources in a manner consistent with the University's policies, procedures and codes of conduct, including, as applicable, those found in the requirements of local, state, federal and international laws and contractual commitments including without limitation, the acceptable-use policy of the University's Internet Service Provider(s).

The policy applies to all persons accessing or using University electronic resources. This includes University students, faculty and staff, authorized University guests and all persons authorized for access or use privileges by the University.

Electronic resources covered by the policy include, without limitation:

- All University owned, operated, leased or contracted computing, networking, telephone and information resources, whether they are individually controlled, shared, standalone or networked.
- All information maintained in any form and in any medium within the University's computer resources.
- All University voice and data networks, telephone systems, telecommunications infrastructure, communications systems and services and physical facilities including all hardware, software, applications, databases and storage media.

Additionally, all creation, processing, communication, distribution, storage, and disposal of information by any combination of University electronic resources and non-University resources are covered by the policy. The description of the policy set forth in this Handbook is intended as a summary. The actual policy will control and supersede in the event of any inconsistent provision in this summary.

G. Policy on Disability Support Services (DSS)

Hospitality, a core value of the Sisters of the Holy Names, means we seek to provide access to the total educational experience for everyone.

About DSS. Disability Support Services' mission is to ensure the rights, and promote the self-awareness and self-advocacy, of students with disabilities throughout the University. DSS collaborates with faculty, administration, and staff to create and maintain an inclusive and supportive environment that provides equitable learning opportunities for students with disabilities. DSS policies are guided by current disability legislation. DSS is available for any student with an eligible physical, medical, sensory, psychological, learning, or other disability that impacts a major life-activity. Students with a documented, eligible disability are able to receive reasonable, appropriate, and individualized academic accommodations, auxiliary aides, and services to provide equal access to HNU's educational opportunities.

Contact Information

Director of DSS
3500 Mountain Blvd.
Oakland, CA 94619
(510) 436-1100
(510) 436-1199, non-confidential fax

Policy. It is the policy at Holy Names University to comply with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and state and local regulations regarding students and applicants with disabilities. Pursuant to these laws, no qualified individual with a disability shall unlawfully be denied access to, participation in, or benefits from any services, programs, or activities of

Holy Names University. It is possible that these laws may be amended in the future and in such instances, the most current applicable laws shall represent University policy as it applies to the nondiscrimination on the basis of disability.

According to Section 504 of the Rehabilitation Act of 1973, “a person with a disability includes any person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities; has a record of such impairment; or is regarded as having such an impairment.” The additional terms below help to clarify the ADA definition of disability.

- **Major Life Activities:** Refers to functions such as caring of one’s self, performing manual tasks, walking, seeing, hearing speaking, breathing, learning, and working.
- **Physical Impairment:** Includes but is not limited to conditions affecting one or more of the following body systems and organs: neurological, musculoskeletal, special sense organs, respiratory and speech organs, cardiovascular, reproductive, digestive, lymphatic, skin, and/or endocrine.
- **Mental Impairment:** Includes but is not limited to mental, psychological, and psychiatric conditions such as mental retardation, organic brain syndrome, brain injury, emotional or mental illness, and specific learning disabilities.
- **Learning Disabilities:** A heterogeneous group of conditions manifested by significant difficulties or differences in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities.

A person with disability must be ensured the same access to programs, opportunities, social life, and activities at the University as all others. Existing barriers, whether physical, programmatic, or attitudinal, must be removed whenever possible. There must be an ongoing vigilance to ensure that new barriers are not erected. The University is strongly committed to promoting and achieving equitable learning opportunities and participation for students with disabilities.

Accessing Accommodations. Students are strongly encouraged to present their Accommodations Contract to faculty prior to or at the beginning of each term in order to help ensure the provision of needed accommodations. Students’ strengths and needs may change based upon the requirements of each particular class, so appropriate accommodations may vary from class to class. It is often advisable to put specific course adjustments in writing, signed by and copied to both the student and instructor. The Director of DSS is available for consultation and to otherwise assist in this process.

Updating Accommodation Contracts and Other Records. Accommodations Contracts are valid for a maximum of one year from the date of issue. Students must make an appointment annually at minimum with the Director of DSS to renew their contracts. Additional disability documentation is usually unnecessary in the annual renewal appointments. This annual meeting allows the DSS Office to share important information about new policies and procedures; activities and opportunities; and auxiliary aids and services. In addition, students are to schedule an appointment at the conclusion of the initial term for which they are receiving accommodations to review and modify the accommodations as necessary. As needs change, students are encouraged to contact DSS at any time if they wish to request adjustments to their contracts. Given that all DSS documentation is kept confidentially in the DSS Office, it is important for students to notify the DSS Office directly of changes in addresses or phone numbers.

Confidentiality. Confidentiality of students seeking or enrolled in Disability Support Services is a very high priority. The Director of DSS keeps confidential all correspondences, conversations, and disability documentation provided by the student, except when disclosure is authorized by the student or in the

rare instances where disclosure is required by law. Students must provide a copy of their Accommodations Contract to specific faculty and staff to receive accommodations, and faculty and staff are required to maintain confidentiality regarding the information contained therein. Although disclosure is sometimes helpful, students are not required to disclose the nature of their disability to faculty or staff when seeking accommodations or access to auxiliary aids or services.

Prospective Students. All prospective students are protected by law from discrimination based on disability status when seeking admission to college. You should know that the presence of a disability may not help or hinder you in your candidacy for admission to Holy Names University. If you are qualified based on our admission standards, you will not be discriminated against on the basis of the presence of a disability.

During the admissions process, it is the responsibility of staff members in the Admissions Office to refer you to the DSS Office after you indicate to them that you have a disability or if they discover during the process of applying to the University that you have a disability.

When the Director of DSS learns that you may have a disability, the Director can provide you information about available support services. The director can also provide you an overview of how to apply for accommodations once you enroll at HNU.

The University may retain or return disability related documents used during the admissions process; however, you may be required to resubmit them or others to determine eligibility for accommodations at any time after you enroll.

Entrance Math and English Assessments. Following acceptance to the University, if you believe you are eligible for testing accommodations to complete the entrance Math and English Assessments, you must contact the Director of DSS as soon as possible for assistance. Academic advising and course registration cannot occur prior to completion of the Math and English Assessments, so prompt attention to this matter is critical. Holy Names University offers alternate testing formats and other auxiliary aids to eligible students.

Rights and Responsibilities. All students have the right to equal access to educational opportunities, regardless of disability status. These rights are supported by current legislation that holds the University responsible for providing adequate disability support services and reasonable accommodations. Accessing these services and accommodations is the shared responsibility of the individual student, the DSS Office, and the University as a whole.

The University is responsible to ensure that all of its programs—including but not limited to academic offerings, housing, student organizations, and support services—are nondiscriminatory and accessible to all students. In order to ensure accessibility, the University must make individualized and reasonable accommodations, adjustments, substitutions, and waivers that do not pose an undue burden on the University or alter the fundamental nature of a course or program. As such, the DSS Office must be responsive to student needs and inquiries, act as a student advocate, make appropriate support referrals, and continue to develop new resources. The University must disseminate information about availability and changes in services, as well as policies and procedures for accessing services and filing grievances. The University cannot limit eligibility for financial assistance or scholarships based on disability. The

University cannot charge for necessary accommodations. However, it can select among equally effective accommodations for individuals with disabilities.

Individual students are responsible for self-identifying to DSS and providing necessary documentation of disability. Students have a right to privacy and are not otherwise required to share the specifics of their disability. Once determined eligible for accommodations, students are responsible for self-identifying to faculty or staff from whom they wish to request accommodations. Students are also responsible for communicating educational and other support needs, as well as informing DSS, faculty, and staff about what is and is not working well. Students must directly notify DSS of changes in contact information to facilitate communication, given that DSS records are kept separately from other **University records**. As all Holy Names University students, students with disability accommodations are responsible for maintaining the required academic and institutional standards. Students are also responsible for updating their Accommodations Contract annually, as well as informing DSS of changes in contact information, as well as educational and support needs as they arise.

These shared responsibilities between student and University are reflected in the policies, procedures, resources, and suggestions described throughout this Handbook.

Services in University vs. K-12. Students accustomed to receiving services for their disabilities in their K-12 education should be aware that responsibilities shift when entering the University. Different laws guide the provision of services in each setting.

Upon entering the University, students are considered independent, self-determining, responsible adults with privacy and confidentiality protections. Whereas parental involvement is central in K-12 education, University faculty and staff are prohibited from discussing students' academic activities with parents or guardians, except when authorized specifically by the student. Students themselves must obtain diagnostic summaries or assessment results and must self-identify to the DSS Office by providing written disability documentation. The Director of DSS will determine eligibility and develop an individualized accommodations contract.

Following enrollment in DSS, students must request recommended and approved accommodations, auxiliary aids, and services from individual faculty and staff. It is also the student's responsibility to request assistance from the DSS Office when needed, and to regularly communicate with the DSS Office to assist them in assessing changing needs and keeping the Accommodations Contract current. The DSS Office is responsible for providing support, advocacy, and referrals to assist the student in accessing and utilizing appropriate resources and strategies. The DSS Office must also keep students informed of their rights and responsibilities, as well as changes in available resources, policies, and procedures.

Self-Awareness and Self-Advocacy. An important goal of DSS is to assist students in becoming effective, independent self-advocates. This process begins with self-awareness. A student's understanding of his or her own disability is critical to meeting the educational and other needs that will allow him or her to perform up to potential. Students who are good self-advocates are able to use well-developed interpersonal and communication skills to speak on their own behalf, explaining their needs in concrete terms. A good self-advocate understands his or her disability and its impact on academics. Such students are the experts on their disability-related academic needs and can give examples and suggestions that will help them learn best. Further, they are able to define their disability in plain language and in such a way that others can better understand this aspect of their life experience. They understand the laws protecting their rights as students with disabilities and know how to access resources and ask for assistance when needed. Often a student's success correlates with self-awareness, self-advocacy, and a general openness toward discussing his or her disability when beneficial.

Eligibility for Accommodations. The first step in accessing Disability Support Services is determining whether a disability can be considered ‘eligible’ under the guidelines of current disability legislation. The Director of DSS is responsible for making this decision. The student is responsible for initiating this first step by providing the Director of DSS with written documentation of disability, usually in the form of a letter or clinical/testing summary. In most cases, written documentation must contain each of the following:

- **Diagnosis.** Diagnosis of the disability must be clear and specific. Psychological disabilities must be based on DSM IV criteria. Physical, medical, and sensory disabilities must be defined by a clear medical diagnosis. Learning disabilities must be characterized using standardized testing methods that identify areas of strengths, as well as areas of differences or difficulty. The characteristics of the diagnosis should be detailed as much as possible, particularly with regard to its relevance to learning.
- **Date of Diagnosis.** The initial date of evaluation/treatment for the disability.
- **Assessment Procedures.** This may include a description of the initial diagnostic assessment/evaluation procedures, as well as the most current corroborating information. For physical, medical, or sensory disabilities, this may include a physical exam or specific diagnostic exams. For learning disabilities, this most often includes a description of the particular assessment tests and tools utilized. For psychological disabilities, this primarily consists of a psychological evaluation.
- **Current Summary.** Summaries should include an assessment of the severity of the disability, current symptoms, and future prognosis. It should address how the condition has or is expected to limit the life-activity of learning.
- **Treatment.** It is necessary to provide a description of any current or planned treatment interventions, expected prognosis following treatment, and known or anticipated compliance with treatment. Of particular importance, medication regimens and potential effects of use or nonuse of medications must be detailed.
- **Recommendations for Accommodations.** This is one of the most important components of information to assist the Director in determining appropriate accommodations. Each specific recommendation must also include a detailed justification.
- **Signature and Qualifications.** Information in the letter must be certified with the signature and full name of the qualified professional who evaluated and diagnosed the student, as well as that person’s credentials.
 - For a physical, medical, or sensory disability, the qualified individual may be a physician, physical or occupational therapist, or other licensed medical professional.
 - For a psychological disability, the qualified professional may be a psychiatrist, psychologist, or other licensed mental healthcare provider.
 - For learning disabilities, the qualified professional may be an educational therapist, psychologist, or other licensed professional.

Check with the Director of DSS if you are uncertain of the qualifications of your provider for the purpose of providing documentation. In addition, if the name of the professional who prepared the report is different from your provider, the preparer’s signature, full name, title, and credentials must also be included.

Required documentation varies depending in part on the type of disability. In some cases, the Director may be able to determine eligibility based on less information than what is detailed above. In other cases,

the Director may request updated or additional documentation if the documentation provided is greater than three years old or fails to demonstrate eligibility. The Director is available to provide more specific information and to assist the student throughout this process.

In cases where eligibility for services is likely, but there is an unavoidable delay in obtaining current documentation, it may be possible to institute “Provisional Accommodations” Typically, such accommodations will expire at the end of the term in which it was instituted, or at an agreed upon date when updated documentation is likely to have become available and the interim accommodations are replaced by an Accommodations Contract.

Common Accommodations. Students enrolled in DSS receive an individualized Accommodations Contract, which must be signed by both the student and Director of DSS. The purpose of an Accommodations Contract is to ‘level the playing field’ by providing equal access to educational opportunities readily available to students without disabilities. Reasonable accommodations must preserve the academic standards, integrity, essential content, and fundamental aspects of University courses and programs and avoid placing undue burden on the University. The Director of DSS is responsible for making fair, informed decisions regarding appropriate and reasonable accommodations for individual students. These may include student preferences and written recommendations, as well as reasonable alternative solutions.

Below is a list of some typical accommodations:

- **Lecture Content Access.** Involves provision of instructor’s lecture notes, when available and appropriate. DSS is available to provide guidance to instructors interested in adopting Universal Design approaches, such as creating class notes for all students. Lecture content access also typically involves informal arrangements to copy class notes from a peer. Another effective approach is audio recording lectures using an external microphone and placing the recorder at the front of the class.
- **Extended Assignment and Exam Deadlines.** Such accommodations are particularly helpful for students with certain types of learning disabilities, or students who may need additional time to make use of adaptive software or equipment.
- **Alternate Examination Formats.** This may include extended time, a distraction-reduced environment, oral rather than written exams, use of word processor on exams, permission to use a spelling dictionary.
- **Adaptive Software.** Kurzweil 3000 reading software allows students to scan in text and have the text ‘read aloud’ to them. Dragon NaturallySpeaking voice-to-text software is helpful for students with physical or learning disabilities that make writing by typing or with pen and paper difficult. Other types of adaptive software, including Inspiration essay-writing software, will become available in the near future. Orientation to each software program is provided by the DSS Office from staff and/or peer mentors, or via cross-registration in a computer access course offered at Merritt College just a few minutes up the hill.
- **Adaptive Equipment.** May include access to magnification equipment, large print keyboards, assistive listening devices, video captioning.
- **Alternative Media.** HNU has a membership with Recordings for the Blind and Dyslexic and a certain number of books may be ordered through that service. DSS can also assist with large print materials, or electronically-formatted documents.
- **Physical Assistance.** Priority attempts are made to schedule courses for students with mobility-limitations into accessible classrooms. Such accommodations require students to maintain frequent communication with Director of DSS regarding their course registration.

- **Ergonomic Solutions.** Students may receive assistance with retrieval of and access to books, materials, and equipment. DSS is available to orient students to campus accessibility and provide additional assistance with accessing various campus locations.
- **Course Substitutions and Waivers.** May be obtained at the discretion of instructor, department chair, Director of DSS, Academic Affairs, and Registrar.
- **Flexibility.** To meet the needs of students with specific disabilities, a reasonable level of flexibility is provided around policies and procedures to allow for unexpected or frequent absences resulting from a disability. Flexibility can also be offered in the classroom by allowing students to sit, stand, or move around as needed to accommodate a disability.
- **Reduced Credit Load.** If specifically recommended by a licensed provider or if the Director of DSS determines this is a reasonable accommodation for a particular student based on other available documentation, students in the traditional mode may be considered full-time if enrolled in the equivalent of 9 semester units. Reduced credit load may have Financial Aid implications, so students must consult with the Office of Financial Aid in addition to DSS.
- **Other Disability-Specific Accommodations.** Each student's situation is considered individually and may include accommodations not listed above, such as ASL interpretation for a student who is deaf.
- **In addition to providing accommodations, the DSS Office also recommends other strategies or provides referrals that may further assist the student academically.** Students are encouraged to make an appointment with the Director of DSS or stop by the office to learn more about available resources.
- **Community Resources.** DSS often refers or acts as a liaison between the student and other support agencies or services. This may include referrals to medical, educational, or mental healthcare providers or nonprofits providing community service to individuals with disabilities. It may include government agencies, such as the Office of Civil Rights or the Department of Rehabilitation (DOR). The DOR can assist by providing specific accommodations, tuition support, auxiliary aids, or services to assist qualified students in completing an academic program that will lead to future employment.
- **Campus Resources.** Students may be referred to the Counseling Center for supportive counseling, the Learning Center for tutoring, the campus Ombudsperson for assistance with complex issues that involve navigating multiple campus departments, or Career Resources for employment or internship information.

The Director of DSS is also always available to provide ongoing advising, support, and assistance.

Tips for Students

- Learn about your disability. The more you understand it yourself, the better you can identify situational or environmental circumstances that help or hinder you. Learn about how to explain your disability to your instructors, advisor, friends, and others. Establishing open relationships with other people can benefit you in the long run. On the other hand, don't feel pressured to discuss your disability unless you want to, or unless you perceive a potential benefit from sharing. If disclosing your disability doesn't feel comfortable, keep the focus of conversations on your concrete needs and accommodations.
- Identify priorities and set realistic goals.
- Get and use a date book or organizer to help you keep track of important deadlines. Develop good time management skills.

- Attend class on time and sit in a location where you can best listen.
- Meet with your instructor at the beginning of each course and throughout the term as necessary. Review your Accommodations Contract, and make plans for class-specific accommodations well in advance. Academic planning for an entire term that incorporates accommodations will be most beneficial in the long run.
- Get to know and develop relationships with your professors. Introduce yourself and get to know them. Write down questions as they come up, and take advantage of your instructors' office hours to answer questions. Before meeting with a professor, prepare what you want to say at the meeting, and decide what you hope to accomplish. Discuss with your DSS Director effective strategies for communicating with your instructors. Be open-minded to accommodations proposed by your professors that differ from those that are included in your Accommodations Contract.
- Develop a relationship with your advisor. Meet with him or her at least once per term. Your advisor can be an ongoing support and advocate for you throughout your college career.
- Meet with the Director of DSS often, especially if you are having difficulty. Don't wait until a small problem becomes a big one.
- Develop good study habits. Find a good place to study, preferably outside of your room. Determine habits and circumstances that help or hinder your studying, such time of day, location, what and when you eat. If you prefer being alone, with a tutor, or in a study group, be sure to make such study arrangements.
- Ask for help as soon as it is necessary.
- Find out about the many resources available both on campus and in the community.
- Develop a support network. Dealing with all the responsibilities of college life can be overwhelming. It's important to have people that you know you can count on.
- Find places of refuge from the demands of college life, whether it is your bedroom, a local park, the beach, or a coffee shop. Don't underestimate the restorative power of some time alone.

Appeal and Grievance Procedures. Students who wish to file an appeal or grievance regarding their eligibility or access to disability support services are encouraged to seek informal resolution of disputes as the first course of action. Holy Names University additionally supports students' rights to access more formal resolution procedures when needed.

Students may address a written appeal or grievance to the Director of DSS, if appropriate. The appeal should contain the name, address, and phone number of the student with a detailed description of the grievance within 90 calendar days of the incident. The Director will respond within 15 working days, with the exception of complaints alleging discrimination on the basis of disability, to which the Director will respond within 90 calendar days. If the student does not find the Director's resolution to be satisfactory, he or she may initiate a second appeal to the Vice President for Academic Affairs within 15 working days of the Director's decision. The Vice President will respond within the same timeline for the initial appeal. There is no further University appeal.

At any time a student may file a grievance with the United States Department of Education, Office of Civil Rights. Such a grievance must be filed no later than 180 days after the alleged discriminatory act, or within 60 days of the final University decision.

California Office:

U.S. Department of Education
Office of Civil Rights, Region IX
Old Federal Building, Room 239

San Francisco, CA 94102-4102
Phone: (415) 556-4275
TDD: (415) 437-7786
Fax: (415) 437-7783
Email: OCR_SanFrancisco@ed.gov

National Office:

U.S. Department of Education
Office of Civil Rights
Customer Service Team
550 – 12th Street SW
Washington, DC 20202-1100
Phone: 1-800-421-3481
TDD: (877) 521-2172
Fax: (202) 245-6840
Email: OCR@ed.gov

H. Policy Against Gambling

HNU expects students to abide by federal and state laws prohibiting illegal gambling. Such prohibited activity includes but is not limited to: betting on, wagering on or selling pools on any athletic event; possessing on one's person or premises (e.g. room, residence, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's telephone or other electronic communications devices for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events. Students involved in illegal gambling, particularly bookmaking, risk suspension or dismissal from the University.

I. Policy on Hazing (*Updated August 2008*)

All acts of hazing by a University student organization or group and/or any of its members or alumni are prohibited. It is a violation of California state law, Board of Trustees policy and HNU policy for students to engage in any activity that may be described as hazing.

Hazing is a broad term encompassing any action or activity which does not contribute to the positive development of a person; or which inflicts or intends to cause mental or physical harm or anxieties; or which may demean, degrade or disgrace any person regardless of location, intent or consent of participants. In addition, hazing can be defined as any action or situation which intentionally or unintentionally endangers the physical or mental health of a student for the purpose of initiation or full admission, or affiliation with any organization operating under the sanction of HNU.

The University believes that any activity which promotes a class system within organizations is inappropriate. Subservience in any form is unacceptable. Subsequently, activities which facilitate inappropriate levels of authority over students may be deemed as hazing and will not be allowed.

Enforcement. Any student found to be involved in any hazing activity will face disciplinary action and is subjected to a maximum sanction of dismissal from the University. Students and their organizations are also subject to criminal and civil action as it relates to California state law.

Education Code – Sections 32050–32051:

32050. As used in this article, “hazing” includes any method of initiation or pre-initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any student or other person attending any school, community college, college, university or other educational institution in this state; but the term “hazing” does not include customary athletic events or other similar contests or competitions.

32051. No student, or other person in attendance at any public, private, parochial, or military school, community college, college, or other educational institution, shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution. The violation of this section is a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail for not more than one year, or both.

California State Hazing Laws:

SECTION 32050

As used in this article, “hazing” includes any method of initiation or pre-initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any student or other person attending any school, community college, college, university or other educational institution in this state; but the term “hazing” does not include customary athletic events or other similar contests or competitions.

SECTION 32051

No student, or other person in attendance at any public, private, parochial, or military school, community college, college, or other educational institution, shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution. The violation of this section is a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail for not more than one year, or both.

SECTION 32052

Any person who participates in the hazing of another, or any corporation or association which knowingly permits hazing to be conducted by its members or by others subject to its direction or control, shall forfeit any entitlement to state funds, scholarships or awards which are enjoyed by him, by her, or by it and shall be deprived of any sanction or approval granted by any public educational institution or agency. The governing board of any public school, public college, public university, or other public educational institution or agency shall adopt rules and regulations to implement this section. If the

Attorney General or the district attorney of any county or city has reason to believe that forfeiture should be declared under this section, he or she may institute a special proceeding in the superior court to establish such forfeiture. Any funds so forfeited shall be deposited in the State Treasury and credited to the State School Fund. Notice of the existence of these provisions of law and implementing institutional regulations prohibiting hazing, together with the campus location where verbatim copies can be obtained, shall be published in all campus general catalogs. This section shall become operative January 1, 1988, and shall remain in effect only until January 1, 1994, and as of that date is repealed unless a later enacted statute, which is chaptered on or before January 1, 1994, extends or deletes that date.

J. Health, Wellness, and Student Health Insurance Student Health Insurance

As of 2010, US federal law requires all US citizens to carry health insurance, and in accordance with this legislation, Holy Names University expects all enrolled students to carry health insurance. This law allows individuals 26 years old and younger the opportunity to remain on parental health insurance policies. Students 26 years of age and under are encouraged to talk with their parents about enrollment in their parents' policy.

Additionally, Holy Names University requires all international students to carry health insurance. International students must provide a copy of their health insurance policy information to the International Student Advisor, (510) 436-1356.

If you need to acquire health insurance, HNU strongly encourages you to investigate a variety of health insurance plans in order to select one that will best meet your individual health care needs. Holy Names University will no longer directly enroll students in a health insurance policy. It is your responsibility under the new legislation, to ensure that you have appropriate health insurance coverage.

Questions and help: wellness@hnu.edu

Health Insurance Documents

- Policy Brochure
- Enrollment Form
- Temp ID Card

K. Resident Student Immunization Requirements

Resident students must provide evidence that they have up-to-date immunizations for Tetanus, MMR, TB, and Hepatitis B. This information must be included with an application for student housing and is required before a student may reside on-campus. A waiver may be requested: please contact the Director of Campus Life for more information.

L. Request for Meal Plan Accommodations and Waivers

Holy Names University requires students living in the residence halls to maintain a food services contract. Campus Dining Services provides various meal plans for students during the Fall and Spring academic terms. With appropriate documentation, students with medical conditions may be released

temporarily or permanently from the food services contract. Students may also be released pending extenuating circumstances that cannot be addressed by Campus Dining Services.

M. Procedures to Request Meal Plan Accommodations and Exemptions for Medical Reasons

Students who request accommodations or exemptions for medical reasons may do so at any time during a semester. If the request is granted, a new contract will be issued effective on the Thursday following the day the request is granted. To make a request for an accommodation or exemption, please:

- Obtain forms from Student Affairs and Residence Life
- Consult with a licensed health care professional and obtain documentation that indicates the condition and reasons for the accommodation or exemption. The professional should also provide any recommended dietary adjustments to address your condition. Provide the completed form and medical documentation to the Associate Dean of Student Affairs. We advise you to make an appointment with the staff member to review your request. Upon review, the Vice President for Student Affairs, or designate, will inform you whether your request was:
 - Approved
 - Approved provisionally (e.g., granted for semester or other limited period)
 - Denied
 - Remanded until further information is provided

N. Procedures to Request Meal Plan Accommodations and Exemptions for Non-Medical Reasons

Students requesting accommodations or exemptions for non-medical reasons must do so no later than 14 days after the beginning of each semester. If the request is granted, a new contract will be issued and it will take effect on billing cycle following the day the request is approved. Every attempt will be made to review and act on the request within two business days after it is received.

To make a request, please:

- Obtain the Holy Names University Meal Plan Contract Change/Exemption Request form (available in Student Affairs and Residence Life).
- Provide the completed form to the Associate Dean of Student Affairs. We advise you to make an appointment with the staff member to review your request. Upon review, the Vice President for Student Affairs, or designate, will inform you whether your request was:
 - Approved
 - Approved provisionally (e.g., granted for semester or other limited period)
 - Denied
 - Remanded until further information is provided

Appeal Process. If you want to appeal a decision concerning your request for meal plan accommodations, you may do so by addressing the appeal to the Campus Life Operations Team, which at a minimum, consists of the Vice President for Business and Finance, the Director of Campus Services, the Director of Residence Life, and the Director of Student Accounts. Appeals must be submitted in writing to the Vice President for Student Affairs, who will notify you of the committee's decision.

O. Missing Resident Student Policy (Approved by President's Cabinet: February 9, 2010)

In the interest of student safety, Holy Names University complies with the following Missing Person Policy as required by the Higher Education Opportunity Act of 2008. Holy Names University considers a resident student to be a "missing person" if the person's absence interrupts their usual pattern of behavior (i.e., not attending class, not eating meals in the cafeteria) and there is concern that the missing person is a victim of unusual circumstances or foul play.

Students under the age of 18 years-old, who are not emancipated are considered minors. In the event that such persons are determined missing, the University will notify a custodial parent or legal guardian in addition to the student's designated contact. With students who are over the age of 18 years-old, the University will contact the person whom the student has acknowledged as the designated contact. All students will be given the opportunity each academic year to designate an individual or individuals to be contacted by the University in the event that they have been determined to be missing. This designation will remain in effect unless changed by the student.

Procedures. Any individual who has reason to believe a resident student is missing should notify the Director of Campus Life, Director of Campus Safety, or Vice President for Student Affairs as soon as possible.

1. The student's designated contact will be officially notified by the Vice President for Student Affairs, or designee, no later than 24 hours (or as soon as possible) after the student has been determined by University officials to be missing.
2. The Vice President for Student Affairs, or designee, will gather information from the individual reporting the student missing as well as the resident's roommate and/or acquaintances to determine who the student may have last been seen with and what they were wearing, as well as other distinguishing information (i.e. class or work schedule, vehicle description, information about the student's well-being as of late).
3. No later than 24 hours (or as soon as possible) after determining the student is missing, the Campus Safety Office will provide local law enforcement with a Missing Person's Report.
4. Campus staff will be notified and be included in the information gathering to determine what has happened to the student (i.e. staff, professors, coaches, etc.).

Policy of Nondiscrimination. Holy Names University does not discriminate on the basis of race, creed, sex, disability, age, color, sexual orientation, or national or ethnic origin in administration of its educational or admissions policies, scholarship and loan programs, athletic and other University-administered programs.

P. Access/Parking — Regulations

Holy Names University is an open but controlled campus. The University is committed to maintaining a friendly academic setting for higher education and special learning, as well as for a variety of cultural and community activities. Certain restrictions have been established to help manage access and parking on campus with the safety of the University population at-large as a priority. Because HNU is a private institution, access onto the campus is by permission and parking is a privilege. To better ensure the safety of all students, faculty, staff, and University visitors, vehicles and persons entering this campus are screened in a controlled and consistent manner. To help ensure adequate parking for all students,

faculty, and staff, the Campus Safety Office will strictly enforce the parking regulations described in this section.

Contact Information:

Director of Campus Safety
3500 Mountain Blvd., Soda Commons ([map](#))
Oakland, CA 94619
(510) 436-1601
kirkpatrick@hnu.edu

Office Hours: Monday – Friday, 1:00 PM – 9:00 PM* with administrative assistance and open-door sessions from 3:00 PM – 5:00 PM. Individual appointments may also be scheduled.

**Please note that these office hours are not the same as for other departments in the University.*

Registration. Vehicles will be registered for access to the Holy Names University campus by obtaining one of the three permits described below. Any vehicle not displaying a valid HNU permit will be subject to an immediate tow as an uninvited guest. Therefore, it is imperative that all vehicles be registered with current permits, for campus activities. Registration will be conducted throughout the year from the Campus Safety Office.

Grace Period. All previously issued annual permits (described below) expire at the beginning of August, and new annual permits must be obtained. There is a registration grace period, from the beginning of August until September 30, wherein permit-holders may reregister and obtain new permits. On October 1, anyone not registered will be cited and instructed to contact the Campus Safety Office to obtain a permit. There will be no daily pass issued for violators of this registration process.

Permits. All vehicles parking on the campus must display a valid Holy Names University parking permit. A valid permit allows the holder to park one vehicle on campus. There is one permit per vehicle. Permits are not transferable. There are three (3) types of authorized parking permits.

1. Permanent Party permits. For staff and faculty who have a permanent and daily association with the campus. This permit can be obtained from the Director of Campus Safety. This permit is good for the tenure of the professional relationship of the issued party on campus. The permit is to be surrendered to the Campus Safety Office upon termination of permanent and daily association with the University.
2. Annual permit. For alumni, students, parent groups, and contractual parties, i.e. athletics, prep music who use the campus on an annual basis. This permit can be obtained from the Director of Campus Safety, and is good for one year.
3. Temporary permit. For all visitors to the campus not described above. This permit will be tailored to the length of time necessary for the visitor to conduct his or her approved activities on campus. This permit can be obtained from the Director of Campus Safety (see Application Process below), or arranged for pick-up at the entry gate. This permit is valid only for the time period indicated on its face.

No daily passes will be issued. Instead, persons without permits will be logged in by an HNU security guard at the University front gate at the time of entry. This log will contain the name of the individual, his or her purpose on campus, and the license plate number of his or her vehicle.

Holy Names University assumes no responsibility for theft, fire or damage to any vehicle or any contents therein. Acceptance of this permit is an agreement to abide by all University rules and regulations. Vehicles in violation of University regulations are subject to fine and/or towing in accordance with CVC sections 21113(a) and 22658. Permit is void if altered or not displayed in a fully visible manner. The permit is to be displayed in the lower, left corner of the front windshield above the window well. A permit is valid only for the time period indicated by its permit category described above. By accepting this permit the recipient acknowledges that he or she has read and agrees to the conditions outlined in this section.

Application Process. A permit application must be completed *in full* and submitted together with appropriate fees (described below) to the Campus Safety Office. Please allow approximately **X AMOUNT OF TIME** for processing of applications, and issuance of a valid permit. Missing information will delay issuance of the permit. The Campus Safety Office will attempt to notify applicants of any missing information if a current email address is listed on the application.

Permit applications may be obtained in person from the Campus Safety Office during regular office hours; online at <http://www.hnu.edu/safety/>; and from the exterior of the Campus Safety Office door, outside of regular office hours.

Additional conditions:

- License plate numbers are mandatory for issuance of permits
- Owners of new vehicles awaiting permanent license plates will be issued a temporary HNU parking permit, to be converted to a Permanent or Annual permit as soon as permanent plates are obtained
- All applicable fees must be paid at the time of registration for a permit
- All University parking tickets or fines must be resolved with the Campus Safety Office before permits will be issued or renewed

Completed applications may be submitted in person to the Campus Safety Office during regular office hours; by University interoffice mail; email; or slipped under the Campus Safety Office door, if outside of regular office hours. Renewals for Annual Permits already on file with the Campus Safety Office may be submitted via email to kirkpatrick@hnu.edu.

Completed permits will be (1) held at the Campus Safety Office for pick up during regular office hours; or (2) returned to applicants via U.S. mail if a self-addressed, stamped envelope is included with the completed application and applicable fees. Again, please allow sufficient processing and return time for the permit, prior to desired dates of parking at the University.

Permit Fees

- Permanent Party permits
 - Current staff: 1st permit is waived; additional permits are \$15 each. No limit. One permit per vehicle. Permits are not transferable.

- New Employees hired after 1 Jan 07: \$15 per permit. No limit. One permit per vehicle. Permits are not transferable.
- Annual permit
 - HNU Students: 1st permit fee is waived; additional permits are \$5 each. No limit. One permit per vehicle. Permits are not transferable.
 - Others: \$5 per permit. No limit. One permit per vehicle. Permits are not transferable.
- Temporary permit
 - No fee

Reserved Parking. All lots are open to anyone with a valid parking permit, except as follows:

1. Reserved for Faculty and Staff:
 - Lot on upper level of VCPA by flagpole
 - Lot in front of Hester Administration Building
 - Lot bordered by Brennan and Tobin Halls
 - Parking spaces directly behind Dunn Hall
 - Parking spaces in front of Raskob Institute
2. Reserved for Resident Students:
 - The Dunn Hall parking lot is reserved for residence hall residents only. Visitors are requested to park in open lots, not in reserved areas.
3. Reserved for Maintenance and Food Service:
 - Parking spaces directly behind the Kitchen and Plant Offices
4. Reserved for Special Circumstances:
 - Parking spaces specifically marked for Admissions visitors
 - Parking spaces specifically marked for Hester Administration Building visitors
 - Parking space reserved for the University President

Event Parking. At times, to accommodate large special events on campus, certain parking lots will be closed to permit holders. Notification will be provided online with as much advance warning as possible. Additionally, there will be visible signs, cones and cordoned-off areas with postings to identify changes to an area's use. These postings will be strictly enforced for parking violations and any tampering with the equipment will be cited.

During Commencement, parking will be limited to **campus personnel**. Only those participating in the event and/or by obtaining "a special graduation permit" will be allowed on campus. Alternative off-campus parking and shuttle transportation will be provided. These arrangements will be developed and tailored for each graduating class's needs.

Tows. Holy Names University is private property, and reserves the right to tow at the owner's expense any vehicle parked in a prohibited manner. Once a vehicle has been towed off-campus, the owner must make his or her own arrangements for the recovery of the vehicle.

Towing Info:

Berry Bros. Towing & Transport
598 55th Street
Oakland, CA 94609
(510) 465-7215

Fines. *All parking violations have a \$50.00 fine.* Any parking violation on campus will result in a citation and fine or the removal of the vehicle. The violations list is not all inclusive and may be modified as needed. These modifications will be made public. The following offenses are enforced:

- Parking: Prohibited by Signs or Markings
- Parking: Red Zone
- Parking: Loading Zone
- Parking: Fire Lane
- Parking: Fire Hydrant
- Parking: Blocking Traffic
- Parking: Irregular or out of line
- Parking: Blocking Walkway
- Parking: Handicapped Space
- Parking: Staff & Faculty Lot
- Parking: Reserved areas
- Permit: NO current HNU parking permit
- Permit: Improper Use of HNU permit
- Tow: Abandoned Vehicle on Campus over 72 hours
- Other: (As needed)

All moving violations will incur a \$150 fine for the first offense. The second offense will be a fine of \$250. A third offense will result in the loss of driving privileges on campus for a determined period of time. The University campus serves a population including preschool-aged children and the disabled and elderly with special needs. Therefore it is imperative that these violations be enforced with zero tolerance. The following violations will be cited as on-view violations without the necessity of a vehicle stop. This means that if a driver is observed committing a violation and the description of the incident is submitted to Campus Safety, the driver is citable.

Violations of regulations, such as the following, will be strictly enforced:

- Exceeding the speed limit of 15 mph
- Failure to observe stop signs
- Failure to observe one-way traffic (Once past the Hester Building parking lot, the main road around the perimeter of the University is **one-way only.**)
- Proceeding through the front gate in the wrong direction
- Failing to yield to the security guard's request to stop, or to produce necessary information

- Engaging in reckless driving: i.e. “spin-outs”/“doughnuts” in the parking lots

Notification of an on-view citation will be emailed to staff, faculty, and student Holy Names University email addresses, or to the primary email address listed on the permit application. Permit holders must ensure that their email addresses on file with the Campus Security Office are current. An appeal of the on-view citation must be submitted within 14 days of the citation’s posting rather than the citation date, as those receiving citations will not have citation hard copies in their possession. (See below for details regarding appeals.)

All citations will be submitted for billing by the Director of Campus Safety. Checks payable to “Holy Names University” may be submitted with the parking ticket (if hard copy available) to the Campus Safety Office. A fine may be paid at any time. An option of paying the fine through performing Community Service is available; the service will be performed at Holy Names University and assigned at the discretion of the Director of Campus Safety.

Appeals. Citations may be appealed only by submitting a Citation Appeal form within 14 days of the citation posting date. Appeals may not be submitted by phone, email, or resolved through drop-in visits. The Citation Appeal form may be obtained in the Student Resource Center, (Hester Building, Room 13); from the Campus Safety Office (Soda Commons), or on-line at <http://www.hnu.edu/safety/>. To be considered, and to facilitate processing, all appeals must be written up specifically as instructed.

The completed Citation Appeal form can be dropped off at the Campus Safety Office or mailed. The Appeal will be reviewed by the Director of Campus Safety, who will make a recommendation to the Vice President for Finance and Administration. Student Resource Center personnel have no responsibility in the appeal process and can answer no questions regarding a citation. A final decision on all appeals will be made by the Vice President for Finance and Administration. This final decision will be returned to the appellant by mail only.

Periodically, there are emergencies such that the Campus Safety Office must issue a community alert notifying vehicle owners to move their cars immediately. Alerts will be emailed, and attempts made to contact vehicle owners by phone. Failure to respond to the directive may result in a car being towed at the owner’s expense.

Questions regarding these policies should be directed to the Director of Campus Security.

Q. Policy on Privacy of Student Educational Records

Annual Notification. The Family Educational Rights and Privacy Act (FERPA) and the California Education Code afford students who are over 18 years of age or are enrolled at a post-secondary institution (“eligible students”) and parents of dependent students certain rights with respect to the student’s education records. They are:

1. **The right to inspect and review the student’s education records within 45 days of the day the University receives a request for access.** Eligible students or parents should submit to the Registrar a written request that identifies the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the eligible student or parent of the time and place where the records may be inspected.
2. **The right to request an amendment of the student’s education records that the eligible student or parent believes are inaccurate or misleading.** Eligible students or parents may ask Holy Names University to amend a record that they believe is inaccurate or misleading. They

should write the Registrar, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the eligible student or parent, the University will notify the eligible student or parent of the decision and advise them of their rights to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the eligible student or parent when notified of the right to a hearing.

3. **The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.** One exception which permits disclosure without consent is disclosure to "college officials" with "legitimate educational interests". A "college official" is a person employed by the University as an administrator, supervisor, instructor, or support staff; a person serving on the Board of Trustees; a person or company with whom the University has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); a student serving on an official committee, such as a disciplinary or grievance committee; or a student assisting another college official in performing his or her tasks. A college official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibility and/or clearly specified duties.
4. **The University has designated the following student information "directory information", and at their discretion may release this information:**
 - a. Category 1: name, address, email, telephone number, dates of attendance.
 - b. Category 2: major field of study, awards, honors (including Dean's List), degree(s) conferred (including dates).
 - c. Category 3: past and present participation in officially recognized sports and activities, physical factors (height, weight of athletes), date and place of birth.
5. **As required by Section 99.37 of the FERPA regulations, this serves as annual public notice of this action.** Students have the right to withhold any item in "directory information", but must notify the University of such in writing (completion of college form, Request to Prevent Disclosure of Directory Information, available in the Student Resource Center), during their first term at the University. This hold will remain in effect until and unless changed subsequently by re-submitting a request form to the Student Resource Center.
6. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.** The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-4605

R. Policy on Psychological Emergencies

A student who is believed to be a danger to him or herself or to others due to psychological difficulties may be required to obtain professional evaluation and treatment. Decisions will be made by the Vice President for Student Affairs or his/her designee in consultation with the appropriate mental and physical health professionals and other staff as is deemed necessary. Failure to comply with this requirement may

result in contact with parents/family members, disciplinary action, suspension or mandatory withdrawal from the University.

S. Safety and Security at Holy Names

Campus Sex Crimes Prevention Act. The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. Law enforcement agency information provided by California concerning registered sex offenders may be obtained through the Office of the Oakland City Attorney.

Residence Hall Safety. Holy Names University takes great pride in providing a safe and secure living environment. Listed below you will find links to better prepare yourself in the event of an emergency.

Fire Safety Procedure

What to Do

- Break the glass of the closest fire alarm box
- Evacuate using stairs
- If a door feels warm to the touch, do not open it
- Do not go into a blazing or smoke-filled area for any reason, fires can be unpredictable
- If the room is filled with smoke, stay close to the floor as possible and hold a cloth over your nose and mouth to breathe through
- Report to building's predetermined areas
- Check in with your RA
- Wait for further directions from RA or any Residence Life staff

Earthquake Safety

During an Earthquake — Get Someplace Safe and Secure

If you are INDOORS

- Take shelter under a table or desk, remain there until shaking is over
- Turn off electrical equipment
- Move away from anything that could shake loose or fall (For example: windows, outside doors or walls, tall bookshelves, etc...)

If you are OUTDOORS

- Remain there but move away from anything that could shake loose and fall (For example: poles overhead wires, etc...)
- Do not enter a building even after the initial tremors subside, as the aftershocks may shake down further debris from the structures

After an Earthquake

- Move cautiously when exiting the buildings

- Watch for hazards when moving around the campus
- Stay away from fallen or damaged wires
- Do not enter any building until it is declared safe by a University official
- Do not use telephones except in extreme emergencies
- Do not use any water supply or flush any toilets until you have been advised that the water and sewer lines have been checked
- Report immediately any potentially dangerous situations
- Residents will need to immediately report to their halls' predetermined areas
- After checking in with your RA, instructions on where to go will be available

Severe Weather Procedure

What to Do

- Move away from windows or glass-enclosed areas immediately
- Listen for directions from Floor RA
- Proceed to predetermined areas
- Check in with your RA

Where to Go — Find the Safest Area

- Center of the building as close to basement or ground floor as possible
- Lower level room with interior walls and without windows

Medical Emergencies

For a Minor Injury

- Request a first aid kit located at the Residence Life Front Desk
- Call an RA on duty to notify them the of situation

For a Life-Threatening Injury

- DIAL 9-911 and provide the operator with the street address, building, room number and type of emergency
- DIAL x1627 to notify RA on duty of situation and location

Health and Safety Checks. In certain situations (e.g., family emergencies) involving resident students, members of the residence life staff will perform a health and safety check. If someone has a concern about the well-being of a resident at Holy Names University, please contact the residence life staff.

- (510) 436-1627, Resident Advisor on Duty
- (510) 436-1500, Residence Life Front Desk
- (510) 436-1442, Residence Life Office

If you contact the residence life staff, please know there are various legal (FERPA) and ethical restrictions that guide how staff members operate in such situations. To assist the staff member, please identify yourself and why you are calling. Identify that you have a health and safety concern and provide

your contact information. The person taking your call will respond to your concerns and in cases when a message is left, someone will respond as soon as possible.

Please remember that in all cases staff members will be restricted in the information they can provide to you, the caller.

T. Emergency Preparedness

Personal Supplies (3-day supply)

- Water: one gallon per day
- Food: ready-to eat canned meats, soups, juices, fruits and vegetables
- First aid kit
- Flashlight and battery-operated radio
- Non-electrical can opener
- Tent
- Batteries
- Map of area
- Personal hygiene items
- Sturdy shoes
- Rain gear, hat, gloves
- Blankets and sleeping bags

Hospital and Clinic Locations:

**Alameda County Medical Center-
Highland Hospital**
1411 E 31st St.
Oakland, CA 94602
(510) 437-4800

Alameda Hospital
2070 Clinton Ave.
Alameda, CA 94501
(510) 522-3700

Alta Bates Medical Centers
Alta Bates Campus
2450 Ashby Ave
Berkeley, CA 94705
(510) 204-4444

Eden Medical Center
20103 Lake Chabot Rd.
Castro Valley, CA 94546
(510) 537-1234

Kaiser Permanente
280 W Macarthur Blvd.
Oakland, CA 94611
(510) 752-1000

Kindred Hospital – San Francisco Bay
2800 Benedict Dr.
San Leandro, CA 94577
(510) 357-8300

Alta Bates Summit Medical Center
Peralta Pavilion
450 30th St.
Oakland, CA 94609
(510) 655-4000

Important Numbers:

- Emergency 9-911

- Residence Life Office 436-1442
- Front Desk 436-1500
- Front Gate 436-1600
- RA on Duty 436-1627
- Campus Safety 436-1601

U. Policy on Sexual Assault (*Updated August 2007*)

Holy Names University deplores and prohibits sexual offenses of any kind (including but not limited to forcible sex offenses, non-forcible sex offenses, stalking, acquaintance rape, and the use of mind-altering substances to facilitate any activity, including those that are sexual). Any such act committed against the integrity of another person will not be tolerated.

HNU is committed to providing students, faculty, staff, and administrators an environment free of sexual offenses. Actions the University provides includes:

- Educational information about sexual assault.
- Referral to appropriate counseling and mental health services.
- Reasonable changes in academic and/or work situations (i.e., escorts, class sections) after an alleged sex offense is reported.

Information about educational and health-related programs is available from staff in the Student Success Center and Counseling and Psychological Services.

Reporting Sex Offenses. HNU strongly encourages any member of its community to report a sexual offense immediately to campus and local authorities. Every incident of sexual assault reported will be investigated thoroughly, and with the consent of the victim, appropriate disciplinary, criminal, and legal actions will be initiated. Where there is probable cause to believe that HNU regulations prohibiting sexual assault have been violated, the University will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the University.

If possible, in cases where an act of sexual misconduct occurs, evidence from any such incidents should be preserved and provided to the appropriate authorities (see below).

Disciplinary action initiated against a student as a result of a sexual offense is administered in accordance with University disciplinary proceedings under the authority of the Vice President for Student Affairs. When disciplinary action is taken concerning an alleged sex offense, the accuser and accused will have the same opportunity to have others present. This includes, but is not limited to witnesses, medical professionals and attorneys; however, only witnesses may address the proceedings. Following such proceedings, both parties shall be informed of the outcome of those proceeding. In cases where the accused student is found in violation of HNU policy, HNU shall disclose to the University community the outcome of the case—limited to the perpetrator’s name, a description of the violation, and the sanction imposed. Sanctions that may be imposed against students are listed under the sanctions section of the Student Code of Conduct.

A student charged with a sexual assault can be prosecuted under California criminal statutes and disciplined under the University's Student Conduct Code. Even if the criminal justice authorities choose not to prosecute, the University can pursue disciplinary action.

In all cases of possible sex offenses, individuals involved shall be informed of their options to notify law enforcement. Individuals shall also be notified of counseling services and options for changing academic and living situations. The decision to proceed with the resolution process will remain with the complainant.

Every reasonable effort shall be made to maintain confidentiality and to protect the privacy of a complainant and an alleged offender in the investigation, resolution, compliance, and administering of this policy.

If an alleged sex-offense occurs at Holy Names University or at an event sponsored by the University, any evidence (i.e., clothing and condoms) pertaining to the alleged offense should be kept by the victim until it may be provided to authorities. If a student believes a substance was added to a beverage, that liquid should be kept if at all possible.

Alleged sex offenses should be reported to University authorities who upon learning of such incidents will maintain confidentiality and facilitate treatment. Reporting incidents in no way compels an individual to pursue a specific course of action. However, reporting does enable an individual to be appraised of the medical, emotional, legal, and University judicial options for dealing with the assault. Medical attention is important for two reasons: 1) testing and/or medical treatment of sexually transmitted diseases, pregnancy, or physical injuries, and 2) evidence collection.

Report alleged sex-offenses to one of the following University staff members:

- Director of Counseling and Psychological Services or Psychological Counselors
- Director of Campus Life and Civic Engagement
- Coordinator of Residence Life
- Coordinator of Student Life
- Head Athletic Trainer or AT staff
- Director of Security
- Associate Dean of Student Affairs
- Vice President for Student Affairs

When an incident of sexual assault is reported to any other member of the HNU community other than the Director of Counseling and Psychological Services or Psychological Counselors, that member must report the incident to a University administrator for statistical documentation.

Members of the HNU community who have been sexually assaulted are strongly encouraged to talk with a counselor, report the assault to Campus Security and local police, and obtain medical assistance.

Counseling services are available through Counseling and Psychological Services (services are free).

V. Smoking Prohibitions

Holy Names University seeks to promote an environment for work, study, and living that is healthy, productive and mutually comfortable for smokers and nonsmokers. The following policy and prohibitions apply to all members of the HNU community, including guests and visitors.

Smoking is prohibited inside HNU buildings and within 25 feet of all doors and windows. Smoking is prohibited inside HNU vehicles and/or vehicles rented and/or used for University business.

- Smoking involves the combustion of any cigar, cigarette, pipe, or any similar articles using any form of tobacco or other combustible substance in any form.
- Conflicts should be brought to the attention of the appropriate department supervisor or a University administrator, who shall take immediate corrective action using this policy as a guide.

Questions regarding this policy should be directed to the Vice President for Student Affairs, Vice President for Business and Finance, or Director of Human Resources.

W. Policy on Student Clubs and Organizations: Definitions and Recognition

Student Organizations at Holy Names University serve a valuable educational function, offering HNU students the opportunity to develop leadership, organizational, and intellectual skills. In essence, student organizations are places to practice what you learn in the classroom and through life experiences.

Student Clubs and Organizations are defined as:

- **Student Organizations.** A student organization is defined as any group or program at HNU that exists primarily for students and is formally recognized by the University. Student organizations are funded partially or totally by the University and individuals involved in student organizations are responsible to policies and guidelines established by the University as well as external agencies, as appropriate and in some cases, required.

Student organizations are eligible to request funding from the Associated Students of Holy Names University (ASHNU). Current student organizations at HNU include sport-related teams, which are regulated by the University and the National Association of Intercollegiate Athletics (NAIA) and California Pacific Athletic Conference (CALPAC), the Associated Students of Holy Names University (ASHNU), the student newspaper, dance and cheer leading squads, residence hall association (RHA), and the Mother Marie Rose Seminar. Students and advisors involved in student organizations must adhere to all institutional policies and regulations.

- **Student Clubs.** A student club is defined as any student-driven group at HNU that is formally recognized by the University. Student clubs are funded partially or totally by the University through funding provided to the Associated Students of Holy Names University (ASHNU). Examples of student clubs include the American Red Cross Club, HNU Construction Club, Asian Pacific Islanders Club, and Brothers and Sisters United/NAACP. Student clubs must be open for membership to all HNU students. Students and advisors involved in student clubs must adhere to all institutional policies and regulations.

Membership Eligibility. Active membership in student organizations and clubs is limited to registered students, faculty and staff. Students must constitute a majority of the membership of recognized organizations and clubs. Faculty and staff who are not students shall not be eligible to hold any office other than that of adviser.

Privileges of Recognized Student Clubs and Organizations

- Recruit members on campus.
- Request funding from the Associated Students of Holy Names University.
- Schedule the use of college buildings, grounds, and equipment when available.
- Publicize activities through the use of designated bulletin boards—subject to the terms of the University posting policy—as well as electronic communications generated by Campus Life.
- Utilize the services of the University (i.e. Campus Life, Campus Services, Campus Dining, Campus Mail, Requests for Payment, etc.).
- Participate in the annual events, such as the Club Fair, that provide organized opportunities to recruit new members and let others know about the organization and its programs.
- Participate in leadership workshops on such topics as publicity, financial management, group leadership and organizational development arranged by Campus Life.
- Solicit funds on campus for the support of organization activities. (Prior approval from the Vice President for Student Affairs or designate is required, as is proper documentation of all fundraising and expenses.)

Student Organization and Club Prohibitions

- Under no circumstances may student organizations or clubs lobby external agencies for political purposes or attempt in any way to influence legislative processes.
- Under no circumstances may student organizations or clubs sponsor HNU events, or use HNU facilities or services, unless the organization or club is either formally recognized or has the written approval of the Vice President for Student Affairs or designate.
- No student organization or club may open a banking account with an external agency. All finance and accounting processes must be handled through the University.

Recognition Process. Recognition is defined as the process whereby a student club or organization acquires eligibility to receive University support and service.

The following are criteria for recognition of a student club:

- Recognition is conducted through Campus Life.
- The recognition process must be renewed annually. This involves the submission of any and all documents necessary for the approval process to be considered.
- Clubs must register by September 30 for the fall semester and by January 31 for the spring semester. Clubs that form after these deadlines may be recognized provisionally, which means they will not be eligible for funding until the following term. All clubs must apply for recognition annually, regardless of their status in previous years.
- Student(s) must provide a statement of purpose that includes the club's name and objectives. Objectives must be detailed and aligned with the educational mission and goals of the University.
- Student(s) must provide a list of positions that will govern the club (e.g., President, Vice President, Treasurer) and a process for how officers will be selected to govern the club.
- The club agrees to adhere to all policies and regulations of HNU, ASHNU and all local, state and federal laws.
- The club is open to all HNU students.
- The club has an advisor who is a current HNU faculty member. If a faculty member is not readily available, a professional staff member at the University may serve as the advisor to the student club.
- The relationship between the University and recognized student clubs generates neither a contractual relationship between HNU and the club, nor a property right or expectancy in the

club of any sort. Duties performed and activities undertaken by recognized student clubs are not HNU duties or activities.

- A student club may be recognized with HNU only after approval is granted by the Center for Student Involvement and Leadership and registration is valid for one academic year.

All student organizations will be considered through University governance processes (e.g., strategic planning, budgeting, etc.) and approved by the Vice President for Student Affairs. A student organization may be recognized with HNU only after approval is granted by the Vice President for Student Affairs. Approval and/or continued approval is subject to continuous review.

*Registered student clubs and organizations may have an affiliation with organizations, national and/or regional, outside the college and be subject to policies and requirements of a parent organization, provided that this relationship entails no conflict with HNU objectives, policies, and activities.

Swimming Pool Access Policy. *Updated: August 2010.* Access to the swimming pool at Holy Names University may occur only when arrangements are made in advance (i.e., open swim, group events) AND certified lifeguards are on duty overseeing access to the swimming pool. Certified lifeguards may only oversee pool access if they are employed by the University and are approved to work by the Director of Athletics & Recreation or designee. Anyone in the pool area is subject to instructions provided by lifeguards on duty.

Access to the pool is prohibited between 11:00 PM and 5:30 AM. Anyone in the pool area during these times may be subject to discipline and/or arrest.

For further information, contact Athletics and/or check the HNU events calendar.

Weapons Prohibitions. The possession, display, or use of firearms of all descriptions, including air-powered weapons, or any instruments that can be construed as dangerous weapons is not permitted on or immediately adjacent to, University premises and/or in connection with a University activity.

The brandishing or use of such weapons on University premises shall be considered sufficient cause for immediate suspension pending an investigation.

The University reserves the right to confiscate firearms and other weapons.

California Penal Code 626.9 and 626.10 specifically prohibits the possession of firearms, including pellet and BB guns, on University property, without prior written authorization.