



GREETINGS TO PROFESSIONAL DEVELOPMENT ADJUNCT FACULTY
OF THE COLLEGE OF GRADUATE AND PROFESSIONAL STUDIES
UNIVERSITY OF MARY WASHINGTON

Welcome to the University of Mary Washington's College of Graduate and Professional Studies. I am delighted that you are joining our many qualified and outstanding full-time and part-time academic faculty members. You have been selected to present a CGSP professional development program because you have expertise and qualities that we believe will benefit our program participants and will help us become the region's premiere provider of adult education and professional development opportunities.

This Handbook provides you information about our programs and about the policies and procedures important to your role as a professional development adjunct. Please take time to review the Handbook, and feel free to ask questions. Your program director and the administrative staff will be glad to help in any way we can.

Your role is critical to our program participants' success, and I very much appreciate your willingness to teach at the University of Mary Washington's College of Graduate and Professional Studies. I am confident that your being here will be a rewarding experience.

A handwritten signature in black ink that reads "Meta R. Braymer". The signature is written in a cursive style with a long, sweeping underline.

Meta R. Braymer
Vice President for Graduate and Professional Studies
and Dean of the Faculty

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Introduction

Professional development adjunct faculty play a critical role at the University, particularly in light of the mission and resources of the College of Graduate and Professional Studies (CGPS). The College could not offer the number and variety of programs it does without the help of adjunct faculty. Your understanding of our purpose and programs will contribute to your success as an instructor, and most importantly, to students' learning.

This handbook is designed to provide a convenient reference for professional development adjuncts regarding programmatic and administrative policies and procedures at CGPS. Please take the time to read this handbook as well as other relevant CGPS publications. Your program director and the College's administrative staff will be happy to answer to any questions you may have.

This handbook is revised and reorganized annually. We welcome suggestions for improvement. Please contact your program director or a member of the administrative staff if you have any recommendations related to the handbook.

Thank you for devoting your time and talent to providing high quality instruction to students at the College of Graduate and Professional Studies. Your contributions to the College are greatly appreciated.

Governance

The Board of Visitors

The Code of Virginia established Mary Washington College as an independent institution effective July 1, 1972, with a twelve-member Board of Visitors to serve as the governing and policy-making body for the institution. On July 1, 2004, Mary Washington College became the University of Mary Washington.

The legal title of the Corporation of the University is The Rector and Visitors of the University of Mary Washington. Members of the Board are appointed by the Governor of Virginia for a term of four years. A visitor may serve two four-year terms, in addition to completing an unexpired term. The Rector of the Board is elected by the Visitors from its membership for a two-year term.

Consistent with the powers vested in it by statute, the Board enacts policies to guide the operation of the University and employs the president to serve as the chief executive officer of the University with the responsibility for implementing Board Policy.

University of Mary Washington Mission Statement

The University of Mary Washington is committed to being a premier public institution of higher education, cultivating an environment of academic excellence, fostering lifelong learning, pursuing knowledge, and providing service to its constituent communities. The University provides the framework within which multiple colleges, schools, and affiliated organizations can accomplish their distinctive purposes. The University will be responsive to the changing needs of the student populations and the communities in which it thrives. All members of the University community—students, faculty, and staff—are expected to participate in service to the institution and encouraged to engage in service to the larger community and to society.

The University's undergraduate, residential college of arts and sciences, Mary Washington College on the Fredericksburg campus, emphasizes excellence in liberal learning through freedom of inquiry, personal responsibility, and intellectual integrity. Instructional and experiential programs provide students a strong general education, an understanding of their responsibilities as citizens in the broader, diverse community, and the skills necessary for creative and productive lives. To achieve these goals the college requires its undergraduates to pursue broad studies in the arts, the humanities, and the sciences as a necessary supplement to a concentration in a particular field. The college regards the provision of high-quality instruction as its most important function. Through an active and professionally engaged faculty, the college supports ongoing research appropriate to the development of student abilities and faculty interests. It especially encourages the participation of undergraduates in research.

The University's College of Graduate and Professional Studies on the Stafford campus supports lifelong learning, professional advancement, and regional economic development by providing accessible, quality education tailored to the needs of adult learners, professionals, and members of the business community. The College values integrity, open-mindedness, and fairness and has excellence in teaching as its highest priority. The faculty actively participate in the applied, intellectual, and scholarly developments of their academic disciplines and emphasize the integration of theory and practice in the classroom.

Approved by the University of Mary Washington
Rector and Board of Visitors, July 19, 2004

History and Development of the Institution

The University was founded in 1908 as the State Normal and Industrial School for Women in Fredericksburg. It was renamed Mary Washington College in 1938, after having undergone a transformation from a teacher's college to Virginia's public liberal arts college for women. Then in 1944, Mary Washington College became affiliated with the University of Virginia as its women's undergraduate arts and sciences division. In 1970 the University of Virginia became coeducational and in 1972, by action of the General Assembly of Virginia, the Mary Washington College became an independent, state-supported institution for women and men, with its own governing board. On July 1, 2004, the institution became the University of Mary Washington with two colleges: the undergraduate residential College of Arts and Sciences in Fredericksburg, and the College of Graduate and Professional Studies in Stafford County.

The College of Graduate and Professional Studies

The College of Graduate and Professional Studies offers three degree programs as well as a variety of academic certificates and professional development programs.

The Bachelor of Professional Studies is a degree completion program that provides graduates with both theoretical and practical educational experiences. Students may select from five concentrations: Accounting, Computer Information Systems, Leadership and Management, Network Security, and Individualized Studies.

The Master of Business Administration provides a quality graduate program for experienced professionals who want to assume management and leadership positions in a variety of organizational settings. Students may select from nine concentrations: Accounting, Contracts and Procurement Management, Information Security, General Management, Management Technology, Organization and Human Resource Development, Project Management, Public Administration, and Risk Management and Insurance.

The Master of Education provides initial teacher licensure as well as on-going professional development for currently licensed teachers. Track I is designed for individuals who possess a bachelor's degree and seek licensure to teach in a K-12 setting. Track II is designed for teachers who already have licensure but who are seeking professional development, license renewal, or added teaching endorsements.

Professional certification/re-certification programs, individual professional development courses, and continuing education courses and seminars are also offered. These programs and courses are provided in a variety of settings (traditional classroom, business-place-on-site, distance learning) and delivered with an emphasis on state-of-the-art information and instructional technology. The College also provides on-site consultation for business practitioners through the Rappahannock Region Small Business Development Center.

The College operates on a schedule consistent with the needs of the adult commuter student with classes, advising, and other services available during the evening and on weekends as well as during normal weekday business hours.

Honor System

The Honor System at the University of Mary Washington is a deeply cherished tradition founded upon the personal integrity of each individual member of the University community. It requires that all members of this community conduct themselves honorably at all times and in all dealings with others. This shared commitment to high ethical standards creates an atmosphere of trust and respect vital to the unique sense of community, which characterizes the institution.

Each member of the University community agrees to accept and abide by the Mary Washington Honor System when accepting his or her original appointment or election at the University. It is the responsibility of all faculty members to stay familiar with the principles and operating procedures of the Mary Washington Honor System and to support it.

Each student, upon enrolling in a UMW course or program, pledges to observe the Honor System. Therefore, the work of all University of Mary Washington students is predicated on the Honor System and the faculty member in his or her relationship with students is expected to act within this framework. A student's word of honor is to be accepted, and all statements about academic matters made to a faculty member are covered by the Honor Code.

Faculty members should make clear in their assignments for pledged work the extent to which they consider help from (or collaboration with) others to be legitimate. It is expected that faculty members will conduct tests and examinations according to the expectations of the Honor System. Faculty members need not remain in the classroom during tests and examinations; they must indicate to the students where they may be found if needed, and they may return to the classroom briefly for consultation. Violations of the Honor Code are not to be condoned or ignored by faculty; however, neither are they to be dealt with by unilateral faculty action (such as by simply lowering the student's grade). All alleged Honor Code violations are to be reported to and handled by the Honor Council, assuring due process and fairness. A faculty member who has reason to suspect a violation of the Honor System should consult the Honor Constitution for reporting procedures.

Willful failure to support and abide by the Honor Code may serve as a basis for termination of a faculty member.

Statement of Community Values and Behavioral Expectations

(Adopted as University policy by the Board of Visitors, May 1991.)

The University of Mary Washington is an academic community dedicated to the highest standards of scholarship, personal integrity, responsible conduct, and respect for the individual. We hold among our foremost common values:

- The importance of personal integrity as reflected in adherence to the Honor Code;
- The right of every individual to be treated with dignity and respect at all times;
- The appreciation of and respect for cultural diversity in our community and adherence to the University's Statement of Non-Discrimination; and the freedom of intellectual inquiry in the pursuit of truth.
- As members of the University community, we refuse to tolerate behavior that in any way compromises or threatens these values.

Statement of Rights and Responsibilities

(Adopted by the Student Association, Faculty, and Board of Visitors, 1973.)

- Members of the University community have responsibilities incumbent upon all citizens, as well as the responsibilities of their particular roles within the academic community.
- All members share the obligation to respect the right to freedom of inquiry, of religion, of speech, of press, of peaceful assemblage, of association, and of petition to the institution for a redress of grievances.
- The rights of members of the University community shall not be denied or abridged on account of race, color, creed, or sex.
- The members of the University community have the right to due process in matters concerning discipline or status as members of the University community.
- All members of the University community have other responsibilities and rights incident to the educational process and to the requirements of the search for truth and its free presentation.
- The enumeration of the rights and responsibilities outlined in this statement shall not be construed to deny or disparage others retained by the members of the University community.
- The term "member of the University community" embraces the University as an institution, the faculty as a body, and all members of the administration, faculty, staff, and student body in their official and individual capacities.

Professional Development Adjunct Faculty Teaching Responsibilities

Role

The College of Graduate and Professional Studies recognizes that professional development adjunct faculty are part-time employees, and as such, their primary professional commitment and responsibility is outside the College. At the same time, professional development adjunct faculty make significant contributions to the success of the College's professional development programs and services.

Contractual Responsibilities

By accepting a contract to provide services, professional development adjunct faculty are expected to be at all program sessions; it is also expected that cancellations will not be necessary. However, in the extremely unlikely event that an instructor cannot meet a class, the instructor must contact the program director. Instructors must arrange a makeup session with students and must notify their program director accordingly.

Specific Expectations

Professional development adjunct faculty's primary teaching responsibilities include:

1. Meeting all scheduled classes on time; assuring that advanced arrangements are made for anticipated/scheduled absences and notifying the program director accordingly; contacting the program director or CGPS Security in order to notify students of an illness or unanticipated absence prior to class.
2. Verifying the official registration of all students enrolled in class.
3. Providing students with appropriate accommodations for religious observance and disability accommodations as required by the Americans with Disabilities Act (1990).
4. Administering course evaluation questionnaires as requested.

CGPS Instructional Information and Resources

Attendance

Individuals attending CGPS professional development programs are expected to attend all program sessions and to notify the instructor, in advance if possible, of any anticipated absences. In programs that award a certificate of completion, participants are expected to attend a minimum of 80% of the scheduled program sessions.

Classrooms and AV Equipment

The College has eleven classrooms, each equipped with an integrated instructor support station (LCD projection system, network connected PC, DVD, and document projection system) and comfortable chairs and tables. Two rooms on each wing can be configured for expanded seating. A member of the College's instructional or information technology staff will instruct faculty on how to use the equipment in their classroom as part of their technology orientation session. A staff member also is available in the evenings in Room 109. Please report classroom audio-visual and computers needing repair to a member of the instructional or information technology staff or the information desk.

Course/Instructor Evaluation

Near the end of each course, program participants will have the opportunity to evaluate the program and the instructor. This process provides College staff with objective and anecdotal data on program and instructor effectiveness. Certificate, nondegree and noncredit courses employ an evaluation format customized to each program. Detailed directions are provided at the time the evaluations are distributed to students and each faculty member receives a summative report after the end of the program.

Disability Services

Program participants with a disability, defined by the Americans with Disabilities Act as "anyone with a physical or mental impairment that substantially limits one or more of the major life activities such as walking, seeing, hearing, speaking, working, or learning," are eligible for reasonable accommodations so that they receive equal access to the University's programs and services. Because each student requires a unique approach to achieve equal access, accommodations may include, but are not limited to, reduced course loads, alternative forms of testing, extended test time, note taker assistance, enlarged print materials, and/or sign language interpreters.

A program participant with a disability who wishes accommodations must request such services by submitting a request to the UMW Office of Disability Services. The Director of Disability Services verifies the disability, advises and assists in arranging reasonable accommodations, and acts as a liaison between students and faculty/administration on issues relating to services or accommodations. Students approved for accommodations receive an accommodation letter from Disability Services listing the accommodations for which the student is eligible. If you have questions regarding a student's accommodations, please feel free to discuss them with the student and/or a representative from the Office of Disability Services. However, faculty should not ask a student about a disability unless or until the student self-discloses his/her disability to them. Additional information is available through the Office of Disability Services at 540-654-1266.

FERPA

It is important that all professional development adjunct faculty be aware of the federal legislation entitled the Family Educational Rights and Privacy Act (or FERPA). FERPA requires the confidentiality of all postsecondary educational records regardless of student age. Therefore, you cannot legally discuss a student's attendance record, grades, or other course-related information with the student's family members, spouse or employer. If a program participant tells you that he/she does not mind if you discuss course-related information with a family member or employer, you must obtain this consent in writing from the student. Please keep a copy of this waiver for yourself and provide a copy to the program director.

Library

The CGPS library promotes a library-user instruction program designed to foster information literacy, lifelong learning and critical thinking skills. The library's collection consists of a non-circulating reference collection, print and online journals, and reserve items. The CGPS library also supports an extensive interlibrary loan service. Program participants and faculty have full access to the print and electronic collections available at the CGPS and the the Simpson Library on the Fredericksburg campus of the University of Mary Washington.

Equipped with computers linked to the University's network, the CGPS library provides access to an array of web-based resources available through the library's catalog, VIRTUA, and the Virtual Library of Virginia (VIVA). These proprietary databases are available only to paid subscribers or qualified users. While individuals participating in non-credit professional development programs may have access to the Library, they do not have library privileges, i.e., they may not check out books or access the University's proprietary databases from outside of the College.

Instructional Computer Labs

The College's labs (Rooms 115, 116, and 121) can be used by faculty for formal instruction or used by students outside of class hours. Each computer lab has an instructor work station that is connected to a ceiling-mounted projector. The computers have office automation and programming software applications installed and additional proprietary software can be installed as needed.

Instructional Technology

The Instructional Technology Specialist provides an overview to the College's instructional and information technology resources at the Adjunct Orientation that is held prior to each semester. More specific training is provided in a one-on-one session between each adjunct faculty member and the E-Learning Technologist.

Videoconferencing Theaters

CGPS has two state of the art teleconferencing theaters located on the first floor. Currently, teleconferencing is limited to within NET.WORK.VIRGINIA that connects approximately 500 teleconferencing sites across the Commonwealth. Each theater has a networked computer and can project videotape, opaque images, translucent slides, and live video as well as the capability to send and receive faxes and scan documents for electronic transmission.

CGPS Administrative Information and Resources

Cellular Phones and Pagers

Cellular phone and pager service within the building is unpredictable due to the location of CGPS and the infrastructure of the building. Service is best when close to a window or outside.

Cleaning Services

The Center contracts for building cleaning services. Notify the Information/Security Desk of any significant cleaning needs.

Copiers, Document Center Services, and Copyright

Minimal amounts of classroom materials may be reproduced on copiers located in the faculty office areas. Personal copies should not be made on CGPS copiers.

You are strongly encouraged to use the services of the Document Center, located on the Fredericksburg campus in Seacobeck Hall for copying substantial amounts of material. You may send course materials, along with a Document Center Work Order form, to the Document Center by campus mail. The Document Center Work Order form can be obtained in either electronic or hard copy from either of the administrative assistants to the faculty. You may also email the Document Center Work Order form and the material needing to be copied as attachments to copies@umw.edu. Please allow sufficient time for duplicating requests sent to the Document Center.

Professional development adjunct faculty may reproduce classroom materials in accordance with the guidelines for fair use as outlined in the United States Code or with written permission from the copyright owner. Written permission shall be maintained on file by the faculty member. Faculty may also post copyrighted works on Blackboard in accordance with the "Technology, Education and Copyright Harmonization Act" (TEACH Act) which revised Section 110(2) and 112 of the U.S. Copyright Law. The Act amended the regulations governing the conditions under which accredited, nonprofit educational institutions in the U.S. may use copyrighted materials without permission from the copyright owner and without payment of royalties.

There are specific technological requirements of the TEACH Act that are relevant to Blackboard for using copyrighted materials. Faculty must reasonably:

- limit access to copyrighted works to students currently enrolled in the class;
- limit access only for the time needed to complete the class session or course;
- inform instructors, students, and staff of copyright laws and policies;
- prevent further copying or redistribution of copyrighted works; and
- not interfere with copy protection mechanisms

For additional information about the TEACH Act Best Practices using Blackboard, see <http://www.ala.org/ala/washoff/WOissues/copyrightb/distanced/teachactbest.htm>;

for a review of the fair use doctrine, see http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter9/index.html.

Faculty may also contact the CGPS Librarian at (540) 286-8057.

Email Services

Professional development adjunct faculty receive UMW email accounts, allocated space on the University's network, and access to the Internet. Further information is available from your program director and at <http://www.umw.edu/technology/>.

Emergencies

All emergencies should be reported to the Information/Security Desk. In the event of a life-threatening situation, a member of the staff or a security officer will contact the appropriate county emergency service.

CGPS's Information/Security Desk phone number is (540) 286-8000, and a member of the staff is on duty from 8:00 am to 6:30 pm, Monday through Thursday, and 8:00 am to 6:00 pm on Fridays. CGPS security officers may be contacted by calling (540) 286-8055. If you leave a voice mail message, your call should be returned in no more than 20 minutes when security is on duty. A security officer is on duty from 4:45 pm to 11:15 pm Monday through Friday, and from 7:45 am to 5:15 pm on Saturday. Please note that the building closes at 10:00 pm Monday through Friday, and at 5:00 pm on Saturday.

Facility and Equipment Repair

In the event you notice a facility or furnishing item that needs to be repaired, please notify the Information/Security Desk. Please report classroom audio-visual and computers needing repair to a member of the instructional technology staff located in the Instructional Development Lab (Rooms 109-111).

Hours of Operation

The College's hours of operation are listed below. Be aware that Library hours change when classes are not in session and during the summer.

The College's Hours

Monday through Friday	8:00 am to 10:00 pm
Saturday	8:00 am to 5:00 pm

Administrative Offices

Monday through Friday	8:00 am to 5:00 pm
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Advising Center

Monday through Thursday	8:30 am to 6:30 pm
Friday	8:30 am to 5:00 pm
Saturdays	by appointment only

Library

Monday through Thursday	3:00 pm to 9:00 pm
Friday	Closed
Saturday	10:00 am to 2:00 pm

Inclement Weather

Occasionally, inclement weather requires a change in the University's operating hours. In the event of a delayed opening or class cancellation, the UMW Office of University Relations and the News and Information Services staff is responsible for communicating this information to the University and the community.

UMW emergency closing information is available 24 hours a day by calling the Information Hotline, (540) 654-2424. Individuals calling CGPS will be referred to the University Information Hotline.

If CGPS is open and you are unable to meet your class as scheduled, please contact CGPS Security after 4:45 pm Monday through Friday and 7:45 am Saturday (540-286-8055) and ask the officer on duty to notify your students accordingly.

The following radio stations broadcast UMW emergency closing announcements:

Fredericksburg	WFLS – 1350 AM WFVA – 1230 AM WJYJ – 90.5 FM	WFLS – 93.3 FM WBQB – 101.5 FM
Richmond	WRVA – 1140 AM	
Northern Virginia	WAVA – 105 FM	

Information/Security Desk

The Information/Security Desk, located in the Lobby, is staffed by a Receptionist from 8:00 am to 6:30 pm Monday through Thursday, and 8:00 am to 6:00 pm on Friday. A Security Officer is on duty from 4:45 pm to 11:15 pm Monday through Friday and 7:45 am to 5:15 pm on Saturday. Items may be left for pick up with either the receptionist or with a security officer. Please note that the building closes at 10:00 pm Monday through Friday, and at 5:00 pm on Saturday.

Lock Box

A lock box is located at the Information/Security Desk and may be used to leave important or confidential documents for College faculty and staff.

Lost and Found

Articles found in the building should be brought to the Information/Security Desk.

Mail Service

The College provides courier service for inter-campus mail, USPS mail service, and UPS delivery services.

Parking

All CGPS employees and students have access to free, unassigned parking and do not need to display parking permits.

Parking on the Fredericksburg campus of UMW requires a parking decal. Parking decals can be obtained from the Campus Police Department located on the Fredericksburg campus of UMW in Lee Hall.

Security Services

CGPS provides contracted evening and weekend security services. CGPS security officers may be contacted by calling (540) 286-8055. If you leave a voice mail message, your call should be returned in no more than 20 minutes when security is on duty. Officers are stationed at the Information/Security Desk from 4:45 pm to 11:15 pm Monday through Friday, and from 7:45 am to 5:15 pm on Saturday. The primary role of security is to assure occupants' safety and the security the building. They open and close classrooms, and make regular rounds of the building and grounds. In case of an emergency, the officer on duty will contact the appropriate county service. Upon request, officers will walk faculty, staff, and students to their cars. If the officer on duty is making rounds and is not at the Information/Security Desk, the officer should return in no more that 20 minutes. Please report any security concerns or complaints to the associate dean for assessment and outreach at (540) 286-8013.

Human Resource Policies and Practices

Respectful Workplace

The University aims to maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees, and is free from all forms of harassment and violence.

The following state and University policies aim to promote and ensure a respectful workplace.

- A. Equal Employment Opportunity** - *See Policies 2.05, Equal Employment Opportunity, 2.10, Hiring, and 2.30, Workplace Harassment at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.*

The Commonwealth is committed to providing equal employment opportunity for all employees and job applicants, regardless of their race, color, religion, sex, age, national origin, disability and political affiliation. Employment discrimination based on these traits is unlawful under both state and federal law. Equal opportunity extends to all aspects of employment including hiring, transfers, promotions, training, termination, working conditions, compensation, benefits and other terms and conditions of employment. The Commonwealth complies with federal and state equal-employment- opportunity laws and strives to keep the workplace free from all forms of unlawful discrimination, including harassment and retaliation.

The Department of Human Resource Management (DHRM)'s Office of Equal Employment Services (OEES) is responsible for enforcing policies concerning equal employment opportunity. This office investigates and resolves complaints of unlawful employment discrimination. If an employee wishes to submit a complaint or allegation, s/he may obtain the needed forms from OEES or from the DHRM web site. Employees may also file complaints under the Grievance Procedure or directly with the federal Equal Employment Opportunity Commission.

B. University of Mary Washington Statement of Nondiscrimination

The University subscribes to the principles of equal opportunity and affirmative action. The University does not discriminate on the basis of race, color, religion, disability, national origin, political affiliation, marital status, sexual orientation, sex, pregnancy or age in recruiting, admitting and enrolling students or in hiring and promoting faculty and staff members. The University will not recognize or condone student, faculty or staff organizations that discriminate in selecting members. Complaints of discrimination or questions should be directed to the University's AA/EEO Officer.

C. University of Mary Washington Workplace Harassment Policy – See University Workplace Harassment Policy at <http://www.umw.edu/training/edp/state>; the University Workplace Harassment Complaint Procedure at http://www.umw.edu/hr/docs/grievance_policy_procedure.doc; and the State Workplace Harassment Policy at <http://www.dhrm.virginia.gov/hrpolicy/policy/pol230> [WorkplaceHarassment.pdf](#).

The University strictly forbids harassment of any employee, applicant for employment, vendor, contractor or volunteer on the basis of an individual's race, color, national origin, age, sex, sexual orientation, political affiliation, religion, disability, marital status or pregnancy.

Workplace Harassment can be defined as any unwelcome verbal, written and/or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, color, national origin, age, sex, sexual orientation, political affiliation, religion, disability, marital status, or pregnancy that 1) has the purpose or effect of creating an intimidating, hostile or offensive work environment, 2) has the purpose or effect of unreasonably interfering with an employee's work performance, or 3) affects an employee's employment opportunities or compensation.

D. University of Mary Washington Sexual Harassment Policy – See the University Sexual Harassment Complaint Procedure at http://www.umw.edu/hr/human_resource_policies/harassment/default.php and the University Sexual Harassment Policy at <http://www.umw.edu/training/edp/state>.

The University of Mary Washington will not tolerate sexual harassment. Sexual harassment is a form of sexual discrimination and as such is illegal behavior. Moreover, sexual harassment would subvert the mission of the University by undermining the positive working and educational environment the University is committed to providing for all students, University personnel and visitors.

The University's administrators and supervisors are responsible for taking reasonable steps to prevent and remedy sexual harassment. Such steps include educating the University community about the accompanying definitions and procedures, encouraging persons who think they have been sexually harassed to come forward and vigorously pursuing violations of this policy.

E. University of Mary Washington Workplace Violence Policy – See the University Workplace Violence Policy at <http://www.umw.edu/training/edp/state> and the State Workplace Violence Policy at http://www.dhrm.virginia.gov/hrpolicy/policy/pol180_wpviolence.pdf.

The University is committed to maintaining a workplace free from threats and acts of intimidation and violence. All reported incidents will be properly investigated. Workplace Violence can be defined as actions or words that endanger or harm another employee or result in other employees having a reasonable belief that they are in danger.

F. Retaliation

Retaliation is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under the Commonwealth's EEO policies.

The University prohibits retaliation. If retaliation occurs, the employee(s) should report the retaliation as outlined in the discrimination and harassment complaint procedures.

G. Violations and Enforcement

Any employee who engages in inappropriate conduct as outlined in the above policies or who encourages such conduct by others shall be subject to corrective action, which may include discharge from employment.

H. Smoking

See the University policy at http://www.umw.edu/hr/human_resource_policies/default.php.

The Commonwealth of Virginia promotes a productive and cooperative working environment. See the University policy (at the web site given above) for more information.

I. Nepotism

The Code of Virginia (§ 2.2-3106) prohibits (as a conflict of interests) supervision by an A/P Faculty member of a member of his or her immediate family. Immediate family includes the spouse and any other person residing in the same household as the A/P Faculty member who is a dependent of the A/P Faculty member or of whom the A/P Faculty member is a dependent. Further, as stated in the Code, "no officer or employee of any governmental agency of state government ... shall have a personal interest in a contract with the governmental agency of which s/he is an officer or employee, other than his or her own contract of employment. The provisions of this section shall not apply to:

The personal interest of an officer or employee of a state institution of higher education in additional contracts of employment with his or her own governmental agency that accrue to him or her because of a member of his or her immediate family, provided (i) the officer or employee and the immediate family member are engaged in teaching, research or administrative support positions at the education institution, (ii) the governing board of the educational institution finds that it is in the best interests of the institution and the Commonwealth for such dual employment to exist, and (iii) after such finding, the governing board of the educational institution ensures that the officer or employee, or the immediate family member, does not have sole authority to supervise, evaluate or make personnel decisions regarding the other."

(See the Conflict of Interests Act in the Code of Virginia, § 2.2-3100, and following.)

Hiring Criteria

To teach professional development courses, professional development adjunct faculty are expected to have appropriate credentials and/or certifications and/or related professional experience. Additionally, due to unique attributes of CGPS students and the University's technological emphasis/capabilities, hiring consideration is also given to applicants who have experience with adult learners and familiarity with (or the willingness to learn about) distance/web-based instruction.

Application Procedures

Applications are accepted on a continuous basis and interested candidates and applicants are directed to submit applications to the appropriate program director. Application packets may be obtained by contacting the associate vice president for academic affairs.

Required Employment Documentation

In order to be offered a contract for a professional development adjunct faculty assignment, candidates must provide the following documents to the assistant to the dean:

- Faculty Data Sheet
- Current Resume or Curriculum Vitae

The following items must also be provided to the assistant to the dean for payroll purposes:

- Employment Eligibility Verification (Form I-9) and a copy of either a passport, a driver's license and a Social Security card, a birth certificate and a Social Security card, or any other approved identification as listed on the I-9
- Federal and State tax forms
- Direct Deposit form
- UMW Computer Network Access form
- Emergency Contact form
- Selective Service form
- Conflict of Interest form
- Alcohol Policy form
- Wage Withholding Disclosure form

Contracts, Teaching Loads, and Faculty Status

Professional development adjunct faculty appointments are short term appointments at the rank of Adjunct Instructor and typically involve teaching one or two courses during a specified time period.

Professional development adjunct faculty who have been offered and have accepted a teaching assignment will receive a contract letter signed by the dean of the college, which they, in turn, must also sign and return to the assistant to the dean. By accepting a contract to teach, instructors are expected to be at all class sessions.

Personnel Records

The Office of Human Resources at the University maintains original hiring documentation for each professional development adjunct faculty member, including all required employment materials. Copies of this documentation, along with a record of the instructor's employment, salary history, and copies of

course/instructor evaluations are maintained by the dean's office at CGPS. In addition to this file, program directors may also maintain an informal personnel file for each instructor. These files are open for examination by the professional development adjunct faculty member.

The official personnel file is open for examination by the adjunct, his/her program director, the vice president of graduate and professional studies and dean of the CGPS faculty and her staff, the assistant vice president for human resources, and the President of the University. No one else may examine a faculty member's file without the express written permission either from the faculty member or the President of the University. The letter of permission is itself made a part of the file.

Adjunct Faculty Compensation & Pay Dates

The professional development adjunct faculty pay scale is based on industry standards, and may vary, based on the marketplace as it relates to the course being offered. It is the adjunct faculty member's responsibility to provide the program director with supporting information and documentation to assure that appropriate compensation is received.

Fringe Benefits

The College pays Social Security benefits (OASDI and HI) for adjunct faculty and provides access to direct deposit of wages. Adjunct faculty who teach at least two courses may participate in one of a variety of tax-deferred supplemental retirement 403-B plans; plan details are available from the UMW Office of Human Resources. All faculty have access to the CGPS and Simpson Libraries and their services, the University's recreational facilities as determined by the Department of Physical Education, and discount purchasing on books by the University Bookstore. All University employees are eligible for membership in the Virginia Employees Credit Union (VACU), which has a branch on Route 3 in Fredericksburg.

Annual and Sick Leave

Adjunct Faculty are not eligible for benefits under the University's annual and sick leave policies.

Missing Classes Due to Illness

If a professional development adjunct faculty member is unable to meet classes due to illness or injury, he/she is responsible for providing the instruction that has been missed. If the adjunct has to miss more than one week of a seven-week class or two weeks of a fourteen-week class, the program director will arrange to have the adjunct's classes covered by either a member of the department or by a part-time instructor. Full financial compensation shall be awarded to any faculty member who covers the classes of a colleague whose absence due to illness or injury exceeds the specified time frames. Adjunct faculty who cannot resume their teaching responsibilities at the end of the specified timeframes will have their contracts terminated and will not be paid for the remainder of the session.

Supervision and Evaluation

The program director is the direct supervisor of professional development adjunct faculty and is their point of contact on all matters pertaining to fulfilling their instructional and professional responsibilities.

Professional development adjunct faculty may receive formal evaluation of their teaching performance from their program director. Such evaluation should be based on a review of the adjunct faculty member's syllabus, observation of classroom performance, and course/instructor evaluation results.

Termination of Employment for Cause

An adjunct faculty member may be terminated for any of the following causes:

- Professional incompetence or lack of teaching effectiveness
- Willful failure to support and abide by the University of Mary Washington Honor Code
- Neglect of duty
- Serious misconduct
- Moral turpitude
- Physical incapacity or medical disability

The dean of the CGPS faculty is responsible for making the termination of employment decision, in consultation with the appropriate program director.

UMW Policies and Services Applicable to CGPS

Academic Freedom

The University of Mary Washington vigorously supports freedom of inquiry and expression within the academic community. All members of that community have a fundamental right to follow their interests and to express their views privately and publicly without censorship, constrained only by the laws of the Commonwealth of Virginia, the laws of the United States, and respect for the property and person of others. While the University may institute regulations to ensure the orderly expression of ideas and to protect the resources needed for productive inquiry, any member of the University community shall not interpret the regulations in a way which restricts freedom of inquiry and expression. The University of Mary Washington has adopted the Statement on Academic Freedom of the Association of American Colleges (1941), and the American Association of University Professors' statement on Freedom and Responsibility (1970). These statements and the First Amendment to the Constitution of the United States define the parameters of academic freedom in the University of Mary Washington Community.

Alcohol and Other Drugs

See Policy 1.05 at <http://www.dhrm.virginia.gov/hrpolicy/policy.html>.

The Commonwealth of Virginia intends to maintain a workplace free from the adverse effects of alcohol and other drugs. All faculty are forbidden to use these substances at the workplace or to come to the workplace while under the influence of these substances. In addition, faculty are expected to notify their supervisors within five working days after a conviction if they are convicted of violating 1) any criminal drug law, either within or outside the workplace, 2) any alcohol beverage control law, or 3) any law that governs driving while intoxicated. Violation of policies related to these matters can result in serious disciplinary action including termination.

Drug Testing. Because of the nature of the work, some positions require alcohol or drug testing before a final employment offer is made. Some positions may also require ongoing random drug and/or alcohol testing as needed.

Conflict of Interest

A conflict of interest occurs when a faculty member engages in self-dealing or in other activities which prevent him or her from exercising independent judgment in the best interests of the University and state. The Virginia Conflict of Interests Act prohibits such activities. Questions about these matters should be directed to the University's representative in the Office of the Attorney General of Virginia.

Faculty Grievance Policy and Procedure

A grievance is a complaint made by a member of the faculty concerning a decision, action, or lack of action by a person or group of persons acting in an official University capacity, which directly and adversely affects the professional or personal well-being of the grievant and which can be corrected by the University. Please see the Appendix for additional information.

Faculty/Student Relationships

Amorous relationships between faculty and students whom they directly supervise are unwise and unprofessional. Faculty members are expected to avoid romantic or sexual relationships with students whom they teach, coach, supervise, evaluate, or grade. Such relationships risk creating the perception that bias and/or favoritism may play a part in student evaluation. Additionally, such relationships create potential harm for students and raise the potential for liability for the faculty member if the facts regarding the relationship support a claim of sexual harassment (see Racial and Sexual Harassment Policy).

Even in cases where the faculty member does not directly supervise the student, participation in an amorous relationship with a student may lead to difficulties. Such relationships, particularly when the faculty member and student are in the same academic unit, create the potential for conflicts of interest. Faculty members should distance themselves from any decisions that may reward or penalize a student with whom the faculty member is having, or has had, an amorous relationship.

Human Resources

The Office of Human Resources is located on the Fredericksburg campus in Fairfax House on College Avenue.

Intellectual Property

The UMW Intellectual Property Policy applies to all University employees, whether their appointments are permanent or temporary, full-time or part-time, salaried, wage or contract, paid by state funds or paid by outside sponsors. Please see the Appendix for additional information.

Computer and Telephone Use

Computer Use - See Policy 1.75, Use of Internet and Electronic Communications Systems, at <http://www.dhrm.virginia.gov.hrpolicy/policy.html> and the UMW Network Policy at <http://www.umw.edu/technology>.

Many jobs provide access to computer equipment and the Internet so that users can perform their work tasks. The University's computer network consists of a campus wide, fiber-optic-based backbone, local

area networks and many shared computers, as well as personal desktop computers. In general, the equipment and systems should be used for business purposes, and personal use should be limited to minor occasions.

User Privileges. The Department of Information Technologies (DoIT) works to ensure that network privileges are properly maintained for all University users. Users are subject to certain responsibilities and limitations and may have their network privileges suspended or revoked if they fail to meet them. Information regarding these responsibilities and limitations is detailed in the University of Mary Washington Network and Computer Use Policy located on DoIT's web site.

Of note, certain specified Internet uses, such as transmitting obscene, discriminatory or fraudulent material, are strictly forbidden at all times.

Code of Virginia

Restrictions on State Employee Access to Information Infrastructure

2.2-2827 Definitions

A. For the purpose of this section:

"Agency" means any agency, authority, board, department, division, commission, institution, public institution of higher education, bureau or like governmental entity of the Commonwealth, except the Department of State Police.

"Information infrastructure" means telecommunications, cable and computer networks and includes the Internet, the World Wide Web, Usenet, bulletin board systems, on-line systems and telephone networks.

"Sexually explicit content" means (i) any description of or (ii) any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting sexual bestiality, a lewd exhibition of nudity, as nudity is defined in §18.2-390, sexual excitement, sexual conduct or sadomasochistic abuse, as also defined in §18.2-390, coprophilia, urophilia or fetishism.

B. Except to the intent required in conjunction with a bona fide, agency-approved research project or other agency-approved undertaking, no agency employee shall utilize agency-owned or agency-leased computer equipment to access, download, print or store any information infrastructure files or services having sexually explicit content. Agency approvals shall be given in writing by agency heads, and any such approvals shall be available to the public under the provisions of the Virginia Freedom of Information Act (§2.2-3700).

C. All agencies shall immediately furnish their current employees copies of this section's provisions, and shall furnish all new employees copies of this section concurrent with authorizing them to use agency computers.

(1996, c. 382, §§2.1-804, 2.1-805, 2.1-806; 1999, c. 384; 2001, c. 844)

User Privacy. The computer network is owned and operated by the University, an agency of the Commonwealth of Virginia. It should be expected that users will not have complete privacy in their electronic communications. Users must recognize that computer-generated documents (e.g., old e-mail) are public records, subject to provisions of Virginia's Freedom of Information Act statutes. Electronic communications are by no means secure, and users should expect their system use to be monitored.

Telephone Use

Telephone use should follow a similar pattern as with computers. The telephone is provided so that employees can conduct business related to the professional development classes they are teaching for the University. Personal use should be limited and does not include long-distance calls. Lengthy or frequent personal phone calls may constitute an abuse of work time and may result in disciplinary action.

Long-Distance Calls. Any personal long-distance call may be made with a calling card, prepaid phone card or by collect. Use of the state V-NET/long-distance lines for personal business from a University extension is a violation of federal and state law. All calls made on these lines are a matter of record at the University and are detailed in monthly reports received from the Virginia Department of Information Technology (VITA). Employees using the lines for non-University business may be subject to legal action.

Payroll

The Payroll Office, located in George Washington Hall, room 29, is responsible for all aspects of faculty pay, including the maintenance of all tax forms and Virginia Credit Union (VACU) forms.

Registrar

The Office of the Registrar is located in George Washington Hall, room 215. This office is responsible for all student records, course scheduling, verification of degree requirements, transcripts, and Summer Session. Information about this office's functions and the Schedule of Classes for the academic year is available the University's web site.

Virginia Freedom of Information Act

All requests for college-related information, utilizing provisions of the Virginia Freedom of Information Act (FOIA), must be directed to the Office of University Relations and Legislative Affairs at the University of Mary Washington. Requests from the news media will be researched and answered by the Office of University Relations. Requests for information from non-media sources will be logged by the Office of University Relations and referred to the appropriate campus office for immediate response and resolution.

Useful Contacts at CGPS

Name	Phone and Email	Office Location
Meta R. Braymer Vice President & Dean	540-286-8018 mbraymer@umw.edu	Administrative Suite
Jeanie Pollard Kline Associate Vice President of Academic Affairs	540-286-8041 jkline@umw.edu	Administrative Suite
Mark J. Safferstone Associate Dean for Assessment and Outreach	540-286-8013 msaffers@umw.edu	Administrative Suite
Lynn Hamilton Technology Academy Director	540 286-8011 lhamilto@umw.edu	Administrative Suite
Carolyn Chewning Assistant to the Dean	540-286-8018 cchewnin@umw.edu	Administrative Suite
Lisa Ames E-Learning Technologist	540-286-8076 lames@umw.edu	Faculty Suite
Lorenzo Johnson Technology and AV Support	540-286-8098 mccott@umw.edu	Room 109-111
Jami Bryant CGPS Librarian	540-286-8057	Library
Jane Johnson College Receptionist	540-286-8000 cgps@umw.edu	Information/Security Desk
Document Center	540-654-1935 copies@umw.edu	Seacobeck Hall
Payroll Office	540-654-1045	George Washington Hall, Room 29
Security	540-286-8055	Information/Security Desk
University Information Hotline	540-654-2424	

Appendix

The Appendix contains the following sections from the CGPS Faculty Handbook: Section 4.4.2 (Intellectual Property) and Section 4.5 (Faculty Grievance Policy and Procedure).

4.4.2 Intellectual Property

(This University policy was adopted by the Board of Visitors on September 19, 1987.)

4.4.2.1 Applicability of the Intellectual Property Policy The policy applies to all University employees, whether their appointments are permanent or temporary, full-time or part-time, salaried, on wages or on contract, paid by state funds or by outside sponsors. It also applies to students of the University enrolled in programs of study leading to degrees and to visitors who may from time to time participate in University programs or activities.

4.4.2.2 General Statement on Ownership of Intellectual Property Intellectual property is understood to be any property to which the owner holds a *patent* or a *copyright*, or which may be considered to be patentable or copyrightable. In general, University employees, students, and visitors shall retain all rights relating to intellectual property developed on their own initiative without substantial use of University facilities and resources. This provision includes copyrighting of papers published in journals, articles written for popular publication, books (including textbooks), computer software, film, photographs, and videotape, unless the copyrighted materials were developed as a specific part of a University assignment. It also includes patenting of inventions, unless the patentable invention was developed as a specific part of a University assignment.

4.4.2.3 Cases in Which the University Obtains Entire Right, Title, and Interest The University shall obtain the entire right, title and interest in all materials subject to copyright or patent when the materials result from an assigned duty of an employee, student, or visitor, or when the University provides substantial specific support for the development of the materials in the form of space, facilities, and/or equipment and supplies. The University will not construe the provision of the usual office, library, laboratory, computing facilities, equipment and supplies that are part of its regular instructional program as constituting substantial specific support except for those situations where the copyrightable or patentable material was developed in response to a specific University assignment. A faculty member's general obligation to maintain a level of professional activity as a scholar does not constitute such a specific University assignment.

4.4.2.4 Intellectual Property in Instances of Outside Consulting and/or Contractual Work Materials or inventions developed by University employees, students, or visitors in the course of contractual or consulting work for outside organizations, or as supported by funds and facilities awarded as grants to the University by governmental, commercial, industrial or other organizations, shall not be considered as having been made or developed with specific University support, except in situations where the University itself is party to the contract or consulting agreement and declares proprietary interest, or the University's proprietary interest is defined and made a specific part of the conditions of the grant. Accordingly, the rights to such materials or inventions shall remain with the individual, subject to any agreement there may be in the actual contract, consulting agreement, or grant.

4.4.2.5 Policy Administration Administrative responsibility of this Policy on Intellectual Property is vested in the dean.

4.4.2.6 Procedures for Notification All intellectual property in which the University may claim interest under this policy shall be promptly reported in writing by its creator(s) to the dean. If more than one individual participated in the development, the report shall be signed by all such participants and shall identify the percent of interest of each. The report shall constitute a full and complete description of the intellectual property concerned, and identify the source(s) of any funding that has supported its creation. The participants shall furnish such additional information and execute such documents from time to time as the dean may reasonably request. Following receipt of any report of the creation of intellectual property, the dean, after consulting with other University officials as appropriate, shall promptly advise the creator(s), in writing, whether or not the University claims a proprietary interest.

4.4.2.7 University Ownership of Intellectual Property The University shall, in a timely manner, obtain (and market), or arrange for some appropriate outside agency such as the Center for Innovative Technology or the Research Corporation to obtain (and market), the copyright or patent to intellectual property in which the University claims a proprietary interest. The University will not, prior to obtaining a patent, disclose the details of an invention to anyone who does not need to know those details, or to anyone who is not under an obligation of confidentiality. The University will have all rights to use, promote, manage, market, sell or in any other way dispose of such intellectual property, on such terms and conditions, and for such consideration, if any, as the University shall determine. The University and the creator(s) shall share equally in any (gross) royalties, except in instances where some other allocation of interest shares is specified in a pre-existing agreement. The University will contribute its share of any royalties from intellectual property it owns to the University of Mary Washington Foundation, to be used by the Foundation as its Board of Directors may determine. If the creation of an intellectual property was supported by money from the General Fund earmarked for the purpose by the General Assembly or the University, royalties from that property will be used to reimburse the Commonwealth for the cost of creation. If the University fails to make progress toward obtaining a copyright or patent (and marketing such) in which the creator(s) have a share within a period of eighteen (18) months after the submission of the report described above, the creator(s) may formally make a written request to the President that the ownership of the intellectual property pass to the creator(s).

4.4.2.8 Dispute Resolution Any dispute which may arise over anything within this Policy on Intellectual Property should be presented to the President, who, in resolving the dispute, may convene a committee of three individuals to advise him or her. The committee will consist of one employee of the University named by the creator(s) of the intellectual property in question, a second employee of the University named by the dean, and a third named by the President. Both this committee and the President will be advised as well by the University's assigned representative of the Office of the Attorney General.

44.5 Faculty Grievance Policy and Procedure

4.5.1 Definitions A *grievance* is a complaint made by a member of the faculty concerning a decision, action, or lack of action by a person or group of persons acting in an official University capacity, which directly and adversely affects the professional or personal well-being of the grievant and which can be corrected by the University. A *grievant* is a member of the faculty who has made a complaint that constitutes a grievance.

4.5.2 Coverage Any full-time or part-time member of the University of Mary Washington teaching faculty is covered under this grievance policy.

4.5.2.1 Non-grievable Actions Any grievances that satisfy the definition but are dealt with by their own specific policies and procedures, as outlined elsewhere in the *Handbook*, are considered non-grievable actions. Excluded matters include the following:

- .1 non-reappointment of non-tenured faculty;
- .2 actions of dismissal of faculty for cause or financial exigency;
- .3 actions awarding or withholding promotions;
- .4 any action related to evaluation of performance or salary adjustment;
- .5 denial of rights of free expression or inquiry; and
- .6 disciplinary action taken following an incident of racial or sexual harassment.

4.5.3 Pre-panel Procedure The faculty member should first attempt to resolve the potential grievance directly with the individual(s) involved.

4.5.3.1 First Filing of the Grievance All grievances shall be presented as soon as possible and in no event later than ten days after the occurrence of the action or event causing the grievance:

- .1 A faculty member with a grievance against another faculty member within his or her program shall present the grievance to the program director.
- .2 A faculty member with a grievance against another faculty member not in his or her program, with a grievance against his or her program director, or with a policy or practice of the department shall present the grievance to the dean.
- .3 A faculty member with a grievance against the dean or another University administrator shall present the grievance to the President of the University
- .4 A faculty member with a grievance against a University policy or procedure or the application thereof shall present the grievance to the President of the University.

4.5.3.2 Grievance in a Case of Alleged Discrimination In a case of alleged discrimination, the first step for the grievant is to complete and sign a University form D-1 (secured from the AAEEEO Officer and returned to the Human Resources Office) providing the following information:

- the basis for alleged discrimination (sex, race, age, etc.);
- a clear statement of the facts upon which the grievance is based, including an explanation of how the person has been adversely affected;
- an identification of the person(s) or the University policy or procedure considered responsible for the alleged discrimination upon which the grievance is based and an explanation of why the person(s) is considered responsible or why the University policy or procedure is considered improper;
- a copy of any pertinent Board of Visitors or University policies or regulations, State statutes, contractual agreements, or other documents of custom or practice upon which the grievance relies; and
- statement of the specific relief sought.

4.5.3.3 Attempt at Informal Resolution The individual receiving the grievance shall seek to mediate a prompt and satisfactory solution of the grievance. If an allegation of discrimination is involved, the University AAEEEO Officer will review all of the facts provided by the grievant and will thoroughly investigate the alleged discrimination. The findings of this investigation and any proposed resolution of the matter will be communicated in writing to the grievant within two weeks after the AAEEEO Officer has received the completed University form D-1. No written record or official report of the informal grievance procedure shall be established.

4.5.4 Creation of a Formal Panel to Hear the Grievance If the grievance of a faculty member is not resolved through the informal procedure, the faculty member may, within thirty days thereafter, pursue a formal grievance procedure and request a hearing by a *grievance panel* specifically convened to investigate the grievance and recommend a resolution.

4.5.4.1 Formal Request for a Panel A faculty member requesting a hearing by a grievance panel shall present a written *statement of charges* to the President of the University.

4.5.4.1.1 Statement of Charges, Preparation and Distribution The statement of charges submitted by the faculty member shall contain the following information and material in a form whereby multiple, legible copies may be reproduced:

- a clear statement of facts upon which the grievance is based, including an explanation of how the faculty member alleges he or she has been adversely affected and the specific relief requested;
- an identification of the person(s) or the University policy or procedure considered responsible for the alleged adverse condition, action, or inaction upon which the grievance is based and an explanation of why the person(s) is considered responsible or why the University policy or procedure is considered improper;
- a copy of any pertinent Board of Visitors or University policies or regulations, Commonwealth statutes, contractual agreements or other documents of custom and practice upon which the grievant relies;
- a list of witnesses to be presented at the hearing; and
- the identification of any counsel, adviser, or observer to be present during the hearing.

4.5.4.2 Method of Selecting Panel Members The grievance panel shall consist of four full-time, continuing members of the College of Graduate and Professional Studies faculty, none of whom is connected with the grievance at hand. The dean shall designate two members for the panel and the grievant shall select two members within ten working days of notification of the grievance. The grievance panel shall elect a chair from its membership to preside over the hearing.

4.5.5 Procedure of the Panel Hearing and Distribution of Results

4.5.5.1 Conduct of the Hearing The chair of the grievance panel shall have prepared and distributed to each member of the panel and to the President, within five days after his or her election as chair of the panel, a complete copy of the statement of charges.

4.5.5.1.1 Preliminary Review and Decision The panel shall, within seven days after receipt of the statement of charges, review the charges and determine whether or not the panel will conduct a hearing. If the panel determines by a majority vote that the charges do not constitute a grievance, or that they are frivolous and/or without merit, the chair of the panel shall advise the grievant in writing of this finding with a copy of the communication to the President. The action of the panel shall be final.

4.5.5.1.2 Request for Reply to Statement of Charges If the panel determines to conduct a hearing, the chair shall advise the grievant and shall provide a complete copy of the statement of charges to each person against whom the complaint is made. If the grievance is against a departmental policy, decision, or action, rather than against the action of an individual, the program director shall be the person against whom the grievance is made. If the grievance is against a University policy, decision, or action, rather than against the action of an individual, the President shall be the person against whom the grievance is made.

4.5.5.1.3 Reply to Statement of Charges Upon receipt of the statement of charges, the person(s) against whom the grievance is lodged shall, if he or she wishes to reply, have fourteen days to present a response to the charges to the chair of the grievance panel. The response, in a form whereby multiple, legible copies may be reproduced, shall include:

- a full statement of the position taken by the person(s) against whom the grievance has been lodged with respect to the charge;
- any commentary the cited party(ies) may wish to offer concerning any of the documents contained in the statement of charges submitted by the grievant and any pertinent documents or materials which the respondent(s) relies upon;
- a list of witnesses to be presented at the hearing; and
- the identification of any counsel, adviser or observer to be present during the hearing.

Within five days after receipt of the response to the statement of charges from the party(ies) against whom the grievance has been lodged, the chair of the grievance panel shall have prepared and distributed to the grievant and to each member of the grievance panel a complete copy of the response.

4.5.5.1.4 Review of Reply to Statement of Charges, and Decision The chair of the grievance panel shall schedule a hearing by the panel to begin not later than fourteen days after the distribution date of the response to the statement of charges. Should all members of the grievance panel, after reading the statement of charges and the response thereto, determine that the charges are frivolous and/or plainly without merit, the panel may convene and by formal resolution declare that it does not find adequate grounds for the grievance to be heard and, therefore, declines to hold a hearing. This action shall be promptly transmitted, in writing, to the parties concerned and to the President, and the action shall be final, unless the President shall direct the grievance panel to conduct a hearing.

4.5.5.1.5 Pre-Hearing Conference The panel may hold, with all parties present, a pre-hearing conference to define the issue involved and to resolve procedural matters for the hearing.

4.5.5.1.6 Procedure for Final Hearing The hearing shall be conducted according to the following procedures:

.1 Attendees The hearing shall be private, with only the parties involved, witnesses, counsel, advisers, designated observers, and members of the grievance panel present, except that, with mutual agreement by the grievant and the party(ies) against whom the grievance is lodged, the hearing may be public.

.2 Record of Hearing The full and complete hearing shall be recorded on two tape recorders, and all tapes shall be preserved until thirty days following action by the President, or in the case of an appeal, until final and conclusive action is taken by the Board of Visitors, or the Executive Committee thereof, at which time the recordings shall be destroyed.

.3 Conduct of Hearing The hearing shall be convened by the chair; the grievant shall have full opportunity to present evidence and witnesses; the party(ies) against whom the grievance has been lodged shall have full opportunity to present a response and witnesses; and each party shall be provided an opportunity to question witnesses presented by the other party(ies); members of the grievance panel shall have the right and opportunity to question all parties and witnesses; each party shall have an opportunity to offer a concluding statement. No counsel, adviser, or observer may testify, present information, or participate in the conduct of any part of the hearing.

4.5.5.2 Decision After all testimony has been heard, the chair of the grievance panel shall recess the hearing, and the Panel shall go into closed session to determine its findings and prepare its report and recommendations.

4.5.5.3 Distribution of Decision Within six days after the recess of the hearing, the panel shall present its written report and recommendations, showing the vote of the panel on the recommendations, to the President and to all parties to the hearing. The report shall provide a summary of the facts presented in the hearing and the reasons for the recommendations of the hearing panel. Within twenty-one days after receipt of the grievance panel report and recommendations, the President shall communicate, in writing, to the parties involved and to each member of the grievance panel, his or her acceptance or rejection, in whole or in part, of the panel recommendations.

4.5.6 Appeal Ordinarily the decision of the President shall be final and conclusive. However, an affected party may present a request, in writing, to The Rector, within ten days after receipt of the President's decision, asking the Board of Visitors, or the Executive Committee thereof, to review the record of the hearing. In such an event the affected party may be asked to furnish, at his or her own expense, a transcript of the tape recording of the hearing. Within thirty days after receipt of a request from an affected party, the Rector may either reaffirm the decision of the President or have the record of the hearing reviewed and a decision rendered by the Board of Visitors of the University or by the Executive Committee thereof. The action of the Rector, the Board of Visitors, or the Executive Committee thereof, shall be final.