

B. FACULTY MATTERS

B-1. Appointment of Adjunct Faculty

The adjunct faculty consists of those persons appointed to teach part-time. Adjunct appointees normally do not enjoy all the rights and privileges of full-time faculty.

Adjunct faculty members are appointed on a semester-by-semester basis, depending on the needs of the academic programs as identified by the appropriate administrators. Appointments are subject to cancellation if enrollment is inadequate. Also, if teaching schedules need to be reassigned because of low enrollment, priority will be given to full-time faculty.

Except in rare situations approved by the vice chancellor for academic affairs, adjunct faculty members who teach undergraduate courses will have at least the master's degree, and those who teach graduate courses will have an appropriate terminal degree.

Members of the adjunct faculty may hold adjunct professorial rank. Rank should be determined by the holding of an appropriate terminal degree, time in service at least equal to that required for promotion for full-time faculty members, and satisfactory performance as judged by procedures customarily applied to full-time faculty promotion cases. An adjunct professorial rank is honorific and does not confer any additional rights and privileges to the adjunct faculty member.

While the primary assignment of adjunct faculty members is teaching in the classroom and laboratory, they are also expected to participate in the student evaluation of teaching program, to hold conferences with students by appointment, to attend meetings when requested, and to participate in cultural and social activities at the university if their time permits. They have an obligation to continue to read, study, and do research in the discipline they teach so that they keep abreast of new knowledge and developments in their fields.

Equal Employment Opportunity

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY

Indiana University pledges itself to continue its commitment to the achievement of equal opportunity within the University and throughout American society as a whole. In this regard, Indiana University will recruit, hire, promote, educate, and provide services to persons based upon their individual qualifications. Indiana University prohibits discrimination based on arbitrary considerations of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, or veteran status.

Indiana University shall take affirmative action, positive and extraordinary, to overcome the discriminatory effects of traditional policies and procedures with regard to the disabled, minorities, women and Vietnam-era veterans. (Board of Trustees, Nov. 21, 1969; Amended: Board of Trustees, December 4, 1992)

The University administration and faculty governance regularly review policy to maintain compliance with current EEOC regulations and guidelines.

Academic Appointees with Disabilities

BACKGROUND AND SUMMARY

Prior to 1990, the University complied with the nondiscrimination provisions of Sections 503 and 504 of the Rehabilitation Act of 1973. The Americans with Disabilities Act (ADA), Public Law 101-336, was enacted on July 26, 1990, "to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities." This latter federal legislation requires equal treatment of all persons in employment, public services and transportation, public accommodations, and telecommunication services.

Indiana University, a public institution as set forth in the American with Disabilities Act, is subject to its requirements. Title I of the ADA prohibits discrimination against qualified individuals with disabilities in employment practices. Title II of the ADA prohibits discrimination against qualified individuals with disabilities with regard to the services, programs, and activities at the university.

INDIANA UNIVERSITY POLICY REGARDING PEOPLE WITH DISABILITIES

Indiana University historically has been committed to the principles of affirmative action which guarantee fair and equitable treatment of all persons, including the mentally and physically disabled. The University provides equal employment opportunities to all employees and applicants for employment who are qualified.

The University has instituted various administrative policies, practices, and procedures to ensure nondiscrimination. These have been amended to comply with the requirements of the ADA. Accordingly, “no qualified individual with a disability shall, by reason of such disability, be either excluded from participation in or be denied the benefits of the services, programs, or activities” of Indiana University. Moreover, no qualified individual with a disability shall be discriminated against because of the disability of that individual with regard to job application procedures, the hiring or discharge of employees, compensation, advancement, job training, and other terms, conditions, and privileges of employment.

B-2. Academic Freedom and Ethics

Academic freedom, accompanied by responsibility, attaches to all aspects of a teacher's professional conduct.

Teachers shall have full freedom of investigation, subject to adequate fulfillment of academic duties. No limitation shall be placed upon teachers' freedom of exposition of their subjects inside or outside of the classroom. Teachers should not subject students to discussion in the classroom of topics irrelevant to the content of the course. In public utterances, teachers shall be free of institutional control, but when writing or speaking as citizens, they should endeavor to avoid the appearance of speaking for the university. Teachers should recognize the obligation to be accurate, to exercise appropriate restraint, and to show respect for the right of others to express their views.

The *Code of Academic Ethics* in the *Indiana University Academic Handbook* describes in detail the rights and responsibilities of faculty members at all IU campuses and the procedures for enforcement of the code. It should be studied closely by all members of the faculty.

IU maintains the highest ethical standards for faculty research and creative activities and adheres to federal policies regarding research with live human and animal subjects and hazardous materials, as well as those policies regarding research misconduct and fraud. Appropriate definitions and actions are outlined in the document, *Research Ethics: Policies and Procedures (September 1989)* and the *IUS Research Policy Manual*, which are available from the Office of Academic Affairs.

B-3. Political Activity

IUS as a public institution of higher education does not participate in partisan politics, support any candidate for public office, or expend funds for political purposes. Employees will not engage in political activity during working hours or use the resources of the university in support of a political candidate or party.

Employees may distribute political literature on their own time and at their own expense. It should be recognized, however, that the distribution of literature that demeans or insults people on the basis of such attributes as religion, race, ethnicity, national origin, gender, sexual orientation, age, or disability is inconsistent with the educational mission of the campus.

University facilities shall not be used for political rallies or for campaign purposes that would further the interests of the candidate or candidates of any one political party, except that the university may from time to time invite political candidates to speak at university convocations. In such cases, it is the policy of the university to extend

invitations to the candidates of the different major parties on an equal basis. This rule is not interpreted as prohibiting the meeting of student political groups which are open to attendance by students, faculty and other members of IUS, but which are not open to the general public.

B-4. Research and Grants

Services The services of the campus and university research offices are available to adjunct faculty members. These include assistance in locating sources of external funds, advice in the preparation of grant proposals, and the post-award fiscal administration of grants.

Submission of Proposals There is an established procedure for the submission of proposals; applicants should allow two weeks for review and routing. Any faculty or staff member who is contemplating application for a grant from a government agency or a private foundation should first contact the dean for research. No grant proposal, including preliminary proposals, should be sent by an individual faculty or staff member directly to an agency or foundation. Such proposals must be sent by the dean for research to Sponsored Research Services (SRS) in Bloomington and must be accompanied by forms signed by administrators on this campus. Failure to comply may result in the refusal of the university to accept an award.

Special Considerations The university has filed appropriate assurances with federal agencies regarding the uses of hazardous substances, human subjects, and live animals in research and teaching. It is university policy that all activities, regardless of whether they are externally funded, must comply with relevant federal guidelines. Part-time faculty members planning to conduct research at IUS involving human subjects or teaching or research at IUS involving hazardous substances or live animals should consult the associate vice chancellor for academic affairs prior to beginning a project. Evidence of appropriate reviews at other institutions may be accepted by local committees.

Internal Funding for Professional Activities and Development Adjunct faculty members may apply for internal funds for research or teaching projects as members of teams headed by resident faculty members. Part-time faculty are generally welcome to attend faculty workshops, seminars, and colloquia held on campus although some activities may have limited enrollments or require applications. A small fund exists to support part-time faculty participation in activities related to their teaching duties. Awards are made competitively. Information is available from the Office of Academic Affairs.

Further information on research support and policies relating to research and creative activities can be found in the *IUS Research Policy Manual*.

Library resources, including professional journals, are (or can be made) available. Although the campus library is not designed to be a research library, a central reference and distribution system and a number of interlibrary loan programs make it possible for faculty members to get needed reference works with considerable ease. For assistance, see one of the reference librarians. The dean for research and/or associate vice chancellor for academic affairs can also provide assistance in locating sources of support within the IU System and from government agencies and private foundations. Limited assistance with grant writing may also be available.

B-5. Grievance Procedures

Faculty members with a problem or complaint should present it first to the dean of their school. This may be done orally, or in writing if either the faculty member or the dean thinks this is preferable.

If the faculty member is not satisfied with the decision of the dean, he or she may appeal the decision in writing to the School-Level Grievance Committee (if one exists). If the faculty member is not satisfied with the recommendation of the grievance committee or the dean's response to that recommendation, he or she may appeal in writing to the vice chancellor for academic affairs.

If the faculty member regards the decision of the vice chancellor as unfair, he or she may appeal in writing to the Faculty Board of Review (FBR) except in promotion and tenure cases. Procedures for handling an FBR case are described in By-Law No. 3 in the Appendix. The FBR will not take appeal cases regarding promotion and tenure until after the chancellor has announced a decision on the promotion or tenure recommendation.

B-6. Discrimination Grievance Procedures

These procedures are drawn up solely for cases involving discrimination grievances related to gender, race, minority status, national origin, sexual orientation, religion, age, handicap, or status as a disabled or Vietnam-era veteran.

A discrimination grievance review should be viewed as a final attempt to settle a complaint. It is generally expected that an employee requesting a review will have previously attempted to work out a solution through discussions with the appropriate supervisors and/or through the mediation efforts of the Office of Equity and Diversity or Human Resources.

Initiating and Conducting a Grievance Procedure

If an employee has an affirmative action grievance and, after talking to the Affirmative Action Officer, wants to request a formal review, he or she should obtain a grievance review request form from the Office of Equity and Diversity and return the completed form to the director of this office.

The Affirmative Action Officer, who directs the Office of Equity and Diversity, performs the first investigation using the Guidelines for Investigating and Resolving Complaints. The Affirmative Action Officer will investigate, and make a written report of the findings and recommend a final decision to the chancellor within thirty working days of receipt of the complaint. This report shall be also sent to the parties directly involved in the complaint and a copy shall be kept in the Office of Equity and Diversity. An appeal may be made of the Affirmative Action Officer decision within fifteen working days of the final report.

For more details regarding the procedures, contact the Office of Equity and Diversity at (812) 941-2306.

B-7. Sexual Harassment

1. Policy (as approved by the Board of Trustees 6/15/98)

Harassment on the basis of sex is a violation of federal and state law. Indiana University does not tolerate sexual harassment of its faculty, staff or students. Individuals who believe they are victims of sexual harassment, as well as those who believe they have observed sexual harassment, are strongly urged to report such incidents promptly. Indiana University will investigate every sexual harassment complaint in a timely manner and, when there is a finding of sexual harassment, take corrective action to stop the harassment and prevent the misconduct from recurring. The severity of the corrective action, up to and including discharge or expulsion of the offender, will depend on the circumstances of the particular case.

Once a person in a position of authority at Indiana University has knowledge, or should have had knowledge, of conduct constituting sexual harassment, the University could be exposed to liability. Therefore, any administrator, supervisor, manager or faculty member who is aware of sexual harassment and condones it, by action or inaction, is subject to disciplinary action.

2. Definitions

Following federal guidelines, Indiana University defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature

constitute sexual harassment when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
- b. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
- c. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

3. Application

This University policy is designed to protect all members of the University community. It applies to relationships among peers as well as to superior/subordinate relationships. It also applies to all individuals, regardless of their gender or sexual orientation.

4. Provisions

- a. Faculty, staff, and students have the right to raise the issue of sexual harassment. Further harassment against complainants or retaliation against complainants or others who participate in the investigation of a complaint will not be tolerated. Appropriate and prompt disciplinary or remedial action will be taken against persons found to be engaging in such further harassment.
- b. The University will deal with reports of sexual harassment in a fair and thorough manner, which includes protecting, to the extent possible and to the extent permitted by law, the privacy and reputational interests of the accusing and accused parties.
- c. Education is the best tool for the prevention and elimination of sexual harassment. Each dean, director, department chair, and/or administrative officer is responsible within his/her area of jurisdiction for the implementation of this policy, including its dissemination and explanation.
- d. It is the obligation and shared responsibility of all members of the University community to adhere to this policy.

5. Enforcement Principles

Enforcement and implementation of this sexual harassment policy will observe the following principles:

- a. Each campus must have procedures - consistent with notions of due process - for implementing this policy including where complaints are made, who investigates complaints, how complaints are resolved, what procedures are available for appeals, and how records are kept.
- b. At IUS, the Affirmative Action Officer shall serve as a resource with regard to interpretation of sexual harassment guidelines.
- c. Confidentiality of information relating to investigations of complaints of sexual harassment shall be maintained to the extent practical and appropriate under the circumstances and to the extent permitted by law. Individuals charged with implementing this policy shall share information with regard to given incidents of sexual harassment only with those who have a "need to know" in order to implement this policy.
- d. Investigations must be conducted promptly and thoroughly.
- e. Whether particular actions constitute sexual harassment will be determined from the facts, on a case-by-case basis.

The University will look at the record as a whole, as well as the context in which the misconduct occurred.

f. Both the charging party and the respondent will be notified of the outcome of the investigation.

g. In the event it is found that sexual harassment has occurred, corrective action, up to and including discharge or expulsion of the offender, will be taken through the appropriate channels of the university. The corrective action will reflect the severity and persistence of the harassment, as well as the effectiveness of any previous remedial action. In addition, the university will make follow-up inquiries to ensure the harassment has not resumed and the complainant has not suffered retaliation.

B-8. Sexual or Amorous Relationships

1. Relations with Other Employees

In the interest of avoiding actual or perceived conflict of interest, academic personnel should not directly supervise employees with whom they are having sexual or amorous relationships. Academic supervisors shall disqualify themselves from employment-related decisions concerning such employees and, in consultation with the employee involved and other appropriate persons, the vice chancellor for academic affairs or other equivalent campus administrator shall take steps for the appointment of a surrogate supervisor.

2. Relations with Students

With regard to relations with students, the term "faculty" or "faculty member" means all those who teach and/or do research at the university, including (but not limited to) tenured and tenure-track faculty, lecturers, librarians, holders of research or clinical ranks, graduate students with teaching responsibilities, visiting and part-time faculty, and other instructional personnel, including coaches, advisors, and counselors.

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

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. All amorous or sexual relationships between faculty members and students are unacceptable when the faculty member has any professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the university will view it as a violation of the *Code of Academic Ethics* if faculty members engage in amorous or sexual relations with students for whom they have professional responsibility, as defined in number a. or b. below, even when both parties have consented or appear to have consented to the relationship. Such professional responsibility encompasses both instructional and non-instructional contexts.

a. Relationships in the Instructional Context

A faculty member shall not have an amorous or sexual relationship, consensual or otherwise, with a student who is enrolled in a class being taught by the faculty member or whose performance is being supervised or evaluated by the faculty member.

b. Relationships outside the Instructional Context

A faculty member should be careful to distance himself or herself from any decisions that may reward or penalize a student with whom he or she has or has had an amorous or sexual relationship, even outside the instructional context, especially when the faculty member and student are in the same academic unit or in units that are allied academically.

B-9. Safety and Security

For the safety and security of all concerned, faculty members should report all accidents, injuries, acts of vandalism or threats of harm to persons or property promptly to the University Police, UC 027, ext. 2400.

Firearms Prohibitions:

Unauthorized firearms, weapons, ammunition, explosives, and other items that the campus police consider to be dangerous are prohibited on university premises and at IU events. This policy includes activities such as introducing, possessing, using, buying or selling firearms even with a valid state firearms permit. Only law enforcement officers and others, in exceptional circumstances, who have prior approval by the police chief, are authorized to carry a firearm. This prohibition extends to all University-controlled sites where University employees are working or University-directed activities are being held. For additional information on this policy, refer to the *IU Personnel Policies for Professional Staff and Support Staff*.

Alcohol & Drug-Free Campus:

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance (usually referred to as illegal drugs listed under the federal Controlled Substances Act) and alcohol is prohibited on University property or in the course of a University activity except at specifically authorized events. The complete University policy on this subject is available in the *IU Personnel Policies for Professional Staff and Support Staff*.

Tobacco-Free Campus:

Effective July 1, 2007, tobacco (all types) is strictly prohibited on all University grounds and University-owned or leased buildings to include offices, hallways, lounges, rest rooms, elevators, classrooms, meeting rooms, dining areas and all community areas. Tobacco is permitted only in one's personal vehicle (University-owned or leased automobiles remain tobacco-free). This policy applies to all employees, students and visitors. The complete University policy on this subject is available in the Office of Human Resources.

Building Security

Normally, campus buildings will be open from 7:00 a.m. to 11:00 p.m. during the period of time when classes are in session. On weekends and days which classes are not in session, buildings will normally be locked at 6:00 p.m. In the interest of security, buildings may be closed earlier in the event that scheduled activities terminate at an earlier time or there are no scheduled activities. Buildings will remain closed and locked until 7:00 a.m. of the day on which regular scheduled activities resume. The Activities Building, the Library, and Student Computing Labs will be open in accordance with the schedules established by those departments. Copies of those schedules are to be sent to the University Police Department. If a building must be open for a specific University-sanctioned event, the University Police Department should be notified at least 48 hours in advance. All buildings will be closed and locked on holidays and other announced days that the campus is officially closed.

B-10. Alcohol and Drug Abuse

1. Basic Philosophy

In fulfilling its purpose as an institution of higher education, IU has many responsibilities, one of which is that of employer. In this role, the university develops policies and practices of employment to obtain an effective staff and maintain the respect of employer and employee for each other.

One aspect of this philosophy is an Alcohol and Drug Abuse Procedure, the objectives of which are:

- a. To establish and maintain a safe, healthy working environment for all employees;
- b. To reduce the incidence of accidental injury to person or property;
- c. To reduce absenteeism, tardiness, and poor or indifferent job performance;
- d. To insure the positive reputation of the university and its employees as worthy of the responsibilities entrusted to us; and
- e. To provide assistance toward rehabilitation for any employee who seeks help in overcoming an addiction or dependence on alcohol or drugs.

2. Regulations

The university does not and cannot accept or condone alcohol or drug abuse by its employees. Alcohol and drug abusers do not suffer alone. Their abuse is also detrimental to the university, to fellow employees, and to the public we serve. Therefore the following applies to faculty and all other employees.

- a. No alcoholic beverage will be brought onto or consumed on IU or IUS property except for specifically authorized events. Further, no illegal drug will be brought onto or consumed on university or campus property at any time.
- b. Any employee whose off-work use of alcohol or drugs can reasonably be established to be the cause of excessive absenteeism or tardiness, or the cause of accidents or poor work performance will be counseled to seek rehabilitation from available community resources.
- c. Rehabilitation itself is the responsibility of the employee. An employee seeking medical attention for alcoholism or drug addiction is entitled to appropriate health insurance benefits. Such treatment is an acceptable purpose for a leave of absence subject to consideration of the other conditions listed in the leave of absence personnel policy.
- d. An employee's request for assistance will be treated as confidential by the supervisor receiving it and only those persons **needing to know** will be made aware of the request.

B-11. Service Recognition

A reception for the entire University community is held each year to recognize both full- and part-time employees with ten, fifteen, twenty, and twenty five years of service.