



National University
ADJUNCT FACULTY
POLICIES

October 2019



NATIONAL
UNIVERSITY

Approved by the National University Faculty Senate, July 10, 2019

Approved by the National University Board of Trustees, October 17, 2019

Revised Printing, November, 15, 2019 to reflect the corrected cover date of October 2019

Preamble.....	1
1.0 Governance and Delegation	2
2.0 Contractual Documents and Minimum Qualifications	2
3.0 Definitions.....	3
4.0 Teaching Responsibilities of Adjunct Faculty	4
5.0 Classifications of Adjunct Faculty.....	6
6.0 Recruiting and Selecting Adjunct Faculty.....	10
7.0 Teaching Assignments.....	10
8.0 Teaching Contracts	10
9.0 Adjunct Faculty Grievances.....	11
10.0 Academic Freedom	12
11.0 Code of Conduct	15
12.0 Complaints Regarding Violations of Policies.....	18
13.0 Drug-Free Workplace.....	18
14.0 Publicity and Media Relations.....	19
15.0 Copyright Policy	19
16.0 Confidentiality of Student Records.....	20
17.0 Compliance Training	20
18.0 Review and Revision of the <i>Adjunct Faculty Policies</i>	20

NATIONAL UNIVERSITY ADJUNCT FACULTY POLICIES

Preamble

National University is a private, non-profit public benefit corporation governed by a Board of Trustees and is an accredited, independent institution of higher education.

Anything in these *Adjunct Faculty Policies* notwithstanding, the Board of Trustees is the governing body of National University. All the activities and affairs of National University will be conducted by or under the direction of the Board of Trustees. The President, who reports to the Board of Trustees through the Chancellor of the National University System, is the chief executive officer and has, subject to the control of the Board of Trustees, authority over all University affairs and activities.

The Board of Trustees, the Administration, and the Faculty recognize the Faculty Senate as the primary Faculty governance body representing the Faculty in matters pertaining to the Faculty. The Faculty has the right and obligation to advise and confer with the President, the Provost, Vice Presidents, School Deans, and other administrative officers on issues affecting the status, responsibilities, and welfare of the Faculty.

These *Adjunct Faculty Policies* govern the rights and responsibilities of the Adjunct Faculty at National University. In the event of a conflict between the *Faculty Bylaws* and the *Adjunct Faculty Policies*, the *Adjunct Faculty Policies* will control.

National University is dedicated to making lifelong learning opportunities accessible, challenging, and relevant to a diverse student population. Its aim is to facilitate educational access and academic excellence through exceptional management of University operations and resources, innovative delivery systems and student services, and relevant programs that are learner-centered, success-oriented, and responsive to technology.

National University's central purpose is to promote continuous learning by offering a diversity of instructional approaches, by encouraging scholarship, by engaging in collaborative community service, and by empowering its constituents to become responsible citizens in an interdependent, pluralistic, global community.

National University recognizes the value and role of Adjunct Faculty. Adjunct Faculty speak from and integrate professional examples into their courses, which strengthens practical connections between the subject matter and a student's program of study or career path. Adjunct Faculty should be passionate about teaching and learning and understand the importance that their professional experience, together with their academic preparation brings to the National University student experience. Adjunct Faculty should be current in their field and seek to consistently improve their instructional capacity.

1.0 Governance and Delegation

- 1.1 The University is a non-profit public benefit corporation governed by a Board of Trustees.
- 1.2 Only the President or the President's designee is authorized by the Board of Trustees to take action relating to hiring, discipline, and termination of Adjunct Faculty.
- 1.3 The Provost advises the President about Adjunct Faculty and is the President's designee with respect to action relating to appointment, discipline, and termination of Adjunct Faculty, subject to the President's authority to override any decision of the Provost with respect to these issues.
- 1.4 Amendments of, additions to, and deletions from the *Adjunct Faculty Policies* require approval of the Faculty Senate, the University Faculty, the President, and Board of Trustees of the University in accordance with procedures set forth in the Faculty Bylaws and other relevant documents.
- 1.5 All Adjunct faculty have the right to communicate their concerns and opinions to the relevant governing bodies and/or the University Ombudsman. Issues of faculty work and welfare should be addressed to the Faculty Senate. Issues related to academic quality should be addressed to the Graduate and/or Undergraduate Councils. Adjunct Faculty may communicate such concerns or opinions to the elected representatives to these governing bodies for their School and/or region.
- 1.6 All Adjunct Faculty have the right to be kept informed about important issues being discussed by the governing bodies. They have access to minutes, agendas, and other documents produced by these bodies.
- 1.7 All Adjunct Faculty have the right to file grievances or make complaints about possible violations of these *Policies* as set forth in Articles 9.0, 9.1, and 9.2 below.

2.0 Contractual Documents and Minimum Qualifications

- 2.1 These *Adjunct Faculty Policies* define the rights, responsibilities, ranks, and personnel policies and procedures for National University's Adjunct Faculty. The *Adjunct Faculty Policies*, together with the Adjunct Faculty member's current course contract, constitute the contract between the Adjunct Faculty member and National University. The National University Policies expressly include Adjunct Faculty, unless superseded by these *Adjunct Faculty Policies*.

- 2.2 All Adjunct Faculty are expected to have the following minimum qualifications: appropriately earned master's degree in the discipline taught or in an allied field from a regionally accredited institution, although a doctoral or terminal degree in the discipline taught or in an allied field is preferred; evidence of potential for excellence in teaching and professional achievement in the faculty member's field; evidence of professional currency; and attendance at a faculty orientation. In some disciplines, a minimum of three (3) years recent employment in the faculty member's professional field may be required.

3.0 Definitions

Throughout these *Adjunct Faculty Policies*, the following definitions are applicable:

3.1 Faculty

- 3.1.1 The main categories of "Faculty" at National University are *Full-time Faculty*, *Associate Faculty*, and *Adjunct Faculty*.
- 3.1.2 Full-time Faculty are members of National University whose primary responsibilities are teaching, scholarship, and service. These responsibilities include oversight of curriculum, mentorship of Adjunct Faculty, student advising, curriculum development, peer review of Faculty colleagues in the school and regions, participation in search committees for Faculty and designated academic administrators, professional development, and participation in academic governance.
- 3.1.3 Adjunct Faculty are skilled teachers whose primary commitments are to the practice of their disciplines. They are contracted to teach on a course-by-course basis, subject to the availability of courses the Adjunct is qualified to teach. They advise students on course-related topics and maintain currency in their professional and disciplinary fields. Although not required to participate in departmental, school, and University activities, they are welcome to do so (see 5.4).

3.2 School and Colleges

Schools and colleges are academic units within the University, concerned with instruction and research, and contributing to the intellectual development of the students of the University. Through its schools and colleges, the University offers undergraduate and graduate degrees as well as certificate programs. The term "school" is used for both schools and colleges.

3.3 Department

A department is an element of a school defined by academic and intellectual content as well as by disciplinary needs or professional curricular requirements.

3.4 Program

A program is an organized sequence of courses offering academic credit, the successful completion of which leads to the awarding of a degree, credential, or certificate.

3.5 Provost

The Provost is the chief academic officer of the University, with primary responsibility for maintaining the integrity and academic excellence of the University's academic programs in consultation with the Faculty. The Provost reports to the President.

3.6 School Dean

A School Dean is the chief academic officer of a school, with primary responsibility for maintaining the integrity and academic excellence of the school's academic programs in consultation with the school's Faculty. School Deans report to the Provost.

3.7 Department Chair

While carrying out their administrative functions, Department Chairs serve as regular Full-time Faculty members. As the foremost Administrative officer and representative of the Department's academic discipline(s), the Department Chair serves in the unique position of exemplifying the highest standards of faculty and administrative responsibilities, maintaining standards of the discipline(s), and meeting the expectations of the Department.

3.8 Academic Program Directors

Academic Program Directors are full-time Faculty of National University who are assigned academic leadership and administrative responsibilities for particular programs or courses.

4.0 Teaching Responsibilities of Adjunct Faculty

- 4.1 Each Adjunct Faculty member shall review and prepare an up-to-date course syllabus, for each class to be taught. The course syllabus will contain mandatory and regulatory information including course learning outcomes, required textbooks, attendance policies and institutional policies. An Adjunct

Faculty member may provide additional details about course requirements, goals, objectives, expectations, optional course materials, course schedule and deadlines, assignments, field trips, evaluation methods. These items can be added to the standard course syllabi using the embedded online syllabus tool. The syllabus represents a formal agreement between the instructor and the students. It explains grading criteria and methodology in a straightforward manner.

- 4.2 A copy of the syllabus for each course taught must be provided to the Lead Faculty at least two (2) weeks before the start of class for review. At the first class meeting or at the beginning of an online course, each Adjunct Faculty member shall provide to each student a course syllabus prepared specifically for use in that class.
- 4.3 Adjunct Faculty are expected to provide contact information to include a National University e-mail address and telephone number where they can be reached by students, to meet all scheduled classes, and not to cancel or reschedule classes or reduce the scheduled number of hours of class time. Adjunct Faculty should generally respond to students within 48 hours. It is essential that classes begin at the announced time and end on time. Substitute instructors must not be arranged without the prior written approval of the School Dean or designee.
- 4.4. National University is committed to meet Department of Education requirements for substantive and regular interactions between Faculty and students. National University Faculty meet this requirement in online classes through participation in at least one of the following course activities:
 - Participating in a regularly occurring online discussion about academic course content;
 - Faculty-scheduled consultations with as student to discuss academic course content;
 - Substantive and personalized feedback on student assignments;
 - Regularly occurring posts of instructor guidance to summarize weekly assignments or adding individual faculty voice to the online course experience;
 - Participating in regularly scheduled learning sessions (synchronously); or
 - Proactive and scheduled communication initiated by Faculty in response to student progress.
- 4.4.1 Adjunct Faculty in onsite classes are responsible for taking attendance for each class session and giving the attendance records to the Center Assistant and report in a manner aligned with National University procedure.

- 4.5 The Adjunct Faculty member should refer any behavioral matters that are disrupting the class to the Academic Program Director and/or Department Chair.
- 4.6 Adjunct Faculty must treat and grade students fairly, objectively, and without regard for race, ethnic or national origin, religion, age, sex, gender, color, physical or mental disability, sexual orientation, marital or veteran status, pregnancy (including childbirth, and related medical conditions) or any other protected class or characteristic under applicable local, state, or federal law. Adjunct Faculty members are responsible for using, administering and grading evaluations of student learning including but not limited to examinations, papers and signature assignments. Adjunct Faculty are also responsible for following University procedures and processes that safeguard the content of these instruments. Adjunct Faculty must follow the Academic Dishonesty policy and procedures as specified in the Catalog. Final grades must be submitted within ten (10) business days after the last day of class according to University procedure.
- 4.7 Adjunct Faculty must be available to their students by appointment to answer questions and provide clarification of assignments. In addition, Adjunct Faculty are valuable resources to students in advising on matters related to professional and career development.
- 4.8 Adjunct Faculty must obtain approval for field trips from the School Dean. This request must reach the School Dean at least five working days in advance of the event, unless the Adjunct Faculty has insufficient time from their start date to the date of the event. The Faculty member must accompany and remain with the class on any field trip.

Faculty are not permitted to provide transportation to field trips for students. The University is not responsible for the actions of students or liable for injuries to students while riding in private vehicles. Before any off-campus event, students must sign assumption of risks and release forms, which are obtained by the Adjunct Faculty member from the Office of Academic Affairs. Completed forms should be returned to the administrative center head.

4.9 **Salary Schedule**

Salaries are established by the President or by the President's designee. Different salary ranges will be established for each Adjunct rank and published annually by the President.

5.0 Classifications of Adjunct Faculty

- 5.1 Adjunct Faculty members are skilled professionals whose primary commitments are to the practice of their discipline.

5.2 Minimum Qualifications

5.2.1 Core Adjunct Faculty II

5.2.1.1 Demonstration of successful teaching of a minimum of six classes as an Adjunct Faculty member at National University.

5.2.1.2 Terminal degree or equivalent experience and academic work in the primary discipline taught or in a discipline that is recognized within the field as relevant.

5.2.1.3 Evidence of excellence in teaching.

5.2.2 Core Adjunct Faculty I

5.2.2.1 Demonstration of successful teaching of a minimum of six classes as an Adjunct Faculty member at National University.

5.2.2.2 Master's degree in primary discipline taught or in a discipline that is recognized within the field as relevant.

5.2.2.3 Evidence of excellence in teaching.

5.2.3 Adjunct Faculty II

5.2.3.1 Terminal degree or equivalent experience and academic work in the primary discipline taught or in a discipline that is recognized within the field as relevant.

5.2.3.2 Evidence of excellence in teaching.

5.2.4 Adjunct Faculty I

5.2.4.1 Master's degree in primary discipline taught or in a discipline that is recognized within the field as relevant.

5.2.4.2 Evidence of, or potential for, excellence in teaching.

5.3 Adjunct Salary Increases and Step Increases

Adjunct Faculty may apply for salary increases within the published salary ranges for their rank and for step increase to Core Adjunct when they meet the following criteria. To be eligible for a salary increase, Adjunct Faculty must have taught at least four classes within the 12-month period prior to applying for an increase. To be eligible to apply for a step increase from

Adjunct to Core Adjunct, Adjunct Faculty must have been teaching for the University for at least one year and have taught at least six classes. (Promotion from level I to level II depends on attaining a terminal degree in the field: see 5.3.1.)

Applications for salary or step increases will be based on the following criteria:

- Excellence in Teaching. Evidence of excellence in teaching should include the following:
 - Evaluation by the relevant Academic Program Director (APD), including an observation of teaching. It is the responsibility of the Adjunct to arrange for this observation prior to the deadline for applying for salary increase or promotion.
 - Self-reflection by the adjunct, including description and assessment of teaching practices and strategies, evidence of instructional rigor, and plans for future development as an instructor.
 - Evaluations and comments on student end-of-course surveys
- Currency in the field or profession. Evidence of currency may include, but is not limited to:
 - Evidence of current and successful professional work or accomplishments.
 - Scholarly accomplishments such as publications or conference presentations in the field.
 - Current professional certifications.
 - Evidence of participation in professional development, formal and informal.
- Professional collegiality. Evidence may include, but is not limited to
 - Participation in program initiatives.
 - Student advising.
 - Willingness to take on challenging teaching assignments.

Process: The University will notify Adjuncts of the process for applying for salary or step increases no later than February 1. Application will be made on a form provided by the University and must be submitted no later than April 1. It is the responsibility of the Adjunct to make sure that all necessary evidence, including the teaching observation, are gathered in time to be submitted by that deadline. Academic Program Directors may designate another full-time Faculty or Associate Faculty with relevant expertise to conduct the observation. (Note that APDs will likely need several weeks advance notice to arrange for and complete teaching observations.) Academic Program Directors will review these applications and make recommendations on them to their School Dean no later than May 1. APDs will notify each Adjunct in writing of their recommendations concerning the Adjunct's application. The School Dean will notify any Adjuncts who have been recommended by lead faculty for a salary or step increase of the final decision on that application no later than June 1.

5.3.1 Promotion Step Increase Based on Terminal Degree

Adjunct Faculty who receive a relevant terminal degree will be automatically moved to the level II adjunct rank upon proper notification by the Adjunct Faculty member to the Provost's Office of receipt of the degree. A pay raise will accompany the step increase.

- 5.4 Adjunct Faculty are given the opportunity to participate voluntarily in departmental and school activities and encouraged to pursue development and participation in scholarly activities. Professional development activities may include participation in or attendance at professional meetings, seminars, or conferences; memberships in professional groups and societies relating their field of study; and enrollment in training or continuing education programs. They receive access to e-mail, facsimile, telephone, and other support reasonably required in the performance of duties. They also receive University business cards identifying them as a member of the Adjunct Faculty. Adjunct Faculty are considered Adjunct employees and are generally not eligible to participate in the University benefits package.
- 5.4.1 Adjunct Faculty are welcomed and encouraged to join full-time Faculty and Associate Faculty in their service to the University and community. This includes participation in departmental and school activities as well as discipline related work in their community.
- 5.4.2 Adjunct Faculty will receive a stipend for attending any required meetings or training other than meeting their students in class or for other instructional purposes.
- 5.5 Certified Core and Core Adjuncts are eligible for financial assistance for developmental opportunities subject to written application to and approval from their School Dean, contingent upon funding. Application should take the form of a letter to the School Dean detailing the purposes for which the funds will be used, the amount being requested, and how the Faculty development activity will benefit the program, department, or school.
- 5.6 Adjunct Faculty receive a contract to teach a single course at a time at the University. Except under extremely unusual circumstances, adjuncts may teach no more than one course in the same month. The assignment of particular classes to Adjunct Faculty members is solely within the discretion of the School Dean after consultation with the relevant full-time Faculty member(s). The University may cancel classes at its sole and absolute discretion. In no instance will the Adjunct receive less than the legally required minimum for hours worked, recorded and submitted.

6.0 Recruiting and Selecting Adjunct Faculty

- 6.1 Adjunct Faculty are recruited based on department needs as determined by the School Dean.
- 6.2 Recruitment efforts and advertising are guided by the University's Equal Opportunity Employment Policy 2.2.
- 6.3 Applicants are interviewed by the full-time Faculty selected in accordance with procedures established by the School Dean.
- 6.4 Upon recommendation of the selected full-time Faculty or Associate Faculty members and the Department Chair, the School Dean may decide to initiate the hiring process for the recommended candidate.
- 6.5 Adjunct Faculty members must complete the hiring packet and clear a background check, before hiring can be completed. The recommended Faculty member is not considered officially retained by the University until both the individual and the University have signed the appropriate contract.

7.0 Teaching Assignments

Final authority for the assignment of an Adjunct Faculty member to teach a particular class rests with the School Dean, upon recommendation of the Department Chair or regional full-time faculty member. The School Dean shall make recommendations considering the needs of the School and Region and the availability of University resources.

8.0 Teaching Contracts

- 8.1 Teaching contracts are provided prior to the beginning date of the class to be taught. Contracts must be signed and returned by the Adjunct Faculty. A teaching contract specifies course; modality or location and meeting dates for onsite classes; the contracted amount of pay for teaching the class; duties of the faculty member; textbook information; state and federal tax information; and a release of the University from the obligation to offer the class as the University may determine at its sole and absolute discretion.
- 8.2 An Adjunct Faculty member may, on occasion, receive a contract to perform other services for the University, with no implication of future employment in any other capacity.

9.0 Adjunct Faculty Grievances

The following procedures enable Adjunct Faculty members to seek a review of certain personnel decisions if they have reason to believe that they have been unlawfully subjected to discrimination, harassment, or any violations of the terms of their employment contract.

The Provost is responsible for processing the grievance, including a grievance arising out of alleged unlawful discrimination except when the Provost is named in the grievance. In that case, the President or the President's designee will assume this role.

9.1 Informal Grievance Procedures

An aggrieved Adjunct Faculty member should but is not required to make a good faith effort to resolve a grievance informally and in a timely manner through the appropriate levels of supervision. Those to whose attention the grievance is properly brought should cooperate fully in attempting to resolve the grievance fairly and in a timely manner. This may include the use of a mediation team made up of Faculty experienced in this process. An attempt to informally resolve the grievance must take into consideration that the written grievance must be filed within 60 days of the occurrence of the facts on which the grievance is based.

9.2 Formal Grievance Procedures

- 9.2.1 The Adjunct Faculty member must notify the Provost in writing, explaining the specific grievance and the remedy sought and providing the evidence on which they are based.
- 9.2.2 If the grievance does not relate to alleged discrimination, the Provost shall first determine whether the formal complaint merits review, and if not, will so notify the Faculty member, typically within thirty (30) days.
- 9.2.3 If the grievance merits review, the Provost will discuss the matter with all parties to the grievance, investigate and ascertain the facts, obtain any necessary additional information, and prepare written findings and recommendation. Alternatively, the Provost may choose to create a three-person review panel to investigate the matter and provide a written report back to the Provost. The Provost shall make every attempt to resolve the matter within 30 days.

- 9.2.4 Within ninety (90) days after receipt of the formal grievance, the Provost will render a written decision regarding the grievance.
- 9.2.5 The grievant may appeal the decision to the President within fifteen (15) calendar days upon documented receipt of the notification of the Provost's decision. The President will provide a decision on the appeal within fifteen (15) calendar days. The decision of the President is final and shall be binding on the parties so as to preclude any further action on the grievance under the *Adjunct Faculty Policies*.

9.3 Binding Arbitration

After exhaustion of the faculty grievance procedures, any controversy or claim, whether based on contract, tort, or statute, arising out of or relating to a faculty member's letter of appointment, reappointment, non-reappointment, employment by the University, or any alleged breach of the letter of appointment and the *Adjunct Faculty Policies* may be settled by personal binding arbitration before an arbitrator in accordance with the Commercial Arbitration Rules of the American Arbitration Association.

- 9.3.1 National University will provide arbitration fees and the cost and expenses incurred in connection with the arbitration to the extent that they exceed those dollar amounts that would be incurred if the claims had been resolved in a civil lawsuit. The arbitrator may award the prevailing party any costs (but not attorney fees), arbitration and witness fees, and expenses actually incurred by the party.

10.0 Academic Freedom

- 10.1 The right to academic freedom is the right of every Faculty member.
 - 10.1.1 Academic freedom is defined as the freedom of thought and expression as it applies to teaching, publication, oral presentation, and extramural activities. It includes the right of faculty members to choose and use supplemental materials that they deem appropriate to the academic goals of their classes within the broad course syllabi developed with the lead faculty.
 - 10.1.2 Institutions of higher education exist for the common good. The welfare and strength of the University and of society at large depend on the uninhibited search for truth and its free expression. Academic freedom is based upon the premise that scholars are entitled to immunity from coercion in matters of thought and expression, and on the belief that the mission of the University can be performed only in an atmosphere free from administrative or political

constraints and tolerant of thought and expression. Academic freedom is fundamental for the protection of both the rights of the faculty in teaching and of the student in learning. Academic freedom is also essential to protect the rights of the Faculty to discuss freely and debate all ideas, however controversial or unpopular, within the University or before the broader community. The exercise of academic freedom cannot serve as cause for discipline, dismissal, or non- reappointment. The following are not covered by academic freedom: communication or material presented in class that constitutes discrimination, sexual harassment, illegal behavior, or encourages students and/or others to engage in criminal behavior.

- 10.1.3 In any case where a Faculty member's choice of materials is challenged, the burden shall be on the challenger to establish by clear and convincing evidence that the challenged material is academically inappropriate for the course. The Dean will be the academic administrator charged with oversight of this process. The Dean will request the Program or Course Lead Faculty to perform an assessment of the allegedly inappropriate material and make a determination of the appropriateness of the materials. If the Program or Course Lead Faculty's or the Department Chair's materials are in question, the Dean will request an appropriate faculty in the discipline to assess the materials and make a recommendation.

Notwithstanding the broad right of Faculty members to select and use academically appropriate materials for their courses, Faculty members should be sensitive to the possibility that some students in a course may find certain materials to be personally offensive. Faculty members can elect to alert students at the beginning of their courses to any potentially controversial course materials. Faculty members may, but are not required to, provide suitable alternative materials for students who find particular course materials to be personally offensive.

- 10.1.4 A Faculty member who alleges a violation of his or her academic freedom should notify in writing his or her representative on the Faculty Senate and the Chair of the Faculty Senate. The Chair will direct the Faculty member's complaint to the appropriate Faculty Senate Committee for investigation. The Committee will investigate the charge to determine the merits of the complaint. The Committee will report its findings to the Senate and, if warranted, recommend a remedy. The Senate will render a finding and recommendation within 60 calendar days of the written notice to the Faculty Senate.

10.1.4.1 Faculty members who believe that a violation of academic freedom may have resulted in an adverse personnel decision should notify their representative on the Faculty Senate and the Chair of the Faculty Senate in writing. The Senate will investigate this claim and provide its findings to the Provost, the President, and the Faculty member, for use in any subsequent personnel or grievance proceedings.

10.2 Academic Responsibilities and Professional Ethics

- 10.2.1 The primary justification for academic freedom is service to society's need for independent criticism and new ideas. Members of the academic community, guided by a conviction of the worth and dignity of the advancement of knowledge, recognize this fundamental responsibility.
- 10.2.2 The primary responsibility of the faculty is to advance and preserve a body of common knowledge, and to seek and state truth as they see it. To this end, Faculty members devote their energies to enhancing their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although they may follow subsidiary interests, these interests must never hamper or compromise their freedom of inquiry.
- 10.2.3 As teachers, Faculty members encourage the free pursuit of learning by their students. They hold before students the best scholarly standards of their discipline. They demonstrate respect for the student as an individual and adhere to their proper role as academic guides and advisors. They make every reasonable effort to foster honest academic conduct and to assure that their evaluation of student work reflects the true merit of that work.
- 10.2.4 As colleagues, Faculty members have obligations that derive from their membership in the community of scholars. They respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they show due respect for the opinions of others. They acknowledge academic debts and strive to be objective in their professional judgment of colleagues. They accept their share of responsibilities for the governance of the institution.

- 10.2.5 Faculty members seek above all to be effective teachers and scholars. They are expected to bring the currency of their daily professional activities into the classroom. Although they observe the stated regulations, they maintain their rights to criticize them and seek revision.
- 10.2.6 Faculty members have the rights and obligations of all citizens. When faculty members speak or act as private persons, they avoid creating the impression that they speak or act for National University. As citizens engaged in a profession that depends upon freedom for its health and integrity, Faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

11.0 Code of Conduct

- 11.1 Faculty are seen as leaders in the classroom and are expected to provide a model of ethical behavior for both students and others in the community. Faculty are also expected to know and adhere to the stated policies and the published procedures of National University. Specific guidelines regarding ethical conduct include, without limitation, the following:
 - 11.1.1 Faculty must provide their students with the contractually agreed upon number of contact hours in each of the classes they teach, with their full attention and consideration devoted during that contact time to the promotion of their students' achievement of the goals, objectives, and competencies described in the relevant University course syllabus as described in the school guidelines.
 - 11.1.2 Faculty must treat and grade students fairly and objectively, and without reference to race, ethnicity, national origin, religion, age, sex, marital status, sexual orientation, pregnancy, medical condition, physical or mental disability, veteran status, or other prohibited categories. Faculty members are required to implement National University's policy of equal opportunity to ensure that there is no discrimination in the treatment of students, including teaching, grading, counseling, or other academic activities, on the basis of race, ethnicity, national origin, religion, age, sex, marital status, sexual orientation, pregnancy, medical condition, physical or mental disability, veteran status, or other prohibited categories.
 - 11.1.3 Faculty will not exploit students for the Faculty member's private advantage.
 - 11.1.4 Faculty must not require students to reveal personal information that might be used for research data.

- 11.1.5 Faculty must refrain from involvement in an intimate or otherwise inappropriate relationship with any student who is enrolled in their courses or with students with whom they have a professional relationship or responsibility within the context of National University.
- 11.1.6 National University is committed to providing an environment that is free of harassment of or discrimination against any student, faculty member, or other employee on the basis of race, ethnicity, national origin, religion, age, sex, marital status, sexual orientation, pregnancy, medical condition, physical or mental disability, or veteran status.
- 11.1.6.1 Sexual harassment is unwanted sexual advances or visual, verbal, or physical conduct of a sexual nature. Sexual harassment includes many forms of offensive behavior and includes harassment of a person who is the same sex as the harasser.
- 11.1.6.2 Such conduct constitutes harassment when submission to the conduct is made either an explicit or implicit condition of receiving employment or academic benefits; when submission to or rejection of the conduct is used as the basis for an employment or academic decision; or when the harassment interferes with an employee's work performance or a student's academic performance, or creates an intimidating, hostile, or offensive work or academic environment.
- 11.1.6.3 Every reported student complaint of harassment will be investigated thoroughly, promptly and in a confidential manner by the Office of Compliance, Diversity and Ethics. The Faculty member must be informed at the same time the investigation is initiated. National University will not tolerate retaliation against any student, Faculty member or other employee for cooperating in an investigation or for making a complaint.
- 11.1.6.4 National University is required to refrain from discriminating against an otherwise qualified student, Faculty member, or employee, including applicants, and to make reasonable accommodation to disabled students, Faculty members, and employees, provided that the accommodation does not require it to change the fundamental nature or essential curricular components of its programs. Reasonable accommodation may include modification of examination procedures and providing auxiliary aids where necessary.

- 11.1.6.5 Faculty must report any conduct by a student that could result in disciplinary action to the Office of Student Affairs. The procedures for reporting and investigating such conduct are described in the *General Catalog*.
- 11.1.6.6 Amorous, dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a Faculty member, supervisor, or other member of the National University community and any person for whom they have a professional responsibility. Among these dangers are that a student or employee may feel coerced into an unwanted relationship because they fear that refusal to enter into the relationship will adversely affect their education or employment; that conflicts of interest may arise when a Faculty member, supervisor, or other member of the National University community is required to evaluate the work or make personnel or academic decisions with respect to an individual with whom he or she is having a romantic relationship; that students or employees may perceive that a fellow student or co-worker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty members, supervisors, and other members of the University community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with a student or employee for whom they have such responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

For purposes of this section, an individual has "professional responsibility" for another individual at the University if he or she performs functions including, without limitation, teaching, counseling, grading, advising, evaluating, hiring, supervising, or making decisions or recommendations that confer benefits such as promotions, financial aid awards, or other remuneration, or that may impact upon other academic or employment opportunities.

- 11.2 A conflict of interest arises in situations in which personal, professional, or financial considerations compromise, have the potential for compromise, or have the appearance of compromising an Adjunct Faculty member's objectivity in discharging professional obligations to the University. Not all outside interests and financial relationships create a conflict of interest between the Adjunct Faculty member and the University. Any potential conflict of interest must be reported promptly to and discussed with the Department Chair. The Department Chair will then discuss the matter with the School Dean. The School Dean will report to the Provost any dual relationship that could give rise to a conflict of interest to the University.

12.0 Complaints Regarding Violations of Policies

Adjunct Faculty who believe that any of their rights under these *Policies* have been violated, or who have any concerns related to faculty work or welfare, have the right to express those concerns and to have them addressed. Adjunct Faculty may bring those concerns to the Academic Program Director for the relevant course, program, or regional location or the University Ombudsman for informal resolution. Adjunct Faculty have the right to bring their concerns to the Faculty Senate or to Human Resources. To bring an issue to the Senate, they should contact the chair of the Faculty Senate and the chair of the Faculty Senate Faculty Rights and Welfare Committee to initiate a formal complaint process.

13.0 Drug-Free Workplace

- 13.1 Being under the influence of, manufacturing, dispensing, distributing, using, or possessing illegal or controlled substances on University property or while conducting University business is prohibited, except when legal drugs are used for legitimate medical purposes. Those who violate the prohibition are subject to discipline, up to and including termination. Policies 2.10 in the National University Human Resources Policies Manual – Code of Conduct & Expectations Drug-Free Workplace.
- 13.2 Any faculty member convicted under criminal drug statutes must report it no later than five (5) days after the conviction. Satisfactory participation in a drug-free rehabilitation assistance program may be necessary or sanctions may be imposed up to and including termination. As a condition of employment, all faculty must abide by the provisions of these laws.
- 13.3 Information on drug or alcohol counseling, treatment, or rehabilitation programs is available to employees at the Human Resources Office and to students by the Vice President for Enrollment Management.

14.0 Publicity and Media Relations

- 14.1 The National University System Office of Communications is responsible for preparing and releasing communications to the news media so that the community served by the University may be kept informed of the development and activities of the campuses of the University. All news releases concerning any University activities should be made through the National University System Office of Communications and no individual member of the faculty or the staff is to issue press releases except through this office. This does not preclude the answering of routine questions asked of faculty members by the news media; however, the Director should be made aware of any inquiries made by the press or electronic media.
- 14.2 A faculty member who writes a book, gives a lecture, wins an honor, holds a conference, or receives an award may report it to the National University System Office of Communications so that an appropriate news release can be prepared.

15.0 Copyright Policy

- 15.1 The University is committed to maintaining traditional incentives for scholarly work and its dissemination while protecting, within the framework of copyright law, the rights of faculty members and the University. Faculty members may write and produce copyrightable materials, copyright those materials, and receive royalties that result from their use. Such materials include, but are not limited to, books, articles, artwork, computer software, film, and videotape. Faculty members shall retain all rights related to copyright ownership of materials that they have prepared on their own initiative.
- 15.2 The Copyright Act of 1976 provides that when a person is employed by someone else to produce a copyrightable work, the employer, not the work's creator, is the author for copyright purposes. Generally, the University will claim an interest in such works only when their creation was part of administrative duties or a specific assignment made by a Department Chair, Dean, or other University administrator. Upon its creation, a copy of any such work shall be delivered by the author to the person who oversees the author's administrative duties or to the person who made the specific assignment, as the case may be, who shall inform the University administration responsible for the administration of the University's copyright policy of the existence of such work. In such cases, the Faculty member may be required to enter a Proprietary Information and Inventions Agreement with the University. A Faculty member's general obligation to produce scholarly works does not constitute either an administrative duty or a specific University assignment.

Students who are not University employees own any copyrightable works, including dissertations, developed in connection with course work.

16.0 Confidentiality of Student Records

- 16.1 No student record should be released to any outside person or agency unless the student signs a release form granting the release or unless the information is considered one of the exceptions under the Family Educational Rights and Privacy Act of 1974 ("FERPA"). Directory information, which is listed in the General Catalog, may be released without the student's permission unless the student has specifically requested that the information not be released. Information that may not be released as directory information includes, for example, social security number and race/ethnicity.
- 16.2 Recommendations for students that require statements about grades, dates of attendance, Adjunct/full-time status, disciplinary records, or any other information not considered public information should be given only after the student has signed a release form. The *General Catalog* provides additional information about the confidentiality of student records. Information about FERPA or the violation of the privacy of confidential student records must be reported to the Registrar.

17.0 Compliance Training

National University is subject to a variety of federal, state, regional and local rules and regulations including, but not limited to, the U.S. Higher Education Act, the Family Educational Rights and Privacy Act of 1974 (FERPA), the Americans with Disabilities Act, Title IX, and many others. The University complies with these and other applicable regulations by ensuring all employees (faculty and staff) complete all training required by our compliance and university obligations.

18.0 Review and Revision of the *Adjunct Faculty Policies*

- 18.1 The Faculty Senate Adjunct Faculty Committee will review this document annually and provide a report to the Faculty Senate no later than the Spring Symposium each year.
- 18.2 The Provost will review this document annually and provide a report to the President, including the Senate report, no later than June each year.
- 18.3 If revision is deemed necessary a joint task force comprised of Faculty appointed by the Senate and representatives appointed by the Provost will be convened and prepare a revised document for review and approval by the Faculty Senate and the President or President's designee.



NATIONAL
UNIVERSITY

A Private Nonprofit University Serving the Public Good™