

Faculty Handbook

With Constitution and Bylaws



For the Faculty of
Missouri State
University, West Plains

(Updated for 2026-2027)

MISSOURI STATE UNIVERSITY
WEST PLAINS FACULTY HANDBOOK

Updated August 16, 2026

(see Board of Governor's meeting minutes from June 2026)

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Board of Governors
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Administrative Forward:

The Faculty Handbook for Missouri State University-West Plains will be reprinted and distributed to faculty every seven years following the septennial review by the Faculty Handbook Committee and approval of changes by the Board of Governors. Printing will be in loose-leaf format and pagination will be designed to accommodate page by page changes as needed in the years between printings.

PREAMBLE

This Faculty Handbook reflects the policies of Missouri State University-West Plains in effect as of the date of publication. It prescribes the conditions of employment of all members of the faculty, both ranked and unranked.

The Faculty Handbook represents campus-wide policy and takes precedence over policy promulgated by divisions, departments or other units within Missouri State University-West Plains. This does not preclude divisions, departments or other units within Missouri State University-West Plains from issuing policy documents separate from the Faculty Handbook; however, while all such documents may amplify, add detail to, and expand upon policies contained in the Faculty Handbook, all policy disputes shall be resolved in favor of those contained in the Faculty Handbook.

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Appendix C: History and Accreditation

Section I: History and Accreditation

1.0 Purpose, Organization and Governance

1.1 University System Mission

Missouri State University System is a public, comprehensive university system with a mission in public affairs, whose purpose is to develop educated persons. It is committed to achieving five major goals: 1) democratizing society, 2) incubating new ideas, 3) imagining Missouri's future, 4) making Missouri's future and 5) modeling ethical and effective behavior as a public institution.

1.1.1 Missouri State University-West Plains Mission

1.1.1.1 Vision Statement

Missouri State University-West Plains will be a national model among two-year, learning-centered institutions, combining open admission opportunity with academic excellence, student service innovation, community partnership and global awareness in an environment strengthened by dynamic growth and entrepreneurial spirit.

1.1.2 Mission Statement

Missouri State University-West Plains empowers students to achieve personal success and to enrich their local and global communities. As a two-year public institution, we provide accessible, and quality educational opportunities.

1.2 History

Missouri State University is a metropolitan university whose principle purpose is to develop educated persons. The Missouri State University system includes a selective admissions campus at Springfield, a two-year open admissions campus at West Plains and a research campus at Mountain Grove.

Missouri State University-West Plains specializes in providing quality education to students of all ages in the south central Ozarks region of Missouri and north central region of Arkansas. For 50 years, the college has grown and expanded to offer a liberal arts transfer curriculum at the freshman and sophomore levels, selected occupational and technical education programs and a variety of continuing education courses.

Missouri State University-West Plains was founded in 1963 as the West Plains residence center. In 1977, the Missouri State University Board of Regents and, subsequently, the Missouri legislature, designated the name West Plains campus of Missouri State University to replace residence center. In 1981, the legislature enacted a permanent status bill for the campus. The Missouri General Assembly passed the following statute: "The board of regents of Missouri State University is authorized to continue the program of higher education at West Plains, Missouri, which was begun in 1963 and which shall be known as the West Plains campus of Missouri State University." (174.500, Laws of Missouri.)

In June 1991, the Legislature passed House Bill 51 and expanded that mission to read: The coordinating board for higher education in cooperation with the board of regents shall develop a mission implementation plan for the campus at West Plains, Howell County, which is known as the West Plains campus of Missouri State University and which shall be a teaching institution, offering one-year certificates, two-year associate degrees and credit and noncredit courses to both traditional and non-traditional students to meet the on-going

and emerging employer and educational needs of the citizens of the area served. (174.500, Laws of Missouri.)

See Appendix C section 1 for a chronological list of historical events.

1.3 Missouri State University Purpose

1.3.1 Setting

Missouri State University-West Plains is located in West Plains Missouri, primarily serving students in the Missouri counties of Douglas, Howell, Oregon, Ozark, Shannon, Texas and Wright.

1.3.2 General Mission

As a public institution of higher education, Missouri State University-West Plains declares its mission to be a teaching and learning institution providing quality post-secondary educational opportunities to the communities we serve. Consistent with our history, traditions and continuing growth, the mission is achieved through the development of quality and excellence in teaching, professional activity (scholarship, research and creativity) and a variety of forms of service.

In defining the roles for teaching, professional activity and service, the campus emphasizes the interrelationship and compatibility of its degree programs to the mission of the institution. Each program draws from and builds upon the strengths of the others. Professional activities are vital to the assurance of excellence in teaching. Teaching and professional activity (scholarship, research and creativity) represent the foundation upon which service to the campus' constituencies is developed.

1.3.3 Goals

1. **Purposeful Education...** Educate students for a lifetime of learning, citizenship, career development and personal enrichment.
2. **Enabling Environment...** Provide for the diverse academic and life-development needs of students through an educational environment conducive to learning, teaching and working.
3. **Community Leadership...** Facilitate educational, technological, cultural and economic development through activities that complement the learning environment on campus and in the communities Missouri State University-West Plains serves.
4. **Collaboration...** As an integral entity of the Missouri State University System, develop programs and services in partnership within the System and with other educational institutions that increase and enhance student educational opportunities.
5. **Performance...** Ensure the highest quality of instruction and institutional effectiveness through assessment, evaluation and planning.
6. **Stewardship...** Practice good stewardship of human, programmatic and physical resources for the common good of campus and community.
7. **Faculty and Staff...** Recruit and retain the highest quality faculty and staff by providing competitive salaries and professional development opportunities and by enhancing the personal work-life experience for all employees.
8. **Funding...** Increase funding from state, federal and private sources to ensure that Missouri State University-West Plains can continue to provide the highest possible quality instruction and services.

1.3.4 Teaching

While the campus recognizes the individual importance and collective synergies of teaching, professional activity and service, its first obligation is to the teaching of students. To provide quality learning experiences, Missouri State University-West Plains subscribes to the following educational objectives:

1. To provide educational opportunities which enable students to develop a capacity for scholarly inquiry and critical reasoning, the facility to synthesize knowledge from various disciplines and the ability to undertake self-directed learning.
2. To ensure that all educational programs are undergirded by a quality general education core and a foundation of communications and computational skills.
3. To instill in each student an appreciation and understanding of scholarship and creativity in the arts, humanities, social sciences and natural sciences.
4. To provide students with the opportunity to acquire knowledge in a variety of fields to further their academic education and/or their career opportunities.
5. To provide students with the opportunity to understand and apply the mutual benefits of tying mind and body.
6. To promote a learning environment that encourages students to grow and recognize their full potentials and to engage in a life-long learning process of self-actualization.
7. To instill in students a sense of civic responsibility and engagement in activity for the public good.

1.3.5 Professional Activity (Scholarship, Research and Creative Activities)

Scholarship, Research and Creative Activity for academic faculty means the systematic investigation in some field of knowledge undertaken to discover or establish facts or principles and the scholarly effort to interpret, integrate or synthesize research findings or the preparation and execution of creative projects.

Scholarship, Research and Creative Activity for technical faculty means the peer-reviewed reporting of discoveries or innovations within the faculty member's discipline. This includes efforts to integrate or synthesize existing knowledge, particularly efforts to improve teaching. Creative activities also include the enhancement of teaching effectiveness.

See section 4.2.2 for more information concerning the expectations of professional activity.

Financial support for scholarship, research and creative activities comes from institutional funds as well as gifts, grants and contracts from individuals and agencies outside the campus.

1.3.6 Service

Service means the contribution of a faculty member to the effective functioning of the campus as an institution, to the effective functioning of professional and learned societies and the contribution of professional expertise by a faculty member to the civic community. Service activities of Missouri State University-West Plains include both services to the campus and to the public.

Public service represents the joint products of the teaching and scholarship, research and creative activity programs of the institution. The role of service at Missouri State University is to make available the campus' physical resources and human expertise for the purpose of meeting needs or solving problems of various constituencies both within and, more significantly, beyond the campus. The most important service resources of the campus are the diverse and specialized talents of the faculty. The scope of service includes community education, cultural and entertainment events, recreational activities, clinical and diagnostic services, conferences and institutes, public broadcasting services, professional development clinics and seminars, summer workshops and camps and faculty/staff consultation services. These service activities with both public and private partners emphasize a collaborative spirit for the common good.

University service includes not only participation in the shared governance committees established on the West Plains campus, but also participation in or support for, ad hoc committee work, student clubs, the Garnett Library and fund-raising activities of the development office.

1.3.7 Collegiality

The community of scholars that is Missouri State University-West Plains carries out the campus' general mission and its public affairs focus guided by these values and beliefs:

1. Practicing personal and academic integrity
2. Being a full participant in the educational process and respecting the right of all to contribute to the
3. "Marketplace of Ideas."
4. Respecting the integrity of peers and associates by treating all persons with civility, while recognizing that understanding an idea is not the same as supporting it.
5. Being a steward of the shared resources of the community of scholars.

Collegiality among colleagues is a vital asset to the campus community, particularly as it impacts reappointment, tenure, promotion and evaluation of performance. However, the campus community also values collegiality less as a separate quality and more as an integrated or distributed aspect of an individual's interactions, as expressed in *On Collegiality as a Criterion for Faculty Evaluation*. (<http://www.aaup.org/AAUP/pubsres/policydocs/collegiality.htm>)

1.3.8 Support Programs

The support programs at Missouri State University-West Plains facilitate and enhance the activities of faculty and students. Programs providing support service are delineated into three areas: academic support, student services and institutional support. Each area has a distinctive role within the campus.

The role of academic support units is to provide direct service to the campus' programs of teaching, scholarship, research, creativity activity and public service. The scope of this responsibility includes (1) acquiring, preserving and displaying published materials, art objects and scientific materials; (2) providing services to assist teaching and scholarship, research and creative activity; (3) administering academic support programs; and (4) developing opportunities for the personal and professional growth of faculty.

The role of student service units is to develop the emotional and physical well-being of students as well as to contribute to the intellectual, cultural and social development outside the context of the institution's formal instructional program. The scope of this responsibility includes activities which provide (1) personal services to students, (2) opportunities for student growth and development and (3) services and conveniences needed by students as members of a resident and commuting student body.

The role of institutional support units is to provide for the campus' organizational effectiveness and continuity. The scope of this responsibility includes (1) planning and executive leadership, (2) administrative and logistical services and (3) institutional advancement activities.

1.4 Accreditation, Approvals and Memberships

Missouri State University-West Plains offers associate degrees, transfer programs and training for immediate employment. Missouri State University-West Plains is accredited by the Higher Learning Commission, a member of the North Central Association of Colleges and Schools, 230 S. LaSalle Street Suite 7-5000 Chicago, Illinois 60604-1411 Phone: 800.621.7440 / 312.263.0456

See Appendix C section 2 for a list of Accrediting Organizations and Professional Memberships

1.5 Governance

University Governance

Missouri State University is under the general control and management of a Board of Governors selected from throughout the state which is charged with the responsibility and authority to adopt administrative policies and procedures relevant to the management of the University. The nine voting members of the Board, comprised of one member from each of the eight congressional districts in Missouri and one at large member, are appointed by the Governor, with the advice and consent of the Missouri Senate, to serve six-year terms. A student member of the Board is appointed by the Governor for a two-year term.

To formulate policy, to facilitate decision making and to promote a spirit of collegiality, the University is committed to participatory governance and to an open system of communication throughout the University...

1.5.1 Administrative Organization

1.5.1.1 President of the University System

The president is the chief executive officer of the University system. The president is responsible to the Board of Governors for the administration of all policies adopted by the Board and for the execution of all acts of the Board.

1.5.1.2 Chancellor of Missouri State University-West Plains

The chancellor of Missouri State University-West Plains is the chief administrative officer for the West Plains campus and advises the president on all matters pertaining to Missouri State University-West Plains. The

chancellor is responsible for the overall administration of Missouri State University-West Plains, including the academic programs, faculty and staff personnel matters, financial affairs, student life, athletics, physical plant and liaison to the various publics of Missouri State University-West Plains. The major advisory body working with the chancellor is the Administrative Council composed of the Vice Chancellor of Academic Affairs, the dean of student services, the director of business services, the director of computer services, the director of development and alumni relations, the director of University/community programs and the director of University communications.

1.5.1.3 Vice Chancellor of Academic Affairs

The vice chancellor of academic affairs is the chief academic officer of Missouri State University-West Plains, providing primary administrative leadership, direction and evaluation for all academic activities and faculty affairs of the campus. The vice chancellor of academic affairs oversees the academic divisions and departments, Garnett Library, other centers and offices, including advising and academic support, career services, tutoring, testing, instructional support, distance learning, the branch campus in Mountain Grove, curricular matters, student academic concerns, small business development center and the qualifying of faculty for the branch campus in Dalian China.

1.5.1.4 Dean

The dean provides aids the vice chancellor of academic affairs in the administration of the campus' academic divisions. Duties may include, but is not limited to, department head and faculty recruitment, development, and evaluation; program development; program review; student advisement; divisional budgeting and budget control; and supervision of the teaching, research, and service activities of the division. Additional duties specific to each division and/or the position, in service to Academic Affairs, Missouri State University-West Plains, and/or the University System may be required.

1.5.1.4.1 Associate Dean

The Associate Dean, West Plains provides assistance to the Dean of their respective division in the administration of one of the campus' academic divisions, which may include, but is not limited to, department head and faculty recruitment and development, department head and faculty evaluation, program development, program review, student advisement, division budgeting and budget control, and indirect supervision of the teaching, research, and service activities of the division. Additional duties specific to each division and/or the position, in service to Academic Affairs, Missouri State University – West Plains, and/or the University system may be required. The Associate Dean, West Plains may teach nine credits per fall and spring semester. This position maintains voting privileges as a member of faculty senate.

1.5.1.5 Vice Chancellor of Student Services

The Vice-Chancellor of Student Services is the chief student-personnel officer of the campus and advises the Chancellor on all matters pertaining to non-

academic student life. The Vice-Chancellor of Student Services serves as the senior executive officer responsible for providing leadership and general management of units within the Division of Student Services: Admissions, Financial Aid, Registration and Records, and Student Life and Development. Additionally, the Vice-Chancellor of Student Services oversees the Food Services, the Drago College Store, Grizzly House residence hall, the Student Recreation Center, scholarships, and student awards programs.

1.5.1.6 Associate Vice Chancellor of Business Services

The Associate Vice-Chancellor for Business Support Services plans, organizes, and conducts business and support affairs for the West Plains campus of the Missouri State University system, to include satellite campus operations in Mountain Grove Missouri. Duties involve campus-wide functions to include business services, mail services, purchasing and contracting, physical plant operations, motor pool operations, maintenance and repair of campus infrastructure, campus safety, security, and parking, and acquisition and divestment of property. The Associate Vice-Chancellor for Business Support Services develops policies and procedures to establish and maintain legal and environmental compliance, financial accountability, fiscal control and effective resource utilization for assigned programs. The Associate Vice-Chancellor for Business Support Services represents the campus in negotiations and awarding of contracts with the authority to obligate physical and financial resources.

1.5.1.7 Associate Vice Chancellor of Information Technology Service

The Associate Vice-Chancellor for Information Technology, West Plains is the senior administrative officer for the Office of Information Technology Services at the West Plains campus of Missouri State University and is responsible for the coordination and use of technology resources for the West Plains campus and for providing support to satisfy the academic and administrative technology needs of the campus and its satellite campuses. The Associate Vice-Chancellor for Information Technology participates in the policy development process regarding technology services for students, faculty, and staff and manages a wide range of client support services, including training, networking, telecommunications, administrative software support, and computer management. The Associate Vice-Chancellor for Information Technology reviews, coordinates, and approves all technology-related purchases and upgrades, ensuring that new equipment is compatible with existing systems and the University's strategic plan. The Associate Vice-Chancellor for Information Technology provides supervision of staff, budget development, administrative support, and program planning and implementation for the West Plains Information Technology Services department. The Associate Vice-Chancellor for Information Technology serves as the liaison to Information Services and Computer Services in the Missouri State University System to coordinate large-scale technology initiatives.

1.5.1.8 Director of Development and Annual Giving

The Director of Development and Annual Giving - West Plains works directly with the Vice President for University Advancement and Assistant Vice President of Development Strategy to identify, cultivate, and solicit potential donors and grow philanthropic participation for the institution. The Director also works closely with

Advancement leadership, University administration, and appropriate faculty on campus to support the philanthropic strategic mission.

1.5.1.9 Associate Vice Chancellor of University/Community Programs

The Associate Vice-Chancellor for University/Community Programs at Missouri State University-West Plains is directly responsible for the management and daily operation of the University/Community Programs, including the Small Business Development Center, the Aquatics/Wellness Program, and Theatre and Events Program at the West Plains Civic Center and works closely with the Executive Director of the West Plains Civic Center (an employee of the City of West Plains) in developing an annual schedule of events and coordinating the delivery of those events and services with other Civic Center operations and events. The Associate Vice-Chancellor for University/Community Programs works with Program Coordinators and the Missouri State University-West Plains Administrative Council to develop an annual budget for each program area and assures Program Coordinators conduct necessary and thorough planning, budgeting, promotion and execution to achieve successful outcomes for program offerings. In concert with Program Coordinators, the Associate Vice-Chancellor for University/Community Programs develops sources of funding support and sponsorship for activities in all University/Community Programs that serve to encourage maximum utilization of the programs and of West Plains Civic Center facilities and promotes within the community the reputation of the University/Community Programs as well as the cultural, social, recreational, economic and education opportunities available through involvement in the programs and through the use of the West Plains Civic Center.

1.5.1.10 Associate Vice Chancellor of University Communications

The Associate Vice-Chancellor for University Communications – West Plains is the chief public relations and marketing officer for Missouri State University - West Plains. The Associate Vice-Chancellor for University Communications is responsible for developing and implementing public relations programs in support of the mission of Missouri State University – West Plains, providing public relations counsel to the Chancellor and other campus officials, and developing and supporting the University's marketing efforts. The Associate Vice-Chancellor for University Communications is responsible for the coordination of activities that expand and enhance the image of the campus. Those activities include the following areas: community relations, internal communications, marketing, news services, web content, electronic media, and publications.

1.5.1.11 Director of Athletics

The Director of Athletics is the chief administrator for the University's intercollegiate athletics program and establishes policies and procedures that achieve the parallel goals of development of quality, competitive athletics teams and support of the individual educational goals of student-athletes. The Director ensures University compliance with applicable National Junior Collegiate Athletic Association (NJCAA), athletic conferences and University rules and regulations governing all facets of intercollegiate athletics programs. The Director supervises a staff of athletic coaches, professional and support personnel, develops and manages operating budgets for the intercollegiate athletics program, and participates in fund-raising activities as appropriate. The Director ensures that

academic resources are provided for the academic success of each student-athlete along with measuring that success.

1.5.1.12 Director of Fitness and Athletic Training

The Director of Fitness and Athletic Training – West Plains is responsible for athletic training and strength and conditioning programs for the Grizzly athletic teams as well as the development and management of individual and group aquatics and wellness programs for men and women as a part of the University/Community Programs, Aquatics and Wellness Department at the West Plains Civic Center. Patrons of the program include the students, faculty, staff and administration of Missouri State University-West Plains; residents of West Plains, Missouri; and citizens of the seven counties comprising the Ozarks Heritage Region of south-central Missouri (Howell, Oregon, Texas, Douglas, Wright, Ozark and Shannon counties). In addition, the position serves as the liaison with the West Plains Civic Center in the absence of the Associate Vice Chancellor of University/Community Programs.

1.5.2 Faculty Senate

The Missouri State University-West Plains Faculty Senate acts as the faculty governing body responsible for program planning and curriculum development for Missouri State University-West Plains. As stated in the Faculty Senate Constitution, (see Appendix for complete constitution) the purpose of the Senate is "...to handle curricular items, to provide a forum for the discussion of Faculty concerns and to communicate these concerns to the university community," (Art. II, Constitution of the Faculty Senate, section.1).

Each person currently teaching a course for Missouri State University-West Plains is welcome to attend the meetings of the Faculty Senate, unless the voting members decide to have a closed session. Ranked faculty and lecturers have voting privileges. In addition, the per-course faculty may elect one voting representative. One representative of the Student Government Association shall serve as an ex-officio member. A chairperson, chairperson-elect and secretary serve as the officers of the Faculty Senate. Several standing committees have been established by the Faculty Senate. (See By-Laws of the Faculty Senate.)

1.5.2.1 Department Chair

The Department Chair provides support to the Dean in the administration of the academic division through the completion of duties within his/her respective department. These duties include, but may not be limited to, faculty recruitment, development, and evaluation; curriculum development and assessment; student advisement; departmental budgeting and budget control; class schedule planning, and general supervision of the teaching, research, and service and related scholarly activities of the department.

The Department Chair is supervised by the department's respective Dean and works in support of the Dean in supervision of the faculty and staff of the department. The Department Chair will receive an annual evaluation from his/her respective Dean. This evaluation will be conducted following each academic year and submitted to the Vice Chancellor of Academic Affairs by June 30 of that year.

The Department Chair is appointed by fellow members of the department. When a clear decision for selecting a Chair cannot be reached, the Vice Chancellor of Academic Affairs, in consultation with the department's respective Dean, will make the appointment. The Department Chair will serve for a two-year appointment but may extend his/her service if selected by the department and if approved by the Vice Chancellor of Academic Affairs.

A Department Head is in a unique administrative position in that he or she is selected by and is responsible to both a departmental faculty and other University administrators—Dean, Vice Chancellor of Academic Affairs, and Chancellor. Accordingly, as per Section 12.2 of the Faculty Handbook, no academic administrator holds tenure *as an administrator*. Rather, all academic administrators will be evaluated on an annual basis and may be recalled (a) at the election of a higher administrator; or (b) as a result of a faculty petition as per Section 12.2 of the Faculty Handbook. Additionally, as per Section 12.3, any tenured faculty member who assumes an administrative position has the right of retreat (i.e., to return to the department of one's academic discipline, whether or not a position is open).

1.5.3 Staff Senate

The purpose of the Staff Senate is to represent the staff employees as a fact-finding, deliberative and consultative body that makes studies, reports and recommendations on behalf of its constituency. Representatives serve to foster the growth and welfare of the staff.

1.5.4 Student Government Association

The Constitution of the Student Government Association is available in the office of the Student Government Association.

1.5.5 Missouri State University-West Plains Committee Structure

Several committees are appointed by the members of the Administrative Council, the purpose of which is to assist in the on-going administrative work of the institution. Such committees perform a wide variety of tasks; for example, viewing the campus budget and recommending policy changes. Faculty members routinely serve on such committees.

Faculty members also serve on committees which are appointed by and serve in an advisory capacity to the members of the Administrative Council.

Faculty members also serve on a number of other standing committees, functions of which involve matters of vital interest to the faculty. Unless otherwise specified in the action establishing a particular committee, faculty members serving on these committees are appointed by the chancellor or the Vice Chancellor of Academic Affairs based on faculty interests, expertise and recommendations by the Faculty Senate Executive Committee (or some other duly constituted Senate body designated by the Faculty Senate). These committees report to the appointing academic administrator and also have a duty to keep the Faculty Senate fully informed of their proceedings and the results of those proceedings.

2.0 Recruitment and Employment

2.1 Recruitment and Employment

Missouri State University-West Plains has a deep and abiding commitment to diversity as a core institutional value and responsibility. Diversity is central to providing and retaining a quality educational environment. Missouri State University-West Plains is deeply committed to developing educated persons equipped to contribute to the interdependent world in which we now live. The ability to adapt to rapid economic, social and cultural changes is imperative. Skills and competencies to deal with diverse cultures and societies have not only become necessary to function in today's workplace, but they also enrich one's life and work.

Missouri State University-West Plains is committed to programs and practices that assure an environment free of the barriers of discrimination in education and employment and that establish a collegial and just community through our shared commitment to the principles of diversity, nondiscrimination and affirmative action. To achieve this end, Missouri State University-West Plains views, evaluates and treats all persons in any University- related activity or circumstance in which they may be involved, solely as individuals on the basis of their own personal abilities, qualifications and relevant characteristics.

2.2 Faculty Handbook Equal Opportunity Policy

Missouri State University-West Plains reaffirms its policy as an equal employment opportunity employer. To assure full compliance and implementation of this policy, Missouri State University-West Plains, through its various administrative officers, shall ensure that for all jobs, policies involving for recruitment, promotion, transfer, compensation, benefits, layoffs, returns from layoffs, educational programs and all other University-sponsored programs, benefits, services and aids, shall be administered consistent with the University's Non-Discrimination Policy Statement. Specifically, policies shall be administered without regard to age, ancestry, color, creed, disability, marital or parental status, national origin, participation in constitutionally protected activities, political affiliations or beliefs, race, religion (belief or non-belief), sex, sexual orientation or disabled and/or veteran status. In addition, the University does not discriminate on any basis not related to the applicable job requirements for employees. Reasonable accommodation on the basis of religion or disability is assured.

- The University's Equal Opportunity and Affirmative Action Policy is available at the Policy Library and the University's Affirmative Action Plan is available at the website for the office for institutional equity and compliance. Overall responsibility for monitoring these policies and reporting on the University's equal employment opportunity and affirmative action program is assigned to the University's equal opportunity officer who reports to the vice-president overseeing the division for diversity and inclusion.

2.3 Hiring Procedure

Missouri State University is an equal opportunity and affirmative action employer. Academic search guidelines provide open and uniform procedures to be followed by all hiring units and search committees in defining and filling vacant and new positions. Every major administrator, hiring administrator and search committee participant has responsibility to ensure full implementation of the University's non-discrimination policies and affirmative action program. Complete search guidelines are available online at the Human Resources Policies section of the Policy Library.

2.3.1 Nepotism

The University's policy regarding the employment of relatives is set forth in the nepotism provision of the Conflict of Interest Policy. The policy does not prohibit the appointment of more than one member of a family to the same academic department or to another position within the University.

No Governor, officer, faculty or employee shall participate, either directly or indirectly, in a decision to appoint or hire an employee of the University, either part-time or full-time, who is related to such person within the fourth degree of consanguinity (blood) or affinity (marriage). It also shall be a violation of this policy for an employee to supervise, either directly or indirectly, the work of another employee who is related within such fourth degree or affinity, unless the supervisory role is specifically approved by the pertinent department head, by the pertinent dean, by the academic dean and by the chancellor. Should a head, chair or dean be directly involved, approval of all higher administrative levels will be required. An employee may not be permitted to make judgments on another employee who is related within such fourth degree concerning such matters as appointment, promotion and tenure.

A relative within the fourth degree includes, but is not limited to, spouse, child, grandchild, great-grandchild, great-great-grandchild, parent, grandparent, great-grandparent, great-great-grandparent, brother/sister, aunt/uncle, great-aunt/uncle, niece/nephew, grand-niece/nephew and cousin. For university purposes, this also includes sponsored dependents. All relationships are included, whether full-, half-, step-, foster-, adopted or in-law.

2.3.2 Hiring Foreign Nationals

Foreign nationals employed by the University must be able to produce documentation to the U.S. Citizenship and Immigration Services (USCIS) for establishing employment eligibility in the United States and must be eligible to begin work on the first day of their contracts.

Upon arrival at Missouri State University, all foreign nationals must meet with the office of human resources.

The hiring and continuous employment of foreign nationals require monitoring by the hiring unit and by the college to ensure that annual documentation is submitted by the employee for maintaining his or her employment status. The hiring unit should maintain a tracking system so that verification of visa status can be provided. To remain employed, the faculty member must comply with all legal requirements.

2.4 Identification Cards

Every academic employee is issued an identification card. Full-time faculty members may secure a spouse or sponsored dependent identification card by submitting a written request.

2.5 Personnel Records

Missouri State University-West Plains maintains copies of official personnel files for each faculty member in the business office. This record includes the vita, recommendations, official transcripts of academic work and correspondence and records dealing with terms and conditions of employment.

The personnel files are available to the members of the Board of Governors, the administration and its agents and as otherwise required by law where necessary to allow the University to comply with law and standard business practices. Deans may examine the personnel files of the faculty members of their own divisions only.

Faculty members may review from their own personnel files, on request and in the presence of a designated University official, copies of vitae and official transcripts of academic work, placement papers if not confidential (such as letters of recommendation), correspondence with University officials, salary information and performance evaluations and appraisals that have previously been discussed with the faculty member.

Not available for review by the individual faculty member are letters of reference or recommendation, evaluations by departmental colleagues, records and documentation regarding civil or criminal matters and records of disciplinary or grievance matters.

A faculty member may submit and have inserted into the personnel file a statement which clarifies any material in the file which he or she believes is inaccurate. Said clarification shall be maintained so long as the disputed material is maintained.

It is the responsibility of each faculty member who completes a degree while he or she is employed at Missouri State University to have an official transcript, which includes the date on which the degree was conferred, sent to the director of business services. It is also required that faculty members notify the business office of any address changes or any other changes related to personnel records so that such information may be kept current. Employees may be asked to provide written authorization to release copies of documents from any employee file to a third party.

2.6 Release of Employment Information

Employees' names, job titles and salaries are provided to the State of Missouri for publication in the Missouri Official Manual. The office of human resources will provide the current or former employee's date of hire, position, department and salary information. Requests for any additional information beyond these items must be made in writing and will require the consent of the employee.

3.0 Academic Personnel Policies

3.1 Definitions

In this Faculty Handbook the following definitions are used:

Academic Faculty are defined as individuals who are required to possess an academic degree to teach the material and skills for the department/division in which they are hired.

Technical Faculty are defined as individuals who are not required to possess an academic degree but are required to possess the appropriate licensure or certification and four years of experience within the discipline or related discipline to teach the material and skills for the department/division in which they are hired.

Master's degree means a master's or equivalent degree in the appropriate discipline.

Ranked faculty means faculty members holding the academic rank of instructor, assistant professor, associate professor or professor, or the equivalent recognized rank of technical instructor, advanced technical instructor, senior technical instructor, and master technical instructor. Rank for academic and technical faculty are parallel to the respective classification (instructor / technical instructor, assistant professor / advanced technical instructor, associate professor / senior technical instructor, professor / master technical instructor.)

Scholarship, Research and Creative Activity means the systematic investigation in some field of knowledge undertaken to discover or establish facts or principles and the scholarly effort to interpret, integrate or synthesize research findings or the preparation and execution of creative projects. Research is defined more fully in section 1.3.5

Service (when used to identify one of the three basic areas of faculty responsibility) means the contribution of a faculty member to the effective functioning of the University as an institution, to the effective functioning of professional and learned societies and the contribution of professional expertise by a faculty member to the civic community. Service is defined more fully in section 1.3.6

Tenure means the status granted (after a probationary period, except as specified in section) to a ranked faculty member protecting him or her from arbitrary dismissal. Tenure gives the faculty member the contractual right to be reemployed for succeeding academic years until he or she resigns, retires, is dismissed for cause, is separated pursuant to a reduction in force or becomes disabled or dies, but subject to the terms and conditions of employment that exist in this Faculty Handbook and in future editions of the Faculty Handbook as amended. See section 3.6 for more information regarding tenure.

Terminal degree means an earned doctorate, generally recognized as a 60-hour program, in the individual's discipline or such other degree approved by the Vice Chancellor of Academic Affairs.

A ranked faculty member with an acceptable terminal degree in one discipline, who transfers to another discipline within the University, shall be considered as having a terminal degree in the transfer discipline regardless of the designated terminal degree in the transfer discipline.

Thirty semester hours beyond the master's degree means thirty semester hours or equivalent quarter hours of graduate credit in an appropriate discipline earned in addition to the credit earned to qualify for the master's degree.

Unranked faculty means faculty members in non-tenure track positions designated by the following titles: lecturer, limited-term lecturer, visiting professor, artist-in-residence, adjunct faculty, per-course faculty, academic affiliate, or emeritus faculty. For more information, see section 3.5.

Tenure-track faculty refers to faculty members appointed to tenure-track positions that lead to tenure upon successful completion of a probationary period and to faculty who have been awarded tenure. Refer to Section 3.4 for tenure-track positions. Appointment to a position with academic or technical rank is not synonymous with appointment to a tenure-track position. The contract letter should state whether or not a faculty member is tenure-track. See section 3.3.2.

Probationary faculty refers to faculty appointed for a stated term to a tenure-track position with provisions for review and renewal at the end of the appointment term and designed to lead to a tenure decision at the end of the probationary period. Notice of non-reappointment shall be provided according to Section 3.9

Nonrenewal of contracts refers to a decision (a) not to offer instructors and other non-tenured faculty or part-time faculty members a contract for a subsequent term, semester or year or the denial of reappointment of probationary tenure track faculty or (b) the denial of tenure for such faculty members. The nonrenewal of such contracts is not the equivalent of "termination of employment."

Non-Tenure Track refers to faculty members appointed to positions that are not eligible for tenure consideration. Refer to Section 3.5 for non-tenure track positions.

Promotion refers to a progression within an appointment series (tenure-track, clinical instructor, and technical instructor) following fulfillment of criteria and review as specified in departmental promotion documents and the Faculty Handbook Refer to Sections 3.4 for specific tenure-track and non-tenure track faculty appointments. Promotion is accompanied by an increase in base salary.

Years of academic service to Missouri State University-West Plains means full-time academic years of service to Missouri State University-West Plains. In computing years of academic service to Missouri State University-West Plains, intersession and summer teaching shall not apply, nor shall time spent on educational leave apply. Time spent on sabbatical leave will apply in computing years of academic service to Missouri State University-West Plains, as well as time spent on scholarly leave, e.g., Fulbright Fellowships or National Science Foundation Fellowships.

A fraction of a year of service (ordinarily resulting from initial appointment occurring in the middle of the academic year or from a one-semester leave of absence) shall count as the same fraction of a year in computing years of academic service for tenure and promotion eligibility and for determining the maximum length of the probationary period.

3.2 Academic Responsibilities, Ethics and Freedom

A faculty member at Missouri State University-West Plains assumes responsibility for teaching, professional activity (scholarship, research, creative activity) and university and community service, along with obligations inherent in membership in a learned profession.

Essential to fulfilling these responsibilities and obligations are adherence to standards of ethical conduct and respect for academic freedom, as well as implementation of a system of tenure.

In developing a statement of faculty responsibilities and ethical standards, Missouri State University – West Plains subscribes to the belief, long held by the learned professions, that self-regulation is preferable to any externally imposed discipline.

Ranked faculty are full-time employees of the University during their contract periods. Faculty consulting engagements or other outside employment may benefit the University, but they must not interfere materially with faculty responsibility. Therefore, faculty are obligated to report consulting activities to the University. (See also Section 11).

This document contains campus policy for matters related to appointment, the granting of tenure and promotion. Advancement to each higher rank carries with it the expectation of a greater contribution to the campus' mission in teaching, professional activity and service. Advancement also carries with it the expectation that the individual will accept responsibility for assuming the leadership roles upon which the concept of shared governance depends.

Both tenure and promotion considerations involve mutual obligations. Faculty members must meet the requirements established by the Faculty Senate and campus. They must receive the approbation of their colleagues and appropriate administrative officers. The University must also fulfill its obligations.

In a University faculty it is, therefore, desirable that the most stringent obligations be laid upon individual professors that, so far as possible, any serious breach of duties be judged by colleagues who are well acquainted with the problems and practices of a specialized field. Only in cases of the most serious violations of professional responsibilities shall the academic profession regulate itself by calling upon a group representative of the whole University to deal with faults that could have been avoided either by individual self-control or by departmental discipline. See sections 13.0 and 14.0.

3.2.1 Responsibilities and Ethics

The University recognizes that all faculty have responsibilities in the development of citizen scholars and that those responsibilities must be grounded in ethical standards. The University endorses the following Statement on Professional Ethics from the American Association of University Professors (2009). The AAUP language specifically addresses "professors", but the standards are applicable to all faculty.

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving 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 professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students

reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

3.2.1.1 Ethics and Intellectual Honesty

Each faculty member is responsible for his or her own ethical conduct. There is both individual and collegial assurance that strong ethical standards are enacted and followed. However, if an individual commits a serious breach of professional conduct and fails to meet his or her responsibilities, a process is in place for peer faculty review. See sections 13 and of this handbook.

Intellectual honesty is necessary in the performance of faculty responsibilities. Intellectual honesty is essential to the conduct of productive scholarship, research and creative activity. Intellectual honesty demands avoidance of fabrication, falsification and plagiarism. Faculty who do funded research are obligated to meet standards for integrity specified by their sponsoring agencies.

Trustworthiness of research implies avoidance of fabrication, falsification and plagiarism of research results.

Professionalism and collegiality are essential to teaching, scholarship, research, creative activity and service activities and are evidenced in at least two important ways: maintaining high standards of professional ethics and performing as a responsible member of the University community.

Some granting agencies impose standards on the conduct of scholarship, research and creative activity by all faculty members as a condition on the receipt of grant funds by any faculty member. They include standards for ethical treatment of both human and animal subjects. So long as receipt of such grant funds is contemplated by any faculty member, those standards must be followed by every faculty member. Remedy for a faculty member disagreeing with such standards is through collective action of the Faculty Senate.

Finally, the scholarship, research and creative activity of a faculty member may be constrained by codes of professional ethics peculiar to his or her discipline. Adherence to discipline-specific professional codes is an appropriate subject for peer review of research performance.

Attempts to establish detailed criteria for scholarly integrity have not led to widespread consensus. However, activities of faculty members may be constrained by codes of ethics specific to their disciplines. Adherence to discipline-specific professional codes is an appropriate subject for peer review of performance. In addition, faculty members who engage in funded scholarship, research and creative activity are obligated to meet standards for integrity specified by their sponsoring agencies.

3.2.1.2 Intellectual Property

Some teaching, scholarship, research and creative activity outcomes are consequences of faculty effort assisted by University support. They may be commercially valuable. Guidelines for equitably sharing the proceeds of intellectual property between faculty and the University are referenced in The Intellectual Property Policy which is included in the Faculty Handbook as Appendix A.

3.2.2 Academic Freedom

The right of faculty members to academic freedom is essential to the functioning of a university. Therefore, that right shall be protected at Missouri State University-West Plains.

Academic freedom is the particular right of scholars, teachers and students within the University to pursue knowledge, speak, write and follow the life of the mind without unreasonable restriction. It is that freedom to be judged as scholar, teacher or student on the basis of legitimate intellectual criteria, not personal beliefs, political views, religious or other individual preferences, except as these may demonstrably affect intellectual and professional achievement.

Each faculty member is entitled to full freedom in research and in publication of research results, subject to the adequate performance of his or her academic duties.

Each faculty member is expected to conduct his or her assigned courses in a manner consistent with the course content and course credit as approved by the faculty and consistent with the scheduled class meeting times. Within these constraints he or she is entitled to freedom in the classroom in developing and discussing subjects appropriate to the course.

Each faculty member is a citizen, a member of a learned profession and an officer of an educational institution. When a faculty member speaks or writes as a citizen, he or she should be free from institutional censorship or discipline. As a person of learning and as an educational officer, he or she should remember, however, that the public may judge one's profession and the institution by one's utterances. Hence the faculty member should strive to be accurate, to exercise appropriate restraint, to show respect for the opinions of others and to indicate that he or she is not speaking for the institution.

Each faculty member has the right to criticize and seek alteration of institutional regulations and policies through legal and existing shared governance means.

The protection of academic freedom extends to all faculty members with full-time or part-time appointments in the University regardless of their rank, tenure status or position title.

At Missouri State University-West Plains, the roles of faculty cannot be separated from the responsibilities that are unique to the mission of the division/department. However, in no way will the negotiation of faculty roles within the division/department be construed to justify any intrusion into any individual faculty member's academic freedom, especially as that freedom pertains to the individual research and expression in the classroom.

Recognizing that academic freedom is not unlimited and cognizant of the dangers to academic freedom that may arise from its misunderstanding and abuse, the University subscribes to the following principles defined in the Statement of Freedom and Responsibility approved on October 31, 1970, by the Council of the American Association of University Professors with minor editorial revision (addition of sexual orientation):

Membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions and to foster and defend intellectual honesty, freedom of inquiry and instruction and free expression on and off the campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways that injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence, but also be given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution. Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. Faculty members may not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course.

Students should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own social behavior. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, sexual orientation or personal beliefs.

It is the mastery teachers have of their subjects and their own scholarship that entitles them to their classrooms and to freedom in the presentation of their subjects. Thus, it is improper for an instructor persistently to intrude material that has no

relation to the subject or to fail to present the subject matter of the course as announced to the students and as approved by the faculty in their collective responsibility for the curriculum.

Because academic freedom has traditionally included the instructor's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action and conscience, on the one hand and the claims and expectations of their students, colleagues and institutions, on the other. If such conflicts become acute and attention to obligations as a citizen and moral agent precludes an instructor from fulfilling substantial academic obligations, the instructor cannot escape the responsibility of that choice, but should either request a leave of absence or resign his or her academic position.

3.3 Appointment, Rank and Tenure

3.3.1 Introduction

The Board of Governors has the sole authority and responsibility to appoint, assign rank, promote and grant tenure to the members of the University faculty. The chancellor, after consultation with appropriate members of the academic administration and faculty, shall make recommendations to the Board of Governors concerning these personnel decisions. This rank and tenure policy shall apply to all ranked faculty members and to certain other academic employees as prescribed in this policy but who are not members of the ranked faculty.

Certain eligibility requirements for rank and tenure prescribed in this section require 30 hours of graduate work in addition to the master's degree. Graduate work completed on the Missouri State University campus will normally be from among courses numbered 500 and above and must have the prior written approval of the Vice Chancellor of Academic Affairs before such work will be accepted. All work presented to fulfill the thirty-semester hour minimum requirement should be from an institution accredited to provide graduate degrees beyond the traditional (thirty-six hour) master's degree. Additionally, only degrees earned at regionally accredited institutions are recognized by the institution. Any exceptions must be approved by the Vice Chancellor of Academic Affairs.

3.3.2 Initial Appointment Contract Letters

It is the policy of Missouri State University-West Plains that all faculty of the University shall be clearly informed as to the personnel policies of the institution. These personnel policies are contained in this Faculty Handbook and additional supplemental information related to criteria and procedures used to evaluate faculty for performance, annual review of appropriate progress toward tenure, promotion and tenure will be provided by the various divisions and departments. In cases of conflict between the Faculty Handbook and this additional supplemental information, the Faculty Handbook will take precedence.

The precise terms of every appointment shall be stated in the initial appointment contract letter. The conditions of appointment may vary in individual situations, but they must conform to policies stated in this Handbook. The conditions of employment for each faculty member including rank, salary, length of appointment, length of probationary period (including the last semester during which a tenure application can be made), credit for prior academic service or equivalent experience, terminal degree and tenure status and position responsibilities and performance expectations shall be clearly stated in writing. New faculty will also be provided with a copy of the

departmental/division tenure, promotion and performance review guidelines, if any, in effect on the date of the hire. The criteria employed for tenure decisions will be those in the Faculty Handbook and in departmental guidelines at the time the initial appointment letter is given.

3.3.3 General Criteria

The criteria for appointment consist of training evidenced by academic degrees, experience, and achievement. Section 3.4 describes specific requirements for appointment, tenure, and promotion of tenure track faculty.

For tenure and promotion, faculty members must meet the requirements for Teaching, Professional Activity (scholarship, research, creative activity) and University and Community Service. Sections 4.2.1 through 4.3.1 contain information concerning these three requirements.

Professionalism and collegiality are essential to Teaching, Professional Activity, and University and Community Service activities, and are evidenced in at least two important ways: maintaining high standards of professional ethics and performing as a responsible member of the University Community. Advancement in rank carries an expectation of greater contributions in Teaching, Professional Activity, and University and Community Service. Promotion also carries an expectation that a faculty member will accept leadership roles that contribute to effective shared governance.

The campus policies specified in this Faculty Handbook should be used in conjunction with departmental and division policies, which may be more specific than those of the campus but which must be consistent with the campus policies. Departmental procedures and standards for evaluating faculty in the areas of Teaching, Professional Activity, and University and Community Service are to be reviewed and approved by the Faculty Evaluation Committee, the Deans, and the Vice-Chancellor of Academic Affairs. Ultimately, faculty must receive the approbation of their colleagues and appropriate administrative offices based on criteria provided in University policies and departmental governance documents. The University must also fulfill its obligations.

3.4 Requirements for Appointment, Tenure and Promotion of Tenure Track Faculty and Faculty and Technical Faculty

The provisions for promotion and tenure listed below for each rank represent the conditions the ranked faculty member must meet to be minimally eligible for consideration for a change in status. Procedures and criteria for the granting of tenure or promotion are prescribed in section 4.4. Provisions for tenure, as specified for each academic rank, may be modified by and are superseded by the provisions of section 3.7.

3.4.1. Instructor

Definition:

An instructor is the lowest academic rank, requiring effectiveness in teaching, a commitment to advanced studies in the field or to research and/or creative activity appropriate to the discipline and a willingness to serve the academic unit, division and/or campus.

Basis of Appointment:

The master's degree is typically required with at least 18 hours in the appropriate field. Exceptions must be approved by the department/division, vice-chancellor of academic affairs, chancellor, and Board of Governors. The terms for promotion and tenure should be clearly specified in the initial appointment contract letter. (See section 3.3.2)

Tenure:

An instructor is minimally eligible to hold tenure after completing five years of academic service to Missouri State University-West Plains. The tenure decision will occur at the latest during the fifth year of probationary status. Application for tenure may be made during the final year of required service.

Eligibility for Promotion:

Eligibility for promotion can be achieved by meeting any of the following: (1) Completion of the terminal degree. (2) A master's degree in an appropriate field, completion of three years of academic service to Missouri State University-West Plains in the rank of instructor and demonstration of effective teaching and of achievement in at least one of the following areas: scholarship, research, creative activity or service appropriate to the discipline. (3) Effective teaching and thirty semester hours of graduate credit in an appropriate field in addition to the master's degree and three years of academic service to Missouri State University-West Plains in the rank of instructor. Application for promotion may be made during the final year of the required service.

3.4.2 Technical Instructor

Definition:

A technical Instructor is the lowest rank for technical faculty, requiring effectiveness in teaching; a commitment to advanced studies in the field or specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; and a willingness to serve the department, division and/or campus.

Basis of Appointment:

Minimum of the appropriate licensure or certification and four years' experience within the discipline or related discipline. Exceptions must be approved by the department/division, dean of the college, vice chancellor of academic affairs, chancellor, and Board of Governors. The terms for promotion and tenure should be clearly specified in the initial appointment contract letter. (See section 3.3.2)

Tenure:

A technical Instructor is minimally eligible to hold tenure after completing five years of service in the rank of technical instructor to Missouri State University-West Plains. The tenure decision will occur at the latest during the fifth year of probationary status. Application for tenure may be made during the final year of required service.

Eligibility for promotion:

Eligibility for promotion can be achieved: after completion of three years of service to Missouri State University-West Plains in the rank of technical instructor and demonstration of effective teaching and of achievement in at least one of the following areas: scholarship; research; creative activity; specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; or service appropriate to the discipline.

3.4.3. Assistant Professor

Definition:

An intermediate academic rank of one who has demonstrated achievement in the areas of teaching, research including scholarly publication and/or creative activity and service appropriate to the discipline and professional service appropriate to the discipline.

Basis of Appointment:

(1) Promotion from the instructor rank or (2) terminal degree or doctoral course work complete and dissertation in progress or (3) thirty semester hours of graduate credit in an appropriate field in addition to the master's degree and a minimum of three years of experience equivalent to academic service to Missouri State University-West Plains.

Tenure:

An assistant professor is minimally eligible for tenure after completing three years of academic service to Missouri State University-West Plains. The tenure decision will occur at the latest during the fifth year of probationary status. Tenure will continue to be held by an assistant professor who had tenure at Missouri State University-West Plains when promoted from the instructor rank. Application for tenure may be made during the final year of required service.

Eligibility for Promotion:

Eligibility for promotion can be achieved by meeting one of the following: (1) An assistant professor with a terminal degree is minimally qualified for consideration for promotion to the associate professor rank at the end of five years of experience equivalent to academic service to Missouri State University-West Plains including at least three years in the rank of assistant professor. In addition to meeting years-of-service requirements, those seeking promotion must have demonstrated sustained effectiveness in teaching, research including scholarly publication and/or creative activity, and service as defined in Section 4.0. (2) An assistant professor with the master's degree and thirty additional semester hours of graduate credit in an appropriate field may qualify for promotion after (15) years of experience equivalent to academic service to Missouri State University-West Plains, including at least three years in the rank of assistant professor at Missouri State University-West Plains. In addition to meeting years-of-service requirements, those seeking promotion must have demonstrated sustained

effectiveness in teaching, research including scholarly publication and/or creative activity, and service as defined in Section 4.0. (3) An Assistant Professor with the master's degree and (15) years of academic service to Missouri State University-West Plains, including at least 5 years of effective administrative duties (i.e., dept. chair, dean, etc.) may qualify for promotion to the Associate Professor rank. In addition to meeting years-of-service requirements, those seeking promotion must have demonstrated sustained effectiveness in teaching and contributions to community and/or professional service as defined in Section 4.0. Application for promotion may be made during the final year of the required service.

3.4.4 Advanced Technical Instructor

Definition:

An intermediate technical rank for technical faculty of one who has demonstrated achievement in the areas of teaching; specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; research or peer-reviewed reporting of discoveries or innovations and creative activities appropriate to the discipline and of substantial service appropriate to the discipline.

Basis of Appointment:

Attainment of certification/licensure in his/her technical/occupational specialty and/or completion of recognized competency exam; and three years of experience equivalent to technical faculty service to Missouri State University-West Plains.

Tenure:

Individuals whose initial appointment is to the advanced technical instructor rank are minimally eligible for tenure after completing three years of technical faculty service to Missouri State University-West Plains. The tenure decision will occur at the latest during the fifth year of probationary status. Tenure will continue to be held by an advanced technical instructor who had tenure at Missouri State University-West Plains when promoted from the technical instructor rank. Application for tenure may be made during the final year of required service.

Eligibility for Promotion:

Eligibility for promotion can be achieved by meeting one of the following: (1) An advanced technical instructor is minimally qualified for consideration for promotion to the senior technical instructor rank at the end of five years of experience equivalent to technical faculty service to Missouri State University-West Plains including at least three years in the rank of an advanced technical instructor. In addition to meeting years-of-service requirements, those seeking promotion must have demonstrated sustained effectiveness in teaching; specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; and service as defined in Section 4.0. (2) An advanced technical instructor may qualify for promotion after (15) years of experience equivalent to technical faculty service to Missouri State University-West Plains, including at least three years in the rank of advanced technical instructor at Missouri State University-West Plains. In

addition to meeting years-of-service requirements, those seeking promotion must have demonstrated sustained effectiveness in teaching; specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; and service as defined in Section 4.0.

(3) An advanced technical instructor and (15) years of technical faculty service to Missouri State University-West Plains, including at least 5 years of effective administrative duties (i.e., dept. chair, associate dean, etc.) may qualify for promotion to senior technical instructor rank. In addition to meeting years-of-service requirements, those seeking promotion must have demonstrated sustained effectiveness in teaching and contributions to community and/or professional service as defined in Section 4.0. Application for promotion may be made during the final year of the required service.

3.4.5. Associate Professor

Definition:

A high academic rank of one who has demonstrated a sustained record of effectiveness in teaching, research including scholarly publications and/or creative activity and service appropriate to the discipline.

Basis of Appointment:

(1) Promotion from the rank of assistant professor or (2) terminal degree and a minimum of five years of experience equivalent to academic service to Missouri State University-West Plains.

Tenure:

Individuals who are promoted to the associate professor rank retain the same tenure eligibility which they had as assistant professors. Individuals whose initial appointment is to the associate professor rank are minimally eligible for tenure at the end of two years of academic service to Missouri State University-West Plains. In such a case the tenure decision will occur at the latest during the third year of probation. Tenure shall continue to be held by an associate professor who had tenure at Missouri State University-West Plains when promoted from the assistant professor rank. Application for tenure may be made during the final year of required service.

Eligibility for Promotion:

An associate professor with a terminal degree is minimally eligible for promotion to professor after five years of academic service to Missouri State University-West Plains in the rank of associate professor. An individual initially appointed as an Associate professor will be eligible for promotion after ten years of experience equivalent to academic service to Missouri State University-West Plains. At least two years of this service must be in the rank of associate professor at Missouri State University-West Plains. Promotion to the rank of professor will be based on exceptional performance in the areas of teaching, research including scholarly

publication and/or creative activity and service. Application for promotion may be made during the final year of required service.

3.4.6 Senior Technical Instructor

Definition:

A high rank for technical faculty of one who has demonstrated a sustained record of effectiveness in teaching; specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; research or peer-reviewed reporting of discoveries or innovations and creative activities appropriate to the discipline and of substantial service appropriate to the discipline.

Basis of Appointment:

Continued attainment or renewal of certifications/licensure/accreditations appropriate to their specialty area; evidence of beginning the process of specialty program accreditation; and five years of experience equivalent to technical faculty service to Missouri State University-West Plains.

Tenure:

Individuals who are promoted to the senior technical instructor rank retain the same tenure eligibility which they had as advanced technical instructor. Individuals whose initial appointment is to the senior technical instructor rank are minimally eligible for tenure at the end of two years of technical faculty service to Missouri State University-West Plains. In such a case the tenure decision will occur at the latest during the third year of probation. Tenure shall continue to be held by a senior technical instructor who had tenure at Missouri State University-West Plains when promoted from the advanced technical instructor rank. Application for tenure may be made during the final year of required service.

Eligibility for Promotion:

A senior technical instructor is minimally eligible for promotion to advanced master technical instructor after five years of technical faculty service to Missouri State University-West Plains in the rank of senior technical instructor. (2) An individual initially appointed as a senior technical instructor will be eligible for promotion after ten years of experience equivalent to technical faculty service to Missouri State University-West Plains. At least two years of this service must be in the rank of senior technical instructor at Missouri State University-West Plains. Promotion to the rank of master technical instructor will be based on exceptional performance in the areas of teaching; specialized training conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; and/or creative activity and service.

3.4.7 Professor

Definition:

The highest academic rank, the holder of which is a recognized leader who has a cumulative record of teaching effectiveness, of peer-reviewed research publications or peer-reviewed creative activities appropriate to the discipline and of substantial service appropriate to the discipline.

Basis of Appointment:

(1) Promotion from the associate professor rank or (2) Terminal degree and a minimum of ten years of experience equivalent to academic service to Missouri State University-West Plains. Application for promotion may be made during the final year of required service.

Tenure:

A professor is minimally eligible for tenure following one year of academic service to Missouri State University-West Plains. The tenure decision will occur at the latest during the third year of probation. Tenure shall continue to be held by a professor who had tenure at Missouri State University-West Plains when promoted from the associate professor rank. Application for tenure may be made during the final year of required service.

Tenure will be granted to a professor who is retained after four years of academic service to Missouri State University-West Plains. Tenure shall continue to be held by a professor who had tenure at Missouri State University-West Plains when promoted from the associate professor rank.

3.4.8 Master Technical Instructor

Definition:

The highest rank for technical faculty, the holder of which is a recognized leader who has a cumulative record of teaching effectiveness; of specialized training Conducted for the industry including designing and teaching classes for college credit, seminars, or training sessions for employees of an outside organization; of peer-reviewed creative activities appropriate to the discipline and of substantial service appropriate to the discipline.

Basis of Appointment:

Attainment of specialty program accreditation and/or re-accreditation; and ten years of experience equivalent to technical faculty service to Missouri State University-West Plains.

Tenure:

Individuals whose initial appointment is to the master technical instructor is minimally eligible for tenure following one year of technical faculty service to Missouri State University-West Plains. The tenure decision will occur at the latest during the third year of probation. Tenure shall continue to be held by a master technical instructor who had tenure at Missouri State University-West Plains when promoted

from the senior technical instructor rank. Application for tenure may be made during the final year of required service. Tenure will be granted to a master technical instructor who is retained after four years of technical faculty service to Missouri State University-West Plains.

3.4.9 Distinguished Professor (Revised August 2022)

Definition:

Distinguished professor is a permanent rank beyond Professor, which recognizes extraordinary accomplishment in research. Appointment to the rank of Distinguished Professor will include a permanent increase to base salary greater than the amount given for promotion to professor. Appointment to the rank of Distinguished Professor will be made only if it is clearly established that the individual is committed to sustaining a record of exemplary intellectual/creative accomplishments necessary to maintain national and/or international reputation.

Eligibility:

To be eligible for Distinguished Professor rank an individual must 1) have served Missouri State University-West Plains for a minimum of ten years; 2) have held Professor rank for a minimum of five years (three of which must be at MSU-WP); 3) have a record of extraordinary performance in research with a national or international reputation; 4) have a sustained record of excellence in both teaching and service.

It is the applicants' duty to document all claims made regarding their professional achievements. Applicants will provide:

- a. An extensive record of original work in leading publications/venues at the national/international level, with original work referred by credible sources in the applicant's discipline. Documentation of scholarship quality should include a collection of the following: awards, published journal rankings in the applicant's field, acceptance rates, impact factors, citation indices, critical reviews, and evidence of leadership roles in national/international organizations relative to the area of candidate's expertise or pursuant to his/her accomplishments.
- b. Evidence of effective teaching and service as determined by departmental evaluations.

Application and Review Procedures Application Procedures:

The applicant will present his/her application portfolio to the Chair of the divisional personnel committee (DPC) as applicable. The Chair(s) of the concerned DPC will be responsible for the security of the portfolio (in Blackboard and/or binder files). A complete application will include the following:

1. Cover letter: The applicant's cover letter (addressed to DPC) should provide appropriate documentation explaining significance and impact of the applicant's work. The applicant must recognize that it may be difficult for members of his/her own department to make such an assessment and even

more so for those making evaluations outside the department. Therefore, it is the applicant's responsibility to provide an exposition of the documentation that addresses the significance of his/her work and to do so in a manner comprehensible to faculty members from a wide variety of disciplines.

2. Curriculum vitae (current and updated)
3. Publications: Copies (hard if possible/digital copies – pdf, web links, etc.) of selected publications, abstracts, and other supporting documentation.
4. External letters or recommendations:
 - External evaluations from individuals who are themselves qualified to assess the candidate's reputation and contributions are essential to establishing the candidate's national or international reputation. A minimum of three letters will be required.
 - The process of soliciting external evaluations ideally should start in the spring semester prior to the academic year in which the candidate intends to apply for promotion, following the schedule set out for other promotions.
 - Because the key criterion for the rank is national or international reputation for contributions in the applicant's professional field, it will be essential to identify reviewers who are themselves qualified to make such judgment.
 - Failure of any individual external referee to return an evaluation will not be prejudicial to the promotion decision. However, external evaluations are essential to establish the candidate's national or international reputation in his/her field, and they will be weighted heavily in the promotion decision.
5. The applicant must submit a five-year plan describing his/her future research agenda.
6. The applicant must provide evidence of effective teaching, consistent with the applicant's departmental evaluations.
7. The applicant must provide evidence of effective service, consistent with the applicant's departmental evaluations.

Applicant's Review Procedures:

The applicant's review procedure will generally follow the steps for other promotions as described in the Faculty Handbook. However, because promotion to Distinguished Professor rank is distinct from other promotions, some steps in the process will differ.

1. A peer committee consisting of full professors will review the dossier and return it with its recommendation to the appropriate DPC.
2. The divisional personnel committee will convene to vote on the recommendation and then forward the dossier to the appropriate Dean. The Dean will add his/her recommendations and forward both recommendations and dossier to the Vice Chancellor of Academic Affairs.

3. The Vice Chancellor of Academic Affairs forwards the recommendations to the Chancellor and the Board of Governors.
4. The recommendation and written rationale at each level of the application process shall be shared with the applicant, who will sign the document indicating that he/she has been informed of the recommendation.
5. Throughout the entire process, confidentiality must be maintained. Faculty members at every level of decision-making must assume personal responsibility to ensure confidentiality is not violated. Salary Adjustment for the rank of Distinguished Professor Those individuals attaining the rank of Distinguished Professor represent a select group of our faculty. As such, the promotion is accompanied by a permanent base salary increment (\$7,000) commensurate with the distinction and funded in accordance with current promotion practices.

3.5 Unranked Academic Positions

Persons who hold unranked positions are given term contracts which automatically terminate upon the expiration of the specified term. No notice of non-reappointment is given and reemployment of the employee after the conclusion of the contractual term is solely within the discretion of the University. Unranked faculty members are not eligible for tenure, educational leave or sabbatical leave. With the exception of lecturers and visiting professors, time spent in an unranked position does not count towards tenure eligibility if the individual later becomes a member of the ranked faculty. Unranked faculty must be qualified by academic or practical experiences appropriate for the responsibilities assigned. A master's degree or higher is preferred. All unranked academic positions have the same right to academic freedom accorded ranked faculty.

3.5.1 Lecturer

A lecturer is appointed to teach specific courses full-time on a one-year term contract. The lecturer position is repeatable at the discretion of the University without the constraint of term limits. Continuing term appointments shall not create the presumption of the right to reappointment. Individual departments also may limit the number of times an individual's contract may be issued. As a holder of an unranked academic position, a lecturer is not eligible for tenure but has the same right to academic freedom accorded to ranked faculty.

Lecturers will undergo an annual performance evaluation as outlined in section 4.4.4 of the Faculty Handbook.

Lecturers must be qualified by academic or practical experience appropriate for the responsibilities assigned. If a lecturer becomes a member of the ranked faculty, the length of the probationary period for tenure will be determined in accordance with section 3.7 and will be specified in the initial appointment contract letter. Lecturers will be on 9-month contracts with compensation and benefits paid over a 12-month period.

3.5.2 Limited-Term Lecturer

A limited-term lecturer is appointed to teach specific courses full-time on a one-semester contract. The limited-term lecturer position is to be used only to replace full-time faculty members who are on leave, sabbatical or absent because of some unforeseen circumstance and is not repeatable for consecutive semesters. As a holder of an unranked academic position, a limited-term lecturer is not eligible for tenure or benefits but has the same right to academic freedom accorded ranked faculty. limited-term lecturers must be qualified by academic or practical experiences appropriate for the responsibilities assigned.

3.5.3 Visiting Professor

A visiting professor is an individual who holds or has held, professorial rank (assistant professor, associate professor and professor) at another institution. He or she is appointed to the rank of visiting assistant professor, visiting associate professor or visiting professor. A visiting professor may serve no longer than three years. If he or she becomes a member of the ranked faculty, time spent as visiting professor at Missouri State University-West Plains will be counted toward the time required for tenure and promotion.

3.5.4 Artist-in-Residence

The position of artist-in-residence is offered to outstanding professional artists who render a specified service to the University. This service can include lectures, performances, demonstrations, master classes and consultations. Academic degrees are not essential to this position. An artist-in-residence is chosen on the basis of outstanding professional attainments, creative accomplishments and recognition in his or her specified field.

3.5.5 Adjunct Faculty

Adjunct Faculty are unranked faculty members who offer educational experiences to students of the University on a part-time basis. The Adjunct Faculty member is qualified by academic or practical experience appropriate for the assigned teaching responsibilities. The Adjunct Faculty title is honorary.

An adjunct faculty member is appointed on a semester basis and may teach no more than fifteen credit hours during any 12-month period. Employment terminates automatically at the end of the appointment period. The adjunct faculty member is qualified by academic or practical experience appropriate for the assigned teaching responsibilities as determined acceptable by the appropriate Dean.

Adjunct faculty members receive no retirement or insurance benefits. However, they may be allowed use of campus facilities. Adjunct faculty have only the duties directly associated with teaching (including course assessment) and are not required to perform committee work nor assume other responsibilities required of tenure-track faculty. A notice and search process is not required to fill these positions, but the position must be posted. These positions require the recommendation of the department head, Division Dean, and Vice Chancellor of Academic Affairs.

An adjunct faculty member who has any other type of employment at Missouri State University is also subject to an overall limitation of 1000-hours over any 12-month period and should contact the Office of Human Resources for clarification of restrictions.

Refer to the adjunct faculty guide (from Academic Affairs) for more information.

3.5.6 Academic Affiliate

Academic affiliates are those individuals employed full-time by the University in non-academic positions and who are assigned to teach courses, supervise students or direct research in academic departments. Academic affiliate assignments are based on the experience, training and interests of individuals that would qualify them to teach, supervise students and/or direct research outside their normal assignments and upon the needs of the University to utilize their expertise in teaching responsibilities. The teaching/supervision responsibilities of the Academic Affiliate may be included as part of the non-academic load with no additional remuneration or the Academic Affiliate may be compensated through overload pay.

3.5.7 Emeritus Status

Appointment to emeritus faculty status is granted as a result of meritorious service to the campus, including outstanding contributions in the areas of teaching, creative/professional activity, service and leadership as described in sections 3.3.3 and 4.2.2.

To be eligible for the title, a faculty member must also satisfy the following three requirements: (1) completion of at least ten years of full-time academic service to Missouri State University-West Plains, (2) tenure status at Missouri State University-West Plains and (3) retirement status or disability status at Missouri State University-West Plains. Emeritus status is awarded through affirmative vote of the full-time faculty and by favorable administrative action. The candidate shall be informed in writing in a timely manner of the outcome of the approval process. Emeritus faculty, who will be listed as such in the catalog, shall be entitled to all the benefits provided to university retirees (Refer to 15.2) and, in addition, shall receive invitations to special events, an e-mail account and a parking pass. Emeriti faculty are entitled to enroll in one course per semester free of tuition and student fees. This educational fee waiver benefit may be assigned to eligible dependent children of the retiree or to the spouse of the retiree. When this benefit is assigned to an eligible 23 dependent child, that child may receive up to 15 credit hours per academic year, the same benefit provided to active faculty employees' children (Refer to Section 6.2.5.1).

Per university policy, an Emeritus faculty member may not teach during the semester immediately following their retirement. An Emeritus faculty may teach on a per-course basis as needed by the University (Refer to Section 15.3). An Emeritus faculty member may be reappointed to a temporary appointment after achieving emeritus status to teach or for other academic assignments. In general, reappointments are renewable but will be approved for only one year at a time. The title used for a reappointment is appropriate rank Emeritus. (Revised August 2023)

3.6 Tenure

3.6.1 General Philosophy

Universities exist to serve the common good. The primary responsibilities of the faculty at Missouri State University-West Plains are teaching, research, creative activity and service. By accepting an appointment at this University, an individual assumes a responsibility to pursue scholarly activities in each of these areas. Such

pursuits necessitate free inquiry, free expression, intellectual honesty, respect for the dignity and rights of others and openness to change. The rights and responsibilities exercised within the academic community must be compatible with these characteristics.

Academic freedom is essential to the functioning of a university. It applies to teaching, research and service and involves both faculty and students. The principle of academic freedom is designed to protect the faculty member's freedom to teach and to engage in research and service. It also protects the student's freedom to learn. Faculty members are responsible for providing students with the same kind of freedom which they claim for themselves; namely, the freedom to consider conflicting views and to make their own evaluation of data, evidence and doctrines. Furthermore, faculty members have a responsibility to maintain an atmosphere conducive to intellectual inquiry and rational discussion. (See also Sections 3.2.1.1 and 3.3.)

Tenure is a means to certain ends, specifically: (1) freedom of teaching and research and service and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Academic freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

These statements shall not be applied in a manner which is inconsistent with the provisions of Sections 1 - 15 of this Faculty Handbook.

3.6.2 Tenure

Only members of the tenure track faculty are eligible for tenure. The choices that the campus makes in granting tenure are crucial to its endeavors toward academic excellence. A decision to grant tenure must reflect an assessment of high professional competence and performance measured against campus standards. Recommendations for tenure are made in accordance with the Faculty Senate and campus policies and procedures. The expectations for each individual are dependent upon the particular assignment. It is the responsibility of the applicant for tenure to provide sufficient relevant documentation as evidence in support of his or her teaching, scholarship, research, creative activity and service activities.

Tenure is based on a thorough evaluation of the candidate's total contribution to the campus. While specific responsibilities of faculty members may vary because of special assignments or because of the particular mission of an academic unit, all evaluations for tenure shall address the manner in which each candidate has performed in teaching, professional activity (scholarship, research, creative activity) and service. Basic competence in itself is not sufficient to justify granting tenure, for such competence is a prerequisite for the initial appointment. The decision to grant tenure is inherently and inescapably judgmental and is a deliberate action indicating the person has been selected as a member of the permanent faculty because of demonstrated high-quality performance and relative merit.

Each probationary faculty member will be assigned a mentor and will be evaluated each year by his/her academic dean and the appropriate Divisional Personnel Committee. The DPC acts as a pre-tenure committee and will provide the probationary faculty member with guidance towards tenure each year (Sec section 4.4.1.1).

Tenure will be granted only to faculty members who apply for tenure and are approved through normal procedures (see Section 4.4). All initial appointment letters for individuals hired in tenure track faculty positions will specify the last year during which this tenure application can be made. If a tenure application is not made by a faculty member by this specified time, the individual forfeits all expectations to tenure as specified in this Faculty Handbook. An appointment during the probationary period is only for one year. Even if the faculty member receives no notice of subsequent non-appointment, de facto tenure will not be granted. Tenure-track faculty who have not been granted tenure by the end of their sixth year of employment at Missouri State University shall not be further employed by Missouri State University-West Plains in a tenure-track position. See section 3.7.1 for exceptions.

3.7 Prior Service and the Probationary Period

Beginning with appointment to a tenure-track position, the probationary period at Missouri State University-West Plains shall not exceed **six** academic years. Credit toward the probationary period may be granted for prior full-time service to Missouri State University or to other regionally accredited baccalaureate-degree-granting institutions of higher education (or the equivalent as determined by the department head, division dean, Vice Chancellor of Academic Affairs, and the Chancellor) equivalent to service to Missouri State University. Credit for previous service is specified in the initial appointment letter. If no credit is specified, none is given. Time spent in scholarly leave will count as part of the probationary period. In all cases, tenure decisions are made by the final probationary year as stated in the contract letter.

3.7.1 Stopping the Tenure Clock

Notwithstanding the above, the probationary period may be extended at the request of the faculty member for reason of medical condition or to accommodate important family care issues for a period not to exceed two additional years. Such extension requires the recommendation of the department/division head and the Vice Chancellor of Academic Affairs.

3.7.2 Tenure Upon Hire

An applicant for a position as associate or full professor may be offered tenure as a condition of initial employment only under the following circumstances: (1) the possession of academic credentials reflecting exemplary teaching and service experience, as well as excellence in research, including nationally recognized peer-reviewed publications in the applicant's academic discipline and (2) an affirmative vote of 2/3 of the Missouri State University-West Plains tenured faculty.

3.8 Locus of Tenure

Tenure is awarded only by affirmative action by the Board of Governors. The locus of tenure is in Missouri State University-West Plains. Assignment of tenured faculty will normally be to academic departments but tenured faculty may by consent be assigned to other professional duties. Tenure, once granted, remains in Missouri State University-West Plains.

3.9 Non-Reappointment of Tenure Track Faculty During the Probationary Period

Non-reappointment decisions will be reached according to procedures described in Section 4.0 Faculty Evaluations.

Notice of non-renewal of contract or of intention not to recommend renewal of contract, shall be given in writing by the Vice Chancellor of Academic Affairs in accordance with the following standards:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year or if a one-year appointment terminates during an academic year, at least 90 calendar days in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year or if an initial two-year appointment terminates during an academic year, at least 180 calendar days in advance of its termination.
3. At least 365 calendar days before the expiration of an appointment after two or more academic years in the institution.
4. A probationary appointment will generally be renewed unless timely notice as described above is given. A lapse of the timely process will not be construed to the disadvantage of a faculty member (e.g., the probationary period could be extended for one year), except that in no such case will the probationary period be extended beyond seven years. Tenure does not occur de facto. Note also Section 3.6

For more information on the Reappointment, Promotion and Tenure process see Section 4.4.

4.0 Faculty Evaluation

4.1 Faculty Performance Criteria and Evaluation Model

Faculty performance criteria at Missouri State University-West Plains are based on the purpose and mission of the institution. The campus mission is: Missouri State University-West Plains empowers students to achieve personal success and to enrich their local and global communities. As a two-year public institution, we provide accessible, affordable, and educational opportunities.

To this end, faculty members are expected to be actively engaged in teaching, professional activity and community and campus service throughout their careers. See Section 4.2 for General Criteria for 1) Teaching, 2) Professional Activity and 3) Service.

4.2 Evaluation of Ranked Tenured and Tenure Track Faculty

Faculty members are expected to be actively engaged in teaching, professional activity, (scholarship, research and/or creative activity) and service throughout their careers, but the campus recognizes that, at different times, faculty members may shift emphasis from one category to another as stated in the annual Faculty Goals, Objectives and Professional Development Agreement form. It is generally expected that during the probationary period the emphasis should be on teaching and service.

4.2.1 Teaching

4.2.1.1 Teaching Mission

The teaching mission at Missouri State University-West Plains is to develop educated persons. In doing so, the campus is committed to standards of excellence and academic integrity. An educated person who:

- is literate in the broadest sense,
- has an appreciation of the responsibility of lifelong citizenship and an awareness of global issues,
- seeks solutions to problems by means of a broad base of knowledge, as well as in-depth mastery of at least one specific academic discipline, and
- has the skills and motivation to continue to learn after leaving the university, thus being prepared for both lifelong learning and lifelong productivity.

To support developing educated persons, the campus provides high-quality education that is accessible to a broad spectrum of individuals, including those facing challenges involving distance, income, or disability.

Furthermore, in recognizing the value of an open and free exchange of ideas, Missouri State University – West Plains promotes diversity in all its forms to provide a wide variety of knowledge and perspectives.

4.2.1.2 Evaluation of Teaching

Teaching is the most important responsibility of any institution of higher education. The attributes indicative of effective teaching varies among individuals and across disciplines; however, high levels of student engagement and deeper learning are core values that are common to all.

Teaching effectiveness must be taken seriously, with review and evaluation (assessment) occurring on many levels. Evaluating and improving teaching is an ongoing and critical function of faculty and administration. Teaching effectiveness must be based on performance across a reasonable period of time and number of classes, and it cannot be measured in isolation.

The Faculty Senate and the appropriate departments/divisions are responsible for preparing procedures for evaluating teaching effectiveness and for communicating these to each faculty member. Procedures should be appropriate to the type and nature of the teaching assignment and should be reviewed and approved by the relevant division, Faculty Evaluation Committee, and the Vice Chancellor of Academic Affairs. The evaluation procedures are to be based on the Faculty Handbook as supplemented by guidelines in other relevant campus documents and should explicitly state the expectations of teaching effectiveness that may be measured and how these are to be assessed. At all levels of teaching evaluation, direct comparisons or rankings of faculty members between departments/divisions should be avoided.

Teaching effectiveness is affected by overall workload, level of course, experience in teaching a particular course, number of students, use of new modalities or approaches, and nature of course (general education, requirement in major, etc.). The areas outlined below are the basis for evaluating faculty members' teaching effectiveness for tenure and promotion and for required annual performance reviews. Sections 4.2.1.2.1, 4.2.1.2.2, and 4.2.1.2.3 represent essential elements of teaching evaluation, while sections 4.2.1.2.2.1 and 4.2.1.2.2.2 represent additional aspects that may be evaluated as appropriate. See section 4.4 for more concerning faculty evaluation.

4.2.1.2.1 Knowledge

Faculty members must be up to date and competent regarding the content of their courses, whether they are part of a discipline-specific major or the general education curriculum. Evidence of continuing professional development contributes to this goal.

Faculty should strive to cultivate students' knowledge base and skills both basic and specialized within a specific discipline. Additionally, faculty should strive to make explicit the relationship between the general education curriculum and various disciplinary curricula so students can integrate their acquired knowledge and skills for lifelong application.

As advisors, faculty must be thoroughly familiar with university requirements so their advisees may make appropriate progress toward a degree and graduate in a timely manner.

4.2.1.2.2. Teaching strategies

There is substantial literature on best practices in university teaching, and faculty members should incorporate best practices in their classes to the extent possible. They must specify learning objectives for each course, ensure that their students understand how to achieve those objectives, and use grading systems that reflect the degree to which students accomplish the objectives. Faculty must be appropriately accessible to students through a variety of means (e.g., office hours, electronic communication). Faculty should strive to include high-impact instructional practices, such as community engagement, problem-based, experiential, and collaborative learning. In addition, course content and instructional strategies should reflect awareness that diversity and differences among learners can improve student learning. These instructional strategies are encouraged where they are appropriate.

4.2.1.2.2.1. Modalities/Accessibility

Where appropriate, faculty may extend the availability of education beyond the traditional classroom setting through activities that include, but are not limited to, offering distance learning, service learning, online courses, public lectures, workshops or trainings, working with the community and public

schools in providing access to education, and developing educational materials that address accessibility issues.

4.2.1.2.2. Instructional Diversity

Special efforts to broaden students' educational experiences might include inviting guest speakers who offer diverse viewpoints, taking students to locations where they will be exposed to an unfamiliar environment, and requiring students to seek out diversity as part of their course requirements.

4.2.1.2.3. Responsible Use of Evaluations

Some forms of evaluation, such as student evaluations and self-assessment can be biased or incomplete, so teaching must be evaluated through multiple means (e.g., self-reflections, peer and/or supervisor review, student evaluations, assessment of student learning outcomes). Faculty should be proactive in seeking evaluations and should carefully consider evaluation data and modify teaching strategies as appropriate.

If statistical data are used in assessing teaching effectiveness, some understanding of statistical analysis is expected of those doing the assessment. The use of small differences in quantitative measures, which are not statistically significant, should be avoided as a basis for differentiating teaching effectiveness.

4.2.1.3 Documentation

Faculty must provide evidence that documents teaching effectiveness (sufficient knowledge, use of teaching and advising strategies, and responsible use of evaluations). **Documentation should also be provided to establish any claims of enhanced accessibility or optional educational experiences.** Everything that contributes to or derives from a teaching/learning experience should address one or more of the criteria above.

The following table identifies input/output elements and possible sources for documentation. This table is not prescriptive but offers faculty examples of ways to document teaching effectiveness. Divisions/departments can refine these suggestions as appropriate for specific discipline and a faculty member's specific job assignment.

Inputs and Outcomes	Documentation
Instructor Inputs (developing educated persons)	
Clear identification of outcome goals in terms of knowledge and skills	Syllabi and assignments reflect program and general education goals

Clear identification of relevance of courses to both major study and general education	Syllabi and assignments reflect program and general education goals
Practiced and pedagogically informed delivery of course content	Teaching portfolio, evidence of professional development, peer evaluations
Up-to-date content and materials	Syllabi, sample materials (with explanatory narrative in dossier), curricular grants, development of new courses

Quality organization of course and diligence in application	Syllabi, sample assignments, peer evaluations, student evaluations
Appropriately rigorous expectations	Syllabi statements, quantity and quality of reading, writing and performance assignments
Time, energy and effectiveness	Teaching portfolio, peer evaluations, student evaluations
Instructor Inputs (exceptional modes or qualities of teaching)	Opportunities for out-of-class application
Description of out-of-class activities, including service learning, field work, etc.	Special access opportunities such as distance-learning delivery
Syllabi and/ or descriptions of alternative delivery methods/courses	Special efforts to diversify student experiences
Diversity of educational experience, objectives, and efforts	Student Outcomes (all goals)
Majority of students make progress on knowledge and skill objectives from baseline starting point	Direct and indirect assessment: Aggregate information on pre/post knowledge and/ or skill performance by students in each class (example: 10% of students were able to identify Renaissance art at beginning of semester, 75% by end)

Majority of students understand goals and relevance of courses, regardless of performance level	Student evaluations
Students receive external recognition for work produced in course	External letters, awards, commendations, reviews, news stories, etc.
Faculty member receives direct external recognition for preparation of students	External letters, awards, commendations, reviews, news stories, etc.

4.2.2

Professional Activity (Scholarship, Research and/or Creative Activity)

Scholarship, research and creative activities each hold equal value in advancing the mission of Missouri State University-West Plains. A blend of scholarship, discovery and of integration and application to teaching, is essential to the mission.

4.2.2.1 Scholarship

Activities fulfilling faculty responsibility for scholarship include not only traditional scientific research and humanistic scholarship but also creative expression in the arts.

Faculty members must be engaged in sustained scholarship that will assist them in maintaining competence in the material to be taught and that will contribute to the education and good of the students, peers and public. Beyond these basic requirements, scholarship may take many forms, including original research or creative expression (scholarship of discovery), review and integration of prior research (scholarship of integration), applying current knowledge and innovations to important practices (scholarship of application) or dialectical engagement of students in the process of inquiry and discovery (scholarship of teaching). In all types of scholarship, direct and indirect involvement of students teaches them about the process and inspires them to become ongoing participants.

4.2.2.1.1 Goals and Criteria for Evaluating Scholarship

Scholarship of Discovery: The scholarship of discovery is recognized as an essential element of the campus mission. Evidence of performance in this form of scholarship is valued both for tenure and for promotions. Examples include:

- Scholarly monographs or books that advance understanding.
- Original research findings published in scholarly journals.
- Original artistic expression.
- Successful grant applications for research/ creative activity.
- Presentations of original research findings.

Scholarship of Integration and Scholarship of Application: The scholarship of integration and the scholarship of application are

recognized as essential elements of the campus mission and of every departmental mission. They may be the most appropriate forms of scholarship for some faculty members. Evidence of performance in these forms of scholarship is valued both for tenure and for promotions. Examples include but are not limited to:

- a. Published textbook summarizing existing research.
- b. Published professional or applied research journal articles.
- c. Presentation of juried exhibits or performances.
- d. Published literature reviews or position papers.
- e. Published research protocols.
- f. Published bibliographies.
- g. Published critical reviews of scholarly projects.
- h. Successful grant applications for applied research and performances.
- i. Presentation of integrative or applied research.

Scholarship of Teaching: The scholarship of teaching is recognized as an essential element of the campus mission. Every faculty member engaged in teaching at this institution must engage in this form of scholarship. Evidence of performance in this form of scholarship is necessary for those faculty with teaching assignments, but it alone is not sufficient for tenure and for promotions. Examples include but are not limited to:

- a. Scholarly presentations to campus-based or community groups.
- b. Critiquing one's own students or colleagues or consulting with community organizations.
- c. Designing and refining media of expression.
- d. Improving the effectiveness of one's own teaching through seeking and using peer and student feedback.
- e. Assessing effectiveness of new learning technologies for teaching one's own courses.
- f. Preparing, compiling and disseminating custom texts, reading packages and/or ancillary materials for one's own courses.
- g. Successful grant applications for developing or enhancing one's own courses.

(Note: Activities such as developing or assessing curricula for a larger audience than one's own students, developing educational resources for use by other educators, observing and analyzing student behaviors and/or student teacher interactions outside of one's own classroom and assessing effectiveness of new educational methods or technologies outside of one's own classroom may qualify as scholarship of discovery, scholarship of integration or scholarship of application.)

4.2.2.2 Research

Research both advances knowledge in a particular specialized academic field and encourages individual faculty development; it enhances the quality of education students receive. To that end, the campus recognizes the value of academic research.

The process of research is understood as the production and formal communication of original creative, scholarly work and, while the definitions of “scholarly” and “creative” may differ across academic disciplines, the process is understood to support the campus’s general mission in all three fundamental areas of faculty responsibility: teaching, professional activity, and service. The process is also understood to fulfill the overall professional activity mission of the campus.

Although Missouri State University – West Plains does not have an formal extensive emphasis on research, campus research activities include those designed to produce one or more outcomes such as the discovery, organization, and application of knowledge. The scope of research activities encompasses individual faculty research and departmental research programs.

4.2.2.2.1 Goals and Criteria for Evaluating Research

Competitive awards and grants are useful indexes of an individual’s success in obtaining recognition for research. Research production can also take the form of published reports, studies and other materials. Giving presentations at professional conferences is another outlet for publicizing and testing the results of one’s research.

The following goals and criteria are the basis of evaluating faculty members’ research for tenure and promotion and for required performance reviews.

- a. Expand knowledge and/or demonstrate growth in area of expertise.
- b. Application of research to benefit campus constituents.
- c. Special effort to share knowledge and creative work with a broader audience (peer review).
- d. Involvement of students.

4.2.2.3 Creative Activity

Creative works in areas such as music, drama, art and literature are essential for enabling Missouri State University – West Plains to support the University’s Public Affairs Mission through cultural competence and community engagement. Creative activities also include the enhancement of teaching effectiveness.

4.2.2.3.1 Goals and Criteria for Evaluating Creative Activity

The following goals and criteria are the basis of evaluating faculty members’ creative activity for tenure and promotion and for required performance reviews. In the creative and performing arts, peer review and recognition through exhibitions, concerts, prizes and awards set a similar kind of standard to the kind of recognition another faculty member will achieve through publication in a peer-reviewed journal.

- a. Expand knowledge and/or demonstrate growth in area of expertise.
- b. Application of creative activities to benefit campus constituents.
- c. Special effort to share knowledge and creative work with a broader audience.
- d. Involvement of students.

4.2.3 Service

In addition to supporting the University's Public Affairs Mission, the various forms of faculty service support the academic tradition of shared governance, promote the professional and organizational needs of the disciplines, and showcase the contributions of the campus to the community.

4.2.3.1 Public Service

Faculty service at Missouri State University serves three purposes: to support the academic tradition of shared governance, to support the professional and organizational needs of the disciplines and to bring the products of campus work to the public for its benefit.

4.2.3.2 Goals and criteria for Evaluating Service

The following goals and criteria are the basis of evaluating faculty members' service for tenure and promotion and for required performance reviews. Item 1 below is of paramount importance on this list and any faculty member, in order to succeed in the area of service at Missouri State University-West Plains, must succeed in item 1. Although items 2, 3 and 4 are not individually prescriptive, they are inclusive of service and may be considered. (Items 1 and 3 revised August 2023)

1. University Citizenship

In the interest of maintaining faculty influence in the decision-making process at the campus, individual faculty should recognize their responsibilities to the organization and contribute fairly to the task of shared governance. This includes, but is not limited to, service on program, departmental, division and University committees and task forces.

Service activities supporting campus citizenship may also include collaborations and contributions for the collegiate well-being such as providing professional development, participating in campus discussions and expanding opportunities for shaping the learning environment.

2. Professional Service

The criterion for this goal refers to contributions to professional organizations within the faculty member's field. Professional association participation may include serving as a board member, officer, editor, reviewer, committee member, etc. Additionally, this may include sponsoring an active student organization, mentoring or advising or providing opportunities for student experiences outside the expectations of teaching.

3. Public Service

Faculty members meet this goal when they document the use of their professional skills and expertise (including presentations in contemporary media) to serve community, state, national or international public constituents. In this way, faculty members

not only further the mission of public outreach, but also serve as models for their students who are encouraged to engage in similar activities.

Membership in community, regional, state or national service organizations is also public service.

4. Professional Consultation

Faculty members may meet this goal by documenting their contributions of professional expertise to business, industry, schools, community organizations and colleagues in other University programs. Consultation services to external constituents within the faculty member's professional expertise may be included in this area.

4.3 Faculty Duties and Responsibilities

4.3.1 Faculty Duties and Responsibilities

Duties and responsibilities of ranked faculty members at Missouri State University-West Plains fall into three broad categories: (1) teaching, (2) professional activity (scholarship, research and creative activity) and (3) University and community service. These duties and responsibilities shall be performed in accordance with standards of professional ethics stated in section 3.2.

Because the primary mission of the campus is to provide its students with a quality educational experience, the main responsibility of the faculty is teaching. In order to enhance student learning, faculty are expected to research developments in their respective fields and to transmit that knowledge to their students. Teaching responsibilities entail meeting classes regularly, being available to conference with students, serving as academic advisors and keeping accurate records of student achievement.

Faculty possess diverse talents, skills, and interests that should be employed to meet the mission of the campus, the goals and objectives of their academic units, and the agreed upon individual goals and responsibilities within their departments. Obligations upon faculty time include preparation for lectures and laboratories; delivery of instruction in the classroom, during office hours, and through email; fulfillment of specialized roles within a department; and performance of various academic and public affairs duties that are inherent in a learning environment and within the community.

Fulfilling these time-consuming and diverse responsibilities requires flexibility in assignment. Variations in assignments should be negotiated at the division or department level to allow all faculty the needed time to achieve expected levels of scholarship and campus and community involvement.

Members of faculty are expected to participate in meetings of their respective departments and divisions and to regularly attend Faculty Senate, to serve on faculty and administrative committees, and to serve the academic, professional and civic communities with their expertise.

During the pre-tenure period, the duties and responsibilities should be carefully balanced and monitored to promote success in teaching, professional activity, and service. The quality of the contributions in all areas is a factor for positive tenure and promotion decisions.

4.3.2 Teaching

4.3.2.1 Teaching Load/Work Load

Beginning in Fall of 2019, the standard workload for fulltime faculty is a total workload of 36 equated hours across an academic year (fall and spring) with six equated hours being allocated for maintaining currency in one's field, advising duties, and normal department, college, and university service activities.

The normal teaching load for a full-time faculty member varies per division but generally shall be no more than 15 credit-hours per semester (fall and spring) with the following stipulations. Except for faculty who remained at 12/12 teaching load.:

1. Requests may be made to teach beyond 15 credit-hours (overload) with additional pay based on course enrollment numbers and the amount of overload credit-hours taught. See section 5.7 for more information concerning overloads and teaching during the summer semester. The appropriate Department Head/Program Coordinator, Dean, and Vice-Chancellor of Academic Affairs will determine whether or not to approve all such overload requests.
2. Faculty members may arrange with their Dean to teach an overload course in order to "bank" their over-load hours (instead of receiving compensation) for use in an upcoming semester. No more than 3-credit hours can be banked per semester; no more than 6-credit hours can be used during a semester; and no more than 9-credit hours can be used during an Academic year. The Deans and the Vice-Chancellor of Academic Affairs will ensure equity across the divisions concerning the use of "banked" credit hours.
3. Requests may be made for a reduction in the number of credit-hours being taught during one or more semesters as approved (or assigned) by the appropriate department head, dean and vice chancellor of academic affairs. (See Faculty Senate Bylaws and section 7.6.3). In general, a faculty member who receives a reduction in their teaching load should not receive overload compensation during the same semester. The Deans and VCAA will make the final determination in such cases.

See section 3.4.9 for information about the Distinguished Professor.

4.3.2.2 Meeting Classes

Faculty members are expected to meet their classes or to see that suitable arrangements have been made for learning experiences for their students in the case of a required absence of the instructor because of unusual circumstances or because of a professional meeting. When the instructor is

unable to meet a class because of illness, he or she must call the office of academic affairs and make arrangements to notify his or her classes concerning the cancellation of classes and new assignments or to make other arrangements for the classes that will be missed.

4.3.2.3 Course Policy Statement (Syllabus)

Prior to the start of the semester, the faculty member must prepare a policy statement/syllabus for each course utilizing the campus' common syllabus template. This template should be provided to the faculty member by their department head or Dean.

Within the first week of classes, the faculty member must submit a copy of the course syllabi to the office of academic affairs and shall issue to each student a print or electronic policy statement summarizing the following:

- a. Instructor Contact Information & Office Hours
- b. Catalog Description
- c. Course Rationale/Purpose: A statement of the general content of the course.
- d. Course Materials: A list of textbooks and other sources to be used for the course stating recommended or required reading.
- e. Course Objectives
- f. Student Learning Outcomes: A list of measurable and desirable outcomes to be achieved upon successful completion of the course.
- g. Institutional Learning Outcomes, as determined by your department or division.
- h. Program Learning Outcomes (PLOs), as determined by your department or division.
- i. Attendance Policy: A statement of attendance policy consistent with that of the campus and the policies regarding late arrival and early departure. Refer to <https://wp.missouristate.edu/catalog/policyattendance.htm>
- j. Assignment Information:
 - Examinations: A general idea of the material to be covered on each exam.
 - Grading Scale: A statement of the grading policy to be used in the course.
 - Term Papers/Projects: (if applicable) A statement of the dates that term papers/projects are due and general criteria used to determine how the papers/projects will be graded.
 - Makeups: A statement of how or if makeups will be allowed for exams, papers or other assignments.
 - Test Dates: A statement concerning the announcement of test dates and the test dates if known. If the dates are unknown, approximations should be offered.
 - Final-Exam: A statement as to whether the final will be comprehensive or not and a general idea of the subject matter to be covered.
- k. Course Outline/Calendar
- l. Academic Integrity Policy: A statement concerning policies concerning plagiarism and cheating, including consequences. Refer to the student academic integrity policies and procedures, <https://wp.missouristate.edu/catalog/policy-academic-integrity.htm>.

- m. University policies as documented in the Syllabus Policy Statements which can be found at this link: <https://wp.missouristate.edu/Academics/syllabus-policy.htm>

4.3.2.4 Review of Graded Work

After an examination prepared by a faculty member or any written paper has been graded, the test or paper is to be made available to the student so that the student can observe where he or she has succeeded or failed.

4.3.2.5 Class Records

All faculty members must keep accurate accounts of grades and attendance (paper or electronically stored) so that they will have factual information for a fair evaluation of each student. All faculty members must leave with their Department Heads/directors all grade books or a copy of all grade sheets at the time of leaving the employ of the University. In accordance with the Family Educational Rights and Privacy Act (FERPA), student grades are not to be publicly posted.

4.3.2.6 Policies Concerning Student Grades

Evaluation of student performance and assignment of final course grades are the responsibility of the faculty. If there are extenuating circumstances by which a student is unable to complete a small portion of the course, the teacher has the prerogative to assign an incomplete 'I' grade. The student must then complete all make-up work during the next semester of enrollment or the grade automatically reverts to an 'F'. Once the student has completed the necessary work, the faculty will prepare a Grade Change Authorization form and submit it to the office of registration and records.

It is not an acceptable practice for students to be allowed to earn extra credit after the semester is finished and final grades have been submitted.

It is not an acceptable practice for a member of the administration, faculty or staff to try to petition a faculty member to change a student grade.

Any changes to final grades must be handled through the procedure outlined in the course catalog.

4.3.3 Student Advisement

Student advisement is the process of assisting the student in negotiating the curriculum in order to achieve his/her educational goals. The process also involves aiding the student in thinking through and arriving at educational goals based on an understanding of what higher education is and how it relates to all areas of the individual's life, including his/her vocation.

The Advisement and Academic Coaching Center for Empowering Student Success (AACCESS) will initiate advising for each student, but all faculty members are expected to assist in the advisement process through normal contacts with students both in the classroom and in the office. Faculty members will also be assigned individual student advisees for whom they share a particular responsibility for advisement throughout the students' experience at Missouri State University-West Plains. Faculty members are expected to be knowledgeable of essential aspects of the curriculum and procedures of the campus in order to provide accurate and timely advice to students. AACCESS serves as a resource for faculty regarding advising.

In the advisement process, faculty members may not make representations or commitments which are inconsistent with authorized campus policies.

4.3.4 Office Hours

Office hours are times when faculty are available for direct consultation with students who are in their classes and with advisees. Availability for office hours usually implies presence in an office but, following departmental norms and consent of their dean, may be satisfied by other means, e.g., electronic consultation. All full-time faculty members must be available for office hours a minimum of five hours each week at times convenient for students. Per-Course faculty must also be accessible for student inquiry. The office hours must be posted in a place where students can see the notice and make plans to confer with the teacher. Faculty members are encouraged to accommodate students who cannot appear during the regular hours because of schedule conflicts. Exceptions to this policy must be approved by the appropriate Dean.

4.3.5 Access to and Release of Student Academic Records

The Family Educational Rights and Privacy Act of 1974 (FERPA) protects against a policy or practice of permitting the release of education records of students, except for directory information or as otherwise specifically authorized by the statute. "Education records" do not include records of instructional, supervisory and administrative personnel in the sole possession of the maker of the record and not accessible or revealed to any other individual. Disclosure of personally identifiable information from the education records of a student requires written consent, signed and dated, specifying the records to be disclosed, the purpose or purposes of the disclosure and the party or parties to whom the disclosure can be made. Disclosure may be made without written consent to other University officials who have been determined by the Administration to have legitimate educational interests. The Vice Chancellor of Academic Affairs should be consulted before any disclosure of education records. Grades are not to be posted using personally identifiable descriptors such as name or social security number or any portion of the social security number.

For purposes of FERPA, whenever a student at Missouri State University-West Plains has attained eighteen years of age, the permission or consent required of and the rights accorded to the parents of the student shall thereafter be required of and accorded to the student.

4.3.6 University Service Responsibilities

Much of the important work of Missouri State University-West Plains is carried on by committees appointed by the chancellor, deans and by the Faculty Senate. From time to time temporary committees are established to carry on assigned responsibilities.

See the Faculty Senate By-Laws for a complete description of the Faculty Senate standing committees.

4.3.7 Supervision of Laboratory Supervisors

Some faculty members are responsible for the supervision of laboratory supervisors. Laboratory supervisors are individuals appointed on a semester or yearly basis to supervise laboratory or laboratory-like sections of classes. In this regard, their duties are similar to those of graduate teaching assistants. Laboratory supervisors are not assigned to teach classes as the principal instructor. They should hold at least a baccalaureate degree appropriate to their assignment. Laboratory supervisors always receive term contracts, do not hold academic rank and have no tenure rights.

4.4 Faculty Performance Evaluation Process (Revised August 2022)

Each member of the ranked faculty participates in the following evaluative processes:

1. Annually develops a Faculty Development Plan (FDP) for the upcoming academic year which is reviewed by their dean or immediate faculty supervisor.
2. Annually completes a self-evaluation of the previous academic year, including a review of the past year's FDP. This self-evaluation will be submitted to the dean or immediate faculty supervisor for their review.
3. Annually receive a Faculty Performance Review (AFPR) by the dean or immediate faculty supervisor.
4. When applying for reappointment, promotion, or tenure (RPT) the Divisional Personnel Committee will conduct a comprehensive review as described further in section **4.4**.

Each evaluation will review performance concerning teaching, professional activity and service. Evaluations will provide constructive feedback and suggestions for improving performance regarding promotion or tenure. Evaluations will also include the role of individually negotiated assignments (lab supervisor, program coordinator, grant writer, etc...) and will address areas of strengths and weaknesses regarding these assignments. In negotiating individualized roles for faculty members, the Vice Chancellor of Academic Affairs is charged to carry out this task in a manner consistent with the Faculty Handbook.

The Vice Chancellor of Academic Affairs and Deans shall work closely with the Faculty Evaluation Committee and Divisional Personnel Committees (see section **4.4.2**) throughout the year as needed to complete the faculty evaluation process.

The Vice Chancellor of Academic Affairs shall review faculty evaluation processes with the Department Chairs and Deans each fall semester.

4.4.1 Regular Performance Reviews

By the last Friday in April, every ranked faculty member will submit their Faculty Development Plan for the upcoming academic year to their dean or immediate faculty supervisor.

By the third Wednesday in September, ranked faculty will submit their self- evaluation for the previous academic year to their dean or immediate faculty supervisor. Subsequently, the reviewer will conduct a performance review for the previous academic year and assign a composite rating for every ranked faculty member in his or her jurisdiction.

At least four numerical or categorical ratings are to be used for the performance reviews. The ratings are to be designed to recognize both outstanding and unsatisfactory performances as well as those appraised as degrees of good or satisfactory. The Vice Chancellor of Academic Affairs and Deans shall develop a clear set of expectations for satisfactory performance in the categories of teaching, professional activity and service.

By the third Thursday in October, the reviewer shall meet with each faculty member to discuss the results of his or her performance review. To acknowledge that she or he has received the performance review, the faculty member must sign the review before it is forwarded further. Signing the review does not imply that the faculty member endorses all that is stated therein. The faculty member may append a response before the evaluation is forwarded further, and this response will remain attached throughout the evaluation process. By the fourth Thursday in October, the reviewer shall forward the performance reviews to the Vice Chancellor of Academic Affairs.

During the first 2 weeks of November, the Vice Chancellor of Academic Affairs (VCAA) shall either endorse or modify the recommended rating. In instances where the VCAA modifies the rating, the VCAA must provide a compelling rationale for the change in writing to the reviewer and to the affected faculty member. Each faculty member shall receive notification of the dean's action regarding their performance review by the Third Wednesday in November, thus completing the annual faculty evaluation cycle.

Performance reviews for deans and immediate faculty supervisors will be conducted by the Vice Chancellor of Academic Affairs. (See section 12.1)

A faculty member may appeal the performance rating as outlined in Section **4.4.4**.

These performance reviews will form a basis for subsequent reviews, for reviews regarding progress toward promotion or tenure and for recommendations concerning promotion, tenure and annual appointment and should be kept on file in the office of Academic Affairs.

4.4.1.1 Probationary/Tenure-Track Faculty

4.4.1.1.1. Faculty Mentors

Untenured, ranked faculty members who are first-year candidates for reappointment shall have the advice of an appropriate faculty mentor to assist them in preparing for the reappointment process. The mentor shall be appointed by the Vice Chancellor of Academic Affairs in consultation with the Department Chair and/or Dean and the new faculty member and hold this responsibility formally for one year. The mentor should, however, continue to advise the new faculty member on an indefinite basis.

4.4.1.1.2 Evaluation of Probationary Faculty

Probationary faculty will undergo the following evaluations: [Forms available through the Office of Academic Affairs]

1. At least one classroom observation by the Department Chair and/or a member of the tenured faculty annually.

2. Annual performance reviews completed by the Department Chair or Dean or immediate faculty supervisor.
3. Annual review of progress toward tenure by the Divisional Personnel Committee and Dean or immediate faculty supervisor. (See below)
4. Student course evaluations for each course taught every semester.

4.4.1.1.3 Reappointment and Progress-Toward-Tenure Process

Due dates for the following processes are posted in the RPT work calendar on the MSU-WP website.

This multi-step process begins with an application reminder from the Office of Academic Affairs in August and concludes with the Board of Governors final action the following May or June.

Every probationary faculty member must apply for each academic year appointment during his or her term of probation. The application must be made at the appropriate time as stated in the RPT academic work calendar and in accordance with procedures outlined in section 4.4.3. Failure to do so will result in no appointment.

An annual review to assess whether a faculty member should be reappointed and to assess appropriate progress toward tenure shall be conducted by the Divisional Personnel Committee (DPC) and by the appropriate Dean. The Dean shall not be a participant in the voting or deliberations of the DPC. Based on the requirements of tenure listed in Section 3.6.2, the DPC serves as a pre-tenure committee and will annually assess the probationary faculty member's cumulative record as he or she progresses toward the tenure decision year and will specify in writing one of three outcomes:

- a. that progress toward tenure is satisfactory.
- b. that progress toward tenure is questionable, identifying areas for improvement and providing specific suggestions.
- c. that progress toward tenure is unsatisfactory, providing specific rationale.

In all cases the committee will provide clear feedback, identifying areas for improvement, making specific suggestions. Additionally, the committee will make a recommendation regarding continued appointment or non-reappointment. If the committee recommends non-reappointment, then appropriate rationale must be provided.

In December, the DPC will forward its annual review evaluation, its recommendations and the applicant's portfolio to the appropriate Dean who will add her or his evaluation and recommendations and pass all of these materials to the Vice-Chancellor. The Vice-Chancellor will also attach his or her evaluation and recommendations and will notify the Chancellor of the outcome of this evaluation process. Copies of each evaluation and recommendation shall be provided to the candidate at each stage of this process before the portfolio, evaluation and recommendations are submitted to the next reviewer. To

acknowledge that she or he has received these copies, the candidate must undersign each before the evaluation materials are forwarded further. Signing the evaluation does not imply that the candidate endorses all that is stated therein. The candidate may append a response before the evaluation is forwarded further, and this response will remain attached throughout the evaluation process.

If the progress toward tenure is questionable or unsatisfactory, then the Vice Chancellor in consultation with the appropriate Dean shall meet with the faculty member to discuss the areas of improvement that were identified and to discuss the implementation of suggested courses of action, as well as to discuss any other issues that need to be addressed. The appropriate Dean will also periodically follow-up with the faculty member throughout the upcoming academic year.

4.4.1.1.4 Promotion and Tenure Process for Probationary Faculty

Due dates for the following processes are posted in the RPT work calendar on the MSU-WP website.

This multi-step process begins with a reminder from the Office of Academic Affairs in August and concludes with the Board of Governors final action the following May or June.

For promotion, the application must be made at the appropriate time as stated in the RPT Work Calendar and in accordance with evaluation procedures outlined in section 4.4.3. The application for promotion may be withdrawn from consideration at any stage of the process.

The process of promotion review and tenure review follows the steps shown in the RPT Work Calendar. The requirements for promotion are located in Section 3.4 and the requirements for tenure are located in Section 3.6. At each stage of the evaluation of promotion and/or tenure, a candidate will be given a copy of the evaluation and written rationale for the recommendation.

For tenure, in most cases, a probationary faculty member must apply for tenure at the beginning of their last year of probation (typically the fifth year of employment) to remain employed beyond the probationary period. See section 3.7.1 for exceptions.

The application must be made at the appropriate time as listed in the RPT Work Calendar and in accordance with evaluation procedures outlined in section 4.4.3. Candidates denied tenure by the Vice-Chancellor in their final year for application are not permitted to reapply. See section 3.6.

In cases where the faculty member has negotiated for a shorter probationary period, the final tenure application year is specified in the faculty member's initial letter of appointment/contract letter.

Candidates who apply for early tenure (i.e., in a year prior to the final year for application as stated in the faculty member's initial letter of employment) may reapply up to and including the final year to apply.

Although the faculty hired at mid-year may count all work accomplished since the date of hire, the tenure clock for them begins the following August, unless otherwise negotiated.

Individuals whose initial appointment is to the associate professor rank must apply for tenure by the fourth year of their probationary status to remain employed beyond the fifth year, except in those circumstances where the Vice-Chancellor has granted a temporary stopping of the tenure clock.

The Chancellor will submit reappointment, promotion and/or tenure recommendations to the President and Board of Governors and the Vice-Chancellor will notify all applicants of the Board's actions. Recommendations from each level of the review process will be shared with the applicant by the reviewer(s) at each level. The applicant may withdraw the application at any level of the process prior to the review by the Vice-Chancellor and the Chancellor.

Throughout the entire review process, confidentiality must be maintained. Members at every level of decision-making must assume personal responsibility to ensure that confidentiality is not violated.

4.4.1.2 Tenured Ranked Faculty

Due dates can be found in RPT work calendar posted on MSU-WP website.

4.4.1.2.1 Promotion for Tenured Faculty

This multi-step process begins with a reminder from the Office of Academic Affairs in August and concludes with the Board of Governors action the following May or June.

For promotion, the application must be made at the appropriate time as stated in the annual RPT Work Calendar and in accordance with procedures outlined in section 4.4.3. The application for promotion may be withdrawn from consideration at any stage of the process. The process of promotion review follows the steps as shown in Section 4.4.1.1.4. The requirements for promotion are located in Section 3.4. At each stage of the evaluation of promotion, a candidate will be given a copy of the evaluation and written rationale for the recommendation.

4.4.1.3 Evaluation of Non-Ranked Faculty

Due dates can be found in RPT and AFPR work calendars posted on MSU-WP website.

Lecturers and per-course/adjunct faculty (see Section 3.5 for definitions) are expected to attend annual workshops/trainings as conducted by the Office of Academic Affairs and will undergo the following evaluations:

a. At least one classroom observation by the appropriate Dean, Department Head, and/or tenured faculty member each year.

b. Student Evaluations for each course taught each semester.

c. An annual performance evaluation by their Department head or appropriate Dean or immediate supervisor and the appropriate Divisional Personnel Committee.

All involved in the performance evaluations should realize that lecturers do not have the same responsibilities and expectations as full-time ranked faculty members. However, all faculty are expected to 1) teach effectively; 2) be available to their students; and 3) to function within their department/division. More information concerning the responsibilities and expectations of non-ranked faculty may be found at the Office of Academic Affairs.

The Department Head or appropriate Dean or immediate faculty supervisor will write the final evaluation utilizing information from the DPC's evaluation and provide the Lecturer with a written copy. The purpose of the evaluation is to identify any areas where improvement can be made and provide constructive feedback. Should a lecturer apply for a full-time ranked faculty position, these evaluations shall become part of the candidate's file.

4.4.2 Faculty Evaluation Committee and Divisional Personnel Committees

The chair of the Faculty Evaluation Committee (FEC) shall work with the Deans and VCAA as needed to ensure the starting and completing of the RPT process each academic year in accordance with the established academic work calendar. At the end of each academic year the FEC committee should submit any recommended changes concerning the RPT process to the Faculty Senate.

Each year two Divisional Personnel Committees (DPC, formerly RPT) will be formed. These committees should be formed in May at the end of the academic year, but no later than August 15.

One DPC committee will serve the General Studies and Professional Programs Division and will consist of two members from the preceding year's DPC committee (serving as co-chairs) and two members elected from the rest of the tenured faculty within the division. One of the elected members should be from math/science and the other from humanities/English. Department heads are eligible to serve; however, tenured faculty members who are seeking promotion shall not serve on a DPC. Those elected will serve a two-year term. Additionally, the co-chairs shall select one tenured faculty member from outside the division to serve for a one-year term, bringing the total membership of the DPC to five members.

The other DPC committee will serve both the Allied Health/Nursing and Applied Science/Technology Divisions. It will consist of two members from the preceding year's DPC committee (serving as co-chairs) and two members elected from the rest of the tenured faculty within the divisions. One of the elected members should be from the Allied Health and Nursing Division and the other from the Applied Science and Technology Division. Department heads are eligible to serve; however, tenured faculty members who are seeking promotion shall not serve on a DPC. Those elected will serve a two-year term. Additionally, the co-chairs shall select one tenured faculty member from outside the division to serve for a one-year term, bringing the total membership of the DPC to five members.

Each candidate must create an application portfolio (see section 4.4.3.1) and make it available to the appropriate DPC at the appropriate time as listed in the RPT Work Calendar and in accordance with the evaluation procedures outlined in section 4.4.3. The co-chairs will then establish when the committee will review portfolios and meet for deliberations. The chair of the FEC will aid the co-chairs with any procedural questions that may arise.

Each DPC operates as an autonomous faculty body and therefore the Dean or immediate faculty supervisors shall not participate in personnel committee proceedings or make decisions regarding its composition or actions. Department Heads serving on a DPC should recuse themselves from any deliberations concerning faculty members in their department. Inappropriate actions by individuals on the committee should be addressed by the DPC co-chairs.

Each DPC will have access to a candidate's current vita as well as all prior personnel reviews generated by the appropriate dean or immediate faculty supervisor and previous DPC's. Additional materials supporting teaching, professional activity, and service may be requested by the DPC. The DPC shall make the original recommendations in all cases involving annual review of progress toward tenure and/or reappointment of probationary faculty (see section 4.4.1.1.3).

The co-chairs of each DPC are responsible for writing the personnel recommendations for the candidates based on the deliberations of the committee. These written recommendations must clearly indicate any area that needs improvement. All members of the DPC are required to sign the completed evaluation. If there is a split vote among the DPC, the minority may write a report, signed by each member of the minority, which will be forwarded to the appropriate Dean along with the majority decision.

In instances of disagreement between the DPC and the Dean, there shall be a good faith effort to resolve these differences. If a resolution is not possible, the Vice-Chancellor of Academic Affairs must offer in writing compelling reasons to all involved in the RPT process before advancing his or her recommendation to the Chancellor. The candidate may then forward a rebuttal to the Chancellor as well.

4.4.3 Application for Reappointment, Promotion and Tenure

Specific due dates can be found in RPT and AFPR work calendars posted on MSU-WP website.

This multi-step process begins with a reminder from the Office of Academic Affairs in August and concludes with the Board of Governors final action the following May or June.

The Vice-Chancellor of Academic Affairs shall present a copy of the evaluation procedure to new full-time faculty upon signing of their contracts for employment. Also, at the beginning of each academic year, the Vice-Chancellor of Academic Affairs shall disseminate faculty evaluation procedure guidelines and appropriate forms to all faculty members. A candidate initiates the application process by completing the appropriate form and submitting it to the Vice Chancellor of Academic Affairs by the first Wednesday of September. The form is then forwarded to the appropriate personnel committee for verification of eligibility.

4.4.3.1 Application Portfolio

Once eligibility has been verified, the applicant for reappointment, promotion and/or tenure shall submit by the first Wednesday in October to the chair of their DPC an application portfolio for consideration by the Divisional Personnel Committee, Dean or immediate faculty supervisor, the Vice Chancellor of Academic Affairs and the Chancellor. This application portfolio should contain material that substantiates quality performance concerning teaching, professional activity and University and community service.

Substantiating data should include: [Forms available through the Office of Academic Affairs]

- a. Signed and dated approved application for reappointment, promotion and/or tenure.
- b. Department and/or division evaluations, signed and dated, for the current and previous years to show growth in teaching, professional activities and service.
- c. Seated or virtual classroom evaluations, signed and dated, for the entire probationary period for those seeking reappointment or tenure and for the prior three years when promotion is sought.
- d. Prior years' DPC evaluations and recommendations and evidence of progress toward compliance with recommendations for those seeking reappointment and/or tenure.
- e. Evidence of participation in assessment processes for the entire probationary period for those seeking reappointment and/or tenure and for the prior three years when promotion is sought; e.g., annual assessment report.
- f. Any other peer or supervisory administrator evaluations for substantiation of growth in teaching, professional development and service.
- g. Signed and dated statements of goals and a self-evaluation, for the entire probationary period for those seeking reappointment or tenure and for the prior three years when promotion is sought.
- h. Student evaluations summaries for the entire probationary period for those seeking reappointment and/or tenure and for the prior three years when promotion is sought.
- i. Current curriculum vita (updated each year). Summarized documentation should be maintained in a professional portfolio to show activities previous to the past 12 months.
- j. Current course syllabi for a course taught in the past year and portions of other course syllabi, including assignments or other pertinent materials, which the applicant deems appropriate to their evaluation.
- k. Publications of the preceding 12 months (titles of older publications should be in the curriculum vita).
- l. Workshops conducted or attended in the preceding 12 months.
- m. Professional conferences conducted or attended in the preceding 12 months.
- n. University service responsibilities during preceding 12 months.
- o. Community service projects during the preceding 12 months.
- p. Other relevant data from the previous 12 months, such as informal thank you notes from students or peers, news articles concerning activities of the applicant, etc. may be included as the last section of the application portfolio.

Applicants should compile the substantiating data in a three-ring binder or in the campus approved on-line software application and the contents should be arranged in the order mentioned above. An index or table of contents must be included as the first page of the portfolio or in the online portfolio.

Completed RPT, DPC, Dean, Vice Chancellor of Academic Affairs and/or Chancellor evaluations, as required by the evaluation process, will be placed in the front of the application portfolio as each is completed.

4.4.4 Appeals of Evaluations or Recommendations

Informal reconsiderations of evaluations and recommendations may occur at all administrative levels.

4.4.4.1 Appeals of Performance Evaluations

If an academic employee believes that an unfair performance evaluation or inaccurate performance evaluation has been rendered, a written response to the evaluation may be submitted to Academic Affairs office with a request that it be placed in his/her personnel file with the performance evaluation. Academic employees who choose to formally appeal their performance evaluation must follow the appeal process. While the performance evaluation may be appealed, the resulting salary compensation formula may not be appealed.

- Step 1 – Academic employees desiring to appeal a performance evaluation must submit a written appeal to their direct supervisor within 10 work days of receiving the performance evaluation.
- Step 2 – The academic employee and supervisor will meet within 10 work days after receipt of the written appeal to discuss the academic employee's concerns. If the academic employee's concerns are not resolved and the academic employee desires to escalate the appeal, the academic employee must submit a written appeal to the next level of supervision within 10 work days following the academic employee's appeal meeting with his/her direct supervisor.
- Step 3 – The appeal process may continue to the cost center administrator (president, provost, vice-president, chancellor or chief financial officer), who's decision will be final.

The office of human resources also is available to advise or counsel academic employees.

Academic employees who believe that they have been discriminated against on the basis of race, color, religion, sex, national origin, ancestry, age, disability or veteran status with respect to rendering a job performance evaluation may consult the office for equity and diversity.

4.4.4.2 Appeal of Promotion, Tenure or Reappointment Recommendations

A formal appeal of a promotion, tenure or reappointment recommendation may be made through the grievance process outlined in section 13.0.

4.4.5 Report on Faculty Evaluation

Early in the fall semester of each academic year, the Vice Chancellor of Academic Affairs will present a report to the Faculty Senate regarding the outcome of faculty evaluations for the preceding year. In particular, all cases where positive or negative recommendations for reappointment, promotion or tenure that were unanimous through all levels up to the Vice Chancellor of Academic Affairs, but were reversed at that level or above, will be enumerated. Causes for each reversal will be stated without identifying by name the individuals involved. In addition, the Vice Chancellor of Academic Affairs will present a general accounting of the outcomes of original Divisional Personnel Committees and deans' recommendations for reappointment, promotion and tenure for the preceding year.

5.0 Salary Policies and Procedures

5.1 Salary Policy and Goals

Missouri State University does not have a formal salary schedule for faculty and other academic employees. The initial salary of a new faculty member is normally determined after consideration of the salaries being paid to currently employed faculty members in the same rank with similar training and experience and who are in the same department, teaching area, or other appropriate academic unit. While it is the ideal of Missouri State University to attain throughout the University essential parity in salaries among faculty members with comparable backgrounds and responsibilities, it is the practice at Missouri State University to offer higher salaries and/or other financial incentives to faculty members in some teaching areas where experience has shown that there is difficulty in recruiting and retaining qualified faculty because of higher competitive market salaries.

Improvement of faculty salaries shall receive high priority each year in budget construction. The University will attempt to budget as an annual priority a salary raise pool for faculty and staff of sufficient magnitude that the institution will be able eventually to achieve and sustain its salary goals. The size of this raise pool depends primarily on the amount of funds appropriated by the legislature and the amount of funds generated by required student fees. Missouri State University-West Plain's goal is that the salary for Missouri State University-West Plains full-time, ranked faculty, with the exception of the allied health division, will equal or exceed 90 percent of the averages published in the CUPA 'C' National Faculty Salary Survey for full-time, ranked faculty positions at two-year institutions with academic ranks. For the allied health division the goal is that the salary will equal or exceed 90 percent of the averages published in the Bureau of Labor Statistics (BLS).

5.2 Salary Procedures

Full-time faculty (including non-visiting faculty) and staff will be eligible for salary increments derived from the above pool, allocated by the cost center head on the basis of individual performance and considerations of internal and external equity. Performance-based salary adjustments shall be based on annual reviews as described in Section 4.4. However, this component of salary increases will be suspended when the size of the raise pool is not greater than 2% of the salary base. When the pool is at or below 2%, across-the-board raises will be given. Policy and procedural details for across-the-board raises will be based on recommendations from the Executive Budget Committee to the president and will be posted by the office of the provost.

Procedures for required performance evaluations as one basis for the determination of salary increments shall be conducted at the division level by a Division Personnel Committee. See section 4.4.4. Each faculty member will be assigned performance ratings on a numerical scale from 1-5 for teaching, professional activity, and service. A composite rating will then be established for each faculty member by the dean utilizing performance ratings and weights that have been determined by division procedures consistent with parameters established by the campus for teaching, professional activity, and service. Composite ratings will be reviewed and approved by the Vice Chancellor of Academic Affairs.

Each cost center shall use a compensation matrix approved by the chancellor to guide its allocation of individual raises. All compensation matrices shall be subject to the advice and monitoring by the Vice Chancellor of Academic Affairs, who shall seek recommendations from the Faculty Senate Executive Committee regarding its composition. After seeking formal input from the Faculty Senate, the Vice Chancellor of Academic Affairs shall make

periodic recommendations to the chancellor for necessary adjustments to the compensation plan.

5.3 Performance Evaluation Appeals Process

See section 4.4.4

5.4 Completion of a Doctorate

The annual salary is increased by a University-wide standard amount for an individual who completes a doctorate in his or her discipline from a regionally accredited institution after his or her initial appointment. That adjustment is made in the salary for the next academic year following the date of the completion of the doctorate.

5.5 Rank Change

An individual promoted to a higher academic rank receives an increment appropriate to the new rank. The amount of this increase is determined by multiplying a base percentage (which is different for each rank) times the average faculty salary in the previous fiscal year. Any change in the base percentages will be reported to the Faculty Senate.

5.6 Equity Adjustment

A faculty member may file with his or her department head/dean a request for a salary adjustment if that faculty member believes that his or her salary is inconsistent with the salaries of other individuals of similar training, experience, and job performance. An adjustment may also be requested by an individual who believes that his or her salary is significantly below the market in an area of high demand where experience has shown that there is difficulty in recruiting and retaining qualified faculty. Requests for equity adjustment must be filed according to the schedule issued by the office of academic affairs in the Master Calendar.

5.7 Overload Compensation

Faculty members who teach an overload as designated in Sec. 4.3.2.1 will receive pay in addition to their regular annual salaries as determined by the Board of Governors. Compensation will be based on a rate of at least two and one-half percent of base salary per credit hour/teaching load equivalent for classes with 15 or more students. For courses that do not meet the minimum enrollment guidelines, compensation will be calculated at a base rate of \$95 per credit hour/teaching load equivalent per student, unless otherwise negotiated with the Vice Chancellor of Academic Affairs. However, the compensation for courses with less than the minimum enrollment will not exceed two and one-half percent of the faculty member's base salary per credit hour/teaching load equivalent.

The Faculty Senate and the Vice Chancellor of Academic Affairs should annually assess if the base rate and/or minimum enrollment guidelines for the upcoming academic year should change.

5.7.1 Summer Session Compensation

Full-time faculty members who teach during the summer will be compensated based on a rate of at least two and one-half percent of base salary per credit hour/teaching load equivalent for classes with 15 or more students. For courses that do not meet the minimum

enrollment guidelines, compensation will be calculated at a base rate of \$95 per credit hour/teaching load equivalent per student, unless otherwise negotiated with the Vice Chancellor of Academic Affairs. However, the compensation for courses with less than the minimum enrollment will not exceed two and one-half percent of the faculty member's base salary per credit hour/teaching load equivalent.

While there is no specific date by which summer appointments will be confirmed, it will be at the earliest possible date. Faculty members are placed on the summer session payroll and will receive half of their summer salary at the end of June and the other half at the end of July. If circumstances require that an appointment to teach during the summer is made after the last week in May, the entire compensation will be included in the July paycheck.

5.8 Intersessions

Missouri State University-West Plains offers courses during three intersession periods (January, May, and August) and faculty members are encouraged to develop proposals for these courses. The course proposals are approved and reviewed by the department head/dean and the dean. Instructional salary for intersessions is based on a scale of at least two and one-half percent of base salary per teaching load equivalent. For intersession courses that do not meet the minimum enrollment guidelines, the administrator and faculty member may negotiate for a salary rate that is less than two and one-half percent of base salary per teaching load equivalent.

5.9 Off-Campus Instruction

Faculty members may be asked to teach courses at off-campus locations as part of regular teaching loads. Expenses of meals and travel, when recognized as excludible by the Internal Revenue Service, will be reimbursed to individuals assigned, and en route compensation will be paid at currently approved rates, which are based on distance and/or driving time from Missouri State University-West Plains. For specific details, see the University Travel Policy document. Assignments may be made on an overload basis for supplemental compensation.

5.10 Salary Report

In the fall of the year, the Vice Chancellor of Academic Affairs will present a report to the Faculty Senate in which implementation of salary policies for that year is detailed. In particular, the progress toward attaining University salary goals will be addressed.

6.0 Fringe Benefits

6.1 Statutory

6.1.1 Workers' Compensation

The University provides workers' compensation coverage for employees in accordance with the laws of the State of Missouri. For details concerning coverage and benefits, contact the Office of Human Resources or Central Accident Reporting Office (CARO). Employees are required to report any job-related illnesses or injuries to their supervisor immediately and fill out an accident-injury report as soon as is feasible after an accident or injury occurs. Reference this website for additional information: [Workers' Compensation - Human Resources - Missouri State](#)

6.1.2 Unemployment Compensation

The University provides unemployment insurance coverage for employees in accordance with the laws of the State of Missouri. For specific details concerning coverage and benefits, contact the Office of Human Resources or the local office of the Missouri Division of Employment Security.

6.1.3 Social Security

All employees are required to participate in the Federal Social Security Program. Employee contributions are made by payroll deduction, with the university contributing an equal portion.

6.1.4 Legal Defense of Faculty Members

Pursuant to and in conjunction with the State Legal Expense Fund, Section 105.711, R.S.Mo., et seq., it is the policy of the University to provide legal defense of any claim covered by Sections 105.711 to 105.726, regarding conduct of any officer or employee of the University arising out of and performed in connection with his or her official duties on behalf of the University. When questions arise as to whether or not the conduct in question would be covered by Sections 105.711 to 105.726, the University may consult and obtain the advice of the Attorney General of the State of Missouri. The University may also proceed with a defense under a reservation of rights, under which the officer or employee may subsequently become liable and responsible for the expense of such defense upon a finding that the conduct was not or would not have been covered by Sections 105.711 to 105.726.

6.2 University Sponsored Fringe Benefits

The following benefits are provided to full-time members of the ranked faculty. Unranked faculty members appointed for a full academic year are also covered by benefits described in this section. Benefits are not available to unranked faculty members appointed for less than a full academic year (i.e., one-semester appointments). In addition, the University provides access to a number of voluntary benefits programs such as the Missouri Cafeteria plan. Some benefits may be extended to spouses, sponsored dependents and dependents. The descriptive statement provided for each benefit is a summary statement. Details of coverage and benefits may be obtained from the office of human resources of the University. The University reserves the right in compliance with law to change carriers and benefit plan provisions during an academic year, provided all available coverage is maintained.

Some benefits may be applied to dependents (in some cases requiring that the faculty member pay the monthly premium through payroll deductions). For the purpose of benefits:

1. An eligible dependent shall be defined as provided in Section 152 of the United States Internal Revenue Code. In addition, a child(ren) of divorced or separated parents is treated as a dependent of both parents where (1) the parents are divorced, legally separated or separated under a written separation agreement; (2) the child(ren) receives over half of his/her support from his/her parents; and (3) the child(ren) is in the legal custody of one or both parents for more than half the calendar year.
2. A sponsored dependent is defined as a person who meets all of the following criteria: (1) be at least 18 years old and mentally competent to consent to contracts; (2) have shared the same permanent residence and the common necessities of life with the employee for at least the previous 12 months; (3) not be legally married to anyone else in any state; (4) not be related by blood or a degree of closeness to the employee that would prohibit legal marriage in the State of Missouri; (5) have a single dedicated relationship with the employee of at least 12 months; (6) and not be a renter, boarder or tenant of the employee.

6.2.1 Employee Group Insurance Plan

The University provides for the faculty member medical, dental and life insurance and long-term disability coverage, with the premiums paid by the University. Optional supplemental life and dependent coverage is available at the covered faculty member's option and expense. See the summary plan description or contact the University's office of human resources.

6.2.2 Cafeteria Plan

The University participates in the Missouri State Employees' Cafeteria Plan which allows full-time regular employees to contribute to certain benefit plans on a before-tax basis. The plan allows employee contributions for optional insurance coverage and flexible spending accounts for reimbursable health care expenses and child/ dependent care expenses to be taken from each paycheck before taxes are calculated. Information regarding the Cafeteria Plan is available in the office of human resources. Refer also to <http://www.mocafe.com>.

6.2.3 Pension

The terms of retirement plans are established by Missouri statute. All new faculty on full-time, regular appointment, hired on or after July 1, 2002, who have never been enrolled in the Missouri State Employee's Retirement System (MOSERS) will be enrolled in the College and University Retirement Plan (CURP). All faculty on full-time, regular appointment hired prior to July 1, 2002, are members of MOSERS. CURP is a non-contributory 401(a) defined contribution retirement plan which uses TIAA-CREF as its third party administrator. CURP offers interstate portability, immediate vesting and no minimum service requirement. Contributions made by the University are self-directed by participants into their selected individual accounts. After participating in CURP for six years, a faculty member may elect to become a member of MOSERS. Faculty members hired prior to July 1, 2002 are members of MOSERS.

6.2.4 Annuities

Faculty are eligible to participate in supplemental tax-sheltered investment programs through the payroll deduction method as authorized under Section 403(b) and Section 457(b) of the Internal Revenue Code. These investment plans allow employees to save for retirement either on a tax-deferred basis or after-tax (Roth). Employees may participate in both a 403(b) program and the State of Missouri Deferred Compensation Plan (457(b) Plan). See the Office of Human Resources website for more information.

6.2.5 Educational Benefits

6.2.5.1 Credit Course Fees

Faculty members may enroll for up to 15 credit hours in an academic year (12 month period beginning with fall semester) and have their required tuition and student fees paid by the University. Faculty members must pay the required tuition and student fees for all courses over 15 credit hours per academic year. This benefit is not applicable to out-of-state fees, non-credit courses, book costs, or any special fee pertaining to a specific class or private instruction.

Eligible faculty members may assign part or all the 15-credit-hour benefit to a spouse, sponsored dependent, or dependent. The assignee must file an application for admission or readmission with the Office of Admissions and Records and meet all admissions and academic requirements stipulated in the University Course Catalogs.

The University will comply with Internal Revenue Code regulations regarding reporting benefits that are taxable income. To determine tax liability about this benefit, consult a tax advisor.

Credit course fee waiver requests are now automated and can be accessed by employees through the Fee Waiver Benefits Card on the [My Missouri State](#) portal. The Office of Human Resources will check the request for eligibility, approve appropriate requests, and arrange payment when registration for classes has been completed. The employee must request educational benefits prior to fee payment; cash refunds will not be made.

6.2.5.2 Noncredit Course Fees

Full-time regular employees may receive assistance to help pay course fees to enroll in noncredit courses offered by Missouri State University for the purpose of professional and personal development. The university will pay \$150 per employee, per fiscal year (July 1 through June 30) for the enrollment in noncredit courses sponsored by the university.

Employees can register, purchase training opportunities, view order history, and check their balance through the online system, [My Learning Connection](#). Each training unit is valued as \$1 in the payment process.

The Noncredit Course Fee Waiver can be used for course fees only and will not be applicable to memberships, book fees, lab fees or other special fees in addition to the course fees. Employees may elect to use their Noncredit Course Fee Waiver to cover the cost of the class and defer any remaining cost for the class to their university account. The Noncredit Course Fee Waiver is for the employee only. It does not extend to members of the family. The university will

comply with Internal Revenue Code regulations in regard to reporting benefits that are taxable income.

University departments and/or educational units sponsoring professional and personal development courses may receive Noncredit Course Fee Waiver assistance from attending employees if their course has been approved in advance and the employee's registration is through My Learning Connection.

6.2.6 University Facilities and Services

Faculty members have access to the following facilities and activities at no charge or at reduced rates in accordance with policies prescribing access to each service or facility: Grizzly athletic competitions, Drago College Store, campus publications, Putnam student center, West Plains Civic Center swimming pool and fitness center (during Missouri State University days), Southwest Teachers Credit Union.

Further information regarding these services may be obtained in the business office.

6.2.7 Notary Public

Notary services are provided free of charge. Contact the office of student services (417) 255-7225.

7.0 Faculty Development

7.1 Professional Development Funding

The University provides annual funding to support faculty development. If faculty members anticipate professional development costs exceeding the allotted amount, they may apply for additional funding. Faculty members who do not anticipate using all their professional development funds may contact their academic dean and vice chancellor to reallocate excess funds to other faculty members.

7.2 Developmental Leaves

7.2.1 Sabbatical Leave for Faculty

Only ranked faculty members (including ranked faculty members who are serving in administrative positions) are eligible for sabbatical leave. Eligibility is established by completing twelve semesters of service to Missouri State University (summer teaching excepted). A faculty member granted a sabbatical leave will be entitled to University support amounting to full pay for a half-year's leave and no less than one-half and no more than three-quarters pay for a full-year's leave, depending upon the external financial support available to the faculty member. Faculty members on sabbatical leave will receive their salaries in twelve monthly payments. They will participate in the retirement program and will have their fringe benefits paid by the University. Funds provided for travel, housing, and other living expenses are not considered to be "Salary".

A sabbatical leave is not an automatic right; applications must be submitted according to the deadline specified in the academic work calendar prior to the academic year for which the leave is requested. Applications will be submitted to the dean for recommendation to the Vice Chancellor of Academic Affairs. All applicants must be notified of the final decision regarding their applications by the end of the first complete week of February. Only one proposal from a faculty member is to be considered during a single academic year.

The project for which leave is requested must be beneficial both to the faculty member and to the University. The sabbatical leave will provide an opportunity primarily for research and study in the faculty member's academic discipline and may include travel related to the research and study. Proposals to obtain an advanced degree will not be approved.

Faculty members are obligated to return to Missouri State University-West Plains for at least one year following the sabbatical. Following the sabbatical leave, the faculty member will submit to the Vice Chancellor of Academic Affairs and to the dean a report of research and study conducted while on leave. Any faculty member who has completed a sabbatical leave and who has failed to submit the report is ineligible to apply for a subsequent sabbatical leave until such report has been filed.

In computing years of service that will apply toward eligibility for promotion, time spent on sabbatical leave will be counted. A faculty member who has taken a sabbatical leave is not eligible for another paid leave until the completion of 12 semesters of service to Missouri State University-West Plains subsequent to the paid leave.

7.2.2 Educational Leaves

Leaves for ranked faculty members wishing to return to graduate school to complete an advanced degree are subject to recommendation by the chancellor and approval by the Board of Governors. Educational leaves will be allowed under the following guidelines:

1. Educational leaves are a privilege and not an automatic right. Salary funds must be available before educational leaves will be granted.
2. The faculty member must demonstrate clear intent to complete all course work for the academic degree during the period of the leave.
3. The faculty member will return to Missouri State University-West Plains for at least one year following the termination of the leave.
4. The time accrued for a sabbatical leave will be forfeited upon the acceptance of an educational leave, and the twelve-semester period to be accrued for sabbatical leave will start with the beginning of the semester following the faculty member's return to Missouri State University-West Plains, excluding summers.

Applications for educational leaves will be submitted according to the deadline specified in the academic work calendar, prior to the academic year for which the leave is requested. Applications will be submitted to the Vice Chancellor of Academic Affairs.

Faculty members who are on educational leave will receive their salaries (full pay for a half-year's leave or half pay for a full-year's leave) at the same rate as would have been compensated if the faculty member were teaching. Salary will be paid in twelve monthly payments, and faculty members on educational leave will participate in the retirement program and have their fringe benefits paid by the University.

In computing years of service that will apply toward eligibility for promotion and tenure, time spent on educational leave will not be counted.

7.2.3 Special Leave for Faculty

Any full-time faculty member who in the opinion of the Vice Chancellor of Academic Affairs deserves a leave for a specific purpose not listed in other portions of the Faculty Handbook may be granted such a leave with or without pay. Final approval must be granted by the Board of Governors.

Following the special leave, the faculty member is obligated to return to Missouri State University-West Plains for at least one year. Within 30 days after the leave period, the faculty member will submit to the Vice Chancellor of Academic Affairs a report of activities conducted while on leave.

In computing years of service that will apply toward eligibility for promotion, time spent on special leave will be counted.

7.3 Faculty Development Resources

Missouri State University-West Plains supports effective teaching, professional activity, and service through faculty development resources provided by the university. These resources are designed to give opportunities for continued professional development.

7.3.1 Faculty Center for Teaching and Learning (FCTL – located at MSU-Springfield)

The Faculty Center for Teaching and Learning (FCTL) offers programs and resources for faculty, instructors, per course faculty, teaching assistants, and academic units. The FCTL supports the instructional community by offering a variety of teaching and learning opportunities such as workshops, seminars, individual consultations, and peer reviews. The FCTL Advisory Council supports the implementation of the center's mission and goals and also serves as liaisons between the instructional community and the FCTL. Services and resources provided include instructional design, resources on effective teaching through technology, best practices for teaching and learning, and support for the enhancement of teaching and learning at MSU.

The FCTL provides funding opportunities through Curriculum Innovation awards which lead to improvements in the quality of instruction and new or innovative teaching and learning practices. A call for proposals is held each academic year. Information on this and other awards can be found on the FCTL's website.

A Showcase on Teaching and Learning is sponsored by the FCTL at the beginning of each academic year and provides a forum for faculty to present their research and findings on effective teaching and learning. A highlight of this event has been hosting a distinguished faculty or nationally recognized educator/researcher to present a keynote address before the MSU instructional community.

Additional information is available at the FCTL's website:

<https://www.missouristate.edu/fctl/>.

Faculty are also encouraged to contact the FCTL for individualized consultations and other opportunities.

7.3.2 Citizenship and Service-Learning

The Office of Citizenship and Service-Learning (CASL) provides programs designed to help faculty develop strategies for making service-learning a useful pedagogical tool in developing educated persons. Two specific programs are the Service-Learning Faculty Fellowship and the CASL Research Stipend.

The Service-Learning Faculty Fellowship is a professional development program that is designed to benefit those faculty who wish to explore service-learning as a pedagogical tool in an intensive, in-depth manner, with the intent of implementing it into a specific course. This program trains and supports faculty who wish to enhance citizenship skills and demeanors in their students through their instruction by designing or modifying courses that integrate service-learning into learning outcomes. The CASL Research Stipend supports faculty work that advances the knowledge of service learning or is of direct service to the community. Applications for both programs are available at the CASL web site. <https://www.missouristate.edu/casl/>

7.4 Extramural Support for Research and Development

Faculty members must coordinate, after first seeking approval from their dean and the Vice Chancellor of Academic Affairs, through the office of sponsored research on the Springfield campus all requests for outside financial assistance for University research and instructional activities. The office of sponsored research will disseminate current information on government and foundation financial support, seek potential sponsors for projects, assist

faculty in the preparation of proposals, assure that the proposals are processed through the institutional review system prior to submission, and maintain adequate time-effort records. Requests for assistance must be submitted on the appropriate forms which are available from the office of sponsored research.

Approval by the University is not required for a fellowship which is totally funded outside the University, although all fellowship applications must be filed with the office of sponsored research. Faculty members receiving such fellowships must make appropriate arrangements with the administration if fellowship obligations require release from normal faculty duties.

7.5 Faculty International Teaching Opportunities

7.5.1 China Program

Ranked faculty members may apply for teaching opportunities on the Missouri State University Branch campus located on the campus of Liaoning Normal University in Dalian, China. Application and approval must be made through the department head/dean and the Vice Chancellor of Academic Affairs.

7.5.2 International Travel Support

Faculty members making presentations at respected events in international venues are eligible to make application to the Vice Chancellor of Academic Affairs. Applicants are expected to demonstrate additional resources have been pledged in their support including departmental, college-level, and personal contributions. Additional information can be obtained from the office of academic affairs.

7.6 University Funds for Faculty Development

7.6.1 Enrollment in Coursework at Missouri State University

Full-time members of the Missouri State University-West Plains faculty may enroll free of tuition and student fees for up to fifteen (15) credit hours in Missouri State University classes in an academic year (fall, spring, summer, intersessions). See section 6.2.5.1 for further information.

7.6.2 Educational Assistance

Full time faculty members (including ranked faculty members serving administrative positions) at the West Plains campus are eligible for educational assistance of up to and including the maximum stipulated amount of their annual individual development fund monies per fiscal year as funds are available. This educational assistance is for tuition only for graduate coursework in the faculty member's academic discipline which is not available through any Missouri State University program.

Faculty intending to use their development funds for this purpose should notify both their dean and the Vice Chancellor of Academic Affairs during the semester prior to the one(s) they wish to enroll for graduate coursework. Notification is to include the name of the institution(s) and the specific courses for which one intends to enroll. The dean and the academic dean shall each respond in writing indicating acceptance or non-acceptance of the proposal and approval or non-approval to register for coursework. The faculty member then enrolls, paying tuition. Upon receipt of an official transcript by the Vice Chancellor of Academic Affairs indicating the grade(s) earned as proof of successful completion of the coursework, the faculty member shall also present

evidence of tuition payment for that coursework. No funds will be made available for unsuccessful ('C'-or lower grade) or incomplete coursework. Faculty development monies will be paid to the faculty member up to and including the stipulated maximum.

7.6.3 Professional Activity (Scholarship, Research, and Creative Activity) Time

Upon the recommendation of the dean, the Vice Chancellor of Academic Affairs may authorize reassigned time in order to provide time for professional activity. A faculty member taking advantage of this opportunity will be required to report to the Vice Chancellor of Academic Affairs, when requested, concerning his or her research.

In planning academic assignments, the dean will provide blocks of time for professional activity by individual faculty members who request it.

Faculty who have the rank of Full Professor and who have an annual teaching load of 30 credit-hours may apply for a reduction of six credit hours per academic year to develop, conduct, complete, and communicate an approved research project or professional activity.

The application will be made to the Vice Chancellor of Academic Affairs, at the earliest, during the spring semester prior to the faculty member's first fall semester as a Full Professor. However, the faculty member may, as long as he/she remains in good standing as a Full Professor, apply in any spring semester after his or her initial year as a Full Professor with the project commencing August 1 of that year. If approved, the application is sent to the chancellor for approval; budgetary constraints may contribute to an application being denied.

The research project or creative activity must be proposed to and approved by a three-person faculty review committee appointed by the faculty member's Divisional Personnel Committee. Approval by the University's Institutional Review Board may also be required. If approved by the review committee and the IRB (if needed) the project or activity proposal is sent to the Vice Chancellor of Academic Affairs for final approval.

Criteria for what will constitute an "approvable" research project or creative activity will be developed by the Faculty Senate in association with the Vice Chancellor of Academic Affairs. The project or activity must be completed no later than July 31 of the project's third year, and must result by that same date in a juried article published in a national (U.S.) academic journal, a non-self-published book, or some other substantial work juried by peers within the appropriate academic discipline. If such results are not present after the three-year-period, then the faculty member will return to the standard teaching load of 30 credit hours per fall/spring semester.

If successful, the Full Professor may apply for subsequent projects or activities and thus continue receiving the six credit hour reduction, or he/she may return to a teaching load of 30 credit hours per academic year.

No reduction of teaching load from the approval of a research project or creative activity will result in a reduction of compensation.

7.6.4 Travel

The campus recognizes the importance of original research being conducted by faculty members, and the participation of faculty members in learned and professional society activities. As money is available, travel funds will be provided to support the

participation of each full-time ranked faculty member in one professional meeting per year in order to present a paper reporting on his or her original research. The faculty member will be reimbursed for the most reasonable and economical transportation costs available as well as reasonable lodging, food costs and registration fees as per the University travel policy. The number of days for which food and lodging will be allowed may be limited to less than the full period of the convention.

Further, the Administration, when possible, will provide funds to pay the transportation costs to one professional meeting per year for remaining full-time ranked faculty members who are not reporting on their original research. Reimbursement will be provided for the most reasonable and economical transportation available.

Travel assistance to state conventions will be provided, as funds allow, under the following policies:

A formal request for expenses must be made in advance to the dean and must be approved by both the dean and Vice Chancellor of Academic Affairs. A report of professional activities at the meeting will be submitted to the Vice Chancellor of Academic Affairs upon request following the meeting, including a copy of the paper presented. Faculty and staff members traveling at Missouri State University expense must submit receipts for commercial transportation, lodging and food expenditures as well as registration fees in order to receive reimbursement.

For further information refer to the University Travel Policy at <https://www.missouristate.edu/financialservices/travelregulations.htm>

If a faculty member travels on University business, all travel expenses which meet travel guidelines will be paid by the University.

7.6.5 Professional Organization Dues

Full time faculty may request the payment of dues for one (1) professional organization, directly related to the faculty member's duties, per fiscal year. As funds are available, this payment will be made from the faculty member's individual annual development fund monies. Payment will be processed through the office of academic affairs.

8.0 Leave Benefits

8.1 Leaves

The following leaves are available to faculty. Additional information on sabbatical leaves, professional leaves, educational leaves and special leaves may be found in Section 7.

8.2 Short-Term and Extended Sick Leave

Normally, absences due to short-term illnesses are handled informally within the academic departments. Requests for extended sick leave for full-time faculty members (leave extending for more than six weeks for one disability) may be authorized by the chancellor after receiving recommendations from the appropriate dean and Vice Chancellor of Academic Affairs. For extended sick leaves, the faculty member must provide a physician's statement containing the approximate length of time that the employee, on medical advice, cannot or should not perform the typical duties of his or her job. Sick leave due to pregnancy or childbirth is treated as any other short-term or extended sick leave. In these cases colleagues who perform

required professional duties for a faculty member on an extended sick leave may be reimbursed on an overload basis or per-course instructors may be retained for the period of the leave.

8.3 Civil Duty Leave

Any full-time faculty member who is validly subpoenaed or summoned to involuntarily appear or serve as a juror in a judicial form or compelled to appear before a judicial legislative or administrative body with civil power to compel attendance during regularly scheduled work hours shall be entitled to receive leave with pay for a period of time necessary for such appearance. Any compensation received for the appearance, other than travel and meal allowances, shall be reported to the University and deducted from any salary paid by the University for such civil leave. Civil leave shall not be granted for appearances as an expert witness for a party to litigation. The faculty member must notify his/her Department Chair and Dean in writing in advance of the leave.

8.4 Bereavement Leave

A full-time or part-time faculty member may be given time off, not to exceed five business days, without loss of pay to make arrangements for or to attend the funeral of a family member or loved one.

8.5 Military Leave

Faculty members are entitled to military leave and return rights as provided by applicable federal and state law. A faculty member under contract to the University must provide to the office of human resources a copy of official military orders containing certification of the faculty member's commanding officer of performance of duty in accordance with the terms of such order, prior to receiving University salary for the period of the military leave (refer to Section 105.270 RSMo). Reservists or members of the National Guard who are called to active duty have rehire and other benefits as prescribed by federal law in Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA).

Additional information on the military leave policy, especially where the leave in question exceeds a total of 15 calendar days in any federal fiscal year, may be obtained from the office of human resources.

8.6 Voting Leave

Faculty members are ordinarily able to vote before or after work. However, if a full-time or part-time faculty member's work schedule is such that he or she does not have three consecutive hours of unscheduled time during an election day, he or she will be excused from duties at the University for a period of time for voting, not to exceed three successive hours, including off-duty time, between the opening and closing of the polls on the day of election.

8.7 Leave of Absence

A leave of absence might be taken for personal reasons or for purposes of accepting a visiting Professorship, for research, for study or for other kinds of work performed with or without compensation. Normally, this type of leave shall not be granted to any employee who has accepted a tenured position elsewhere.

A full-time member of the ranked faculty desiring a leave without pay should make application early to the dean, usually by April 1 preceding the beginning of the academic year in which the leave is to be taken. No leave applications will be considered without the recommendation of the dean. If the dean approves of the leave, he or she will prepare a written memorandum and forward it, along with the faculty member's request, to the Vice Chancellor of Academic Affairs. Before making a recommendation, a dean will consider:

- a. Has the individual contributed to the division and the campus in such a positive way that the department wishes to encourage his or her return as a faculty member?
- b. Is it possible to obtain an effective teaching replacement for the period of the leave?

Faculty members on leave without pay will not have fringe benefits paid for them by the University while they are on such leave. They may maintain their insurance coverage for a period up to a maximum of one year with personal contributions if they wish. If a faculty member desires to maintain coverage during a leave of absence without pay arrangements must be made with the director of personnel sixty days prior to the leave and premiums must be paid one month in advance of the month of insurance coverage.

A faculty member who is on leave without pay for less than a full academic year will receive salary payments only during the semester in which he or she is teaching.

When a faculty member returns from an unpaid leave, his or her salary will be adjusted to include across-the-board increments which have been given during the time of the leave.

Faculty members are not covered under retirement system benefits for the period of leave without pay and do not receive creditable service for that period.

8.8 Family and Medical Leave

In compliance with the Family and Medical Leave Act (FMLA) of 1993, full-time faculty members of the University shall be entitled to a total of 12 work weeks of unpaid leave during any 12-month period if requested by a faculty member for one or more of the following reasons:

- a. Birth of a faculty member's child or to care for such child;
- b. Placement of a child with the faculty member for adoption or foster care;
- c. Care of a spouse, child or parent who has a serious health condition;
- d. The faculty member's own serious health condition.

The University has the legal authority to consider an employee's absence as family and medical leave when it has sufficient evidence that the absence is due to an FMLA qualifying reason even if the employee has not applied for family and medical leave.

The following provisions shall apply to "family leave":

8.8.1 Leave for Birth or Adoption of a Child

Entitlement of family leave expires 12 months after the birth or adoption of a child. Leave for birth or adoption shall be limited to one consecutive leave period. The University may move a faculty member on intermittent or reduced time leave to an alternate position that can accommodate such scheduling.

8.8.2 Leave for Serious Health Condition

Serious health condition is defined as a health condition that involves in-patient care in a hospice, hospital or residential care facility or continuing treatment by a health care provider. Leave for serious health conditions may be intermittent or on a reduced time basis if such schedule is needed for medical reasons.

8.8.3 Request for Family Leave

A faculty member requesting family leave under this leave provision should complete a standard Request for Leave form or letter and submit it to his/her department head/dean. When leave is foreseeable, an employee must give the campus 30 days' advance notice. In addition, when foreseeable leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the campus' operations. If it is not possible to provide 30 days' notice, as much notice as is practicable must be provided. The dean will forward the request to the office of human resources. Upon receipt of the request, the office of human resources will provide the faculty member with the Family and Medical Leave Provisions and a leave questionnaire for him or her to complete.

8.8.4 Medical Care Certification

The University may require certification from a health care provider concerning the serious health condition of the faculty member or family member. The office of human resources will inform the faculty member of the procedure for any required certification from a health care provider.

8.8.5 Status During Family Leave

During leave, the faculty member is required to report periodically on his/her status and intent to return to work. The University shall continue health care coverage of the faculty member during family leave on the same basis as if the individual had been actively at work. The University shall return the faculty member to the same or an equivalent position and employment benefits upon return from approved family leave.

9.0 Professional Issues

9.1 Prohibition of Discrimination and Harassment Policy

The University recognizes the human dignity of each member of the Missouri State University community and believes that each member has a responsibility to promote respect and dignity for others so that all employees and students are free to pursue their goals in an open environment, able to participate in the free exchange of ideas and able to share equally in the benefits of the University's employment and educational opportunities. To achieve this end, the University believes it should foster a learning, working and living environment free from discrimination and harassment on any basis not related to the applicable educational requirements for students or the applicable job requirements for employees.

It is policy of Missouri State University to maintain the campus as a place of work and study for faculty, staff and students free from discrimination and harassment in violation of the University's policies and in accordance with federal and state law and the Missouri State University Nondiscrimination Policy Statement. Discrimination or harassment against any member of the University community will not be tolerated at Missouri State University.

The University will respond to instances of discrimination or harassment, and members of the University community who engage in such acts or behavior are subject to disciplinary sanctions up to and including dismissal from the University (with respect to students) or termination of employment with respect to faculty and/or staff).

9.2 Sexual Harassment

Consistent with the G1.05 Non-Discrimination Policy Statement, the University prohibits all forms of sex discrimination, including sexual harassment and sexual assault.

Sexual harassment is a form of sex discrimination that is prohibited by both Title VII of the Civil Rights Act of 1964 ("Title VII") and Title IX of the Education Amendments of 1972 ("Title IX"). Although sexual harassment is defined in slightly different ways under Title VII and Title IX, it generally refers to unwelcome conduct of a sexual nature toward another person or an identifiable group of people. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment may occur where such circumstances occur between supervisor and subordinate, employees, students and employees and non-University persons and employees. It may occur between members of the opposite sex or of the same sex.

The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material. Sexual advances, requests for sexual favors and other speech or conduct of a sexual nature constitute sexual harassment when: (1) such advances or requests are made under circumstances implying that one's response might affect academic or personnel decisions that are subject to the influence of the person making the proposal or (2) such speech or conduct is directed against another and is either abusive or severely humiliating or persists despite the objection of the person targeted by the speech or (3) such speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work

opportunity of students, colleagues or co-workers. If sexual harassment takes place in the teaching context, it must also be persistent, pervasive and not germane to the subject matter.

Sexual harassment in any situation is reprehensible; it is particularly damaging when it exploits the educational dependence and trust between students and faculty. When the authority and power inherent in faculty relationships to students, whether overtly, implicitly or through misinterpretation, is abused in this way, there is potentially great damage to individual students, to persons subject to complaint and to the educational climate of the institution. While a particular interaction must be offensive and un-consented to be defined as harassment, authority should be sensitive to the questions about mutuality of consent that may be raised and to the conflicts of interest that are inherent in personal relationships where professional and educational relationships are also involved. (Refer also to Section 9.4.)

The university has established a Title IX Office that is responsible for processing all complaints of discrimination or harassment on the basis of sex, including complaints arising from Title IX, as well as complaints arising under Title VII. Allegations of sexual harassment against faculty members that meet the definition and jurisdictional requirements of Title IX and its implementing regulations are required by federal law to be addressed as set forth in Op1.02-11 Title IX Sexual Harassment Grievance Procedure Policy, rather than through the disciplinary procedure outlined in Section 14.0 of this Handbook.

All other allegations of discrimination or harassment (including sexual harassment as defined by Title VII) will be addressed in a manner consistent with Op1.02-2 Discrimination Complaint and Investigation Procedures. Results of investigations conducted and/or evaluated pursuant to Op1.02-2 Discrimination Complaint and Investigation Procedures, may be reported to the Provost and other appropriate administrators, who may take such actions as are consonant with the disciplinary procedures prescribed in Chapter 13.

Consistent with G1.31 Reporting Allegations of Discrimination on the Basis of a Protected Class, all employees – including faculty members – are required to report any concerns or allegations of sexual harassment involving members of the university community (i.e., faculty, staff, and/or students) of which they become aware. Such reports should be made as soon as possible, but in no event later than three (3) calendar days after learning of such concern or allegation. Reports must be made to the Title IX Office or the West Plains Equal Opportunity/Title IX Liaison. Reporting a concern or allegation of discrimination or harassment to a supervisor, without also reporting to the Title IX Office or the West Plains Equal Opportunity/Title IX Liaison, does not satisfy a faculty member's reporting obligation. Faculty members who refuse or otherwise fail to report a sexual harassment allegation or concern are subject to disciplinary sanction, as set forth in Section 14.0 of this Handbook.

9.3 Faculty Absences

The office of academic affairs should be notified when it is impossible to meet a class because of illness or other extenuating circumstances. The circumstances concerning absences, as well as the arrangements made, should be reported. Insofar as possible, students should be notified in advance when it is necessary to cancel a class. This is vitally important in view of the distance that many of our students commute.

9.4 Consensual Sexual or Romantic Relationships Policy

The University's mission is promoted by professionalism, which is fostered by an atmosphere of mutual trust and respect. These are diminished when persons in positions of authority abuse their authority, as in the case of consensual sexual or romantic relationships between faculty and students.

A consensual sexual or romantic relationship between a faculty member and a student is generally wrong when the faculty member has professional responsibility such as grading or advising for the student. Such a situation increases the chances for abuse of power. The University will view it as unethical if faculty members engage in consensual sexual or romantic relationships with students enrolled in their classes or subject to their supervision. The behavior is, in most cases, unethical even when the relationship is consensual (i.e., both parties have consented), because the voluntary consent of the student is in doubt, given the power imbalance in the student-faculty relationship. Even if consent were to be shown, a clear conflict of interest would still exist which might create the appearance of discrimination or favoritism in grading or access to educational opportunities.

Relationships between a graduate student and an undergraduate student, when the graduate student has some supervisory responsibility for the undergraduate, are covered by this policy. Relationships between a student and an administrator, coach, advisor, program director, counselor or residence life and services staff member who has supervisory responsibility for that student also are covered.

A request for a specific exception to this policy may be made by an employee to his or her supervisor, who may approve or deny the request. The supervisor should maintain written documentation of the employee request and the decision to approve or deny the request.

Faculty or employees engaged in unethical conduct of the type described in this policy are subject to the normal disciplinary procedures of the University. Such unethical conduct may or may not constitute sexual harassment as prescribed G1.31 Reporting Allegations of Discrimination on the Basis of a Protected Class, Op1.02-11 Title IX Sexual Harassment Grievance Procedure Policy, and/or Op1.02-2 Discrimination Complaint and Investigation Procedures.

9.5 Drug-Free Workplace

Faculty members are expected to perform their professional responsibilities in an environment which is conducive to the educational process and which is drug-free, healthful, safe and secure. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on University premises or while conducting University business off its premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination and may have legal consequences. Faculty members must, as a condition of employment, abide by the terms of this policy and report to the University any conviction under a criminal drug statute for violations occurring on or off University premises while conducting University business. A report of conviction must be made within five (5) days after the conviction. This report requirement is mandated by the Drug-Free Workplace Act of 1988.

9.6 Use of Tobacco

The University recognizes that tobacco smoke is a hazard to the health of the University community. To protect the health of the University community, Missouri State University-West Plains is a tobacco-free campus. To the extent possible, the University will provide access to cessation programs to help those who presently use tobacco products and desire to quit. <https://wp.missouristate.edu/physicalplant/tobacco.htm>

9.7 General Policies

9.7.1 Use of Copyrighted Materials

Faculty members should be aware of laws and ethical responsibilities that govern the use of copyrighted materials. Legal responsibility for the use of such materials rests with the individual faculty member who, consequently, should remain informed about current copyright law.

To secure the benefits of ownership to creators of intellectual property, the United States and other nations severely restrict the right to make copies of another person's work. Violation of copyright law carries substantial penalties that may extend to the University and to businesses such as copy shops. However, copyright law compliance is often difficult because of the complexity of the rules governing infringement, "fair use," and permissions.

In general, copyrightable expression is original authorship, fixed in a tangible medium. Among the types of work protected by copyright are literary productions, musical notation and recorded music, pictures and graphics, motion pictures and video footage, databases, web pages and computer programs. Faculty members should assume that all material is copyrighted unless its source states clearly that it is not.

Faculty members do not need to get permission for all uses of copyrighted work. The law permits use of a portion of a work without the copyright owner's permission for purposes such as teaching, research, criticism and comment. Four criteria must be considered when determining whether a faculty member is making "fair use" of a copyrighted work: (1) purpose; (2) the nature of the work; (3) the percentage of the work used and (4) the effect of the use on the work's market value. Guidelines and definitions of these applications can be found in the booklet "Questions and Answers on Copyright" available at the Missouri State University-West Plains Garnett Library.

New technologies, especially those related to computers and computer networks, raise novel copyright issues. Under most circumstances, faculty members cannot transfer works from one medium to another without securing permission from the copyright holder. Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access and trade secret and copyright violations may be grounds for sanctions against members of the faculty (see Sections 3.2.1.1).

Faculty members are required to secure permission for use that falls outside of the standards of "fair use" and "educational use exemptions." Such permission must be in writing. Because computer software falls under copyright law, faculty members should be aware of specific licensing agreements that control particular programs. A program user should consult the license agreement to determine whether copying a particular program or data set is permissible.

Faculty members should not be deterred from using copyrighted work simply because they are uncertain about the law which applies to a particular use of such works. To prevent conflict between legal restrictions and effective teaching, Faculty members seeking general guidance for making decisions in this area may consult the documents *Reproduction of Copyrighted Works by Educators and Librarians*, <http://www.copyright.gov/circs/circ21.pdf>; *Fair Use Guidelines for Educational Multimedia*, <http://www.adec.edu/admin/papers/fair10-17.html> or *Complete Copyright: An Everyday Guide for Librarians* (KF2995 .C57 2004) available at the Garnett Library.

Missouri State University-West Plains provides a variety of information resources about copyright. Sources for such information include:

- a. Useful information is available in the Garnett Library. Librarians can direct faculty members to resources that might answer particular questions.
- b. The Garnett Library can contact the copyright clearance center to obtain copyright clearances for faculty for print reserves in the library if items are to be used more than one semester or more extensively than "fair use" guidelines dictate. The average processing time needed for the copyright clearance center is forty days.
- c. The Library can contact the copyright clearance center for digital articles and can also provide access to a vendor that can create Internet-accessible reserves of copyright-cleared readings.
- d. The Drago College Store can provide assistance to faculty interested in obtaining copyright clearance for printed readings to be sold to students.
- e. The University maintains a copyright website on its homepage that provides hyperlinks to many information sources about copyright.

Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy and right to determine the form, manner and terms of publication and distribution.

9.7.2 Sale of Faculty or Departmental Materials

Instructional materials prepared by departments or faculty members for student use may be given to students but may not be sold, except through the Drago College Store or a commercial bookstore or print shop. No faculty member or department may profit financially from such sales and the faculty member or members involved must assume any liability resulting from copyright infringement associated with sales through commercial outlets (see Sections 9.7.1 and Appendix A). If members of the faculty prepare materials to be sold in the Drago College Store, they must abide by the following principles:

- a. Because copyrighted materials must not be included in such materials in any form without proper authorization and acknowledgment, the faculty member must certify either that no copyrighted materials have been included in the printed materials or that appropriate arrangements with owner(s) of the copyright(s) have been made and that an appropriate statement of credit has been included in the text for each portion of copyrighted material used therein. Finally, a copy of each arrangement for use of copyrighted material must be attached to the request for printing and selling of said materials.
- b. The faculty member must provide certain information to the Bookstore in advance of the selling of such materials. He or she must specify the course for which the materials are to be used, the number of students anticipated, whether the materials are required or recommended. The Vice Chancellor of Academic Affairs must approve the request for printing and selling.

10.0 Research and Creative Activity Policies

Because Missouri State University-West Plains is not a research institution, any research conducted by faculty or students under faculty supervision will follow policies established by the University System, unless a Missouri State University-West Plains policy has been specifically identified. While faculty and staff may be named as Principal Investigators (PI)

or Project Directors (PO), the University is the actual recipient of the grant or contract and is legally responsible for assuring that a project is conducted in accordance with governmental regulations and sponsor's guidelines.

10.1 Extramural Support for Research and Development

Faculty members must coordinate through the office of academic affairs (and/or the office of sponsored research and programs (OSRP) in Springfield) all requests for outside financial assistance for University research and instructional activities. The office of sponsored research will disseminate current information on government and Foundation financial support, seek potential sponsors for projects, assist faculty in the preparation of proposals, assure that the proposals are processed through the institutional review system prior to submission and maintain adequate time-effort records. Requests for assistance must be submitted on the appropriate forms which are available from the office of sponsored research.

Prior to submission, the principal investigator (PI) or project director (PD) is to obtain approval from all personnel named in the proposal, as well as their department heads, deans or others whose resources are to be committed to the project. Where applicable, prior approval may be required from institutional committees responsible for assuring that projects are designed and conducted in accordance with federal government regulations. All proposals submitted for external financial assistance must be signed by an authorized representative of the University prior to submission.

Once a grant or contract is awarded, the PI/PD is primarily responsible for assuring that the administrative, financial and technical matters associated with a project are managed in accordance with the terms of the grant, as well as relevant governmental regulations and University policies. The PI/PD is to work with the office of grants and contracts to assure proper management of financial matters and with the office of sponsored research and programs on post award administration including issuing of sub-awards, as well as seeking approval to changes in key aspects of grants/contracts.

The OSRP (1) disseminates information about current funding opportunities for federal agencies, foundations and other sources of support; (2) assists faculty in developing proposals and budgets; (3) assures that proposals are in compliance with government regulations and University policies and are processed through the institutional review system prior to submission and (4) assists faculty in implementing grants and contracts. The OSRP also offers training programs to prepare faculty to be competitive in pursuing external financial support.

Faculty must comply with federal and other governmental regulations and University policies whenever externally or internally supported projects involve human subjects, vertebrate animals, bio-hazardous substances (including the use of recombinant DNA methods) and export controlled information and materials. Compliance includes completion of required training programs, obtaining pre-approval from institutional committees and performance of the research, educational or service projects in accordance with an approved protocol. On occasion, this approval may be required prior to proposal submission. The OSRP assists these committees in implementing the relevant University policies. Information about the application and approval process for each of these areas can be found on the OSRP website, <http://www.srp.missouristate.edu>.

Approval by the University is not required for a fellowship which is totally funded outside the University, although all fellowship applications must be filed with the office of sponsored research. Faculty members receiving such fellowships must make appropriate

arrangements with the administration if fellowship obligations require release from normal faculty duties.

10.2 Regulatory Guidelines For Research

Protection of a research environment for free and unfettered pursuit of knowledge is an important University responsibility. Infringement on this freedom must be restricted to those factors which are clearly essential to the protection of research subjects and the public at large.

There exist federal and state laws, regulations and guidelines in several areas which are designed for this purpose. In addition, the University community itself acts through its advisory committees or academic governance bodies to ensure that individual research and scholarly projects incorporate appropriate safeguards.

The University has policies and procedures that assure research, as well as education and service projects where applicable, are conducted in compliance with governmental regulations with regards to animal care and use, bio-hazardous substances, export controlled materials and information and human subjects. Applicable policies and procedures can be found on the office of sponsored research and programs website under University policies, faculty members are to understand that the policies related to animal care and use, biosafety and export control also apply to educational projects, degree or course requirements and service projects.

Faculty members planning to use live vertebrate animals, bio-hazardous substances and human subjects in research projects regardless of the source of support must submit an application to the appropriate University compliance committee for review and approval prior to the start of the project, regardless of the source of funding. In some cases, external funding agencies require that certification of approval by these committees must accompany a proposal. Externally or internally supported projects will not be approved for expenditure of funds, unless the protocol has been approved by the applicable committee(s).

All personnel must be certified as having completed training on the federal regulations and University policy and procedures, as well as in topics related to the specific project and work environment before they can participate in these projects. Online training is generally available in all of these compliance areas through the OSRP website, but project and work environment specific training is to be provided by the PI.

The University also has established a mechanism for persons to report actual or suspected violations of governmental regulations and University policies and procedures related to the aforementioned compliance areas. The University views these "whistleblower" actions as an essential component of its role in monitoring activities to assure compliance with governmental regulations and the ethical standards to which all University personnel should strive.

10.2.1 Animal Care and Use

The use of animals in research, teaching and outreach activities is subject to federal and state laws and regulations. The University has policies and procedures that assure activities will be conducted in an ethical manner in compliance with these governmental regulations. The Institutional Animal Care and Use Committee (IACUC) is responsible for implementing the applicable policy and procedures. Principal Investigators' (PIs) responsibilities include the following.

- a. Understanding and adhering to applicable governmental regulations and University policies and procedures related to the use of animals
- b. Assuring the humane treatment of animals under their supervision
- c. Assuring that all personnel involved in a project understand and comply with applicable governmental regulations and University policies

All personnel potentially exposed to animals and their tissues, fluids and waste, have completed required training and are enrolled in the University's Occupational Health and Safety Program before accessing the work environment.

Persons covered by this policy include faculty, staff and students working with live vertebrate animals, as well as visiting researchers, educators and other bona fide volunteers involved in these activities. Students whose exposure to vertebrate animals is restricted to participation in academic courses and other educational activities are exempt from the policy. These students are to receive training in the care and use of animals from the activity supervisor.

10.2.2 Bio-Hazardous Waste Substances

The University has policies and procedures to assure that activities related to the use of bio-hazardous substances are conducted in a manner that complies with federal and other governmental regulations. Bio-hazardous substances include chemicals, infectious agents, pharmaceuticals, recombinant DNA, genetically engineered organisms and radioactive materials. In addition, there are specific regulations that address agents and toxins defined by federal regulations as being targets of potential terrorist activities. All individuals who work with hazardous substances must accept shared responsibility for operating in a safe manner once they have been informed (a) about the extent of risk and (b) about safe procedures that should be followed.

The Institutional Biosafety Committee (IBC) is responsible for implementing the applicable policy and procedures. Principal Investigators' responsibilities include: Understanding and complying with governmental regulations, University policies and procedures that apply to the acquisition, labeling, use, storage, transport, spill response and disposal of hazardous materials; Assuring that other personnel accessing the work environment understand and comply with these regulations, policies and procedures and general safety requirements applicable to a specific project and laboratory; Posting warnings and restricting entry to work areas containing potentially hazardous materials and Assuring that laboratory personnel have completed required training.

Assistance in ascertaining obligations under these laws and regulations may be obtained from the Director of Environmental Management in the Division of Administrative Services.

10.2.3 Export Control

U.S. export control laws apply to the University and its employees and students. In most cases, University based projects are exempt because the work is considered as fundamental research, i.e., the work and its results will be made freely accessible through presentations at professional conferences or published in professional journals. Export control laws are applicable if dissemination of information about the project is controlled by a sponsoring agency or due to the use of a partner organization's confidential information. The following actions by a University employee fall within the export control laws: Sending or transporting materials, hardware, software (or related information) listed on the Department of Commerce's

Commodity Control List outside of the U.S. Conveying materials, hardware, software (or related information) listed on the Department of Commerce's Commodity Control List to foreign nationals in this country. Providing "defense services" such as technical assistance or training to foreign persons in the design or use of defense articles then the exemption may not apply.

Faculty also should be sensitive to export control requirements when hosting visiting scientists from other nations. Before embarking on a project that may fall within the export control laws, faculty must review and comply with all Federal Export Control Regulations and the University policy. The office of sponsored research and programs is responsible for implementing the policy and procedures that will assure University activities are conducted in accordance with export control laws.

10.2.4 Human Subject Protection

Research involving human subjects may lead to physical, psychological and/or social damage and so the university has a responsibility to safeguard subjects' welfare. All research involving human subjects in any way, regardless of the source of support funds, may need to be reviewed and approved by the Protection of Human Subjects Institutional Review Board (IRB) before it is undertaken. Research undertaken by students with faculty supervision is included in this policy.

The University is committed to the ethical standards for the use of human subjects in research as described in the Belmont Report—respect for persons, beneficence and justice—and as required under federal regulations. The Institutional Review Board for the Protection of Human Subjects (IRB) is responsible for implementing the University policy and procedures. In accordance with federal regulations, research is defined as systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Principal Investigators' responsibilities include the following.

- a. Understanding and complying with federal regulations and University policies and procedures regarding the ethical treatment of human subjects
- b. Assuring that other personnel involved in a project understand and comply with these regulations and policies

Assuring that all individuals involved in the design of a research project, as well as the collection and analysis of data have completed training on human subject protection.

This training may include federal regulations and University policies and procedures related to the Health Insurance Portability and Accountability Act (HIPAA) when the research involves individually identifiable health information.

10.3 Whistleblower Protection Policy

The University expects faculty, staff and students to conduct activities related to the aforementioned compliance areas in a manner that is consistent with applicable governmental regulations and University policies. The University provides various mechanisms to assist and encourage persons to come forward in good faith with reports or concerns about suspected compliance issues. Diligent efforts will be made to protect the complainant from retaliation for his/her activities in cooperation with or initiation of, an inquiry or investigation, provided the complaint is not undertaken in bad faith. Procedures for reporting concerns can be found on the ORA web site under Compliance Information/

Policies and also in the Policy Library. The University also provides an Ethics Hotline that allows anonymous telephone or on-line reporting of ethics violations. The Ethics Hotline site is maintained by an independent third party.

10.4 Copyright/Patent Policy

The ownership of intellectual property created by faculty members is determined by the University's Intellectual Property Policy. Faculty members should consult this policy to determine, under particular circumstances, ownership of intellectual property which they have created. The Intellectual Property Policy is included in the Faculty Handbook as Appendix A. The policy will not be changed by the University except through the procedures specified for the amendment or the Faculty Handbook, Section 16.0.

11.0 Outside Activities and Conflict of Interest

11.1 Outside Activities

11.1.1 Introduction

This policy on outside activities applies to all faculty members and all academic administrators who hold faculty rank. The professional capabilities of University faculty members allow them to make significant contributions to the larger society of which Missouri State University is a part. The University encourages faculty members to participate in activities beyond the campus community. Such involvement in the community may not only benefit society but may also enhance the prestige and visible contribution of the University. However, employees may not compete with the University or convert business opportunities of the University to their personal gain or advantage or the gain or advantage of another. Consulting may, in some instances, also constitute a business interest requiring disclosure and approval when the entity for which the employee consults also transacts business with the University or is in competition with the University or where the consultation itself competes with the work of the University.

When hiring a person to a full-time position, the University presumes that it has engaged the individual for his or her teaching and for professional and other University-related activities. Outside activities must therefore be clearly subordinate to and must not interfere with the individual's obligations to the University.

A faculty member must reimburse the University for the full value of any material University resource used in any outside activity.

A dean or other administrator may request that a faculty member participate in a specific outside activity not normally associated with the position of the faculty member. However, no faculty member shall be coerced (overtly or covertly) into using his or her professional competence beyond the normal responsibilities as a teacher or scholar. No faculty member shall be penalized in any way for refusal to participate in a specific outside activity.

11.1.2 Remunerated Outside Activities

University policy permits faculty members to engage in remunerated outside activities that are related to their professional interests and development, provided those activities:

- I. do not interfere with regular University duties and do not involve, on average, more than one work day per week during periods when the University is employing the individual on a full-time basis;
- II. do not utilize University materials, facilities, or resources except as specifically authorized by the appropriate Department Chair and Dean;
- III. do not compete with the work of the University and are not otherwise contrary to the best interest of the University;
- IV. do not violate federal or state law;
- V. do not represent a conflict of interest (Section 11.2) or violate other policies of the University;
- VI. do not convert confidential information or trade secrets of the University to their personal gain or advantage or to the gain or advantage of others, and
- VII. do not entail a reduction in workload. Consulting, in some instances, may also constitute a business interest requiring disclosure and approval when the entity for which the employee consults also transacts business with the University or is in competition with the University, or where the consultation itself competes with the work of the University.

Because Missouri State University faculty members are hired primarily to teach, outside teaching by full-time faculty members at other institutions of higher education during periods when the University is employing the individual on a full-time basis is discouraged but may be permitted in exceptional circumstances with the knowledge of and written consent of the Vice-Chancellor of Academic Affairs.

During periods when the University is not employing the individual on a full-time basis (for example, during the summer session and the intersession periods for a faculty member on a standard academic-year contract), a faculty member may engage in any lawful outside activity, including teaching for another institution, provided that activity:

- I. does not utilize University materials, facilities or resources except as specifically authorized by the appropriate Department Chair and Dean; or
- II. does not represent a conflict of interest (Section 11.2) or violate other policies of the University, or
- III. does not convert confidential information or trade secrets of the University to his/her personal gain or advantage or to the gain or advantage of others.

If a faculty member accepts supplemental compensation from Missouri State University for teaching or for performing another compensated University-related activity during a period when the University is not otherwise employing the individual on a full-time basis, remunerated outside activities combined with Missouri State University responsibilities must not exceed the equivalent of a full-time work load.

11.1.3 Procedures for Reporting Remunerated Outside Activities

Except during the time period, such as summer, during which a full-time faculty member is not under contract to the University (unless the faculty member has agreed to accept supplemental compensation for summer teaching at Missouri State University or for another compensated University-related summer activity), a faculty member who engages in remunerated outside activities must report such activity and obtain approval from the Dean prior to the commencement of the activity. The Dean will determine whether the activity will interfere with the faculty member's performance of duties at the University or constitute a conflict of interest (Section 11.2). The Dean must identify the specific nature and extent of the faculty member's diminished effectiveness or the conflict of interest. If an agreement cannot be

reached, the matter will be taken to the college Vice Chancellor of Academic Affairs who will attempt to reach a resolution satisfactory to both the individual and the administration. If resolution is not possible at the college level, the Chancellor will make a determination.

Each faculty member shall complete an annual Report of Outside Activities and Conflict of Interest administered by the Office of Internal Audit and Risk Management. This report, indicating the nature of all remunerated outside activities performed during the contract period and the amount of time engaged in each of these activities will be collected and aggregated by the Office of Internal Audit and Risk Management and will be shared with the Dean for review. The Dean will meet with faculty members to review areas of concern related to remunerated outside activity, determine what if any action should be taken, and provide a summary report to the Director of Internal Audit and Risk Management. The Director of Internal Audit and Risk Management will aggregate the Dean reviews for each division and distribute them to the Vice Chancellor of Academic Affairs who will review and respond. The Director of Internal Audit and Risk Management will share the aggregated Dean and Vice Chancellor of Academic Affairs responses with the Chancellor, who will review them prior to forwarding them to the President.

11.1.4 Non-remunerated Professional Activities

Faculty members are encouraged to contribute their professional expertise for the advancement of their academic discipline and/or for the benefit of society in general. Such non-remunerated professional activities may be considered favorably in tenure and promotion decisions. Therefore, faculty members should report all such non-remunerated professional activities, regardless of when they occur during the calendar year.

11.1.5 Other Non-Remunerated Outside Activities (Volunteerism)

Consistent with its mission in public affairs, Missouri State University encourages its employees to participate in voluntary activities that benefit our community and society at large. However, the choice whether or not to participate in any particular volunteer activity or none at all, rests solely with the individual employee.

In an attempt to document its positive impact on the community, the University may request that faculty members report the extent of their involvement in volunteer activities. However, such reporting is entirely voluntary and no faculty member shall be required to report any such activity, nor shall any faculty member suffer any negative repercussions for declining to report such activities.

Faculty members are expected to limit the total extent of their volunteer activities so that they do not interfere with regular University duties. However, such potential interference shall be monitored through job performance rather than through any type of requirement to disclose the nature or extent of volunteer activities.

11.2 Conflict of Interest

A faculty member should avoid improper influences in institutionally related decisions and activities or the use of his or her position or the property of the University for personal, financial or political gain.

A conflict of interest occurs when any faculty member engages in those economic activities which are prohibited in section 11.2.1 or when a faculty member maintains an interest or relationship which prevents him or her from exercising independent judgment in the best interests of the University.

A faculty member must disclose to his or her Department Chair and Dean all relevant facts related to activities which might involve a conflict of interest.

11.2.1 Economic Involvement

The following policy statements have been derived from Missouri Statutes and govern the conduct of all University employees:

1. No employee shall keep for sale or be interested in, directly or indirectly, the sale of any furniture or apparatus, books, maps, charts or stationery owned by the University.
2. No employee shall be interested in, directly or indirectly, any contract or purchase for building or repairing any structure or for fencing or ornamenting the grounds or furnishing any supplies or materials for the use of the University.
3. No employee of the University, acting on his or her own behalf or as a representative for an external agency, shall use University facilities to display or promote for sale to third parties any personal or represented material.

Faculty members are not permitted to receive royalties for the sale of their materials to Missouri State University students. In those cases where it is desired to utilize books, plays, compositions and other works of faculty members, the faculty member will be required to renounce his royalty rights on all sales to Missouri State University students. The faculty member is responsible for making the appropriate arrangements with the Drago College Store so that he or she is not in violation of the state statute.

11.3 Free Expression and Political Activities

A faculty member at Missouri State University-West Plains possesses the same constitutional right to free expression as any private United States citizen. However, a faculty member should not purport to be a spokesperson for the University unless designated as such by the chancellor (see section 3.2).

Missouri State University faculty members may engage in political activities as long as those activities do not interfere with fulfillment of their professional responsibilities to the University. A faculty member may request a leave without pay for such activities such as an election campaign or term of elective office.

Application for such a leave must be received by the Dean on or before April 1 preceding the beginning of the academic year in which the leave is to be taken. The Dean's written recommendation must accompany the faculty member's application prior to a decision by the dean of the college. The leave of absence may last no longer than one academic year.

A leave of absence incident to political activity will be subject in all other determinations to the regulations affecting any leave without pay. The conditions for each individual leave will be specified in writing by the Vice Chancellor of Academic Affairs and a copy of those

conditions will be given to the faculty member. These conditions will not be used to adversely affect the tenure status of a tenured faculty member. However, the time encumbered by a leave without pay will not be counted toward the attainment of tenure.

12.0 Academic Administration Personnel Policies

12.1 Evaluation of Academic Administrators

Academic administrators (i.e., the academic deans and the Vice Chancellor of Academic Affairs) will be evaluated annually by their immediate academic supervisor.

Additionally, beginning on the first Monday in April, academic administrators will also be evaluated by the faculty they supervise. The faculty evaluation instrument should be reviewed annually by the Faculty Senate who may offer possible revisions.

The Chancellor's office (or their designee) will be responsible for administering the evaluations, gathering the data, and sharing the data with the evaluated administrator and his/her immediate academic supervisor.

Each evaluation will be based upon the particular responsibilities of the administrative assignment.

In all cases, the review of any administrator shall include input from faculty in the administrator's unit and from others who are supervised by the administrator.

12.2 Recall of Academic Administrators

Many academic administrators hold faculty rank and, in most instances, tenure. It is understood that no academic administrator holds tenure as an administrator; only as a faculty member does an administrator hold tenure.

Any administrator has the prerogative of initiating the replacement or recall of any subordinate administrator.

Any administrator or faculty member may petition an appropriate superior administrator for the replacement or recall of any other superior administrator.

A dean or a department head is in a unique administrative position in that he or she is selected by and is responsible to both a departmental faculty and other University administrators. Therefore, it is appropriate that the faculty should have access to a process for the recall of that chair/head.

Faculty members may petition the Vice Chancellor of Academic Affairs for the replacement or recall of their dean or department head. The VCAA has the option of trying to resolve the problems stated in the petition by meeting with the dean or department head and the involved faculty members. If the problems cannot be resolved and if, in the judgment of the VCAA, the concerns expressed in the petition are serious enough to warrant investigation, the VCAA will initiate an inquiry. The dean, department Head and all departmental faculty shall be informed of the petition and of the inquiry. After completion of the inquiry, the VCAA shall inform the dean or the department head, the departmental faculty and the chancellor of the findings and recommendations.

Final determination regarding the recall of any administrator rests with the chancellor. A recalled administrator may be reassigned duties for the remainder of his or her appointment term.

12.3 Retreat Rights of Administrators

Any tenured faculty member who assumes an administrative position or a professional staff position has the right to return to the department of one's academic discipline whether or not a position is open. However, the service of that individual may be utilized outside the department through other assignments. In such a case that individual may be assigned other duties such as teaching, research, service and/or administrative responsibilities depending upon the needs of the University and the expertise of the faculty member, but his or her tenured status shall not be affected despite such assignments.

An administrator who has the academic credentials for faculty rank but who has not been awarded tenure or who has not gone through the selection process for departmental faculty does not have the right to assume a faculty position in a department unless the individual is endorsed by the departmental faculty and by the appropriate academic administrators.

12.4 Absences of Department Heads, Associate Deans and Deans

When it is necessary for an associate dean, dean, or department head to be absent, he or she should notify the immediate supervisor and Vice Chancellor of Academic Affairs of the circumstances concerning the absence and the arrangements that have been made for the operations of the department.

12.5 Administrative Leave

The Vice Chancellor of Academic Affairs, the assistant dean and the members of the administrative council are eligible to apply for administrative leaves. Applications must be made to the chancellor prior to November 1 of the year preceding the beginning of the period for which the leave is requested.

Administrative leave may be requested for any time in the year but ordinarily would be requested during the summer months, from mid-May to mid-August.

Initial eligibility for requesting an administrative leave is established upon completion of not less than three full calendar years of service with the University in an eligible administrative position, beginning with the effective date of appointment to the eligible administrative position and extending to the opening day of the proposed leave period.

The initial leave consists of not more than sixty consecutive days and is inclusive of regularly scheduled holidays and the annual vacation period for that year. The initial administrative leave, therefore, consists of not more than thirty calendar days of "leave" consecutively scheduled with thirty days of annual vacation time.

Eligible administrators may elect to request subsequent administrative leaves according to these options:

Option 1: For the third summer following the last leave taken, an administrative leave consisting of not more than sixty consecutive days inclusive of regularly scheduled holidays and the annual thirty-day vacation period for that year.

Option 2: For the fourth summer following the last leave taken, an administrative leave consisting of not more than ninety consecutive days inclusive of regularly scheduled holidays and the annual thirty-day vacation period for that year.

The administrative leave is not an automatic right; it must be applied for by the administrator. If the project the administrator wishes to pursue is approved, then he or she would be granted the administrative leave in accordance with the terms of the request. It is understood that the project must be something beneficial both to the person and to the University. Primarily the project would be for research or study in one's own academic or administrative field and may include travel if related to the research or study. Proposals to obtain an advanced degree would not be approved. A board of review will study the proposed projects and advise the chancellor. The chancellor has sole discretion in approving or disapproving all applications for administrative leave.

The chancellor's decision to approve or disapprove the application will be guided by the recommendation of the board of review and by the chancellor's assessment of the ability of Missouri State University-West Plains to maintain its level of efficiency in the operation of functions for which the administrator is responsible.

When a change in salary status occurs for the administrator during the period of approved leave, the administrator will receive the benefit of leave pay commencing at the new rate on the day of the increase the same as if the leave had not been granted. Changes in salary will not be affected by administrative leave.

A requirement of the administrative leave is that the applicant commits himself to return to employment with Missouri State University-West Plains for a period of not less than one calendar year from the last day of the leave period. Following the administrative leave, the administrator will submit to the chancellor within thirty days a report of the activities of his or her leave.

12.6 Sabbatical Leave for Administrators

An administrator covered by this leave policy and who is a member of the ranked faculty may choose not to apply for an administrative leave in favor of applying for a sabbatical leave. If he or she chooses to apply for a sabbatical leave, all policies and procedures established for sabbatical leaves shall apply, as described in section 7.2.1. A nine-month equivalent salary will be used for calculating salary during the leave period.

13.0 Academic Personnel Grievance Process (APGP)

13.1 Grievance

Where it is alleged that there has been a failure to follow procedures set forth in the Faculty Handbook, that constitutional rights, statutory rights or academic freedom have been abridged or that a sustained pattern of unfair treatment or a significant arbitrary and capricious action has occurred, a faculty member has a right to file a written grievance with the office of Academic Affairs who will then forward the written grievance to the Academic Personnel Review Commission (APRC).

A grievance based on discrimination or harassment based on protected status does not follow the procedure outlined in the remaining sections but instead must be submitted to the Title IX Office (in case of grievances based on sex, including marital status, family status, pregnancy, sexual orientation, and gender identify/expression, or the Office for Institutional Equity and Compliance (in the case of grievances based on race, age, religion,

disability, or veteran's status). A grievance based on evaluation ratings/rankings or tenure and/or promotion recommendations must follow the procedures established in Section 4.4.4.

13.1.1 Actions Prior to Initiating a Grievance

Prior to invoking the Academic Personnel Grievance Process (APGP), the faculty member should demonstrate a reasonable attempt to resolve the dispute by him/herself. The use of mediators or alternative dispute resolution should be considered. The Vice Chancellor of Academic Affairs should be involved in the resolution attempts.

13.1.2 Retaliation Prohibited

In no way shall an employee's status with the university be adversely affected because he or she utilizes these procedures.

13.2 Academic Personnel Review Commission (APRC)

The Academic Personnel Review Commission (APRC) shall serve as a neutral body to determine if a faculty member has made a prima facie case so that a grievance may proceed to the Faculty Hearing Panel (FHP) utilizing the APGP. The APRC may facilitate informal resolution of campus-related grievances and the APRC has authority to grant time extensions and determine whether procedures set forth in the Faculty Handbook have been violated. The APRC is responsible for empaneling a FHP and may dismiss a member or reconstitute a FHP when necessary to ensure fairness and due process. Decisions made by the APRC must be supported by a majority of the commissioners.

13.2.1 APRC Composition

The APRC shall be composed of three commissioners who serve 3-year staggered terms. One commissioner shall be appointed by the Vice Chancellor of Academic Affairs and shall be a tenured, ranked faculty member. One commissioner shall be selected by the Executive Committee of the Faculty Senate and shall be a tenured, ranked faculty member. The third commissioner shall be a tenured, ranked faculty member appointed by joint agreement of the Vice Chancellor of Academic Affairs and the Faculty Senate. The three APRC members shall elect their own chairperson. Commissioners may be reappointed. They shall be afforded such relief from their other responsibilities as will enable them to discharge their duties as specified in the Faculty Handbook.

13.2.2 Recusal of Commissioner

A commissioner shall recuse himself/herself if the commissioner had a decision-making role in the actions complained of or if the commissioner is a party against whom a grievance is brought or in other situations that could involve bias. A faculty member or administrator may request that a commissioner be recused from a specific case by petitioning the body that appointed the commissioner. The request should contain a compelling rationale for the recusal. A commissioner may recuse himself/herself for reasons of illness or other good causes. If an APRC commissioner is recused on a single case, a commissioner pro tem may be appointed to serve on this case; a faculty member commissioner shall be replaced with a faculty member chosen by the Faculty Senate and an academic administrator commissioner shall be

replaced with an academic administrator selected by the Vice Chancellor of Academic Affairs.

13.2.3 APRC Annual Report to Faculty Senate

The APRC shall make an annual report to Faculty Senate during the first fall meeting, specifying the total number of cases filed in the previous 12 months, the types of cases (e.g., termination of employment, denial of academic freedom of speech, etc.), whether or not there was a prima facie case and whether the grievance was resolved.

13.2.4 Confidentiality

All commissioners shall maintain confidentiality throughout the APGP process. Commissioners may state whether there was a prima facie case and whether or not the grievance has been resolved and in whose favor, but should not discuss the details of the case with individuals who are not directly involved in the grievance or its resolution.

13.2.5 Determination of Prima Facie Case

The APRC shall first decide whether the grievance establishes a prima facie case after receipt of the written grievance from the office of academic affairs. In making this determination, the APRC may interview the faculty member and other parties. Every effort should be made to determine whether a prima facie case exists within 14 days of such filing. If the APRC decides that there is no prima facie case and therefore there is an insufficient basis for the grievance, the APRC shall provide written notification to the faculty member. The faculty member may appeal to the chancellor, who will review the case. If the chancellor upholds the determination of no prima facie case, the grievance process is exhausted and the case is resolved.

13.2.6 Notification To Parties Involved

If the APRC or the chancellor decides that the grievance establishes a prima facie case, the APRC shall provide written notification to the faculty member and the parties against whom the grievance was filed and provide them and the Vice Chancellor of Academic Affairs with a written copy of the grievance. The named parties against whom the grievance is brought shall file written responses with supporting documentation at the office of academic affairs within 14 days.

13.2.7 Attempt To Resolve Case

If the grievance is deemed to establish a prima facie case, the APRC shall meet one or more times with the faculty member and parties charged, separately or together, at the discretion of the APRC chairperson. The APRC shall attempt to resolve the dispute within 30 days, but may extend the time at its discretion if expedient to resolution. An internal or external mediator may be used if all parties agree as to the usefulness of that process. The University shall pay the cost to employ a mediator. If the parties reach a resolution through mediation, the case is resolved.

13.2.8 APRC Recommendations

If the parties fail to reach a resolution, the APRC shall produce a report divided into findings of fact and recommendations with supporting reasons. This report is given to

the faculty member and the party against whom the grievance has been alleged. The faculty member and APRC should be informed in writing within 7 days whether the party against whom the grievance has been alleged agrees to the recommendations. If the parties agree with the recommendations of the APRC, the case is resolved.

13.2.9 Right to Initiate Formal Review Process

If the case is not resolved after the APRC report has been disseminated, the faculty member may initiate the formal review process for APGP by filing written notification with the APRC in the office of academic affairs and sending a copy to the chancellor. The notification must be filed within 14 days of the receipt of the APRC report or conclusion of mediation.

13.3 Formal Review (APGP)

Within 21 days of receiving the faculty member's written notification, the APRC shall empanel a FHC to conduct a hearing.

13.3.1 Composition of Faculty Hearing Committee and Panel

13.3.1.1 Faculty Hearing Committee (FHC)

All tenured, ranked faculty members serve on the Faculty Hearing Committee (FHC).

13.3.1.2 Faculty Hearing Panel (FHP)

The FHC will select five (5) of its members, including one representative from each division, to serve as a Faculty Hearing Panel (FHP). Faculty members cannot serve concurrently on both the APRC and the FHP.

Replacements, when necessary, shall be appointed by the Faculty Senate Executive Committee.

The faculty member and the administrator may request to replace up to two (2) of the selected panelists prior to the first meeting of the FHP.

An orientation of the FHP shall be conducted by the APRC and General Counsel when empaneled.

FHP decisions must be supported by a majority of the panelists.

13.3.2 Documentary Evidence

All filings and all evidence collected by the APRC during its review shall be forwarded to the FHP for review. The administrator and faculty member may present any other written evidence to the FHP and supplement their filings. All such material shall also be presented to the other party.

13.3.3 Pre-Hearing Meetings

At the first FHP meeting, the FHP shall select a chairperson, review the written material and review the procedures for conducting the hearing. The chairperson of

the APRC shall attend this meeting. The FHP may also hold joint prehearing meetings with the parties in order to understand the basic underlying facts, simplify the issues, effect stipulations of fact, provide for the exchange of information or to achieve other prehearing objectives as will make the hearing fair, effective and expeditious. The FHP may not interview witnesses at any pre-hearing meetings. Any additional written material submitted to or requested by the FHP will be shared with the parties.

13.3.4 Hearings

The formal hearing may involve one or more meetings at which witnesses may be examined. Each party shall provide the names of its witnesses to the other party and the FHP in advance of the hearing. The administration and the faculty member will each be allowed to present an opening statement without interruption and orally question the witnesses and parties. The FHP may also orally question the witnesses and parties. The administration and the faculty member may be represented by counsel, but counsel shall not be permitted to question the witnesses or parties. If the University is the only respondent, the chancellor will designate a representative who will be allowed to present an opening statement and question the witnesses and parties. The Missouri Rules of Evidence need not be followed, but the FHP will base its finding on only reliable evidence. A verbatim record of the hearing will be taken and made available to the parties at the University's cost.

13.3.5 Burden of Proof

The faculty member must prove his or her case against the administration by a preponderance of the evidence.

13.3.6 Report

The FHP shall prepare a written report divided into findings of fact and recommendations with supporting reasons which shall be presented to the Vice Chancellor of Academic Affairs and the faculty member within 7 days of the conclusion of the hearing. A minority report may also be prepared.

13.3.7 Time Period

The time between the empaneling of the FHP and the preparation of the FHP report shall be no longer than 60 days unless there are exceptional circumstances. Extensions must be approved by the APRC.

13.4 Post-Hearing Procedure

13.4.1 Vice Chancellor of Academic Affairs Review

The Vice Chancellor of Academic Affairs shall accept the FHP findings of fact but is not required to accept the FHP recommendations of remedies. If the Vice Chancellor of Academic Affairs determines that different remedies other than those recommended by the FHP should be initiated, said remedies shall be set forth in writing and presented to the faculty member within 14 days of the date of the FHP report. If the Vice Chancellor of Academic Affairs is a party to the dispute, the chancellor will fulfill this function.

13.4.2 Appeal Rights

If the remedies recommended by the FHP are not implemented by the Vice Chancellor of Academic Affairs, the faculty member may prepare a written appeal to the chancellor within 14 days of receiving the decision of the Vice Chancellor of Academic Affairs. The chancellor will rule on the appeal within 30 days of its receipt and notify the faculty member of the results in writing.

13.4.3 Right of Appeal to the Board of Governors

When the FHP, Vice Chancellor of Academic Affairs and chancellor do not agree on the implementation of remedies, the faculty member shall have the right to appeal to the Board of Governors. The appeal must be filed within 14 days of the receipt of written notification regarding implementation of remedies from the chancellor.

13.4.4 Information Provided to the Board of Governors

The Board of Governors reviews the case, including all documentation, written findings and recommendations. The following reports must be forwarded to the Board of Governors for review:

1. Comments and Recommendations of the APRC
2. Findings of Fact and Recommendations of the FHP and
3. Recommendations of the Vice Chancellor of Academic Affairs and chancellor.

13.4.5 Board of Governors is Final Authority

The Board of Governors has discretion regarding hearings, presentations and review. The decision of the Board of Governors shall be final.

13.5 Miscellaneous

13.5.1 APRC Authority

The APRC shall be available to advise the FHP on procedural issues, to ensure that the APGP process is followed and to ensure that the parties receive due process. The FHP may receive legal advice from the office of general counsel.

13.5.2 Confidentiality

To the extent practical, the work of the APGP shall be confidential. All proceedings of the FHP shall be conducted in private and the FHP report shall be available only to the parties.

14.0 Professional Practices Review Process (PPRP); Academic Personnel Grievance Policies

14.1 Overview

This section describes the Professional Practices Review Process (PPRP), the formal process for reviewing allegations of a faculty member's misconduct or unprofessional behavior, and the range of sanctions, up to and including dismissal, that may be imposed. Allegations of sexual harassment against a faculty member that meet both the definitional and jurisdictional of Title IX are not subject to the PPRP; rather, they are subject to the grievance procedure set forth in Op1.02-11 Title IX Sexual Harassment Grievance Procedure Policy. Processes to review grievances by faculty against administrators are described in Section 13.0. In all cases, efforts to reach a resolution should be made through informal negotiations, and the formal proceedings described here should only commence once those efforts have been exhausted.

14.2 Administrative Actions

Prior to invoking the Professional Practices Review Procedure (PPRP), the administrator(s) should demonstrate reasonable attempts to resolve the complaint about the faculty member through informal negotiation. This could include counseling, career development activities, self-improvement workshops or conferences or mutually agreed upon periodic review and assessment periods. The use of mediators or alternative dispute resolution could also be considered, and the University will pay for the cost of the mediator. The Vice Chancellor of Academic Affairs should be involved in the resolution attempts.

A major sanction on a faculty member may be imposed only after the formal review process set forth in the Professional Practices Review Process (PPRP) has occurred or after consent of the faculty member is obtained. The PPRP process must be used regardless of whether sanctions are being considered for a single faculty member or a group of faculty members. If multiple faculty members are involved, a separate PPRP must be used for each individual faculty member unless all parties agree that one PPRP be conducted.

The imposition of minor sanctions may occur without use of the PPRP; however, a faculty member may utilize the Academic Personnel Grievance Process (section 13.0) to grieve the imposition of a minor sanction.

14.2.1 Major Sanctions

Major sanctions are adverse employment actions and include such things as dismissal, revocation of tenure, demotion of rank, involuntary reassignment to duties which substantially change the nature of the faculty member's responsibilities and suspension of employment without pay. Dismissal of a faculty member may only occur if the statutory reasons set forth in RSMo Section 174.150 are established (incompetence, neglect or refusal to perform duties, dishonesty, drunkenness or immoral conduct). Reassignment which occurs pursuant to Section 14.1.3 is not a University sanction.

14.2.2 Minor Sanctions

Minor sanctions are less serious actions and include such things as formal warnings, letters of reprimand and requests for formal written apologies. If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, it will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed

minor sanction should not be imposed. A faculty member who believes that a major sanction has been imposed under this section or that a minor sanction has been unjustly imposed, may file a grievance with the APRC (section 13.0).

14.2.3 Reassignments

A faculty member may be removed from classroom teaching or reassigned to other campus duties by the Vice Chancellor of Academic Affairs if he/she consents to the reassignment. Reassignment may be offered to a faculty member as an alternative remedy as part of the PPRP. A memorandum of understanding (MOU) regarding the reassignment shall be drafted by the Vice Chancellor of Academic Affairs and faculty member. The faculty member will have up to five business days to sign the MOU. Refusal to consent to a reassignment may not, in itself, be used as a condition or basis for sanctioning a faculty member.

A faculty member may be temporarily reassigned by the chancellor without his/her consent in exceptional circumstances for the good of the University for up to one academic year. The existence of the exceptional circumstances must be verified by the department head, dean and Vice Chancellor of Academic Affairs.

A faculty member who believes he/she has been removed from the classroom teaching or reassigned improperly and who is not involved in the PPRP, may file a grievance with the APRC (section 13.0).

14.2.4 Imminent Threat

If a faculty member poses an imminent threat, major sanctions can be imposed before the internal University Informal and Formal Review processes have been initiated.

If there is probable cause to believe that the actions of a faculty member pose an imminent threat to the safety of a member of the University community or if the faculty member has threatened destruction of University property and there is probable cause to believe the threat will be carried out, the Vice Chancellor of Academic Affairs or chancellor has the authority to suspend the faculty member from his/her teaching or other assignments and/or ban the faculty member from using University property or services.

If a major sanction is imposed based on an imminent threat, the faculty member may initiate the Academic Personnel Grievance Process (section 13.0).

14.3 Origin of Allegations

14.3.1 Allegations of Unprofessional Conduct

The PPRP is initiated by a department head, dean, vice chancellor, chancellor or president if the conduct of a faculty member is considered sufficiently grave to justify imposition of major sanctions. After discussing the situation with the faculty member, the administrator institutes the PPRP by preparing a written complaint and providing it to the faculty member. Only the chancellor may institute the PPRP if a dismissal is a recommended sanction.

Exercising academic freedom of speech or political speech/ affiliation shall not be grounds for dismissal or imposition of major sanctions.

Although the PPRP may be initiated only by administrators, faculty or staff may present allegations of unprofessional conduct against another faculty member to the faculty member's department head who should investigate and proceed appropriately. If the department head is unable to resolve the complaint, the person alleging the impropriety may take the matter to the dean or the Vice Chancellor of Academic Affairs. If none of the three administrators chooses to initiate the PPRP, the matter is considered resolved.

14.4 The Professional Practices Review Process

14.4.1 Informal Review

Continued attempts for resolution can occur after a written complaint has been filed to initiate the PPRP. If the faculty member and administration can come to an agreement resolving the issues, the PPRP shall be rescinded.

14.4.2 Formal Review

If a mutually agreeable resolution of the dispute has not been reached through informal review, the formal review process may be instituted by the Vice Chancellor of Academic Affairs or chancellor through written notification of the faculty member and the Academic Personnel Review Commission (APRC). Within 21 days, the APRC shall empanel a Faculty Hearing Panel (FHP) as set forth in Section 13.3.1.2. The APRC shall be available to advise the FHP on procedural issues, to ensure that the PPRP process is followed and to ensure that the faculty member receives due process before sanctions are imposed. The FHP may receive legal advice from the office of general counsel. A faculty member can be removed from classroom teaching and/or reassigned to other campus duties while the PPRP process is proceeding if at least two of the following three administrators agree (department head/designee, dean and Vice Chancellor of Academic Affairs). The faculty member shall continue to receive his/her salary throughout the process and it shall not be reduced because of the reassignment.

14.4.3 Documentary Evidence

The formal charges and all evidence utilized during the informal review shall be forwarded to the FHP for review.

The administration and faculty member may present any other written evidence to the FHP, which shall also be presented to the other party.

14.4.4 Prehearing Meetings

At the first FHP meeting, the FHP shall select a chairperson, review the written material and review the procedures for conducting the hearing. The chairperson of the APRC shall attend this meeting. The FHP may also hold joint prehearing meetings with the parties in order to understand the simple underlying facts, simplify the issues, effect stipulations of fact, provide for the exchange of information or to achieve other prehearing objectives as will make the hearing fair, effective and expeditious. The FHP may not interview witnesses at any prehearing meetings. Any additional written material submitted to or requested by the FHP will be shared with the parties.

14.4.5 Hearing

The formal hearing may involve one or more meetings at which witnesses may be examined. Each party shall provide the names of its witnesses to the other party and the FHP in advance of the hearing. The administrator initiating the PPRP and the faculty member will each be allowed to present an opening statement without interruption and orally question the witnesses and parties. The FHP may also orally question the witnesses and parties. The administrator and the faculty member may be represented by counsel, but counsel shall not be permitted to question the witnesses or parties. The Missouri Rules of Evidence need not be followed, but the FHP will base its finding on only reliable evidence. A verbatim record of the hearing will be taken and made available to the parties at the University's cost.

14.4.6 Burden of Proof

The administration must prove its case against the faculty member by a preponderance of the evidence.

14.4.7 Confidentiality

To the extent practical, the informal and formal PPRP shall be confidential. All proceedings of the FHP shall be conducted in private and the FHP report shall be available only to the parties to the grievance, those involved in the process and those acting on any appeal.

14.4.8 Report

The FHP shall prepare a written report divided into findings of fact and recommendations with supporting reasons which shall be presented to the Vice Chancellor of Academic Affairs and the faculty member within 7 days of the conclusion of the hearing. A minority report also may be prepared.

14.4.9 Time Period

The time between the empaneling of the FHP and the preparation of the FHP report shall be no longer than 60 days unless there are exceptional circumstances. Extensions must be approved by the APRC.

14.5 Post-Hearing Procedure

14.5.1 Vice Chancellor of Academic Affairs Review

The Vice Chancellor of Academic Affairs shall accept the FHP findings of fact, but is not required to accept the FHP recommendations or sanctions. If the Vice Chancellor of Academic Affairs imposes different sanctions on a faculty member than recommended by the FHP, said sanctions shall be set forth in writing and presented to the faculty member within 14 days of the date of the FHP report. If the Vice Chancellor of Academic Affairs is a party to the dispute, the chancellor will fulfill this function.

14.5.2 Appeal Rights

If major sanctions are imposed by the Vice Chancellor of Academic Affairs on a faculty member, the faculty member may prepare a written appeal to the chancellor within 14 days of receiving the decision of the Vice Chancellor of Academic Affairs.

The chancellor will rule on the appeal within 30 days of its receipt and notify the faculty member of the results in writing.

14.5.3 Right to Appeal to the Board of Governors

When the FHP, Vice Chancellor of Academic Affairs and chancellor do not agree on the sanctions, the faculty member shall have the right to appeal to the Board of Governors. If the sanction is dismissal, the decision may always be appealed to the Board of Governors. The appeal must be filed within 14 days of the receipt of written notification regarding implementation of sanctions from the chancellor.

14.5.4 Information Provided to the Board of Governors

The Board of Governors reviews the case, including all documentation, written findings and recommendations. The following reports must be forwarded to the Board of Governors for review:

1. Comments and Recommendations of the APRC
2. Findings of Fact and Recommendations of the FHP and
3. Recommendations of the Vice Chancellor of Academic Affairs and chancellor.

14.5.5 Board of Governors is Final Authority

15.0 Separation from Employment

15.1 Resignation

Faculty members may terminate their appointments effective at the end of an academic year, provided that they give notice in writing at the earliest possible opportunity, but no later than May 15 or thirty days after receiving notification of the terms of appointment for the coming year, whichever date occurs later. Faculty members may properly request a waiver of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

15.2 Retirement

The University complies with the Age Discrimination and Employment Act. Amendments to this federal law have removed mandatory retirement based on age.

Generally, there are two times during an academic year when faculty members can retire: (a) at the end of the spring semester, or (b) at the end of the fall semester. Academic administrators (i.e., deans, department heads, academic program directors, etc.) are on 12-month appointments which generally end each June 30th. Such administrators who decide to retire usually retire at the end of the 12-month appointment period, i.e., July 1st. However, there are other retirement date possibilities for academic administrators, and they should contact the Office of Human Resources as soon as possible after deciding to retire so that relevant information about retirement dates can be explained and discussed. Because academic administrators earn vacation and paid sick leave while serving in their 12-month positions, the procedures described for university employees governing payment

of vacation and sick leave at retirement apply to academic administrators with some modifications. (Revised August 2023)

Please see the Human Resources (HR) web site and/or contact a representative from Human Resources for detailed information on the retirement process.

15.2.1 Retirement Benefits

All retired faculty members may have the following benefits: use of Magers Health and Wellness Center, faculty discount at the Drago College Store Bookstores, admission to convocations on campus, use of the facilities of the System Libraries, use of the Putnam Student Centers, enrollment in one course per semester free of required student fees, faculty privileges for admission to athletic activities and use of the West Plains Civic Center swimming pool during Missouri State University sessions.

Faculty members retired from Missouri State University are entitled to continue the same medical insurance coverage he or she had before retirement, including dependent coverage. The retiree must assume the cost, which will be at the group rate that is currently in effect. This eligibility continues until the retiree is eligible for Medicare. Although a retiree is no longer eligible for the group term life insurance plan provided by the University, the retiree is guaranteed the option to convert to ordinary life insurance with the same company but at a higher rate based upon individual policy rates and the retiree's age. The director of human resources can provide more specific information regarding retirement and insurance.

A retiree's eligible dependent children who enroll at Missouri State University are extended the same educational benefit available to the eligible dependent children of a full-time regular employee. Under no circumstances, however, can the retiree and the retiree's dependent children together receive a waiver of required student fees for more than a total of 15 credit hours per academic year (12-month period beginning with the fall intersession). This benefit is not applicable to out-of-state fees, book costs, or any special fee pertaining to a specific class or private instruction. The eligible dependent must pay the required student fees for all college-level courses taken over the 15 credit hours per academic year covered under this program. (Revised August 2023)

15.2.2 Benefits Available to Emeritus Faculty

See section 3.5.8 for more information about benefits available to Emeritus Faculty.

15.3 Teaching for Missouri State University-West Plains After Retirement

From time to time, the University may offer individual retired faculty members the opportunity to teach one or more courses after retirement. For retired faculty members who have been granted emeritus status, the compensation for such teaching would be at the rate of 2.5 percent of the average annual salary per credit hour for the retiree's rank during his or her last year of employment at the University. If a retired emeritus faculty member wishes to teach a course that does not meet minimum enrollment guidelines, the administrator and faculty member may negotiate for a salary rate that is less than 2.5 percent of the average annual salary per credit hour for the retiree's rank during his or her last year of employment at the University. For retired faculty members who have not

been granted emeritus status, compensation for teaching after retirement shall be at the regular per course rate.

A retired faculty member who teaches part-time for Missouri State University after retirement will continue to receive his or her retirement benefits. The retiree must not work more than the equivalent of half-time employment. The teaching load would ordinarily be up to six credit-hours per semester; special permission may be granted by the Vice Chancellor of Academic Affairs for a retired faculty member to teach more than six credit-hours during a given semester, but no more than 12 credit-hours during the academic year. The retiree should contact the Social Security Administration with any questions regarding earning limitations.

A retired faculty member or retired administrator with faculty status may be employed on a part-time, temporary, hourly basis for no more than 1,000 hours in a 12-month period. (Revised August 2023)

15.4 Notice of Non-Reappointment of Tenure Track Faculty

Policies regarding notice of non-reappointment of ranked faculty during the probationary period may be found in Section 3.9.

15.5 Dismissal

The following Missouri statutes provide the basis for the University's policy for dismissing tenured faculty members or for dismissing untenured faculty members prior to the expiration of a term appointment:

174.140.--Each Board of Governors may appoint and remove the president or any professor or teacher in any state college in its district; may fix the duration, terms and conditions of their offices and compensation; may enter into agreements for and make contributions to both voluntary and statutory retirement plans for the chancellor, professors and teachers and under rules adopted by the board may extend the provisions of the workmen's compensation law to all employees thereof.

(RSMo 1939 Sec. 10765, A.L. 1947 V.II p. 382, A.L. 1979 p. 288)

Prior revisions: 1929, Sec. 9608; 1919, Sec. 11503; 1909, Sec. 11074 174.150.--

1. No president, professor or teacher shall be removed except for incompetency, neglect or refusal to perform his duties, dishonesty, drunkenness or immoral conduct; nor shall such president, professor or teacher be removed until after ten days' notice, in writing, stating the nature and cause of removal and he shall have an opportunity to make a defense before the Board by counsel or otherwise and be allowed to introduce testimony which shall be heard and determined by the Board.
2. In every case of suspension or expulsion by the faculty the person suspended or expelled shall be allowed an appeal to the Board from the decision of the faculty and the Board shall prescribe the manner and mode of proceeding in the matter of such appeal; but the decision of the Board upon such appeal shall be final.

(RSMo 1939, Sec. 10766)

Prior revisions: 1929, Sec. 9609; 1919, Sec. 11504; 1909, Sec. 11075

When, in the view of the chancellor, there are substantive grounds under the law for the dismissal of a tenured faculty member or the dismissal of a faculty member previous to the expiration of a term appointment, the chancellor or his delegate will frame with reasonable particularity a statement of charges. This step will be taken only when less drastic courses of action do not produce or promise to produce, a remedy. Those less drastic courses of action may include but not be limited to the following: (1) discussions between the faculty member and appropriate administrative officers and (2) informal inquiry by the Academic Personnel Review Commission which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the chancellor (3) peer review process. Instigation of the peer review process is at the discretion of the chancellor.

15.5.1 Dismissal Procedures

The chancellor will initiate formal dismissal proceedings by addressing a written communication to the faculty member informing him or her of the statement of charges and that he or she will be dismissed or suspended without pay as of a date specified in the written communication, but in no case less than thirty working days from the date of delivery of the communication. The faculty member will also be notified by the chancellor that he or she may file a formal grievance with the Academic Personnel Review Commission within thirty days from the date of the delivery of the communication. If a grievance is filed, the hearing officer will hear the case. If no grievance is filed, the dismissal or suspension will take effect as indicated in the written communication specified above.

Pending final decision, the faculty member will be suspended or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others, including students and the education process, is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the grievance process, the administration will consult with the Faculty Senate Executive Committee concerning the propriety, the length and the other conditions of the suspension. Salary will continue during the period of suspension. The faculty member may request review by the Board of Governors of the dismissal or suspension without pay, as provided in 174.150, R.S.Mo. The faculty member may agree to the review being on the record of the hearing before the hearing officer.

15.6 Property Clearance

When employment with the university is discontinued, for any reason, the employee is responsible for returning all university property in their possession. Departments with an interest in the return of university property are notified by Human Resources of the employee's departure. The departing employee and their department head are notified by Human Resources that any university property in the employee's possession needs to be returned before the termination date; a link to the Exit Questionnaire is also provided.

15.6.1 Recovering Property and Money Owed to the University

The university has the right to hold any amounts due and payable (vacation pay, overpayment, reimbursement, etc.) to any employee until payment has been received to settle charges for unreturned university property and debts owed the university for any reason.

15.7 Reduction in Force Due to Financial Exigency

15.7.1 Preliminary Considerations

Declaration of the existence of a financial exigency is the responsibility of the Board of Governors. This declaration will take place only if there is a financial crisis of such magnitude that all other reasonable measures have been taken and there is no alternative to the termination of University faculty who otherwise would have the expectation of continuing employment. The measures which precede this declaration of exigency and the process leading to its declaration are detailed in The Missouri State University-West Plains Financial Exigency Policy, included in the Faculty Handbook as Appendix B. This policy will be changed only through the procedures specified for amendment of the Faculty Handbook in Section 16.0. Actions taken will be in accordance with the principles stated below, subject to the condition that special care will be taken so that the burden of financial exigency does not fall disproportionately on those for whom affirmative action was taken:

1. The preservation of viable academic programs for the University shall be the primary goal.
2. The faculty must not bear an undue proportion of the budgetary cutbacks. Every reasonable effort will be made by the administration to reassign faculty members to other mutually acceptable professional work for which they are qualified at Missouri State University-West Plains, in order to prevent the termination of employment of faculty members.

15.7.2 Faculty Reductions

If the financial exigency requires a reduction in the personnel services budget for academic affairs, faculty members' employment will be terminated according to the process detailed in The Missouri State University-West Plains Financial Exigency Policy (Appendix B) following these priorities:

1. **First:** Termination of part-time, unranked personnel in all departments to the degree that their duties could be absorbed by full-time faculty members and still retain student enrollments.
2. **Second:** Within academic divisions, full-time faculty members will be terminated according to the following priorities:
 - a. **First:** Termination of unranked faculty members to the degree that their duties could be absorbed by ranked faculty members.
 - b. **Second:** Termination of non-tenured ranked faculty members with six or fewer years of service to Missouri State University-West Plains to the degree that their duties could be absorbed by tenured faculty members.
 - c. **Third:** Termination of tenured faculty members with fewer than twelve years of service to Missouri State University-West Plains to the degree that their duties could be absorbed by other tenured faculty members.
 - d. **Fourth:** Termination of tenured faculty members with twelve or more years of service to Missouri State University-West Plains.

15.7.3 Program Reductions

If the crisis created by the financial exigency cannot be managed by distributed personnel reductions as detailed in The Missouri State University-West Plains Financial Exigency Policy (Appendix B), it may become necessary to eliminate one or more academic programs. Such program elimination shall be accomplished

according to the process detailed in The Missouri State University-West Plains Financial Exigency Policy.

15.7.4 Rights of Terminated Faculty Members

At the termination of a faculty member due to financial exigency, Missouri State University-West Plains will provide the affected faculty member with a written notice of termination including a summary of the information and data used to make the termination decision as well as a description of the manner in which the decision was reached. This notice of termination must be provided according to the same requirements of timely notice of non-appointment of ranked faculty members during the probationary period, as prescribed in section 3.9 of this Handbook, except in the case of an extraordinary financial exigency which, as agreed to by the Faculty Senate and the chancellor, would make it impossible for Missouri State University-West Plains to give such notice. This notice of termination for tenured faculty must be provided at least 12 months before the effective termination date.

Faculty given notice of termination have the right to a full hearing before a faculty committee to assess the validity of the educational judgments and the criteria for identification for termination and to determine whether the criteria are being properly applied in the individual case. The faculty committee shall consist of five members, including the two members of the Academic Personnel Review Commission (APRC), plus one additional tenured faculty member selected by the Executive Committee of the Faculty Senate, one additional academic administrator selected by the chief academic officer and one additional tenured faculty member (not currently serving as an academic administrator) chosen by agreement of the Executive Committee of the Faculty Senate and the chief academic officer. A recording of the hearing will be made. The faculty member will be permitted to introduce documentation and testimony determined by the chair of the hearing committee to be relevant. The administration would be permitted to similarly respond. Both the faculty member and the administration may be represented by legal counsel. Any request for hearing must be made within five (5) calendar days of receipt of the notice of termination. The faculty committee must report its decision, the number of votes cast on each side (but not identifying the votes of the individual committee members) and a rationale for its decision within ten (10) calendar days of the hearing.

Either the faculty member or the administration may appeal the decision of the faculty committee to the Board of Governors. An appeal to the Board of Governors must be made in writing and must be filed with the chancellor within ten (10) calendar days following the decision of the faculty committee; otherwise, the opportunity for appeal will be lost. Upon receipt of the written appeal, which must state the basis for the appeal, the chancellor will notify the president of the Board of Governors. At the next regular Board meeting or as otherwise determined appropriate by the president of the Board, the Board will decide whether to hear the appeal. If the Board refuses to hear the appeal, the decision of the faculty committee is affirmed. If the Board agrees to hear the appeal, the hearing may be formal or informal and the time and place of such hearing will be communicated within a reasonable time to all parties involved. The Board or its designated committee shall have access to all facts and information it may feel are relevant and material to the issue. Parties to the appeal may be represented by legal counsel. The presiding officer selected by the Board of Governors will rule on all questions of evidence or procedure. Upon conclusion of such appeal, the Board or its designated committee, will render a finding in writing that will be final.

During the 12 months prior to effective termination, the faculty member will be permitted to continue in professional duties at Missouri State University-West Plains with full salary and benefits. Salary shall be paid monthly for the duration of the 12-month period or until the faculty member obtains full-time outside employment. If the faculty member obtains full-time outside employment at a pay rate and with benefits that are less than the Missouri State University-West Plains pay rate and benefits, then Missouri State University-West Plains shall pay the difference for the remainder of the 12-month period. If the faculty member chooses to leave Missouri State University-West Plains during this 12-month period for any reason other than to accept full-time outside employment, Missouri State University-West Plains' salary and benefit commitment will cease. The faculty member and Missouri State University-West Plains retain the option to negotiate individual alternative arrangements by mutual agreement between the parties.

Missouri State University-West Plains will provide reasonable assistance to faculty members who are terminated as a result of financial exigency in their search for other employment.

Faculty members terminated because of a financial exigency will have the following rights of recall and seniority, in reverse order of termination. A replacement for a faculty member's position shall not be appointed within three academic years after the effective date of the termination of said faculty member. During this three-academic-year period, prior to the appointment of any new faculty member in a terminated faculty member's position, Missouri State University-West Plains shall offer reappointment by registered mail to such terminated faculty member at his or her last known address. Said faculty member shall have 30 calendar days within which to accept or decline the offer in writing. Should said faculty member indicate in writing that he or she desires to accept reappointment at Missouri State University-West Plains, then such reappointments shall be held open by Missouri State University-West Plains for such a period of time as may be necessary for the faculty member to fulfill any commitment he or she may have made to the faculty member's then-current employer, provided that such commitment does not extend beyond the period of one academic year. A recalled faculty member shall be reinstated to those years of service credits that he or she had accrued at the time termination occurred.

15.8 Reduction in Force Due to Elimination of Academic Programs for Reasons other than Financial Exigency

15.8.1 Definition

"Academic program" means any course of study approved through the curricular process of Missouri State University-West Plains and appearing in the curricular offerings of Missouri State University-West Plains listed in the Program Inventory for Public Institutions published by the Coordinating Board for Higher Education of the State of Missouri.

15.8.2 Procedures for Eliminating Academic Programs

Except as provided in Section 15.7.3, an academic program will be considered for elimination only if the program is no longer viable for academic, enrollment or accreditation reasons. Any proposal to eliminate an academic program will be forwarded to the Vice Chancellor of Academic Affairs. If the dean concludes that the proposal has merit, she/he will forward it to the Faculty Senate for its action. The Faculty Senate will receive recommendations from the academic division(s) involved and the Budget Review Committee before taking action.

Reorganization of academic programs cannot result in the elimination of any academic program without utilization of the procedures required herein.

15.8.3 Rights of Faculty Members in Eliminated Programs

Non-tenured ranked faculty members with teaching assignments in the academic program to be eliminated will be given notice of non-appointment as prescribed elsewhere in this Faculty Handbook. Tenured faculty members with teaching duties in the program to be eliminated will be assigned other available responsibilities for which they are qualified within the department. In those cases where there is no alternative assignment available within the department, at least one of the following courses of action shall be offered in good faith by the University in consultation with the tenured faculty member and the affected department(s):

1. Early retirement
2. Transfer of teaching duties to a different department
3. Transfer of assigned duties to another professional position within the University, without loss of tenure
4. Retraining for a position inside or outside the University

If none of the courses of action listed above is mutually agreeable, the tenured faculty member will be released from service to the University. The University will provide the affected faculty member with a written statement including the information and data used to make the termination decision as well as a description of the manner in which the decision was reached. This statement of notice of termination must be provided at least one full calendar year prior to the effective date of the termination.

The terminated tenured faculty member shall be given severance pay consisting of the continuation of his or her regular monthly salary (including fringe benefits) for a period of 12 months, plus an additional 30 calendar days' salary payment for each year of academic service to Missouri State University, to a maximum of 12 years of service. As an alternative and at the University's option, the terminated tenured faculty member shall be given extended notice, during which he or she will continue in professional duties with full salary and benefits, equivalent to 12 months plus an additional 30 days' notice for each year of academic service to Missouri State University to a maximum of 12 years' service. Salary shall be paid monthly until the severance pay benefits or extended notice ends or until the faculty member is recalled by the University or until the faculty member obtains outside employment. If the faculty member obtains outside employment at a pay rate and with benefits that are less than the University pay rate and benefits, then the University shall pay the difference for the period of eligibility for severance pay.

When tenured faculty of eliminated academic programs and the administration have mutually agreed to retraining, the retraining will consist of the following components: (1) the retraining period of the affected tenured faculty member may be for as long as one academic year's duration whether the retraining is for a position with the

University or for a position outside the University; (2) retraining may consist of course work or practical work completed on the Missouri State University campus or course work or practical work completed on another campus; (3) during the faculty retraining period, the tenured faculty member shall receive his/her salary and fringe benefits at the same level he/she would receive on sabbatical leave and (4) the University will, for a faculty member undergoing retraining on the Missouri State University campus, waive course fees to a total of 30 hours of credit. For a faculty member undergoing retraining on another campus, the University will pay the tuition or fees to a total of the cost of 30 hours of credit on the Missouri State University campus.

Faculty members who accept a retraining program for a position outside of the University are not eligible for additional severance benefits.

Faculty members terminated because of academic program elimination will have the following rights of recall and seniority. If the academic program or similar academic program is reinstated, a replacement shall not be appointed within 36 calendar months from the effective date of the termination of said faculty member. During this period, prior to the appointment of any new faculty member, the University shall offer reappointment by registered mail to all qualified terminated faculty members in inverse order of their termination at his/her last known address. Said faculty member(s) shall have 30 calendar days within which to accept or decline the offer in writing. Should a faculty member to whom an offer of recall is made indicate in writing that he/she desires to accept reappointment at the University, such appointment shall be held open by the University for such period of time as may be necessary for the faculty member to fulfill any commitment such member may have made to his/her then-current employer, provided that such commitment does not extend beyond a period of 365 calendar days from the date of offer.

A recalled faculty member shall be reinstated to all years of academic service to Missouri State University accrued at the time of termination.

16 Amendments

16.1 Amendments to Part 1.0 of the Faculty Handbook

All sections of Part 1.0 of this Handbook, with the following exceptions, may be amended by the Board of Governors upon the recommendation of the chancellor. The exceptions are as follows:

16.1.1 Faculty Senate and Faculty Constitution (section 1.5.2)

Amendments to the Faculty Constitution and changes in the function of the Faculty Senate may be made through Board-approved University governance processes.

16.2 Amendments to preamble, Section 1.5.2, and Parts 2.0 through 16.0 of the Faculty Handbook

16.2.1 Reserved Statutory Rights

While the Board of Governors seeks to share the governance of the University with the faculty to the degree set forth in the policy statements of this Handbook, in so doing, the Governors do not abrogate their statutory duties required by Chapter 174, Missouri Revised Statutes, which include the right, if they deem it essential to the proper management of the University, to amend the provisions of this Handbook. If such amendment is deemed necessary, the Governors pledge that they will follow the procedures set forth herein in effecting such amendments.

16.2.2 Amendment Process

Proposed amendments to the Preamble, Section 1.5.2, and Parts 2.0 through 16.0 of the Faculty Handbook will be considered and acted upon pursuant to a procedure similar to that utilized in the creation and adoption of this Faculty Handbook, described as follows:

- a. The Executive Committee of the Faculty Senate shall appoint a Faculty Handbook Revision Committee, as a standing committee
- b. The Faculty Handbook Revision Committee shall consider any amendment proposed by the Board of Governors, the administration, or members or units of the faculty. Further, the Committee shall conduct a septennial review of the Faculty Handbook to consider whether additional amendments are needed. In all cases the Committee shall seek to reach a reasoned consensus. The Committee shall file a report with the Faculty Senate stating the Committee's recommended action
- c. The Faculty Senate shall consider the recommendations of the Faculty Handbook Revision Committee within thirty calendar days of the submission of the Committee's report, and shall file its recommended action with the Board of Governors and the administration
- d. The Board of Governors shall thereafter consider the report of the Faculty Handbook Revision Committee, the Faculty Senate, and recommendations made by the administration before taking action on the proposed changes. The Board shall also hold an open meeting to receive comments from interested parties on the proposed changes before taking final action.
- e. Under circumstances as certified by the chancellor for urgent reason, including change in law, where either the legislature or the Coordinating Board for Higher Education makes requirements which necessitate a change in any policy contained herein, the chancellor may forward directly to the Board of Governors the changes deemed immediately essential to meet the aforesaid requirements without the same having been first submitted to the Faculty Handbook Revision Committee, or the Faculty Senate, as required in items 2 and 3 above. In all such cases, before taking action, the Governors shall request the Faculty Handbook Revision Committee and the Faculty Senate to convene and consult with the administration concerning the proposed action. The failure of either body to convene and consult shall not prevent the Governors from proceeding after a reasonable period of time has been afforded

16.3 Amendments to Take Effect

Following final approval by the Board of Governors, the Faculty Handbook shall remain in effect until amended in accordance with the procedures set forth above. All Amendments,

except those adopted pursuant to item.5, above, shall take effect at the commencement of the academic year following the adoption of the amendments by the Board of Governors. All amendments so adopted shall be incorporated into the Faculty Handbook as a permanent revision thereto.

Appendix A: Intellectual Property

Section 1: Objectives

Inventions, discoveries, copyrightable works and other creative works that have the potential to be brought into practical use may result from the activities of University employees in the course of their duties or through the use, by any person, of University resources such as facilities, equipment or funds. The primary purpose of this Intellectual Property policy is to provide the necessary protections and incentives to encourage both the discovery and development of new knowledge and its transfer for the public benefit; a secondary purpose is to enhance the generation of revenue for the University and the creators. The University is guided by the following objectives:

1. To ensure that the educational mission of the University is not compromised;
2. To optimize the environment and incentives for research and for the creation of new knowledge at the University;
3. To bring the products of creative efforts into practical use for the public benefit as quickly and effectively as possible and
4. To protect the interest of the people of Missouri through an equitable recovery by the University of its investment in research.

Section 2: Definitions

Exceptions are expected in units where the tradition is to provide support to some faculty in the form of graduate assistants to help prepare traditional academic copyrightable works. Exceptions are also expected in situations where creators use University-provided facilities and resources in the creation of works of artistic imagination, for example, use of studios, pottery wheels or kilns for the creation of paintings, sculpture or ceramics. Other individual exceptions may be approved on a case-by-case basis (see Section 7.J.).

1. **Intellectual Property:** The term "intellectual property" as used herein is broadly defined to include inventions, discoveries, know-how, show-how, processes, unique materials, copyrightable works, original data and other creative or artistic works which have value. Intellectual property includes that which is protectible by statute or legislation, such as patents, copyrights, trademarks, service marks, trade secrets, mask works and plant variety protection certificates. It also includes the physical embodiments of intellectual effort, for example, models, machines, devices, designs, apparatus, instrumentation, circuits, computer programs and visualizations, demonstration software, biological materials, chemicals, other compositions of matter, plants and records of research.
2. **Traditional Academic Copyrightable Works:** "Traditional academic copyrightable works" are a subset of copyrightable works created independently and at the creator's initiative for traditional academic purposes. Examples include class notes, books, theses and dissertations, educational software (also known as courseware or lessonware), articles, non-fiction, fiction, poems, musical works, dramatic works including any accompanying music, pantomimes and choreographic works, pictorial, graphic and sculptural works or other works of artistic imagination that are not created as an institutional initiative (as specified in Section 4.A.2. below).
3. **Creator:** "Creator" refers to an individual or group of individuals who make, conceive, reduce to practice, author or otherwise make a substantive intellectual contribution to the creation of intellectual property. "Creator" includes the definition of "inventor" used in U.S. patent law and the definition of "author" used in the U.S. Copyright Act.
4. **University Resources Usually and Customarily Provided:** When determining ownership and license rights in copyrightable works, "University resources usually and customarily provided" includes such support as office space, library facilities, ordinary access to computers and networks, including Internet access and space for course pages or salary. In general, it does not include use of students or employees as support staff to develop the work or substantial use of

specialized or unique facilities and equipment or other special support provided by the University unless approved as an exception.

5. **Sponsored Projects:** Sponsored projects are activities funded in whole or in part by funds provided from internal University sources or provided by grants, contracts or other agreements with external entities. Internal sources of funding include, but are not restricted to, formally identified programs in which faculty, staff and/or students compete for support, as well as other instances wherein funds are provided from unit budgets.

Section 3: Application

This policy as amended from time to time shall be deemed a part of the conditions of employment for every employee of the University and a part of the conditions of enrollment and attendance at the University by students. It is also the policy of the University that individuals (including visitors) by participating in a sponsored project and/or making significant use of University-administered resources thereby accept the principles of ownership of intellectual property as stated in this policy unless an exception is approved in writing by the University. All creators of intellectual property shall upon request execute appropriate assignment and/or other documents required to set forth effectively ownership and rights as specified in this policy.

Section 4: Copyrights

1. **Ownership:** Unless subject to any of the exceptions specified below, creators retain all rights to traditional academic copyrightable works as defined in Section 2.B. above. (See, however, Section 4.B.2. below.) This includes all works developed by employees outside of University time and without use of University resources inaccessible to the public.

The University shall own copyrightable works as described following. Revenues generated by University-owned intellectual property shall be distributed according to the provisions of Section 8, unless otherwise determined in writing.

- a. Works created pursuant to the terms of a University agreement with an external party, or
- b. Works created as a specific requirement of employment or as an assigned University duty that may be specified, for example, in a written job description or an employment agreement. Such specification may define the full scope or content of the employee's University employment duties comprehensively or may be limited to terms applicable to a single copyrightable work. Absent such prior written specification, ownership will vest with the University in those cases where the University provides the motivation for the preparation of the work, the topic or content of which is determined by the creator's employment duties and/or when the work is prepared at the University's expense. Works created by University staff and administrative employees shall be considered to fall within this category, unless and except as specified by written agreement to the contrary, approved by the appropriate vice-president and the president of the University.
- c. Works specifically commissioned by the University. The term "commissioned work" is hereafter used to describe a copyrightable work prepared under a written agreement between the University and the creator when (1) the creator is not a University employee or (2) the creator is a University employee but the work to be performed falls outside the normal scope of the creator's University employment. Contracts covering commissioned works shall specify that the author convey by assignment, if necessary, such rights as are required by the University.
- d. Copyrights owned by the faculty member under this policy will not transfer to the University simply because the work is also patentable. However, if the University pursues a patent of the work, the University will own the patent rights and the faculty member will share in royalties as set forth in Section 8. The faculty member will also

license to the University the copyright for the University to use the work for the purposes of the patent and the right to sublicense to third parties for purposes of commercialization of the patent.

2. University Rights in Creator-Owned Works

- a. Traditional academic copyrightable works created using University resources usually and customarily provided are owned by the creators. Such works need not be licensed to the University.
- b. Traditional academic copyrightable works created with use of University resources over and above those usually and customarily provided shall be owned by the creators but licensed to the University. The minimum terms of such license shall grant the University the right to use the original work in its internally administered programs of teaching, research and public service on a seven-year royalty-free, non-exclusive basis. The University may retain more than the minimum license rights when justified by the circumstances of development. By definition, any course developed for any Missouri State University network, including Intranet, LAN, WAN or Internet course, workshop or other educational course work, shall be considered created with use of University's resources over and above those usually and customarily provided. The University's license shall include the rights to copy, store and modify at any time.
- c. This policy shall be administered consistently with Section 2.8.2 of the Faculty Handbook.

3. Student Works: Unless subject to the provisions of paragraph 4.A. or provided otherwise by written agreement, copyrightable works prepared by students as part of the requirements for a University degree program are deemed to be the property of the student but are subject to the following provisions:

- a. The original records (including software) of an investigation for a graduate thesis or dissertation are the property of the University but may be retained by the student at the discretion of the student's major department. In cases of dispute, the matter shall be referred to the University Intellectual Property Committee.
- b. The University shall have, as a condition of the degree award, the royalty-free right to retain, use and distribute a limited number of copies of the thesis, together with the right to require its publication for archival use.
- c. Creative works developed by a student employed by the University are owned, not by the student, but by the faculty member or the University as provided by this policy.

4. Copyright Registration and Notice: University-owned works should be protected by copyright notice in the name of the Board of Governors of Missouri State University. Such copyright notice should be composed and affixed in accordance with the United States Copyright Law. Registration of the copyright for University-owned works shall be in accordance with the operational guidelines and procedures established by the associate vice-president for academic affairs and dean of the graduate college. The University may also decide to release a work to the public domain and if so, should so indicate.

5. University Publications: University publications, such as the *Journal for Public Affairs*, shall be responsible for copyright registration of works owned by the University and published for administering contracts with its authors. Such contracts shall define the rights and obligations of the author and the University and shall be processed as are other University contracts.

6. Compliance with the Copyright Act. University units that administer activities involving any usage regulated by the Copyright Act are responsible for knowing applicable regulations, monitoring their continuing evolution and conducting their programs in full compliance with the applicable laws and regulations.

Section 5: Other Intellectual Property Including Patents

Ownership: Except as otherwise specified herein or by the University in writing, intellectual property shall belong to the University if made: (1) by a University employee as a result of the employee's duties or (2) through the use by any person, including a University employee, of University resources such as facilities,

equipment, funds or funds under the control of or administered by the University. (See also Section 4.A.4. above.)

Section 6: Trademarks

Trademarks and service marks are distinctive words or graphic symbols identifying the source, product, producer or distributor of goods or services. Registration of trademarks or service marks, at the state or federal level, shall be approved by the appropriate campus or University level officer. Proceeds received from commercialization of a mark that is related to an intellectual property license will be shared with all creator(s) of the associated property as specified in Sections 8.B. and 8.C. below. Except as provided herein or unless subject to prior written agreement between the creator(s) and the University, the University will not share the proceeds from commercialization of a mark with the individual(s) who created the mark.

Section 7: Intellectual Property Administration

1. **Disclosure:** All intellectual property in which the University has an ownership interest under the provisions of this policy and that has the potential to be brought into practical use for public benefit or for which disclosure is required by law shall be reported promptly in writing by the creator(s). This disclosure is to be submitted to the associate vice-president for academic affairs and dean of the graduate college with a copy to the Unit Head (i.e., academic department or staff unit). The associate vice-president for academic affairs and dean of the graduate college will handle the disclosure in accordance with procedures developed for evaluation of the potential merit of the intellectual property. The Unit Head will review the disclosure and provide recommendations on the potential merit of the intellectual property and convey this to the associate vice-president for academic affairs and dean of the graduate college through standard administrative routing. The disclosure shall constitute a full and complete disclosure of the subject matter of the discovery or development and identify all persons participating therein. The creator(s) shall furnish such additional information and execute such documents from time to time as may be reasonably requested.
2. **Evaluation and Exploitation Decisions:** After evaluation of the intellectual property and review of applicable contractual commitments, the University may develop the property through licensing, may release it to the sponsor of the project under which it was made (if contractually obligated to do so), may release it to the creator(s) if permitted by law or may take such other actions as are determined to be in the public interest. Exploitation by the University may or may not involve statutory protection of the intellectual property rights, such as filing for patent protection, registering the copyright or securing plant variety certification.
3. **Questions Related to University Ownership:** In the event there is a question as to whether the University has a valid ownership claim in intellectual property, such intellectual property should be disclosed in writing to the University by the creator(s) in accordance with Section 7.A. Such disclosure is without prejudice to the creator's ownership claim. The University will provide the creator with a written statement as to the University's ownership interest.
4. **Informing Creators of Decisions:** The University will inform principal creators of its substantive decisions regarding protection, commercialization and/or disposition of intellectual property which they have disclosed. However, specific terms of agreements with external parties may be proprietary business information and subject to confidentiality restrictions.
5. **University Abandons Intellectual Property:** Should the University decide to abandon development or protection of University-owned intellectual property, ownership may be assigned to the creator(s) as allowed by law subject to the rights of sponsors and to the retention of a license to practice for University purposes. The minimum terms of such license shall grant the University the right to use the intellectual property in its internally administered programs of teaching, research and public service on a perpetual, royalty-free, non-exclusive basis. The University may retain more than the minimum license rights and the assignment or license may be subject to additional terms and conditions, such as revenue sharing with the

University or reimbursement of the costs of statutory protection, when justified by the circumstances of development.

6. **Commercialization by Creator(s):** The University may, at its discretion and consistent with the public interest, license intellectual property to the creator(s) on an exclusive or non-exclusive basis. The creator(s) must demonstrate technical and business capability to commercialize the intellectual property. The creator(s) may be required to assume the cost of statutory protection. Agreements with creators will be subject to review and approval of conflict of interest issues in accordance with applicable University policy.
7. **University's Acceptance of Independently Owned Intellectual Property:** The University may accept assignment of intellectual property from other parties provided that such action is determined to be consistent with the public interest. Intellectual property so accepted shall be administered in a manner consistent with the administration of other University-owned intellectual property.
8. **Consulting Agreements:** Employees engaged in external consulting work or business are responsible for ensuring that agreements emanating from such work are not in conflict with University policy or with the University's contractual commitments. Such employees should make their University obligations known to others with whom they make such agreements and should provide other parties to such agreements with a statement of applicable University policies regarding ownership of intellectual property and related rights. Employees of the University have no authority to enter into agreements inconsistent with this policy.
9. **Statement by Creators:** The creators of intellectual property owned by the University under the terms of this policy may be required to state that to the best of their knowledge the intellectual property does not infringe on any existing patent, copyright or other legal rights of third parties; that if the work is not the original expression or creation of the creators, the necessary permission for use has been obtained from the owner; and that the work contains no libelous material nor material that invades the privacy of others.
10. **Administrative Responsibility:** The president has ultimate authority for the stewardship of intellectual property developed at the University. Primary responsibility is delegated through the president to the vice-president for academic affairs and the associate vice-president for academic affairs and dean of the graduate college for establishing operational guidelines and procedures for the administration of intellectual property, including but not limited to determination of ownership, assignment, protection, licensing, marketing, maintenance of records, oversight of revenue or equity collection and distribution, approval of individual exceptions and resolution of disputes among creators and/or unit executive officers.
11. **Contractual Authority:** Licenses, options for licenses and other agreements related to commercialization or exploitation of intellectual property will be granted in the name of the Board of Governors of Missouri State University.
12. **Administrative Guidelines and Procedures:** General guidelines and procedures for the administration of intellectual property shall be established by the president in consultation with the University Intellectual Property Committee (as specified in Section 7.M. below) and the campuses. Detailed operational guidelines and procedures for the administration of campus-based responsibilities shall be established by the associate vice-president for academic affairs and dean of the graduate college.
13. **University Intellectual Property Committee:** The University Intellectual Property Committee shall be appointed annually by the president, composed of eight (8) members, no fewer than four (4) of which shall be full-time ranked faculty, to make recommendations to the president regarding procedures, guidelines and responsibilities for the administration and development of intellectual property and such other matters as the president shall determine.
14. **Appeals:** After following the administrative guidelines and procedures established by the University, creator or unit executive officer may appeal to the University Intellectual Property Committee to seek resolution of complaints or questions regarding the matters addressed in this policy.
15. **Preferential Treatment of Sponsors:** Sponsored project agreements shall provide that all intellectual property developed as a result of the sponsored project shall belong to the University unless otherwise specified in writing. The sponsor may receive an option to license such resulting intellectual property on terms to be negotiated, said option to be exercised within

a specified period following the disclosure of the intellectual property. When the nature of the proposed project allows identification of a specific area of intellectual property or application which is of interest to the sponsor, the University may accept project agreements with terms which entitle the sponsor to specific commercial rights within the defined field of interest. Otherwise, the specific terms of licenses and rights to commercial development shall be based on negotiation between the sponsor and the University at the time of exercise of an option by the sponsor and shall depend on the nature of the intellectual property and its application, the relative contributions of the University and the sponsor to the work and the conditions deemed most likely to advance the commercial development and acceptance of the intellectual property. In all cases where exclusive licensing is deemed appropriate, such license agreements shall require diligent commercial development of the intellectual property by the licensee. The University may also determine, on a case-by-case basis, that it is in the University's interest to assign ownership of resulting intellectual property to the sponsor as an exception to this policy when circumstances warrant such action, in accordance with guidelines approved by the University Intellectual Property Committee.

16. **Summer Fellowships, Educational Leaves and Sabbaticals.** Summer fellowships, educational leaves and sabbaticals will be considered "University resources usually and customarily provided" when determining ownership and license rights in traditional academic copyrightable works.
17. **Exceptions to policy:** Recommendations for exceptions to the provisions in this policy shall be made by the University Intellectual Property Committee to the president for presentation to the Board of Governors. For individual exceptions, see Section 7.J.

Section 8: Proceeds Distribution

1. **Proceeds:** For purposes of this policy, "proceeds" shall refer to all revenue and/or equity, as defined below, received by the University from transfer, commercialization or other exploitation of University-owned intellectual property.
 - a. **Revenue:** "Revenue" shall mean cash from payments including, but not limited to, royalties, option fees, license fees or from the sale of the University's equity interest.
 - b. **Equity:** "Equity" shall include, but not be limited to, stock, securities, stock options, warrants, buildings, real or personal property or other non-cash consideration
2. **Revenue Distribution:** When revenue is received by the University, all direct payments or obligations attributable to protecting (including defense against infringement or enforcement actions), marketing, licensing or administering the property may be deducted from such income. In some cases, a reasonable reserve for anticipated future expenses will be withheld upon agreement between the University and the creators. The income remaining after such deductions is defined as net revenue.
 - a. **Creator's Share:** The creator (or creator's heirs, successors and assigns) normally shall receive forty percent (40%) of net revenue. If there are joint creators, the net income shall be divided equally among them absent a mutual agreement to the contrary.
 - b. **Originating Unit's Share:** The originating unit normally shall receive twenty percent (20%) of net revenue. If a creator is affiliated with more than one originating unit or if there are joint creators from different units, the originating unit(s) share shall be divided among such units as agreed in writing by the responsible unit executive officers.
 - c. **University's Share:** The University normally shall receive forty percent (40%) of net revenue. Distribution of the University's share shall be allocated in support of its technology transfer activities and academic and research programs as determined by the associate vice-president for academic affairs and dean of the graduate college.

3. **Equity Distribution:** In any instance wherein the University executes an agreement with a corporation or other business entity for purposes of exploiting intellectual property owned by the University and the University receives or is entitled to receive equity, such equity or the proceeds of the equity shall be shared among the creator(s), the originating unit(s) and the University in the same proportions as revenue distributions (except as specified in Section 8.D. below).
4. **Exceptions when the Creator(s) have no Entitlement:** If the University accepts support in the form of a sponsored project agreement or unrestricted grant as part of the consideration in an intellectual property license in lieu of an option fee, license fee or royalty, the creator(s) shall have no entitlement to receive a share as personal income. For the subset of equity that is buildings, real or personal property or other non-cash consideration, the creator(s) shall have no entitlement to receive a share as personal income.
5. **Special Distributions:** Special facts or circumstances may warrant a different distribution of proceeds than specified above and such distributions will be determined on a case-by-case basis under the authority of the associate vice-president for academic affairs and dean of the graduate college.
6. **Revenue from Actions for Defense or Enforcement of Intellectual Property Rights:** When the University receives revenue from third parties that results from successful actions for the purpose of defending or enforcing the University's rights in its intellectual property, such revenue may first be used to reimburse the University (or the sponsor or licensee, if appropriate) for expenses incurred in such actions. The creator(s) and their originating unit(s) shall be entitled to recovery of lost royalties from the remaining net revenue, in the same proportions as specified in Section 8.B. above. The remaining net revenue shall be allocated in support of the University's technology transfer activities and academic and research programs as determined by the associate vice-president for academic affairs and dean of the graduate college.

Appendix B: Financial Exigency Policy

The mission of Missouri State University-West Plains is to provide quality educational opportunities to South Central Missouri. The core function of Missouri State University-West Plains is defined by its mission and, therefore, resides in programs of study and the courses of which they are composed. Because Missouri State University-West Plains receives public support and student fees for performing this primary activity, the overarching principle which guides Missouri State University-West Plains in times of financial stringency and exigency through the application of this policy is that **Missouri State University-West Plains will first significantly reduce expenditures that subsidize university programs and activities which do not directly contribute to the primary mission of Missouri State University-West Plains.**

Because of the centrality of University faculty to its primary mission, a financial exigency should be declared only when there is a financial crisis of such magnitude that all other reasonable measures have been taken and there is no reasonable alternative to termination of University employees. No faculty member's employment may be terminated or academic program eliminated for reason of financial exigency absent the declaration of financial exigency by the Board of Governors.

The University engages in continuing reallocation of resources unconnected to financial exigency. Sometimes such reallocation may include the relocation or dismissal of personnel or the restructuring of units to serve better the mission of the University. It is expected that these actions will continue during periods of financial stringency and exigency. Such reallocation shall occur with all applicable shared governance procedures as detailed in section 2.13.2 of the *Faculty Handbook*.

Pre-Exigency Deficit-Reduction Measures:

When the administration declares that it has compelling reason to believe that the University may soon enter a period of financial exigency or immediately after the chancellor is advised by the vice president for financial services (in Springfield) that the University will shortly enter a state of financial exigency, whichever comes first, the chancellor shall within two calendar days convene a forum with representatives of all employees of Missouri State University-West Plains. This forum will be open to the University community. The forum meeting must determine what measures have been taken, what reasonable further measures short of faculty employment termination ought to be taken and the amount of the remaining projected deficit, if any. Such expenditure reduction and revenue enhancement measures to be considered should include, but not be limited to, the following (no priority implied): increases in student fees and surcharges; increases in charges of rentals, tickets and retail items; consolidation of administrative functions; salary holdbacks (temporary salary reductions to be repaid); freezing of open administrative, staff and faculty positions; incentives to early retirement; curtailment or elimination of selected non-academic programs, including selected athletic programs; curtailment or elimination of selected student services, including selected scholarships; increased economy in operations and support services and prudent reductions in physical plant expenditures; a moratorium on plant construction.

Declaration of Exigency:

If the president of the University, with advice from the chancellor of Missouri State University-West Plains, determines that the situation cannot be alleviated by less drastic means than a declaration of a state of financial exigency, then he or she shall submit a recommendation to the Board of Governors for such a declaration. Accompanying this recommendation shall be a report detailing the rationale for this declaration. This report shall list each recommendation which has been implemented or endorsed and should explain why any remaining recommendations have not been implemented or endorsed. The Board shall receive the administration's recommendations. In addition, the Board may receive recommendations from Missouri State University-West Plains personnel and other delegations, if offered. The Board must then either declare a state of financial exigency or direct the president and/or chancellor to take further

steps to increase revenues or decrease expenditures short of terminating the employment of faculty members.

Exigency Deficit-Reduction Measures: If the Board declares a state of financial exigency, the chancellor must expeditiously convene a subcommittee of the forum composed of the chief financial officer, the chief academic officer, two representatives from the Staff Senate, two representatives from the Faculty Senate and two representatives from the student government. The chancellor will preside over the subcommittee to consider means of eliminating the remaining deficit which will, to the greatest extent possible, maintain courses which meet the four criteria listed below. At this time, in addition to further application of the deficit-reduction and revenue-enhancement measures considered previously, reductions in instructional expenditures will be considered, including the possible elimination of positions within the academic administration, faculty and staff, consistent with the goal of providing quality educational opportunities for south central Missouri. The meetings of this subcommittee will be open to the University community.

Academic Personnel Reduction During Exigency:

If this subcommittee determines that a reduction in the personnel budget of academic affairs must be made, positions within the faculty and academic administration may be identified for elimination in a manner which is distributed across the various divisions without the elimination of programs or it may be necessary to terminate programs. The distributed cutting of positions is preferable to the elimination of programs because such cutting would least affect the capacity of Missouri State University-West Plains to fulfill its mission. Therefore, the distributed elimination of positions will be given first consideration. Such a distributed elimination of positions would be accomplished through the advice of the deans. Any distributed elimination of faculty positions would follow the order of consideration in Section 2.13.1.2 of the Faculty Handbook. All faculty whose positions are so terminated would have the rights described in Section 2.13.1.4.

When it becomes apparent to the academic administration that additional distributed cuts will result in an unacceptable reduction in the quality of academic programs, it may become necessary to terminate one or more academic programs as specified below.

Academic Program Elimination During Exigency:

Academic programs (as defined in section 2.13.2.1 of the Faculty Handbook) shall be evaluated for elimination according to four criteria: academic quality; centrality to the mission (as described in the current long range plan); demand for and student enrollment in the program and cost and cost-effectiveness. The chief academic officer and the chair of the Faculty Senate will make a recommendation to the Faculty Senate concerning the programs that least meet the criteria.

The chief academic officer must provide the Faculty Senate with the following: financial information necessary to demonstrate that program terminations are necessary, the total deficit which must be covered by such eliminations and the projected savings to be realized from the termination of each of the programs presented as candidates for elimination. The chief academic officer must also report the information detailing why the proposed programs least meet the four criteria listed in the preceding paragraph.

The Faculty Senate will hear arguments for and against the elimination of each program presented as a candidate. Those arguments should address the four criteria listed above but are not limited to the four. There will be a Faculty Senate vote on each of the programs with a majority vote of the senators present being sufficient to accept termination of a program. The Faculty Senate may also present alternatives to the recommendation of the chief academic officer.

If the Faculty Senate has not agreed to the elimination of sufficient programs within two weeks of the initial Senate meeting, the administration may recommend termination of the additional programs necessary to meet the deficit.

Approval and Implementation of Exigency Plan:

The chancellor will report his/her plan to meet the exigency to the next meeting of the Board of Governors. This report will include the specific recommendations for the elimination of personnel and programs as determined by the above procedures. The constituent elements of the forum shall also have the right to address the Board through their executive committees, both in writing and in person. The Board of Governors must approve the plan before it may be implemented.

Termination of Exigency:

Throughout the period of exigency, the chancellor periodically shall report to the Board on progress made toward alleviating shortfalls and improving financial status. The Board will, at its discretion, declare the end of the exigency. Any of the delegations constituting the forum can petition the Board to declare an end to the exigency.

Post Exigency:

After the exigency has been declared over and as financial resources become available, restoration of funds to academic affairs will be given priority.

Programs eliminated due to exigency may be considered for reintroduction as new programs only through the normal curricular review process as defined in Article II of the Bylaws of the Faculty.

Amendment of the Missouri State University-West Plains Financial Exigency Policy:

This policy will be changed by the University only through the procedures specified for the amendment of the Faculty Handbook (Section 3.2.2).

Appendix C: History and Accreditation

In this section, the link below is labeled Additional Campus Highlights and falls below 2018.

<https://wp.missouristate.edu/About/Building-History.htm>

** Provisional accreditation*