



# **FACULTY AND ACADEMIC ADMINISTRATOR HANDBOOK**

**2018-19**

# HANDBOOK

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# **Jose Maria Vargas University**

## **THE UNIVERSITY'S PURPOSE, MISSION, VALUE STATEMENTS AND VISION**

### **Statement of Purpose**

José María Vargas University seeks to achieve, through a uniquely holistic model of education, the overall preparation of students both as future professionals and as human beings. Jose Maria Vargas University represents one of the few endeavors existing with an international approach that combines expertise from the practical professional arena and the educational arena in a formalized university setting. The University's objective is to establish the ideal balance among the practical, theoretical and personal aspects of career preparation in order to provide the business and professional communities with graduates who have the knowledge, the skills and the interpersonal ability to make an immediate and significant contribution in their chosen field.

José María Vargas University will build an educational curriculum upon which a strong foundation for critical thinking and conceptual skills can be established. The rigor and scholarly emphasis of the University will be coupled with the expertise and knowledge of the professional community. The central focus in all of the University's programs will be the relationship between academic learning and real life practical skills and strategies. The University's programs will be designed to respond to the needs of today's world with the flexibility to adjust to these needs as they continue to evolve.

José María Vargas University's institutional philosophy will also emphasize the educational, professional and personal growth of each student. To that end, each degree program will emphasize not only academia, but also personal growth and life skills.

### **Mission**

Jose Maria Vargas University is a postsecondary institution that provides educational programs at the certificate, undergraduate, and graduate levels. The University serves the culturally diverse students of South Florida who live and work in an increasingly populous, international environment.



Jose Maria Vargas University offers programs that are both academic and career-oriented in their focus. Each of these programs is taught in a bi-lingual context. Among all its programs of study, the goal of the University is to promote a high-quality education in which students acquire the critical thinking and conceptual skills, as well as the knowledge and interpersonal skills to function in their careers.

## **OBJECTIVES OF THE JOSE MARIA VARGAS UNIVERSITY MISSION**

- 1.) To provide students with a balanced curriculum in all program areas to ensure that instruction is occurring in the areas of academic scholarship, real-life practical skills, interpersonal skills and self-knowledge.
- 2.) To develop the intellectual and academic preparation of students. Students are expected to think critically and independently, develop quantitative skills, conduct research, and investigate new ideas.
- 3.) To establish the ideal balance among the practical, theoretical and personal aspects of career preparation in order to provide the business and professional communities with graduates who have the knowledge, the skills and the interpersonal ability to make an immediate and significant contribution in their chosen field.
- 4.) To demonstrate effective communication skills. These include listening thoughtfully, speaking respectfully, writing clearly, and presenting information in a concise manner.
- 5.) To embrace the cultural diversity of South Florida and its students, and welcomes students from many countries around the world and states across the nation.
- 6.) To incorporate technology in instruction and administration, and provides students with extensive on-line library resources. Students are encouraged to utilize computer labs at the University to complete assignments or conduct research.

## **Value Statements**

**Holistic Model of Education** Jose Maria Vargas University provides students with a balanced curriculum in all program areas to ensure that instruction is occurring in the areas of academic scholarship, real-life practical skills, interpersonal skills and self-knowledge.

**Intellectual Development** The University strives foremost to develop the intellectual and academic preparation of students. Students are expected to think critically and independently, develop quantitative skills, conduct research, and investigate new ideas.

**Career Preparation** The University's objective is to establish the ideal balance among the practical, theoretical and personal aspects of career preparation in order to provide the business and professional communities with graduates who have the knowledge, the skills and the interpersonal ability to make an immediate and significant contribution in their chosen field.

**Communication** Students at the University are expected to demonstrate effective communication skills. These include listening thoughtfully, speaking respectfully, writing clearly, and presenting information in a concise manner.

**Diversity** The University embraces the cultural diversity of South Florida and its students, and welcomes students from many countries around the world and states across the nation.

**Innovation** The University incorporates the most current technology in instruction and administration, and provides students with extensive on-line library resources. Students are encouraged to utilize computer labs at the University to complete assignments or conduct research.

## **Vision**

José María Vargas University views itself as a pioneer institution of higher education focusing on the holistic development of individuals and the formation of bilingual professionals for the world.

## **GENERAL INFORMATION**

### **Licensing**

José María Vargas University is a private institution organized as a for-profit corporation under the laws of the State of Florida. It has been fully licensed by the Florida Commission for Independent Education, Florida Department of Education, to provide postsecondary education and has authority to grant degrees under the laws of the state of Florida. The organizational structure and government of the University is described below. Additional information regarding this institution may be obtained by contacting the Commission at 325 West Gaines Street, Tallahassee, Florida 32399-0400. The toll-free telephone number is 888-224-6684.

### **Accreditation**

Jose Maria Vargas University is accredited by the Accrediting Council for Independent Colleges and Schools. JMVU is authorized to award the following diploma and degree program, Certificate, Associate, Baccalaureate, and Master Degrees.

### **Semester System**

JMVU operates on a semester system. The fall and spring semesters consist of approximately 14-16 weeks and the summer semester consists of approximately 6-8 weeks of instruction. Semesters begin in August, January, and May. Courses are offered during all three semesters, with individual courses being offered in accordance with course listings contained in this Catalog.

## **ORGANIZATION AND ADMINISTRATION**

### **Officers of the University**

The organizational structure of Jose Maria Vargas University ("JMVU" or "University") is simple and flexible, allowing the University to expand to fit the diversification of the University's programs and the new demands brought on by growth in South Florida. The University's administration consists of the following:

- Board of Directors
- President
- Vice President of Academic Affairs
- Vice President of Finance
- Vice President of Student Development
- University Secretary
- Library Director

As the University develops through increased enrollment, diversification and the expansion of academic programs and courses, as well as plans and projects for research and graduate studies, there will be a need to create new leadership and operational positions. These are expected to include: a Vice President for Research and Graduate Studies, a Vice President of Student Development, Reference Librarians, Deans, Coordinators, a Director of Career Development and Placement, an Admissions Director, an IT Director and others.

## **Governance of the University**

The operation of the University is managed and its corporate powers exercised by the Board of Directors. The University's Board of Directors has the authority to conduct, among other functions, the following:

- establish the policies and procedures for the University;
- select the president of the University;
- amend and/or approve the annual budget for the University;
- determine the compensation of the Directors, the President, and the Vice Presidents; and
- perform any other necessary tasks in the administration of the university.

## **Board of Directors**

The following is the current membership of the Board of Directors:

- Steven Malca (Chair)
- Michael Smith (Vice Chair)
- Enrique Vejar (Member)
- Miguel Juraidini (Member)
- Alicia Fernanda Parra (Member)

## **University Administrators**

### ***PRESIDENT***

Dr. Alicia Fernanda Parra serves as the President of the University. The President oversees all University functions and all ultimate decision-making (except those decisions requiring Board approval); gives final approval on all faculty hiring and

other major decisions (except those decisions requiring Board approval); networks with pertinent industry personnel; promotes the University within the community; recommends modifications to the purpose and mission of the University as it grows and develops and as the needs of students and the market change over time; and performs other duties as designated by the Board of Directors.

### ***VICE PRESIDENT OF ACADEMIC AFFAIRS***

The responsibilities of the Vice President of Academic Affairs include the supervision of academic affairs, faculty and student services. The VP administers the day-to-day operations of the University consistent with the standards and procedures adopted by the University.

The VP of Academic Affairs also supervises admission and assists in developing admission and registration schedules and procedures. Maintains and analyzes academic records, statistics and archives and directs the preparation of student transcripts.

### ***VICE PRESIDENT OF FINANCE***

The responsibilities of the Vice President of Finance are the administration of financial affairs and involvement in public service, networking with pertinent industry personnel, as well as the physical facilities of the University, and the general administration of the University consistent with its adopted standards and procedures.

The Vice President develops and administers the University budget, and supervises the maintenance of employee records for payroll and benefits and directs the implementation of payroll for all personnel. The VP performs other duties as designated by the President.

### ***VICE PRESIDENT OF STUDENT DEVELOPMENT***

The Vice President of Student Development provides student orientation and academic advising to students, assists in maintaining the effectiveness of academic programs and services, serves as a liaison between students and faculty or administrators, and monitors the academic performance of students, focusing on retention.

### ***UNIVERSITY SECRETARY***

The University Secretary seeks to provide outstanding service to the Board of Directors, the administration, and the university community that enables the board to perform its fiduciary duty at a high level, the administration to operate efficiently and effectively with respect to the governance of the university, and the university community to understand and engage with the governing board.

### ***DIRECTOR OF FINANCIAL AID***

The Director of Financial Aid is responsible for the administration of all federal, state, and University financial aid.

### ***LIBRARY DIRECTOR***

The Library Director orders, maintains and catalogs books, newspapers, films and electronic equipment, coordinates information for the billboards and assists students in finding information resources.

## **FACILITIES**

The University seeks to provide faculty, staff and students with modern facilities that integrate traditional educational environments with the latest in technological advancements.

The University moved into a new 28,500 square foot facility in January 2014. The new facility – located at 10131 Pines Boulevard in Pembroke Pines - provides an environment that is conducive to good instruction and learning and readily supports the educational programs offered by the institution.

The University location is convenient and highly visible to students. The surrounding stores, banks and restaurants create an environment that is appealing to students, and meets their needs. Public transportation is available with a bus stop directly in front of the University's building.

Inside the University building there are 19 classrooms. The furnishings throughout the building are color-coordinated and comfortable for students. Each of the classrooms has a built-in projector as well as a computer for use by the instructors with connections to the internet. There are multiple labs to enhance the student's learning experiences. The Art & Design department has a Lab with Mac computers and the most recent Adobe Creative Suite, as well as a Lab with drawing tables. The Education department has a fully equipped Preschool Lab with developmentally appropriate toys and furniture. The Health department has a medical lab equipped with special equipment for Medical Assistant Technician procedures, and medical equipment. There is also a general computer lab for students with 14 computers. Free Wi-Fi is available on campus at all times.

There are also one specially equipped areas that are accessible to the public – the Vargas Gallery which handles rotating exhibits of art.



Other areas include a Faculty Lounge, a Student Lounge and a centrally-located Library. In order to provide students with convenient and accessible services, all student-related functions (registration, financial aid, student development) are located in the central administrative area.

## **CAMPUS SAFETY AND SECURITY**

The University has the utmost concern for the safety of each student, faculty member and staff. The University recognizes that it must develop and maintain a safe and secure environment for its students, faculty and staff and has adopted the Health and Safety Policy below, as well as policies to discourage discrimination, alcohol and drug abuse, hazing and sexual harassment, and to promote academic freedom, honesty and academic integrity.

All students, employees, and visitors should promptly report crimes in progress, accidents and other emergencies to local law enforcement authorities, or corresponding agencies. Dialing 911 is the preferred method of reporting an emergency. Jose Maria Vargas University has developed a formal Emergency Management Plan, to ensure the safety of all the students and personnel. This emergency plan is derived from the components of the National Incident Management System (NIMS). The policies and procedures are to be followed by all personnel while in Jose Maria Vargas University campus emergency situations.

Campus Safety and Security emergency plans and reports will be published on the Jose Maria Vargas University's website, under the Consumer Information tab.

## **MAJOR POLICY STATEMENTS**

This section of the Handbook outlines the University's major policies and procedures. These statements can also be found in the University Catalog.

### **Students with Disabilities Policy**

Jose Maria Vargas University does not discriminate on the basis of disability in the admission or access to, or operations of, its programs or activities. Jose Maria Vargas University does not discriminate on the basis of disability in its hiring or employment practices.

The Director of Student Development coordinates the provision of accommodations for students with disabilities in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Reasonable and specific accommodations are developed with each student based on current documentation from an appropriate licensed professional. All accommodations are individualized, flexible and confidential based on the nature of the disability and the academic environment.

### **Health and Safety Policy**

The University acknowledges that it is its duty to ensure, so far as is reasonably practicable, the health, safety and welfare of the staff of the University, its students, contractors and anyone else who comes into contact with the University and its activities.

It is the policy of the University to provide and maintain, as far as is reasonably practical, a working environment that is safe and without risk to health. To this end it will allocate sufficient resources and sound management systems to the fulfillment of this policy.

In particular, the University will, so far as is reasonably practical:

- provide and maintain safe and healthy working conditions and systems of work;
- provide and maintain safe plant and machinery;
- provide information, instruction, training and supervision to enable staff and students to perform their work safely;
- provide suitable and appropriate protective equipment and supervise its use; and
- maintain high standards of health, safety and welfare in all University activities.

### **Freedom of Access/ Nondiscrimination**

Jose Maria Vargas University is open to all students who are qualified according to its published admission standards. The University encourages applications from qualified applicants of both sexes from all cultural, racial, religious and ethnic groups. The University is committed to nondiscrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, veteran status, political affiliations or opinions. All university employees have a responsibility to keep the work environment free of discrimination. When the university is made aware of an act of discrimination, it is obligated by law to take immediate and appropriate action. For the purpose of this regulation, discrimination is defined as any disparity of treatment or limitation of access based on race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, veteran status, political affiliations or opinions.

All acts of discrimination must be documented in writing, specifying the basis for discrimination. The complainant must enumerate all types of discrimination in the

statement, identify the offender, and turn in complaint to Student Development or Human Resources, as appropriate. Should a student feel discriminated by a member of the Student Development Department, the student must submit the complaint to the academic coordinator of his or her concentration, or to another university official. In absence of a written complaint, the employee or faculty member who received the complaint must document it in a memorandum to be referred to Student Development or Human Resources, as appropriate. Unless it is signed by complainant, it will be an informal complaint. Jose Maria Vargas University will investigate all complaints. Investigations may include interviews, preparation of statements, reports with summary of the investigation, description of investigation process, findings and recommendations. Reports will be kept confidential at the Department of Student Development and/or Human Resources, depending on the individual(s) involved.

The University may attempt conciliation between the parties involved. If conciliation is not achieved, the designated official from the university will issue a final report. Final reports shall be issued within 60 days of receiving the complaint. The alleged offender and complainant will be notified in writing of the outcomes, and procedures for appeal. Upon this final report, corrective action, including sanctions, will be considered and implemented.

Claims to be found frivolous will result in appropriate sanctions against complainant, as determined by Student Development or Human Resources. Possible sanctions may include, but are not limited to written reprimands on the student or employee's record, restriction or loss of privileges, and suspension. Complaints may be withdrawn, but JMVU reserves the right to continue investigating as it was made aware of a possible act of discrimination. Any attempt(s) at retaliation shall be treated as a separate allegation of discrimination.

By the time a determination of appropriate disciplinary action or resolution has been reached, all parties have been contacted and circumstances have been fully

evaluated. However, individuals have five days to appeal determination of sanctions. Such appeals shall be directed to a higher university authority, who will re-evaluate the determination as deemed appropriate.

### **Academic Integrity Policy**

Integrity is essential to an educational institution and to the whole educational experience. Individual students, faculty and staff members, as well as the University's organizations, must affirm this quality. The importance of integrity and ethics will be portrayed by faculty in their course instruction and will be an integral part of university life at JMVU.

The Academic Integrity Policy requires that all members of the University conduct themselves honestly in all endeavors. Therefore, cheating, plagiarism and other acts contrary to academic integrity are unacceptable and will not be tolerated at JMVU. The University will take severe action against dishonest students, faculty, staff and administrators.

Self-expression is also an essential component to a rewarding and fulfilling educational experience. A university setting is an ideal forum for self-expression, voicing disagreement and challenging accepted traditions. Nevertheless, while the University seeks to educate and encourage, it also must curtail behavior that adversely affects others. As such, JMVU's policies require that such self-expression, although encouraged, must be delivered in a civil manner, exhibiting respect for others at all times.

### **Academic Freedom and Responsibility**

JMVU is dedicated to fostering and preserving the search for truth and its free expression. Academic freedom is essential to this purpose. Freedom in teaching is fundamental to the protection of the rights of the teacher in teaching and of the

student in learning. In the administrative organization of the University, the professional integrity of the faculty and staff shall be respected. Administrative decisions shall not inhibit the academic freedom of the faculty.

Each administrator, coordinator and faculty member (full, part-time and adjunct) has the individual freedom of inquiry and expression in research, publication, and in the teaching of his or her subjects and courses. This academic freedom and responsibility are defined as the liberty and obligation to study, investigate, and to discuss facts and ideas concerning all branches and fields of learning. No limitations on such freedom shall be imposed other than those required by generally accepted standards of responsible scholarship and research. When a faculty member speaks, writes, or acts as a citizen, he or she shall be free from institutional censorship or discipline, and he or she should undertake to avoid any implication that he or she is an institutional spokesperson.

### **Alcohol and Drug Use**

JMVU, as an institution of higher education, is dedicated to the well-being of all members of the University community--students, faculty, employees and administrators. In demonstration of its concern with the misuse of alcohol and other drugs, it is the policy of JMVU to endeavor to prevent substance abuse through programs of education and prevention.

The University recognizes alcoholism and drug abuse as an illness or treatable disorder, and it is the University's policy to work with members of the University community to provide channels of education and assistance. However, it is the individual's responsibility to seek assistance. The University also recognizes that the possession and/or use of certain substances are illegal, and the University is obligated to comply with local, state, and Federal laws.

JMVU's alcohol and drug policies are as follows:

- While on campus or engaged in any University related-activity, members of the University community must be in a fit condition to perform appropriately. Being under the influence of alcohol and/or drugs is prohibited and may subject the individual to disciplinary action, including the possibility of dismissal;
- Employees will be evaluated on their work performance. If alcohol consumption or the use of any other drug affects an employee's performance, assistance is available. However, if an employee's performance continues to deteriorate, the University will discipline the employee based on his or her job performance. Poor job performance will lead to discharge;
- Professional assistance for substance abuse is given on a confidential, professional, and voluntary basis. The purpose of this assistance is to help the individual member of the University community who has a substance abuse problem lead a productive work and/or academic life free of the substance abuse; and
- Any member of the University community who engages in any illegal activity, such as illegal possession, use or sale of alcohol or other drugs is subject to dismissal.
- Possession and/or consumption of alcohol by individuals under 21 years of age is unlawful. Underage students caught under the influence of alcohol can be reported to local authorities for underage drinking.
- Alcoholic beverages should not be present on campus at any event or activity unless approved by the Campus President. During such events, ID will be requested prior to serving alcoholic beverages. Events may include galas, openings, JMVU anniversary celebrations, and others, as determined by the Campus President.



Any sanctions applied will be upon their discretion and judgment of the situation. In the case of employees, the Human Resources Department will be responsible for determining the appropriate course of action. For more information, employees should also refer to the Employee Handbook, available at the Human Resources Department and at the University's website under Publications.

Sanctions may include written reprimands on the student or employee's record, restriction or loss of privileges, suspension, expulsion or termination of employment, and referral for prosecution. Aside from these sanctions, students will remain financially liable for institutional charges pending on the student's account, and both students and employees will be financially liable for indirect or direct charges associated with any reported incidents.

In order to protect the professional and academic environment of the university, a university committee will evaluate petitions from students or employees that would like to be reinstated. In these cases, students or employees that have been dismissed must submit documentation that demonstrates that he/she has sought out help and has complied with treatment, or is currently in treatment showing improvement, in order to be evaluated for re-entry. Any petition for reinstatement or re-entry may be denied upon evaluation.

Students should be aware that they are subject to losing eligibility to receive Federal Title IV Funds (Pell Grant and Direct Loans) for conviction of an offense involving possession or sale of illegal drugs. (See *Notice of Federal Student Financial Aid Penalties for Drug Law Violations* for penalties and process to regain eligibility. This notice is available at the JMVU website under the Consumer Information section).

## **Tobacco Use Policy**

The University wants to promote a healthful and clean work environment for students, employees, staff and visitors. In accordance with Florida's Clean Indoor Air Act (FCIAA), smoking is prohibited in all University buildings. This includes, but is not limited to, any classroom, laboratory, library, faculty office, administrative building, dining facility, or any other facility owned or controlled by the University.

The University abides by and strictly enforces the Florida Clean Indoor Air Act. Designated smoking areas may be established outside University buildings as appropriate. Such designated areas must be at least 25 feet from any building entrance. Smoking will not be permitted in University vehicles. Students, faculty members or staff found in violation of this policy may be subject to disciplinary action, as deemed appropriate by the Student Development Department or Human Resources.

## **Policy Against Sexual Harassment**

It is the intent of JMVU to protect all employees and students from sexual harassment. Not only is sexual harassment a violation of Title VII of the Civil Rights Act of 1964, it also undermines the integrity of the employment and academic environment, debilitates morale, and interferes with the effectiveness of employees and students. In accordance with the Equal Employment Opportunity Commission's published guidelines, unwelcome sexual advances, unwanted requests for favors of a sexual nature, and any other unwanted verbal or physical conduct of a sexual nature are considered sexual harassment if:

- Explicit or implicit submission to sexual overtones is made a term or condition of employment;
- Employment decisions are made on the basis of whether submission to or rejection of sexual overtones occurred;

- Sexually intimidating, hostile, or offensive atmosphere unreasonably interferes with an individual's work performance.

At JMVU, sexual harassment of or by employees includes the following:

- Unwelcome or unwanted sexual advances. This includes unwelcome physical contact or sexual advances considered unacceptable by another individual;
- Requests or demands for sexual favors. This includes subtle or blatant pressures or requests for any type of sexual favor, accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment status or student status;
- Verbal abuse that is sexually-oriented or considered unacceptable by another individual, as well as sexually derogatory comments. This includes commenting about an individual's body or appearance when such comments go beyond mere courtesy, telling jokes that are clearly unwanted and considered offensive by others, or other tasteless sexually-oriented comments or innuendoes or actions that offend others;
- Engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance. This includes extending unwanted sexual attention to someone that reduces personal productivity or time available to work at assigned tasks; or
- Creating a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands, physical contacts, or attentions.

Normal, non-coercive interaction that is acceptable to both parties is not considered to be sexual harassment. At JMVU, sexual harassment by employees of students is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made to appear to be a term or condition of enrollment, attendance, or participation in a class;
- Submission to or rejection of such conduct affects academic decisions;
- Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or creating an intimidating, hostile, or offensive academic environment;
- Unwelcome physical contact, including but not limited to, patting, pinching, or touching; or
- Offensive or demeaning sexual remarks, jokes, or gestures.

Students aggrieved by a violation of this policy may file a grievance by reporting the conduct to any University Administrator or the Director of Human Resources. All allegations of sexual harassment of or by a student, faculty member, or any other University personnel will be promptly and thoroughly investigated by the Office of Human Resources.

JMVU recognizes sexual harassment as an insidious practice and will not tolerate sexual harassment in any manner or form. Persons sexually harassing others will be dealt with swiftly and vigorously. Any individual who violates any portion of this policy shall be subject to disciplinary action up to and including discharge.

It is improper conduct for a JMVU faculty member to engage in a romantic or sexual relationship with a student enrolled in the faculty member's class or for an employee to engage in a romantic or sexual relationship with a student that is under the employee's supervision. Romantic or sexual relationships between any faculty member and a student then enrolled in the faculty member's class (including supervised student activities for which academic credit is given) or between any university employee and a student enrolled in the university may appear to be coercive and are discouraged. Even when no coercion is present, such relationships create an appearance of impropriety and favoritism, which can impair the academic experience of all students in the university environment. At JMVU,

romantic and sexual relationships between a faculty member or an employee and a student are subject to the prohibition against sexual harassment.

### **Policy Against Hazing**

In compliance with Florida law, JMVU defines hazing as any act whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass, or intimidate him or her, or which may in any fashion compromise his/her inherent dignity as a person.

Hazing is inherently in conflict with the purpose and goals of Jose Maria Vargas University. Therefore, such conduct will not be tolerated. Every effort will be made by JMVU to guarantee that students will not be victimized by hazing.

### **Library Use Policy**

The library's policy regarding student borrowing and return of items is posted in the library. Students are allowed and encouraged to borrow materials from the library's general collection. Students are allowed to borrow materials for up to one month. These materials may also be renewed for a period of one month. The recent inclusion of the library's collection in an online catalog will permit computerized circulation procedures in the future. Fines and late fees are assessed for late items at the rate of 25 cents per book per day. Students are charged replacement value up to a cost of \$25 for any item that is lost. These fees are collected before the student is allowed to register for the next semester's classes. Reference, periodical, and special collection items may not normally be circulated to students without special permission; however, special permission may be granted on occasion by the librarian for reference materials where necessary and appropriate.

The library's policy regarding faculty borrowing and return of items is posted in the library. Faculty are allowed and encouraged to borrow materials from the library's

general collection. Faculty may borrow materials for a period of up to two months. These materials may also be renewed for a period of two months. The recent inclusion of the library's collection in an online catalog will permit computerized circulation procedures in the future. Reference, periodical, and special collection items may be checked out by faculty members for one day; however, special permission may be granted by the library director to check out reference materials for up to one week when necessary and appropriate.

## **Computer Usage Policies**

JMVU's computing facilities are provided for the use of registered users. All computer users are responsible for using the facilities in an effective, efficient, ethical and lawful manner. The University views the use of computer facilities as a privilege, not a right, and seeks to protect legitimate computer users by imposing sanctions on those who abuse the privilege.

### ***Computer Use Policy***

This policy provides guidelines for the appropriate and inappropriate use of the computing resources of JMVU. It applies to all users of the University's computing resources, including students, faculty, employees, alumni and guests of the University. Computing resources include all computers, related equipment, software, data and local area networks for which the University is responsible.

The computing resources of JMVU are intended to be used to conduct the legitimate business of the University. All users must have proper authorization for the use of the University's computing resources. Users are responsible for seeing that these computing resources are used in an effective, ethical and legal manner. Users must apply standards of acceptable academic and professional ethics and considerate conduct to their use of the University's computing resources. Users must be aware of the legal and moral responsibility for ethical conduct in the use of computing

resources. Users have a responsibility not to abuse the network and resources and to respect the privacy, copyrights and intellectual property rights of others.

Computer hardware and software is the property of JMVU and the student is responsible for taking precautions against importing computer viruses or doing other harm to the computer. It is prohibited to copy university-purchased or leased software.

### ***Email and Internet Use Policy***

All email communications sent or received at the university should be considered official university correspondence. Such correspondence is subject to standards of good taste, propriety, courtesy and consideration. Emails may be retrieved by the university under certain circumstances, such as an internal investigation as they are subject to subpoena and discovery in legal proceedings. Respect for others' privacy dictates that students should not try to access another individual's messages without the individual's permission.

Most computers at JMVU have access to the Internet. It is expected that all individuals using JMVU's computers will use good judgment in determining the sites visited and the amount of time spent using the Internet.

### ***Rules Concerning Use of Computers***

The following rules apply to all users of the JMVU's computers. Violations of any of these rules may be possibly unlawful. An individual's computer use privileges may be suspended immediately upon the discovery of a possible violation of these rules:

- Computer users agree to use facilities and accounts for University related activities only.
- Accounts are considered the property of Jose Maria Vargas University.

- The IT Director or a JMVU Administrator working in this capacity must approve all access to central computer systems, including the issuing of passwords.
- Authorization for the use of the accounts is given for specific academic purposes.
- Attempts to use accounts without authorization or to use accounts for other than their intended purposes are all violations of the University's rules.
- Electronic communications facilities, such as E-MAIL are for JMVU related activities only. Fraudulent, harassing or obscene messages and/or materials are not to be sent or stored.
  - Computer users agree to the proprietary rights of software. Computer software protected by copyright is not to be copied from, into, or by using JMVU computers.
  - Computers users are required to abide by federal copyright laws and JMVU policy regarding the use of all digital materials, including peer-to-peer file sharing.

Inappropriate conduct and violations of this policy will be addressed by the appropriate procedures and agents (e.g., Vice President of Academic Affairs). In cases where a user violates any of the terms of this policy, the University may, in addition to other remedies, temporarily or permanently deny access to any and all JMVU computing resources and appropriate disciplinary actions may be taken.

## Copyright Policy

Jose Maria Vargas University is committed to compliance with all Federal laws (Title 17, United States Code) regarding copyright. Copyright is essential a form of protection for individuals who have developed, created or authored literary, dramatic, musical, artistic, and certain other intellectual works. This protection is



extended to both published, as well as unpublished works, and is extended to any author, regardless of their nationality or domicile.

All members of the JMVU community – students, faculty and staff members and administrators – are responsible for complying with the requirements of the copyright law. It will be assumed that the copyright law applies to all material, unless one of the following applies:

- The work is in the public domain, including works by the U.S. Government
- The use of the work qualifies as fair use under the copyright law
- Prior written permission from the author has been obtained, or appropriate royalties or licensing fees have been paid in exchange for usage rights

Note that all printed materials – in text or digital form - should be assumed to be copyrighted. The use of a copyrighted notice © is no longer required. The unauthorized use of copyrighted material is called an infringement.

As noted above, Federal copyright protection is extended to digital media accessible through the Internet. Uploading or downloading digital material or works is an infringement of the copyright owner's exclusive rights. This includes peer-to-peer file sharing.

All members of the JMVU community who disregard this policy do so at their own risk and assume any liability, which may include criminal and/or civil penalties. Anyone found to have infringed a copyrighted work may be liable for statutory damages for not less than \$750 and not more than \$30,000 for each work infringed, and if willful infringement is proven by the copyright owner, that amount may be increased up to \$150,000 for each work infringed. Criminal penalties for willful infringement can include up to five years imprisonment. These penalties can

be increased by a court which can also assess costs and attorneys' fees. *For details, see Title 17, United States Code, Sections 504, 505.*

In addition, disciplinary action may be taken by the University – see section below related to cheating and plagiarism.

## **Photography Policy**

### ***Intellectual Property***

The Jose Maria Vargas University (“JMVU”) Department of Marketing Communications respects intellectual property rights when procuring and using photographs. We seek written permissions from photographers for the use and reproduction of their photographic art in publications, Web pages and displays. When appropriate, we purchase the copyright with respect to photographs and work out agreements for attributing authorship to the photographers.

When book cover art, newspaper masts, logos, photographs, illustrations and other art from sources off-campus are needed for a publication, JMVU’s Marketing or Communications staff members seek official permissions and releases. If the artwork is needed for a Web page, a member of JMVU’s Web Management and Services staff researches and completes the online process for permission and release of the works for reproduction and online use and display.

When the Department of Marketing Communications is aware that photographs taken by JMVU students or faculty are being considered for use in a JMVU publication, a staff member contacts the individual involved for permission to use the photograph. The photographer is asked to provide a written consent and release for the photo’s reproduction and use and a mutually acceptable approach to the attribution of authorship issue is arranged.

## *Photo Credits*

As a general rule, the Department of Marketing Communications avoids the use of photo credits in recruitment publications. Our usual agreement with our most frequently used photographers provides JMVU with the ownership of the copyrights with respect to the photos from the shoots we arrange and purchase and use of the photos without printed credit. When photo credits are stipulated as a part of a purchase of photography, we include them.

## *Photo Release*

As a condition of their employment with JMVU, our faculty and staff are required to consent to being photographed and grant a perpetual, royalty-free and irrevocable license to JMVU with respect to reproduction, display or other use of any photographs in connection with their employment with JMVU. Students, as a condition of their enrollment and attendance at JMVU, also consent to being photographed on campus and grant a perpetual, royalty-free and irrevocable license to JMVU with respect to reproduction, display or other use of any photographs depicting them on campus or in connection with their coursework at JMVU.

Still or video photo shoots may be informal (candid shots of campus scenes, athletic events, performance groups, large groups or activities) or formal (planned visits to classrooms, laboratories or offices; directory shoots or athletics headshots with professional backgrounds; or video shoots on campus) in nature. All such photographic images taken by JMVU faculty or staff and the copyrights with respect thereto are and/or become the property of JMVU's Department of Marketing Communications.

The digital photos or video footage are added to the University's library of images, which becomes a resource for the University's Web site and publications.

### ***Informal Photo Shoots***

The Department of Marketing Communications attempts to inform the campus when informal photography projects are under way. Announcements are made through the campus newspaper, and/or in some instances signs are posted in areas of the campus.

### ***Formal Photo Shoots***

When a request is received or a need arises for images of particular individuals or settings, a Department of Marketing Communications staff member contacts the appropriate faculty member or department to schedule the photographer. Preferring a natural, realistic approach, JMVU seldom stages its photographs.

Faculty members are encouraged to inform classes of the impending photo shoot. The faculty member will be supplied with an announcement to be made to the class with suggestions for making the shoot as effective as possible.

The faculty member is asked to permit the photographer to make an announcement upon arrival at the classroom. The photographer will introduce himself, briefly explain his purpose and allow students who wish not to be photographed to move to a part of the room that will not be included in the photos. Students not wishing to participate must inform the photographer of their unwillingness prior to the photograph being taken.

Students participating in a photo shoot are giving their permission for the photos to be used as the University sees fit by participating in the photo shoot. Students are permitted to opt out of the photo shoot, if that is their choice, by informing the photographer in advance of the photo being taken and removing themselves from the photo shoot area.

## *Choice of Photos*

Department of Marketing Communications staff members, in consultation as possible with requesting departments, are responsible for choosing images on behalf of JMVU for use on the University Website, University publications and in University video projects. Occasionally images are shared with outside entities making requests.

Choices for photographs are made with great sensitivity to the following:

- the goal for the message(s) to be communicated,
- the quality of the photo,
- providing a truthful representation of the University, and
- the impact of the photo on the audience's perception of JMVU

Although we attempt to be as objective as we can in our photo choices, we recognize that making photograph selections is a subjective task. If a photo does not meet JMVU's qualifications, rather than compromising the reputation of JMVU by utilizing a photograph that is inadequate or inappropriate, a photo shoot will be rescheduled to obtain an appropriate photo.

## *Ways to Opt Out of Photos Being Published*

Directory Listings: Faculty and staff may choose not to publish their photos (or personal information) by making their preference known in writing to staff of the Department of Marketing Communications at JMVU. Make sure to update your personal information for use in JMVU's directories.

Formal Shoots: After arranging a photo shoot, the Department of Marketing Communications provides an announcement that faculty members may use to make their classes aware of the scheduled time for the shoot. The photographer will make an announcement allowing students to opt out of the shoot by informing the

photographer in advance of the photograph being taken and moving to another part of the room if that is their choice.

### ***Procedures to Have a Photo Removed From Use***

Concerns about the use of individual images on the Web site or photos in print publications may be communicated to the Department of Marketing Communications. We will try to resolve individual complaints while still meeting the important goal of visually representing the University. We ask your patience in this process. Expense is sometimes a consideration in our ability to change a photograph; sometimes an inventory of printed publications must be exhausted before the change can be put in place.

With respect to claims of copyright infringement relating to photographs shown on our Web site, we have a Designated Agent to receive notices of such claims and written procedures to deal with such claims in accordance with the Digital Millennium Copyright Act.

## **FACULTY RIGHTS**

### **Faculty Governance Policy**

Integrity is essential to an educational institution and to the whole educational experience. Faculty as well as the University's organizations, must affirm this quality. The importance of integrity and ethics will be portrayed by faculty in their course instruction and will be an integral part of university life at JMVU.

The Academic Integrity Policy requires that all members of the University conduct themselves honestly in all endeavors. Therefore, cheating, plagiarism and other acts contrary to academic integrity are unacceptable and will not be tolerated at JMVU. The University will take severe action against dishonest faculty members.

JMVU is dedicated to fostering and preserving the search for truth and its free expression. Academic freedom is essential to this purpose. Freedom in teaching is fundamental to the protection of the rights of the teacher in teaching and of the student in learning. In the administrative organization of the University, the professional integrity of the faculty shall be respected. Administrative decisions shall not inhibit the academic freedom of the faculty.

Each faculty member (full, part-time and adjunct) has the individual freedom of inquiry and expression in research, publication, and in the teaching of his or her subjects and courses. This academic freedom and responsibility are defined as the liberty and obligation to study, investigate, and to discuss facts and ideas concerning all branches and fields of learning. No limitations on such freedom shall be imposed other than those required by generally accepted standards of responsible scholarship and research. When a faculty member speaks, writes, or acts as a citizen, he or she shall be free from institutional censorship or discipline,

and he or she should undertake to avoid any implication that he or she is an institutional spokesperson.

Faculty members at JMVU have a responsibility to participate in the academic governance of the University. All faculty members are encouraged to participate in the development of the educational programs of the University; the selection of course materials, instructional equipment, library materials and other educational resources; the systematic evaluation and revision of the curriculum; the assessment of student learning outcomes; and planning for institutional effectiveness.

All faculty members will be required to file an annual professional development plan and to attend and complete professional development activities that support this plan. The plan should provide a foundation for growth and development within the individual's professional discipline area as well as in the general area of pedagogy.

All faculty members are expected to comply with the follow:

- Provide competent instruction and academic advisement;
- Participate in the selection of course materials, instructional equipment, library materials and other educational resources;
- Evaluate curriculum and make recommendations for improvement;
- Understand and assist in the improvement of institutional effectiveness;
- Evaluate students fairly on the basis of academic performance;
- Encourage free and open discussion, inquiry, and expression by students;

Evaluation of student work is one of the fundamental obligations of University faculty members. Examinations and assignments should be conscientiously designed. All student work should be evaluated with impartiality. Grading should be done in a timely fashion and should be consistent with standards recognized as legitimate within the University and the professions.



University faculty and shall comply with institutional rules or policies requiring confidentiality concerning oral or written communications. Such rules or policies frequently will exist with respect to personnel matters and evaluations of student performance. If there is doubt whether such a rule or policy is in effect, a University faculty member should seek clarification.

It is the primary responsibility of the administrators and faculty members to suggest changes and revisions in the curriculum and educational programs to be submitted to the appropriate program advisory Committee.

The process for curriculum changes is as follows:

- The Program Coordinator solicits comments from faculty, and students;
- Each Program Coordinator presents the recommended changes to the program advisory committee. The Program Advisory Committees share the recommended changes to the curriculum with the President;
- The requested revisions are then submitted to the President for consideration and approval. If the President approves the revisions, and if the revisions do not fall in the category of a substantive change, or if the requested revisions do not require a vote of approval by the JMVU Board of Directors, or if the revisions do not have a financial impact on JMVU, the approved changes are submitted to the Office of Academic Affairs so that the appropriate changes can be made to all official policies and procedures manuals; and
- If the requested changes are categorized as a substantive change, or if the requested changes must be voted on by the JMVU Board of Directors, or if the requested revisions have a financial impact on JMVU, the requested changes are submitted to the JMVU Board of Directors for final approval.

This process may be initiated at any time by Academic Affairs, faculty members, administrators, advisory committees, or students' evaluation input.

Every faculty member shall is encouraged to make a contribution to the University community beyond his or her teaching and administrative duties and beyond his or her research efforts. Contribution to the community may include, for example, such services as participation on University committees, involvement in student activities, cooperation in departmental and inter-departmental programs, active and effective participation in the cultural and intellectual life of the University, service in the outside community that is beneficial to the University, and the promotion of the University in the local business community.

Full-time faculty members will report directly to the Program Coordinator and are evaluated on a semester basis. A satisfactory evaluation is based upon satisfactory fulfillment of the duties of the position, the general principles for all faculty members as described previously and the criteria stated in the University's evaluation form for classroom observations. The evaluation form measures the following elements of classroom functioning: punctuality in beginning class, instructional strategies, mastery of content presented, teaching materials, learning activities, and closing activity. After each observation, a copy of the evaluation form will be placed in the faculty member's personnel file. A signed copy of this job description will also be placed in each faculty member's personnel file. All faculty members are also evaluated by their students each semester.

### **Non-Discrimination in Employment**

Employment at Jose Maria Vargas University is open to all individuals who are qualified according to its published standards. The University encourages applications from qualified applicants of both sexes from all cultural, racial, religious and ethnic groups. The University is committed to nondiscrimination with respect to race, creed, color, religion, age, disability, sex, marital status, national origin, political affiliations or opinions. All University employees have a responsibility to keep the work environment free of discrimination. When the University is made

aware of an act of discrimination, it is obligated by law to take immediate and appropriate action.

### **Disability Accommodations Policy**

Jose Maria Vargas University does not discriminate on the basis of disability in the admission or access to, or operations of, its programs or activities. Jose Maria Vargas University does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Accommodations are granted on a case-by-case basis for those employees who are eligible by showing sufficient documentation of disability in compliance with all Federal and State Laws. The University currently provides handicap access in its classrooms and facilities. Requests for other accommodations must be made both to the supervisor of the position and the Vice-President of Academic Affairs. These individuals will work together to resolve the request.

### **Academic Freedom and Responsibility**

JMVU is dedicated to fostering and preserving the search for truth and its free expression. Academic freedom is essential to this purpose. Freedom in teaching is fundamental to the protection of the rights of the teacher in teaching and of the student in learning.

Each administrator, coordinator and faculty member (full, part-time and adjunct) has the individual freedom of inquiry and expression in research, publication, and in the teaching of his or her subjects and courses. This academic freedom and responsibility are defined as the liberty and obligation to study, investigate, and to

discuss facts and ideas concerning all branches and fields of learning. No limitations on such freedom shall be imposed other than those required by generally accepted standards of responsible scholarship and research. When a faculty member speaks, writes, or acts as a citizen, he or she shall be free from institutional censorship or discipline, and he or she should undertake to avoid any implication that he or she is an institutional spokesperson.

### **Policy on Professional Development and Conducting Research**

JMVU encourages participation in learned societies and attending professional meetings as well as conducting research throughout the academic year. Expenses will be paid if administrators or faculty members are sent to represent JMVU in a professional or research conference or if administrators or faculty publish research. All reimbursements are subject to the availability of funds. All administrators or faculty members should present a list of proposed meetings or research to be conducted with approximate costs in December of each year for the following fiscal year. These are taken into consideration for budget planning purposes.

All faculty members will be required to file an annual professional development plan and to attend and complete professional development activities that support this plan. The plan should provide a foundation for growth and development within the individual's professional discipline area as well as in the general area of pedagogy.

JMVU will offer in-service training programs for administrators, academic coordinators and faculty members. The topics for these programs are determined by the Vice President of Academic Affairs or the President and are prompted by results of institutional evaluations, recommendations from administrators, faculty, or staff and by current topics in education. These in-service training programs will be held in conjunction with faculty meetings and attendance will be mandatory.

## **Employee Records**

The University maintains a personnel file for each employee that contains information such as employment history, compensation, employee evaluations, records of disciplinary action and other pertinent data as prescribed by federal and state law or University policy. The latter may include benefit enrollment forms, general contact information, payroll documents and W-2 forms, medical leave documentation and disability or workers' compensation documentation. Except for income verification, date of employment, and information regarding position, your job title and status and the name of the department or office in which you are working, this information may not be released to any other individual without your written permission.

University employees should notify the University concerning a change in address, telephone number or family status, as these changes may affect your tax and benefit status and constitute part of your employee record. As an employee, you have the right to review the information in your file upon scheduled appointment. You also have the right to request correction or removal of information by making such a request to the Vice-President of Administration and Academic Affairs. Employee records are the property of the University and may be kept indefinitely or destroyed or reproduced for University purposes as necessary.

## **Outside Employment**

The University, in encouraging intellectual and professional excellence, recognizes that some faculty members will have the opportunity to engage in other professional employment. However, employment outside the University that substantially interferes with an employee's obligation, duties, and responsibilities to JMVU is strongly discouraged.

## **Conflict Resolution and Grievance Procedures**

At times, disagreements may arise in the workplace. JMVU encourages its employees to manage problematic issues as quickly as possible in order to avoid the development of problems of a more serious nature. Should you have an issue with another employee, the first step is to speak directly to the employee about the situation. JMVU cautions employees against discussing job-related issues with other employees not involved in a particular matter, as such action has the potential to worsen the situation. If an informal conversation with the particular individual involved in the situation does not result in a satisfactory resolution, or if you are not comfortable speaking about the matter with this person, then you should discuss the matter with your supervisor. If your supervisor is the cause of the complaint, or if the conversation with your supervisor does not provide a resolution, you should discuss the situation with the Vice-President of Academic Affairs. In cases of discrimination or sexual harassment, JMVU encourages its employees to go directly to the Vice-President of Academic Affairs. Any complaint that is not in writing is a verbal complaint, and is considered an informal complaint.

After an informal discussion, if the employee wants to file a formal grievance, he/she must submit a report of the situation in writing to the Vice-President of Academic Affairs. This report should contain a statement of the problem or complaint, the facts and details of the situation, pertinent dates and the names and positions of the parties involved. The grievance must be signed and dated. However, before filing a formal charge, the complaining party must first make a good faith effort to meet and confer with the party against whom he or she has a complaint in an effort to resolve the matter. Also, an employee may withdraw a complaint at any time during the complaint process. A withdrawal must be made in writing to the Vice-President of Academic Affairs.

Upon receipt of a written formal complaint by an employee, the Vice-President of Academic Affairs will investigate and consider the complaint, speaking with all parties involved, the supervisor and any other University personnel deemed to have pertinent information to the situation. After such an investigation, the Vice-

President of Academic Affairs will make a decision as to whether the grievance has merit as alleged. If the alleged grievance is deemed justified, JMVU will take whatever steps it deems appropriate to correct any grievance suffered by the complaining student

If it is determined that such grievance has appropriate support, the persons or departments that are responsible for such violation will be dealt with by appropriate action by the supervisors or directors of such persons or programs, in accordance with applicable provisions, if any, of contracts, employment regulations, faculty and employee handbooks, or the like.

In cases where a decision results in the termination or non-renewal of contract for an employee or there is clear reason to show that the disciplinary action taken by the University does not match the seriousness of the infraction, or, in cases where the right to a fair and impartial hearing was violated, an appeal of such decision may be made to a joint Board-Administration Grievance Committee consisting of: the Vice-President of Academic Affairs and two staff members of the University. Appeals must be made in writing to the Vice-President of Academic Affairs within thirty (30) days from the date of the termination and/or non-renewal. In all cases of appeal, the final decision rests with the President.

These procedures do not prevent, limit or deny the University the right to take disciplinary action when it is determined to be appropriate, including the termination of employment. When taking disciplinary action, the University takes into account a number of factors that include the seriousness of the offense and the employee's past record, as well as other appropriate considerations. Each case is determined on an individual basis and the University has sole discretion in determining what is necessary and appropriate. Disciplinary actions may take the form of verbal reprimands, a formal warning sheet and/or written reprimands which may be placed in the employee's file, unsatisfactory evaluation and/or termination of employment.

Acts that may result in disciplinary action include, but are not limited to: failure to perform responsibilities as assigned; excessive absenteeism or tardiness; insubordination or refusal to comply with instructions; failure to maintain confidentiality of specified information; falsifying documents; acts of dishonesty, such as, but not limited to theft, sabotage and fraud; unauthorized use, destruction, possession or neglect of University property and materials; abusive or vulgar language; threatening, intimidating or coercive behavior toward another employee; failure, refusal or interference in cooperating with an internal investigation; carrying weapons or firearms on campus; violating criminal laws on campus premises; endangering the safety or well-being of any individual on campus; abuses of leave or benefit policies; misuse of University funds or grants; and, making false or malicious comments regarding other employees, faculty or students of the University.



## **FACULTY GUIDELINES AND RESPONSIBILITIES**

### **General Responsibilities for All Employees of the University**

The University expects each employee to engage in appropriate professional and ethical behavior in the workplace. The University also expects its employees to aspire to excellence in their job performance and in the fulfillment of their responsibilities. They have an obligation to treat others in the work environment courteously and to promote a stimulating and productive learning and work environment that influences others in positive ways. Regular and punctual attendance at work and prompt and professional completion of all duties and assignments are expected of each employee in the performance of the job. Employees are also expected to attend meetings regularly as required by their supervisor. There is no formal dress code for University employees. However, all employees are expected to maintain a professional appearance.

### **Guidelines for Maintaining a Safe Environment**

Employees are expected to take necessary measures to assure and maintain a safe work environment. They have the responsibility to become familiar with the University's rules and policies regarding safety and to observe these. (See Health and Safety Policy) Under workers' compensation law, the employee must file a report on any on-the-job injury, no matter how minor the injury may seem at the time. This report must be filed with the Office of the President. Employees also are responsible for knowing the location of the nearest fire extinguisher and exit from their work area prior to an actual emergency.

In its dedication to health and safety, the University prohibits acts or threats of violence by any employee while engaged in University business or on University property. Any individual who observes a threat or act of violence is obligated to

report it immediately to the Vice-President of Academic Affairs. Carrying weapons or firearms on campus is prohibited.

## Copyright Policy

It is every employee's responsibility to know and understand University policy regarding the copying of materials that may be subject to copyright protection. JMVU's photocopying policy is as follows:

José María Vargas University seeks to promote and encourage scholarly research and teaching by providing an environment that allows publication of papers, books and other forms of communication within the context of the Federal Copyright Law as described in Title 17 of the United State Code and the amendments to this code, as well as other Congressional Copyright Acts.

(See: <http://www.copyright.gov/title17/index.html>)

The intent of the law is to "promote the Progress of Science and useful Arts, by securing for a limited Time to Authors and Inventors the exclusive Right to their respective Writings and Discoveries" (United States Constitution, Article I, Section 8). Two sections of the law have particular significance for an institution of higher education. Under Section 106, copyright ownership of written works by all employees or students is vested in the author, except for the following circumstances:

1. In the case of material that is developed in the course of or pursuant to a sponsored research project or other agreement to which the University is a party, the copyright will be determined in accordance with the terms of the sponsored research or other agreement. Without specific terms assigning ownership, the copyright becomes the property of the University, if the terms of the agreement directly or indirectly create University obligations as to intellectual property developed under the agreement.

2. In the case of material that is created by a non-academic employee within the scope of his or her University employment or by academic employees (students, faculty or others) in compliance with a specific direction or assigned duty (other than the teaching of courses) the copyright belongs to the University.
3. In the case of “substantial use” of University resources, funds, space or facilities, copyright ownership of Encoded Works (software and other technologies involving electronic capture, storage, retrieval, transformation, information and presentation) shall belong to the University. “Substantial use” refers to the use of University resources not ordinarily used by, or available to all or most members of the faculty.

The Federal Copyright Law makes it clear that that copyrighted materials may not be copied or distributed without the author’s permission. However, Sections 107, 108, 109 and 110 provide exceptions that allow appropriate use of copyrighted material in educational settings if the use meets certain criteria described under the Fair Use Doctrine and the TEACH Act. Appropriate use is determined by standards concerning the purpose of the material, the nature of the material, the amount of the material and the effect of the material.

Since the responsibility for complying with copyright law rests with the user, the University encourages all employees and students to complete this checklist before making limited use of copyrighted materials for educational purposes.

### **General Principles for All Faculty Members**

All faculty members are expected to adhere to the following general principles:

- Possess appropriate and current knowledge and expertise in the subject area taught;

- Provide competent instruction and academic advisement;
- Participate in the selection of course materials, instructional equipment, library materials and other educational resources;
- Evaluate curriculum and make recommendations for improvement;
- Understand and assist in the improvement of institutional effectiveness;
- Evaluate students fairly on the basis of academic performance;
- Encourage free and open discussion, inquiry, and expression by students;
- Treat information about students' beliefs, academic records, political attitudes, and personal lives as confidential information;
- Co-operate in identifying departmental needs and assisting in departmental activities;
- Participate in University and community activities beyond the departmental level;
- Refrain from any activities which would constitute academic misconduct, a conflict of interest, or the appearance of a breach of professional ethics, when engaging in professional activities inside or outside the University.

### **Responsibilities to Students**

As teachers, scholars, counselors, mentors, and friends, University faculty and administrators can profoundly influence students' attitudes concerning professional competence and responsibility. University faculty and administrators should assist students to recognize their responsibility to advance knowledge and instruction.

University faculty and administrators should aspire to excel in teaching and administration and to master their subjects and responsibilities. They should

prepare conscientiously for class and employ teaching methods appropriate for the subject matters and objectives of their courses. The objectives and requirements of their courses, including applicable attendance and grading rules, should be clearly stated. Classes should be met as scheduled, or when this is impracticable, classes should be rescheduled at a time reasonably convenient for students or alternative means of instruction should be provided to the students with as much prior notice as possible.

University faculty and administrators have an obligation to treat students with civility and respect and to foster a stimulating and productive learning environment. University faculty and administrators should nurture and protect intellectual freedom for their students and colleagues.

Evaluation of student work is one of the fundamental obligations of University faculty and administrators. Examinations and assignments should be conscientiously designed. All student work should be evaluated with impartiality. Grading should be done in a timely fashion and should be consistent with standards recognized as legitimate within the University and the professions. A student, who so requests, should be given an explanation of the grade assigned.

University faculty and administrators should be reasonably available to advise students about academic matters, career choices, and professional interests. In performing this function, University faculty and administrators should make every reasonable effort to ensure that the information they transmit is timely and accurate. When, in the course of advising a student, a faculty member or administrator receives information that the student may reasonably expect to be confidential, the faculty member or administrator should not disclose that information unless required to do so by University rule or applicable law. Faculty and administrators should, however, inform students concerning the possibility of such disclosure.

Employees who interact with students either in person or on the phone to answer questions about academic or administrative matters and career choices or professional interests should make every effort to ensure that the information they communicate is correct and up-to-date. When, in the course of interacting with a student, the employee learns information from the student that the student may reasonably expect not to be revealed, the employee must maintain confidentiality of that information unless required to disclose the information by University policy or applicable law. Employees should, where necessary, inform students concerning the possibility of such disclosure.

University faculty and administrators should be as fair and complete when communicating evaluative recommendations for students and should not permit irrelevant considerations to influence such recommendations. If information disclosed in confidence by the student to a University faculty member or administrator makes it impossible for that person to write a fair and complete recommendation without revealing confidential information, the University faculty or administrator should so inform the student and refuse to provide the recommendation unless the student consents to full disclosure.

Discrimination based on such factors as race, color, religion, national origin, sex, sexual orientation, disability, age, or political beliefs is strictly prohibited at the University. University faculty and administrators should seek to make the University a hospitable community for all and should be sensitive to the harmful effects of behavior in or out of the work environment that perpetuate stereotypes or prejudices. University faculty and administrators must not, under any circumstances, sexually harass colleagues or students and should not use their role or position to induce a student to enter into a sexual relationship or to subject a student to a hostile academic environment based on any form of sexual harassment.

Sexual relationships between University faculty or administrators and a student who are not married to each other or who do not have a preexisting analogous relationship are inappropriate whenever the University faculty or administrator has a professional responsibility for the student such as evaluating, supervising, teaching or advising a student as part of a University program. Even when a University faculty member or administrator has no professional responsibility for a student, the University faculty or administrator should be sensitive to the perception of other students that a student who has a sexual relationship with a professor may receive preferential treatment. A University faculty member or administrator who is closely related to a student by blood or marriage or who has a preexisting analogous relationship with a student should eschew roles involving a professional responsibility for the student whenever possible.

It is improper conduct for a faculty member to engage in a romantic or sexual relationship with a student enrolled in the faculty member's class. Romantic or sexual relationships between any faculty member and a student then enrolled in the faculty member's class (including supervised student activities for which academic credit is given) may appear to be coercive and are discouraged. Even when no coercion is present, such relationships create an appearance of impropriety and favoritism, which can impair the academic experience of all students in the University environment. At JMVU, romantic and sexual relationships between a faculty member and a student are subject to the prohibition against sexual harassment.

For additional information, please see the Policy Statements: Policy Against Sexual Harassment

### **Responsibilities to Colleagues**

University faculty and academic administrators shall treat colleagues and staff members with civility and respect. An evaluation made of any colleague or any

employee should be based exclusively upon appropriate performance criteria fairly applied in accordance with standards established by the University.

University faculty and administrators shall comply with institutional rules or policies requiring confidentiality concerning oral or written communications. Such rules or policies frequently will exist with respect to personnel matters and evaluations of student performance. If there is doubt whether such a rule or policy is in effect, a University faculty member or administrator should seek clarification.

### **Responsibilities Concerning the Use of University Property, Equipment and Materials**

It is expected that every employee will respect University property and assist in maintaining property, materials and equipment in good working order through proper use and care and by reporting needed repairs as immediately as possible.

### **Teaching and Office Hours Requirements**

JMVU hires full-time, part-time and adjunct faculty members. The general teaching load by position is as follows:

- Full-time faculty teach 12-15 credit hours per semester
- Part-time faculty teach 3-11 credit hours per semester
- Adjunct faculty teach 1-3 credit hours per semester

In addition, faculty members should expect to spend approximately 4 – 7 hours per week performing administrative tasks commensurate with their position.

Faculty members are required to have posted office hours, and must provide one hour of tutoring for each credit class per week.



## Curriculum Review Process

It is the primary responsibility of the administrators and faculty members to suggest changes and revisions in the curriculum and educational programs to be submitted to the appropriate program advisory Committee.

The process for curriculum changes is as follows:

- The Program Coordinator solicits comments from faculty, and students;
- Each Program Coordinator presents the recommended changes to the program advisory committee. The Program Advisory Committees share the recommended changes to the curriculum with the President;
- The requested revisions are then submitted to the President for consideration and approval. If the President approves the revisions, and if the revisions do not fall in the category of a substantive change, or if the requested revisions do not require a vote of approval by the JMVU Board of Directors, or if the revisions do not have a financial impact on JMVU, the approved changes are submitted to the Office of Academic Affairs so that the appropriate changes can be made to all official policies and procedures manuals; and
- If the requested changes are categorized as a substantive change, or if the requested changes must be voted on by the JMVU Board of Directors, or if the requested revisions have a financial impact on JMVU, the requested changes are submitted to the JMVU Board of Directors for final approval.

This process may be initiated at any time by Academic Affairs, faculty members, administrators, advisory committees, or students' evaluation input.

## **Accessibility to Students**

Since the quality of the students' education depends on the University's ability to address their individual academic needs, all faculty members are expected to be available frequently and regularly for students to consult with them on a reasonable basis. All faculty members have a requirement of a minimum of one office hour per week per class to be available for students who have questions or require counseling and/or guidance. As part of their responsibility in advising students, faculty members are expected to be available to discuss program, academic, and professional/career issues. All faculty members are expected to publish in their syllabi a regular means for students to contact them outside of the classroom during the duration of the course. This communication may take many different forms (e.g., in-person to person exchanges during office hours, and before or after class, telephone, compressed video, or on-line exchanges).

## **Faculty Meetings**

A faculty meeting will be held at the beginning of each semester during the academic year. Among other things, this meeting will include segments such as an orientation for new faculty, important information on the semester and an in-service training program segment. Unless excused by the President, attendance is mandatory for administrators and faculty members. Institutional public announcements of decisions made at faculty meetings are made by the Vice-President of Academic Affairs or the President.

## **Service to the University, the Profession, and the Community**

Every faculty member shall is encouraged to make a contribution to the University community beyond his or her teaching and administrative duties and beyond his or her research efforts. Contribution to the community may include, for example,

such services as participation on University committees, involvement in student activities, cooperation in departmental and inter-departmental programs, active and effective participation in the cultural and intellectual life of the University, service in the outside community that is beneficial to the University, and the promotion of the University in the local business community.

### **Sample Duties Specific to Program Coordinators**

Coordinators are full-time employees of the University whose primary assignment is student advisement, administrative duties, institutional research, and serving as liaison between students and the faculty/administration. Coordinators are evaluated upon the performance of the duties described below and the criteria explained in the section under "Performance Criteria for Faculty Supervisors". The responsibilities of the Coordinators are to:

- Support JMVU's goals and organizational purpose;
- Provide academic oversight of their program;
- Teach classes as assigned;
- Assist in maintaining effectiveness and efficiency of all academic programs and services;
- Serve as a liaison between students and faculty/administration
- Provide academic and career advisement to students;
- Assist in the development and redesign of curricula;
- Monitor at-risk students with poor academic performance;
- Assist in managing the retention program and in improving graduation and placement rates;

- Engage in personal and professional development;
- Mentor and collaborate with JMVU faculty advising them of strategies to assist students;
- Assist in evaluating course objectives and sequencing;
- Recommend curricular changes;
- Provide orientation and information to students about the availability of advising and other academic or personal resources;
- Report needed repairs of equipment and needed supplies to the appropriate administrator;
- Perform public service as requested by JMVU;
- Attend faculty meetings and departmental meetings, as requested;
- Attend orientation and professional development workshops, as requested; and
- Serve as an ambassador for the University by developing relations with the community around JMVU, including high school counselors and teachers in order to promote the University.

### **Sample Duties Specific to Full-Time Faculty**

Full-time faculty members are persons who are appointed on a renewable contract by semester and whose primary responsibility is teaching, which includes student advisement and other duties inherent in the position. Full-time faculty members teach a minimum load of 12 credit hours per semester. They are appointed by the Vice-President of Academic Affairs or the President. Full-time faculty will meet the

requirements set forth in the syllabus for the course that they will be teaching, as well as all requirements under Florida law.

Full-time faculty members will report directly to the Program Coordinator and are evaluated on a semester basis. A satisfactory evaluation is based upon satisfactory fulfillment of the duties of the position, the general principles for all faculty members as described previously and the criteria stated in the University's evaluation form for classroom observations. The evaluation form measures the following elements of classroom functioning: punctuality in beginning class, instructional strategies, mastery of content presented, teaching materials, learning activities, and closing activity. After each observation, a copy of the evaluation form will be placed in the faculty member's personnel file. A signed copy of this job description will also be placed in each faculty member's personnel file. All faculty members are also evaluated by their students each semester.

The responsibilities of the full-time faculty member will be to:

- Teach classes as assigned;
- Assist in maintaining effectiveness and efficiency of academic programs and services;
- Provide academic advisement to students;
- Maintain adequate records of progress and evaluation for all students enrolled in classes assigned. Copies of grades must be submitted to the Office of the Registrar throughout each grading period as requested.
- Assist in the development and redesign of current and technology enhanced curricula that are standardized across the University;
- Assist in managing retention and in improving graduation and placement rates;

- Revise, update and file with the campus Office of Academic Affairs and the Program Coordinator syllabi for each class taught no later than one week before the beginning of each semester;
- Develop new course materials, as needed;
- Engage in personal and professional development and complete a personal professional development plan each year;
- Mentor and collaborate with other JMVU faculty;
- Assist the Program Coordinator in evaluating course objectives and sequencing;
- Recommend curricular changes;
- Assist in monitoring "at risk" students with poor academic performance;
- Report any needed repairs of equipment and any needed supplies to the Program Coordinator;
- Recommend to the Library Director the acquisition of materials for courses or the department;
- Develop new course(s) as requested by the Program Coordinator or by the Vice-President of Academic Affairs;
- Conduct institutional research as requested by JMVU;
- Perform public service as requested by JMVU;
- Attend faculty meetings and departmental meetings, as requested;
- Attend faculty orientation and professional development workshops, as requested;

- Understand the mission, purpose and goals of JMVU and espouse them in the performance of their responsibilities; and
- Serve as a JMVU representative or ambassador by developing relations with industry personnel, high school counselors, and high school teachers to promote JMVU.

### **Sample Duties Specific to Part-Time Faculty**

Part-time faculty members are persons who are appointed by semester and whose primary responsibility is teaching, which includes student advisement and other duties inherent in the position. Part-time faculty members teach 3-9 credit hours per semester. Part-time faculty members are appointed by the Vice-President of Academic Affairs or the President. Part-time faculty will meet the requirements set forth in the syllabus for the course that they will be teaching, as well as all requirements under Florida law. Part-time faculty members report directly to the Program Coordinator, and are evaluated on a semester basis. A satisfactory evaluation is based upon the satisfactory fulfillment of the duties of the position, the general principles for all faculty members as described previously and the criteria stated in the University's evaluation form for classroom observations. The evaluation form measures the following elements of classroom functioning: punctuality in beginning class, instructional strategies, mastery of content presented, teaching materials, learning activities, and closing activity. After each observation, a copy of the evaluation form will be placed in the faculty member's personnel file. A signed copy of this job description will also be placed in each faculty member's personnel file. All faculty members are also evaluated by their students each semester.

The responsibilities of a part-time faculty member are to:

- Teach classes as assigned;
- Maintain adequate records of progress and evaluation for all students enrolled in classes assigned. Copies of grades must be submitted to the Office of Registrar throughout the grading period as requested;
- Revise, update and file with the office of the Academic Affairs Department, syllabi for each class taught, no later than one week before after the beginning of each semester;
- Develop new course materials as needed;
- Communicate with the Program Coordinator and assist in evaluating course objectives and sequencing;
- Recommend curricular changes as appropriate
- Advise students and assist in monitoring "at risk" students with poor academic performance;
- Report any needed repairs of equipment and any needed supplies to the Program Coordinator;
- Recommend to the Library Director the acquisition of materials for the course or the department;
- Develop new course(s) as requested by the Vice-President of Academic Affairs or the Program Coordinator;
- Attend faculty meetings and departmental meetings, as requested;
- Engage in personal and professional development and complete a personal professional development plan each year;
- Attend faculty orientation and professional development workshops as required;



- Know the purpose and goals of JMVU, espouse them in individual job performance and in serving as JMVU Ambassadors.

### **Duties Specific to Adjunct Faculty**

Adjunct faculty members are persons who are appointed by contract for one or two semesters and whose primary responsibility is teaching, which includes student advising and other duties inherent in the position. Adjunct faculty members must meet the academic and professional preparation requirements of part-time faculty. They are appointed by the Vice-President of Academic Affairs or the President. Adjunct faculty will meet the requirements set forth in the syllabus for the course that they will be teaching, as well as all requirements under Florida law. Their responsibilities are the same as those of part-time faculty and are outlined specifically in their job description. Adjunct faculty members generally teach 1-3 credit hours per semester. Adjunct faculty members report directly to the Program Coordinator and are evaluated on a semester basis. A satisfactory evaluation is based upon satisfactory fulfillment of the duties of the position, the general principles for all faculty members as described previously and the criteria stated in the University's evaluation form for classroom observations. The evaluation form measures the following elements of classroom functioning: punctuality in beginning class, instructional strategies, mastery of content presented, teaching materials, learning activities, and closing activity. After each observation, a copy of the evaluation form will be placed in the faculty member's personnel file. A signed copy of this job description will also be placed in each faculty member's personnel file. All faculty members are also evaluated by their students each semester.

## **ETHICAL BEHAVIOR FOR FACULTY**

### **Guidelines for Appropriate Conduct**

All employees are expected to follow acceptable business and professional principles in matters of business and personal conduct as JMVU employees, to accept responsibility for the appropriateness of their own conduct, and to exhibit a high degree of personal and professional integrity at all times. It is impossible to list all forms of conduct that might be considered inappropriate. Certain behaviors, such as theft, fighting, threats of violence, violation of the alcohol and drug policy, insubordination, falsification of records, are clearly unacceptable at any time in the workplace. Other forms of conduct, such as failure to cooperate with other employees, intimidating others, rudeness, while often more subtle, are equally unacceptable.

The University expects all employees to adhere to the following general principles:

1. Observe the highest standards of professionalism at all times;
2. Perform responsibilities in a manner consistent with our values and ethical standards;
3. Comply with all laws, applicable to the University; and
4. Treat others, including customers, suppliers, and employees, with dignity and respect.

Unsatisfactory performance, work habits, overall attitude, conduct, or demeanor, violation of University policies, procedures, or guidelines, or any other behavior or conduct deemed inappropriate by JMVU may lead to disciplinary action, up to and including termination of employment.

## Confidentiality

As a faculty member or academic administrator, it is probable that you work with information that the University considers sensitive or confidential, e.g., student records, personnel records, alumni lists, University expenditures, etc. It is important that every employee who handles such information maintain the privacy of this information. In cases of student educational records, the information is confidential under law unless the consent of the student is given for disclosure. Employees are obligated to maintain strict confidentiality regarding student records.

All contact with the media, internal or external presentations, statements, articles, papers or speeches that might be considered by others to be representations or positions of the University must be approved by the President or the Vice-President of Academic Affairs.

## Conflict of Interest

Administrators, faculty members, and other employees who are hired in a full-time position at JMVU make a full-time commitment to the University. They must arrange their outside obligations, financial interests, and activities so as not to interfere with their primary obligation and overriding commitment to the University. For faculty members, this commitment includes, but is not limited to regular and punctual attendance at work and prompt and professional completion of all duties and assignments. These include: meeting classes; being available to students and colleagues outside of the classroom; serving on department, college, and University committees; conducting research and making the results public; and participating in meeting the changing needs of the University. For administrators and other employees, this commitment includes, but is not limited to, regular and punctual attendance at work and prompt and professional completion of all duties and assignments.

The University expects administrators, faculty members, and other employees to acknowledge all conflicts with their primary obligation, to disclose them immediately upon realization of the conflict and to review them annually with the appropriate supervising administrator. Although the University encourages external activities that enhance the employees' value to the University, it expects its employees to assess the possible adverse effects of external employment or financial interest on the University's principal mission.

Administrators, faculty members, and other employees who are employed part-time or on an adjunct basis commonly have major obligations and commitments not only to the University, but also to one or more outside agencies. The resulting conflicts of commitment are frequently troubling or severe. Accordingly, part-time employees and adjuncts are expected to disclose their conflicts to the appropriate supervisory administrator and exercise special care and discretion in fulfilling their multiple obligations.

A conflict of interest exists whenever an administrator, faculty member or employee, or a member of his/her immediate family, has an interest of a direct or indirect nature in any entity dealing with or in competition with the University, and the interest is of such a nature that his/her decisions regarding University policy or other University matters may be affected by it. In case of doubt as to whether acceptance of an outside appointment or participation in an outside activity would be in conflict with his/her University responsibilities, the employee will request in writing from his or her Program Coordinator and/or the Vice-President for Academic Affairs, as appropriate, an opinion as to whether a conflict exists.

## ACADEMIC AND DISCIPLINARY POLICIES CONCERNING STUDENTS

### Academic Policies

#### *Attendance*

Faculty members are expected to maintain a class roster and keep a written record of each student's attendance in class. The following attendance policy is in effect at JMVU: Students are expected to attend all scheduled University classes for the courses that they are registered for and to achieve the goals set forth by each class instructor. Attendance is taken daily. Enrolled students are permitted no more than **2** "free" absences in one semester. Students missing **3-5** classes over the course of the semester will receive a one-letter grade deduction from their final course grade; missing more than **6** classes will result in failure of the course regardless of grade average. It is the student's responsibility to arrange to make up work missed because of an absence.

#### *Student Tardiness Policy*

A student is considered tardy if the student comes to class **5** minutes late. A student can be tardy up to **15** minutes after class has started. After **15** minutes the student will be considered absent. A student is considered to have left the class early if the student leaves before the end of class time. With three tardies or having left the class early three times, the student accumulates one full absence. If the student leaves early and misses half of the class period, it is considered a full absence.

When a student has more than 6 tardies or has left class early 6 times, the instructor will contact the JMVU Director of Student Development to request an intervention session with the student. The goal of the intervention session is to develop and implement an intervention program to help students learn new ways to manage time.

# Satisfactory Academic Progress

## Overview

Students must make satisfactory progress both in terms of cumulative grade point average and the total amount of time taken to complete the required course sequence as outlined by semester in the JMVU College Catalog. To maintain satisfactory progress, the student must:

- complete their total program in no more than 1.5 times the number of semesters described in this catalog for the program
- establish and maintain at least a 2.0 GPA by the end of the undergraduate student's second term of enrollment and all subsequent terms. Graduate students must maintain a 3.0 GPA by the end of their second term of enrollment and all subsequent terms. For the purposes of SAP, Medical Assistant Technician, Home Health Aide, ESL, and FCCPC diploma students must meet the same criteria as undergraduate students. (Grades for classes that were transferred from another university are shown as "T" on the transcript and will not be used in computing the student's grade point average.)

Factors that may influence satisfactory progress and that may result in extended time are:

- deviation from the catalog requirements in the number of hours taken per semester
- deviation in the course sequence recommended
- withdrawal from classes
- repeated courses
- grades of "Incomplete"
- changing the major or the program
- probation or suspension
- grade appeal process
- earning more than one degree at a time

In calculating Satisfactory Academic Progress, Grades "A" through "C-" are considered passing grades. Grades "W" and "I" indicate that no grades were earned for the course. A "W" grade indicates that the student withdrew from the course. An "I" grade indicates that the student was passing the course, but failed to complete all the required course work. The instructor, in his/her discretion may grant an "I" grade instead of an "F", pending completion of the course work by the

student within a specified time arranged by the instructor and told to the student. It is the student's responsibility to follow-up with the instructor to complete the course work. If the course work is not completed by the arranged time, the "I" grade becomes an "F".

For students receiving transfer credit from other institutions, a grade of "T" will appear on their transcript. Courses for which a "T" is given will not be used in computing the student's grade point average.

A student's grade point average ("GPA") is computed by dividing the sum of all grade points earned at the University by the total number of credits in all courses for which grades "A" through "F" were received. Courses in which a "W" or "I" or "T" or "P" grade was received will not be used in computing a student's GPA.

## **Definition of Satisfactory Academic Progress**

Each student enrolled at the University must demonstrate that he or she is making satisfactory academic progress toward the completion of his or her chosen program of study. The criteria that each student must meet to qualify as making "Satisfactory Academic Progress" are defined below. A student who is failing to meet this criteria at any point outlined below will not meet the standard of "Satisfactory Academic Progress". Any of three remedies may be applied if a student is not making Satisfactory Academic Progress. These are as follows: academic probation, restricted class load status and/or termination from the program of study.

The definition of Satisfactory Academic Progress has both qualitative and quantitative criteria that must be met. The student must meet both of these sets of criteria to make Satisfactory Academic Progress. Unmet satisfactory academic progress also affects financial aid eligibility. For more information on financial aid warning status due to unmet satisfactory academic progress, please refer to the **Financial Aid** section of this catalog.

## **Qualitative Criteria for Satisfactory Academic Progress**

Under the qualitative criteria, to make Satisfactory Academic Progress, the student must comply with the following two criteria:

1. Demonstrate a minimum overall cumulative grade point average of 2.0 at the end of the undergraduate student's second term of enrollment, and at the end of each subsequent term thereafter.

2. Demonstrate a minimum overall cumulative grade point average of 3.0 at the end of the graduate student's second term of enrollment, and at the end of each subsequent term thereafter.
3. Demonstrate successful completion of the required percentage of the total cumulative credit hours he or she has attempted in the program of study at the intervals described below.

	<b>Minimum Overall completion <u>attempted</u>:</b>	<b>Required percentage of Cumulative GPA of coursework</b>
	<b>Undergrad/Graduate</b>	
<b>Interval I:</b> End of the second term:	2.0/3.0	60%
<b>Interval II:</b> End of the student's third and any subsequent term:	2.0/3.0	66.67%
<b>Interval III:</b> The total maximum for completion as timeframe described under "Quantitative Criteria" below.	2.0/3.0	66.67%

### **Calculation of the Credit Completion Percentage**

The credit completion ratio or percentage is calculated by dividing the total number credit hours successfully completed by the student in his or her program by the total number of credit hours attempted by the student. For the purposes of calculation, credit hours attempted by the student include:

- A. all courses taken while the student is enrolled in his or her program of study or
- B. a different program of study, if:



- 1) The subject matter of a course or courses in that different program of study is substantially the same as a course in his or her current program of study, or
- 2) If a course or courses count toward the satisfaction of any of the coursework requirement in the current program

### **Conditions That May Result in Probation, Restricted Course Load Status and/or Termination**

The following describes the conditions under which a student may be placed on probation, restricted course load or terminated completely from a program of study.

1. Termination automatically applies to any student not making Satisfactory Academic Progress at the end of Interval I, unless the student appeals the University's determination of the lack of Satisfactory Academic Progress in writing to the Vice President of Academic Affairs. The Vice President may grant the student's appeal if all the requirements specified below under Academic Probation and Restricted Course Load sections are met. If the appeal is granted, the student will be placed on probation or restricted course load status during the student's next semester of attendance. Such action is not automatic, but at the discretion of the university.
2. Termination automatically applies to any student not making Satisfactory Academic Progress at the end of Interval II, unless the student appeals the university's determination of the lack of Satisfactory Academic Progress in writing to the Vice President of Academic Affairs. The Vice President may grant the student's appeal if all the requirements specified below under Restricted Course Load sections are met.  
If the appeal is granted, the student will be placed on Restricted Course Load status during the student's next semester of attendance.
3. At the end of Interval III, if the student is not making Satisfactory Academic Progress, he or she will be terminated from his or her program of study at the University.

### **The Calculation of the Overall Cumulative Grade Point Average**

The calculation of a student's overall GPA in his or her program of study will include the following:

- the grade or grades earned by the student during each course in which he or she was enrolled in the program of study at the university
- the grade or grades earned by the student during which he or she was enrolled in a different program of study at the university.

If the course or the content matter of any course taken in another program of study is substantially the same as a course in the student's current program of study, that course satisfies the coursework requirement of his or her current program of study.

### **Quantitative Criteria for Satisfactory Academic Progress**

As indicated above, a student must maintain a satisfactory overall GPA and successfully complete a minimum percentage of coursework (66.7% of hours attempted) each academic year. Additionally, a student must complete his or degree within a maximum timeframe of attempted credit hours. The timeframes are as follows for the following credit programs:

FCCPC Diploma = 18 maximum attempted credit hours

Home Health Aide Diploma = 112.5 maximum attempted clock hours

English as Second Language Diploma = 1350 maximum attempted clock hours

Medical Assistant Technician Diploma = 57.75 maximum attempted credit hours

Associate's Degree = 90 maximum attempted credit hours

Bachelor's Degree = 180 maximum attempted credit hours

Master's of Science Degrees = 60 maximum attempted credit hours

MBA in Finance Degree=59 maximum attempted credit hours

The Maximum Time Frame for the Completion of any program of study is 150% of the credit hours designated for the program in the University catalog. A student will not be making Satisfactory Academic Progress if the university determines that the student is unable to graduate from his or her program without exceeding the Maximum Time Frame for Completion. In such case, the student will be terminated from his or her program of study.

**The calculation of the Maximum Time Frame for Completion includes all courses taken while the student is enrolled in his or her program of study or a different program of study, if the subject matter of a course or courses in that different program of study is substantially the same as a course in his or her current program of study, or if a course or courses count toward the satisfaction of any of the coursework requirement in the current program. Authorized leave of absence periods will not be counted toward maximum time frame calculation.**

## **Academic Probation**

To maintain Satisfactory Academic Progress, an undergraduate student must establish and maintain at least a 2.0 overall cumulative grade point average by the end of the student's second term of enrollment and all subsequent terms of enrollment. A graduate student must establish and maintain at least a 3.0 overall cumulative grade point average by the end of the student's second term of enrollment and all subsequent terms of enrollment. Also, to maintain Satisfactory Academic Progress, the student must complete the required percentage of coursework attempted. Any student who fails to establish or maintain Satisfactory Academic Process must meet with the Director of Student Development.

A student who fails to establish or maintain Satisfactory Academic Progress will be placed on academic probation and maintain this status of academic probation during the following semester. At the end of the semester in which the student is on probation, the student's overall GPA and Credit Completion Percentage will be recalculated. An undergraduate student will be removed from academic probation only if the student completes the appropriate percentage of coursework and earns a "C-" or better in all courses attempted during the semester in which he or she is on academic probation and earns a cumulative GPA of 2.0 or higher. A graduate student will be removed from academic probation only if the student completes the appropriate percentage of coursework and earns a "B-" or better in all courses attempted during the semester in which he or she is on academic probation and earns a cumulative GPA of 3.0 or higher.

## **Restricted Course Load**

An undergraduate student who, during the semester of probation, still does not earn a C- in every course or a 2.0 cumulative GPA is required to meet with his or her coordinator to determine whether a reduced course load may be appropriate for the student. If the coordinator determines that a reduced course load may be favorable for the student, then the student may register the next semester for only half of the number of credit hours normally taken by a full-time student. If, during the semester in which the student is on Restricted Course Load, the student still does not earn at least a "C-" or better in all courses and earn a cumulative grade point average of 2.0, then the following semester, the student must register only for those

courses in which he or she did not receive a "C-" or better. If, during that semester, the student still does not earn a "C-" or better for those courses, he or she will be terminated from the program of study and suspended from the University for unsatisfactory academic performance. A suspended student is eligible to apply for readmission after a minimum of one semester, and, if permitted to return, will be on academic probation and/ or restricted course load status.

A graduate student who, during the semester of probation, still does not earn a B- in every course or a 3.0 cumulative GPA is required to meet with his or her coordinator to determine whether a reduced course load may be appropriate for the student. If the coordinator determines that a reduced course load may be favorable for the student, then the student may register the next semester for only half of the number of credit hours normally taken by a full-time student. If, during the semester in which the student is on Restricted Course Load, the student still does not earn at least a "B-" or better in all courses and earn a cumulative grade point average of 3.0, then the following semester, the student must register only for those courses in which he or she did not receive a "B-" or better. If, during that semester, the student still does not earn a "B-" or better for those courses, he or she will be terminated from the program of study and suspended from the University for unsatisfactory academic performance. A suspended student is eligible to apply for readmission after a minimum of one semester, and, if permitted to return, will be on academic probation and/ or restricted course load status.

### **Incomplete Grade in a Course**

If a student receives a grade of A, B, or C in any course, the student will have successfully completed that course. If the student receives a grade of "I", he or she must successfully complete the required work for that course within a specified time arranged by the instructor and communicated to the student, but no later than the end of the semester following the semester in which the "I" was received. It is the student's responsibility to follow up with the instructor to complete the course work. If the course work is not completed by the arranged time, the "I" becomes an "F". The grade of "I" has no effect on the student's cumulative grade point average or successful completion of courses. However, the grade of "I" is added to the hours attempted within the maximum time frame.

### **Pass (P) Grade in a Course**

If a student receives a grade of P in any course, the student will have successfully completed that course. A grade of "P" will have no effect on the student's cumulative grade point average. However, the grade of "P" is added to hours attempted within the specified maximum time frame.

## Withdrawal from a Course

Students may withdraw from a course during the drop/add period (the first week of class) without punitive grades or financial obligations. The last day of physical attendance determines whether or not grades are recorded for the semester. If the last day of attendance is within the first half of the semester, a grade of "W" is given. If the last day of attendance is within the second half of the semester, the student will receive a final letter grade. The grade of "W" has no effect on the student's cumulative GPA. However, the grade of "W" is added to hours attempted within the specified maximum time frame.

## Financial Aid Warning

Financial aid warning is a warning status for students who failed to meet standards of satisfactory academic progress. Students who are on warning may still receive financial aid only during the semester that corresponds with the warning status. Students are placed on financial aid warning as the result of the following scenarios:

- Cumulative GPA is less than 2.0 by the end of the undergraduate student's second term of enrollment and all subsequent terms or
- Cumulative GPA is less than 3.0 by the end of the graduate student's second term of enrollment and all subsequent terms
- Completion of less than 60% of credits attempted

## To Resolve Warning Status

To resolve warning status and get back into "Good Standing", students can do one of the following (depending on what caused the student to go on warning):

- Complete the next term successfully, which is defined as completing 60% of all credit for the term with a GPA above the required minimum.
- If the warning was caused by an "Incomplete" grade, have the "I" grade changed to a passing grade before the end of the warning term.

Students who did not complete these requirements while on warning will lose eligibility to receive financial aid for the following terms, and may only regain eligibility when satisfactory academic progress is met.

## Notification to students

A notification will be sent to the student, if a student is placed on financial aid warning or if student loses eligibility to Title IV programs.

## Transfer Courses

Students will receive a grade of "T" for courses taken at another institution that are being transferred in for required courses at JMVU. The grade of "T" has no effect on the student's cumulative GPA or successful completion of courses. However, a grade of "T" is added to hours attempted within the specified minimum time frame.

## Repeat Courses

A student may repeat a course to improve the overall cumulative grade point average. If a student has an "F" and repeats the course and receives a better grade, for example, an "A", then only the "A" is counted in the calculation of the cumulative grade point average. Credits attempted and earned for the second attempt are counted in lieu of those earned for the initial attempt.

Though both attempts remain part of the student's permanent record, the cumulative grade point average will reflect only the grade earned on the second attempt.

A student who earns grade of "F" in any course included in his or her program of study must repeat that course and complete it successfully before taking any course with respect to which the failed course is a prerequisite and before graduation.

A student who has successfully completed a course, but wishes to improve the grade received in the course, may also repeat the course. If the course is repeated, the grade earned for the last time the course is taken replaces the previous grade when the overall GPA is calculated. All grades for all courses attempted will remain on the student's transcript, however.

## Change of Program or Major

Students who contemplate a change from one program or major to another should discuss this possibility with the Vice President of Student Development to determine the effect such a change would make on the student's satisfactory academic progress. The university defines satisfactory academic progress as completion of the total program in no more than 1.5 times the number of semesters described in this catalog for the program. All credits attempted count toward the total program length of 1.5 times the number of semesters required for completion of the major program.

If a student changes his/her major or program, only those credits that are common to both programs will be accepted toward the new degree program

## **Additional Degree Program**

Students who wish to earn another degree must re-apply for admission to the University. Upon acceptance to the University, courses which count toward the new degree program completion requirements will be transferred. A student may only transfer courses with a final grade of "C" or higher. Credits attempted and grades earned in the student's new program of study will count towards determining satisfactory academic progress.

## **Readmission after Suspension for Unsatisfactory Academic Progress**

If the student was not making satisfactory academic progress in his or her program of study as of the last semester enrolled, the student will not be readmitted into the same or a different program, unless the student makes an appeal in writing concerning the school's determination to the Vice President of Academic Affairs (as provided below in the Appeal section) and the Vice President grants the student's appeal. The Vice President will consider mitigating circumstances in addressing the appeal. If the appeal is granted by the Vice President, then the student will be placed on either academic probation or restricted course load status (at the Vice President's discretion, as appropriate) during the student's next semester of attendance in any program of study at JMVU.

If the student is given permission for readmission, the student must agree in writing to the terms for readmission outlined by the University and must execute a new Enrollment Agreement with the institution. The student must also pay all current tuition, fees and any other costs associated with the student's program of study.

## **Appealing a Determination of Unsatisfactory Progress**

If JMVU determines that a student is failing to make satisfactory academic progress in his or her program of study, the student may appeal the University's determination in writing to the Vice President of Academic Affairs. The student's appeal must provide details concerning the circumstances affecting the student's academic progress (such as serious illness or injury befalling the student, the death of a close relative of the student or any other special circumstances) that may influence the university's decision to terminate or not to readmit the student into his or her program of study at JMVU.

The Vice President will consider the appeal to determine whether the special circumstances explained in the student's written appeal are mitigating

circumstances that will allow the student to remain enrolled in or readmitted to his or her program of study at the school despite the student's failure to conform to the requirements of Satisfactory Academic Progress. The determination of the student's appeal will be made by the discretion of the Vice President in conformity to the principles and standards described in this catalog and will be final and binding on the student. If the Vice President decides in favor of the student's appeal, the student will be placed either on academic probation or restricted course load status during the student's next semester of attendance in a program of study at the University. In order to reestablish eligibility for Federal Student Aid student undergraduate students must have a minimum GPA of 2.0 and graduate students must have a minimum GPA of 3.0.

### **Procedure for Grade Appeals**

There is a JMVU committee, the purpose of which is to address requests for revision of academic grade(s). This Committee, known as the "Grades Committee," consists of the Vice President of Student Development and two faculty members. The Grades Committee members are proposed every semester by the Vice President of Academic Affairs and approved by the President. The Committee establishes its internal decision-making procedure which will be made public.

The faculty member responsible for the course is the only person who may make a grade change and he or she must notify the Registration Department when and if the change is made. When a student appeals a grade, the student will provide the faculty member with a copy of all petitions.

A challenge to a grade received in a course, comprehensive examination, or other graduation requirement will be considered only when the student alleges that the grade received reflects other than appropriate academic criteria, that is, achievement and proficiency in the subject matter as stated in the course syllabus.

A student who deems it appropriate to challenge a grade will proceed as follows:

- If the grade challenged is in a course, the student will first discuss the matter with the faculty member teaching the course in an effort to resolve the grievance informally.
- If the grievance is not settled, the student may then file the Grade Appeal Form with the Vice President of Student Development.



- The form must be filed no later than ninety (90) calendar days after the date on which the grade was due in the Registrar's Office.
- The Vice President of Student Development will make an informal investigation, hearing both the student and the faculty member, and attempt an informal reconciliation. The Vice President will render a decision within thirty (30) calendar days and inform the student and faculty member in writing.
- If the student wishes to appeal the decision of the Vice President, he or she may request that the Grades Committee investigate the decision.
- The Grades Committee will make a formal investigation, hearing both the student and faculty member.
- The Committee will reach a decision within thirty (30) calendar days and notify the student, the faculty member, and the Director of Student Development in writing. The decision will be either that the grade will stand, or that the faculty member will change the grade as recommended by the Grades Committee.

The student and/or the faculty member may appeal the decision of the Grades Committee to the Vice President of Academic Affairs no later than five (5) working days after the Committee's decision. The Vice President's decision shall be final.

## Graduation Policy

**Undergraduate students** who have maintained at least a 2.0 GPA and have completed all the required coursework and the career services graduation requirements for their major are eligible for graduation.

**Graduate students** who have maintained at least a 3.0 GPA and have completed all the required coursework and the career services graduation requirements for their major are eligible for graduation.

Request for graduation must be made to the University Registrar by the end of the fifth week of classes in the student's final term. The University Registrar will provide students with a diploma upon satisfactory completion of all remaining coursework. Students who have applied for graduation but do not meet the minimum requirements will receive a letter within five (10) working days after the Application for Graduation was received. This letter will provide the student with specific information about their progress to date, and any remaining requirements that must be met.

## Disciplinary Policies

### *Student Conduct Code*

The following are examples of misconduct for which students and/or student organizations are subject to disciplinary action by Jose Maria Vargas University. This list should not be considered inclusive.

1. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the University.
2. Forgery, alteration, or misuse of University documents, records, or identification.
3. Theft of and/or damage to property of the University, of a member of the University community or of a visitor to the University.
4. Unauthorized entry to, or use of, University facilities, which are locked, closed to student activities or otherwise restricted as to use.
5. Tampering with fire equipment, exit lights, fire alarms, or any other Safety equipment or structures.
6. Disorderly, lewd, indecent, or obscene conduct or expression on University owned property or at University sponsored or supervised activities.
7. Abusive behavior - Any action or situation which produces mental or physical discomfort for any member of the University community, or which places the individual or group in danger of physical or mental injury. This behavior includes but is not limited to:
  - Sexual Harassment - inappropriate or unwelcome sexual attention to coerced sexual relations or sexual assault (also see policy on Sexual Harassment).
  - Verbal Harassment-statements incorporating abusive, obscene or threatening language.

- Physical Harassment - use of, or threatened use of, physical force or violence.
  - Stalking - willfully, maliciously, and repeatedly following or harassing another person.
  - Any harassment on the basis of race, ethnicity, gender, disability, religion, or sexual orientation.
8. Forging, altering, possessing, duplicating, or using documents, keys, records, or identifications without consent or authorization.
  9. Failing to comply with a judicial sanction, to include violation of specific probationary statutes.
  10. Purporting to or representing another person, an organization, or the University improperly without the consent or authority.
  11. Lying or perjuring self to University official.
  12. Being present during the commission of a violation of the University student conduct code constitutes permission or condoning of the act.
  13. Possessing, consuming, dispensing, or being under the influence of alcoholic beverages or illegal drugs in violation of the State of Florida Law or JMVU policy.
  14. Violating the University smoking tobacco use policy in specified facilities.
  15. Soliciting/selling for personal or organizational profit without proper consent of University officials.
  16. Disruption of the normal activities of the institution, including physical violence or abuse of any person or conduct which threatens or endangers the health or safety of persons, the deliberate interference with academic freedom and freedom of speech.
  17. Possession of weapons, which include firearms (or replicas), guns, sling shot devices, grenades, knives, explosives, flammable materials or any other instrument which may be used to cause injury to body or damage to property.
  18. Violation of other published University policies, rules or regulations.

## **Academic Dishonesty**

### ***Cheating and Plagiarism***

Cheating is defined as the attempt, successful or not, to give or obtain aid and/or information by illicit means in meeting any academic requirements, including examinations. Cheating includes falsifying reports and documents. Plagiarism is defined as the use, without proper acknowledgment, of the ideas, phrases, sentences, or larger units of discourse from another writer or speaker. Plagiarism includes the unauthorized copying of software and the violation of copyright laws.

An incident of Cheating or Plagiarism upon which a faculty member may take action will be an event which the faculty member witnesses or has written evidence to support. A faculty member must observe this evidence directly and may not take action solely on the report of another party.

### ***Procedures for Handling Cheating and Plagiarism***

Any faculty member discovering a case of suspected cheating or plagiarism shall make a responsible effort to confront the student with the evidence within five (5) working days. If the student can explain the incident to the satisfaction of the faculty member, no further action is warranted.

If the student denies cheating and the faculty member continues to believe cheating has occurred, the faculty member will send an Academic Dishonesty Form to the coordinator of the appropriate area of study. This form is available in the office of the coordinator. The coordinator of the area of study will hold a hearing in which the faculty member will present the evidence against the student. The Coordinator from the appropriate school will decide who, in addition to the above,

may be present at the hearing. The coordinator will determine whether or not the evidence indicates that cheating/plagiarism has taken place.

If the student has admitted or has been found guilty of cheating or plagiarism, the following records will be kept:

- The faculty member will send an Academic Dishonesty Form to the student's advisor.
- The Director of Student Development will inform the student in writing that these forms have been sent.
- Records of the incident will be kept in the Office of the Vice President of Academic Affairs.
- This record shall be destroyed upon graduation or other forms of separation from the University if no further incidents of cheating or plagiarism occur.
- If the records in the Office of the Vice President of Academic Affairs indicate that the student has committed two offenses, both incidents become part of the student's permanent academic record.

The faculty member shall decide how the student will be graded for the course in which cheating or plagiarism occurred. The student may be required to resubmit the assignment or take a new examination. The student may receive a failing grade on the assignment or examination in question. The student may receive a failing grade for the course.

For a second or subsequent offense, the student shall be subject to suspension or dismissal from JMVU by the Vice President of Academic Affairs.

The student may appeal any of the above decisions in writing to the Vice President of Academic Affairs within thirty (30) working days.

## ***Responsibilities of Students Concerning Academic Dishonesty***

Students are responsible for knowing the policies regarding cheating and plagiarism and the penalties for such behavior. Failure of an individual faculty member to remind the student as to what constitutes cheating and plagiarism does not relieve the student of this responsibility.

Students must take care not to provide opportunities for others to cheat.

Students must inform the faculty member if cheating or plagiarism is taking place.

## ***Disciplinary Standings***

A student's status with regard to discipline is regulated by the following definitions, which are reflected in each student's record kept at the Registration Department.

### ***Good Standing***

The status of good standing indicates that a student has been duly enrolled in the University and is eligible to participate in all activities of the University. A student is presumed to be in good standing unless the student engages in an established misconduct.

### ***Warning***

This status indicates that a student has been through the judicial process due to the seriousness of his/her conduct and has been cautioned that further behavior of the same or similar type will be cause for further disciplinary action by JMVU.

### ***Disciplinary Probation***

This status indicates that the student's behavior has raised serious questions concerning the student's status as a member of the University community. The student will be given a stated period during which his/her conduct will establish whether he/she is to be returned to good standing by having met definite

requirements in behavior or whether he/she is to be suspended or dismissed from JMVU. The sanction of disciplinary probation may be imposed on a student by the Vice President of Academic Affairs. The student may not represent the University or hold office during the period of probation.

A statement of offense and decision will be placed in the student's file in the Registration Department. If while on disciplinary probation a student is found responsible for a further infraction of University policies/regulations, the student will be subject to the possibility of suspension/expulsion from JMVU.

### ***Suspension***

The status of suspension indicates the suspension/separation of the student from JMVU for a stated time due to serious or repeated violations of the rules or for undesirable conduct on the part of the student. A student will be permitted to re-register for courses after a semester probation period. The Director of Student Development may impose suspension.

Statement of offense and decision will be placed in the student's file in the Registration Department.

### ***Expulsion***

This status, the most serious disciplinary action taken by the University, indicates the immediate, involuntary and permanent separation of a student from Jose Maria Vargas University because of established gross misconduct on the part of a student.

## **RESPONSIBILITIES OF SUPERVISORS**

Some JMVU administrators and faculty members may have positions that include the supervision of one or more employees. As a supervisor, you are responsible for the actions you take and you need to be aware that you act as an agent of the University. Supervision of employees requires that you understand the University's policies and legal matters regarding employee rights under the law, as well as the particular responsibilities, policies and procedures applicable to the job you are supervising.

### **Participation in Hiring and Advancement of Personnel**

At times as a supervisor, you may be asked to participate in the hiring process to find the appropriate person to fill a particular position. It is your responsibility to follow the University's policies concerning hiring, as well as the University's expectation for your particular role in the process and to know the requirements of the position. It is the supervisor's responsibility to recognize qualified individuals for promotion or transfer and to encourage such persons to seek appropriate positions within the University where a promotion or transfer does not create difficulty to the University. With the goal of developing each individual's potential, supervisors should also encourage their supervisees to seek ongoing professional development by suggesting and supporting, in those ways that are feasible, efforts for growth, training and development.

### **Communication and Feedback**

The University expects its supervisors to communicate regularly with their staff regarding job performance and to provide regular feedback to staff concerning expectations and standards of the University for that position. Staff should be notified that they will receive an annual evaluation report based on established



criteria of expectations and standards and that this report will be placed in their personnel files.

Supervisors are expected to discipline staff effectively where necessary and to address all violations of University policy, procedure or standards. Any disciplinary action beyond an oral reprimand must be reported to the Vice-President of Administration and Academic affairs. If the supervisor is aware of a situation with a staff member that may result in suspension or termination, the supervisor must also report this situation to the Vice-President of Administration and Academic Affairs.

To support the University's goal of fair and professional treatment of each employee, supervisors must handle all interactions with staff in a dignified and courteous manner, recognizing the employee's right to privacy where appropriate; however, the University has the right to inspect materials and things brought onto University property.

### **Compliance with Safety Regulations and Other Laws**

All supervisors and staff must respect rules regarding their own safety as well as the safety of others. The supervisor may also be required to establish safety rules and procedures for his or her particular work area, to inform the staff of these rules and to ensure compliance with the rules and procedures. If you, as a supervisor, become aware of a workplace injury, it is your responsibility to make sure that the injured party files a report to the Vice-President of Administration. It is also expected that the supervisor will be aware of and ensure compliance of their staff with the University's copyright policy.

Supervisors must be cognizant of those laws and regulations that affect employment or the employer-employee relationship. These laws include the following:

- The Civil Rights Act and Equal Employment Opportunity Act, which prohibits discrimination in hiring or in the workplace based on race, color, religion, sex or national origin.
- The Age Discrimination in Employment Act, which prohibits employers to discriminate against persons 40-70 years of age in the workplace by treating them differently from younger workers.
- The Americans with Disabilities Act, which prohibits discrimination based on disability in employment, if the disabled person is able to perform the essential functions of the job with reasonable proficiency. The employer is also responsible for making "reasonable accommodations" as necessary for otherwise qualified individuals to be able to perform those essential functions.
- The Fair Labor Standards Act, which establishes minimum wage, equal pay, overtime pay, child labor standards and requires keeping certain records about employees.
- The Equal Pay Act, which requires all employers subject to the Fair Labor Standards Act to pay men and women equally for similar work, although there may be pay differences between men and women for similar work if the differences are based on factors other than sex, such as seniority, experience, education, etc.
- The Occupational Safety and Health Act, which protects the health and safety of employees in the workplace and prohibits discrimination or firing against employees who have been injured on the job, who have assisted in a safety complaint or who have refused to perform an assignment that the employee reasonably believes will result in injury or death.
- Federal and Medical Leave Act, which provides all eligible employees with up to 12 weeks of unpaid leave per year for the care of a newborn or newly

adopted children a serious health condition of a child, spouse, or parent or a serious health condition of their own.

The administration requests that you seek assistance, if, as a supervisor, have any questions regarding the legality of your behavior or of any employee's behavior.

### **Performance Criteria for Faculty Supervisors**

Criteria for the evaluation of faculty personnel in supervisory roles is based upon the following: the duties of the position, the general principles for all faculty members as described in this handbook and, where appropriate, the criteria stated in the University's evaluation form for classroom observations. Criteria for faculty supervisors may also include the following: initiative, the willingness and ability to motivate and assist others, appropriate goal-setting, appropriate decision-making and problem-solving skills, appropriate utilization, monitoring and evaluation of faculty, encouragement of professional growth among the faculty and appropriate mentoring of faculty to maintain a quality workplace and to foster improvement.

## **PROCEDURES FOR SELECTING AND CONTRACTING FACULTY**

### **Job Descriptions**

Each faculty member (full-time, part-time and adjunct) will be given a job description upon being hired. JMVU's job descriptions include a summary of the position, a description of the person to whom the position reports and a statement of the position's responsibilities. For some positions, the necessary skills, experience and required educational background are also listed. Position descriptions may evolve throughout time as new duties and responsibilities emerge out of the functioning of the position.

### **Full-time Faculty**

Full-time Faculty members will be persons:

- whose major employment is with the University and who teach 4 classes with a minimum of 12 credit hours; or have a comparable amount of teaching and administrative duties
- who are on a contract for a specified time, renewable at JMVU's discretion; and
- whose primary assignment is teaching but who will be available for student advisement and other duties inherent in the position.

If the faculty member's degree was earned from an institution outside the United States, the faculty or staff member is required to present a certified translation of the degrees or transcripts in English. International transcripts must be evaluated by a member of the National Association of Credential Evaluation Services (NACES) to determine the equivalency of the degree to degrees awarded by an American postsecondary institution.

### ***Qualifications***

All full-time faculty must have a Master's degree or doctoral degree with a major in the teaching discipline, or a master's degree with 18 graduate semester hours in the teaching discipline, and must demonstrate outstanding professional experience, or teaching excellence, or be certified in the subject matter he or she is delivering.

### ***Exceptions for Faculty with Exceptional Professional Credentials:***

Exceptional cases will be evaluated using the following criteria:

- A current curriculum vitae;
- Verification of and evaluation of exceptional experience;
- An internal evaluation of credentials by a faculty consultant who can make a determination in writing that is based on the credentials, indicating that the faculty member's experience is equivalent to that of someone holding a Master's or Doctorate in the teaching discipline and that the faculty member is qualified to teach the course or courses designated.

### ***Part-time Faculty***

Part-time faculty members are persons:

- Who teach 3-11 credit hours per semester
- who are appointed by the semester; and
- whose primary responsibility is teaching, which includes student counseling and other duties inherent in the position.

### ***Qualifications:***

All part-time faculty must have a Master's degree or doctoral degree with a major in the teaching discipline, or a master's degree with 18 graduate semester hours in the teaching discipline, and must demonstrate outstanding professional experience, or teaching excellence, or be certified in the subject matter he or she is delivering.

For faculty who hold degrees from foreign institutions not accredited by a U.S. regional post-secondary accrediting commission, the academic credentials will be

submitted by JMVU for an external evaluation by a member of the National Association of Credentialing Evaluation Services (NACES) to determine that the degrees are comparable to American degrees at the appropriate level.

### ***Exceptions for Faculty with Exceptional Professional Credentials***

Exceptional cases will be evaluated using the following criteria:

- A current curriculum vitae;
- Verification of and evaluation of exceptional experience; and
- An internal evaluation of credentials by a faculty consultant who can make a determination in writing that is based on the credentials, indicating that the faculty member's experience is equivalent to that of someone holding, at a minimum, a bachelor's degree in the teaching discipline and that the faculty member is qualified to teach the course or courses designated.

### **Selection Process for Full-time and Part-time Faculty**

At the end of each semester, the following procedures take place to preview and program the subject matters or courses that the students are going to need to fulfill their chosen program of study. Once this academic programming has taken place, instructors are contracted in the areas that are lacking. This process is due to the fact that, as a young university, courses are only opened to the extent that the students require them. To do this, the followings steps are taken:

1. The required profile of the course to be offered is reviewed.
2. The requirements for the professors are published in careerbuilder.com
3. The selected candidates who comply with the following criteria are reviewed:
  - Must have degrees or diplomas of a doctorate or Master's in the area sought.

- Must possess a minimum of 18 university credit hours in the studies related to the area to be taught.
  - Minimum experience of 3 years as a post-secondary professor
  - Must possess work experience in the area of study for which he/she is applying
4. At least five resumes with the required characteristics are chosen.
  5. A date is made for a preliminary interview with those preselected.
  6. The interview is conducted with each of the preselected candidates.
  7. The instructor is chosen that has the best profile and who demonstrates mastery of course content during the interview.

Once the candidate is selected as an instructor, Academic Affairs sends the information to the administrative area, which schedules another meeting with the candidate to formalize his/her entry by filling out different applications or forms. Among them are:

- Application for Employment
- W-4
- Complete resume with all the credentials and supporting materials Resume
- Degrees or Diplomas
- Transcript
- Emergency Information
- Form for the Commission for Independent Education Florida department of Education. (Instructional & Administrative Personnel).

- Instruction / Administration Information.
- Data Sheet for Staff and Faculty members.

After the administrative paperwork is complete, the professor meets with the Academic Coordinator. The Academic Coordinator provides the new faculty member with information required for every aspect of the teaching situation. The Coordinator provides him/her with a folder that contains the following academic information.

- Class Schedule
- Program content of the assigned
- Syllabus
- Means of evaluation
- Faculty Handbook
- Notice of the semester meeting

### **Selection and Qualifications of Adjunct Faculty**

JMVU will appoint faculty members from other colleges and universities or from the professional community to serve as adjunct faculty. These adjunct faculty members will generally teach 1-3 credit hours for one or two semesters on a contract basis and will not be considered employees of JMVU. Adjunct faculty members must meet the academic and professional preparation requirements of part-time faculty.



## **EVALUATION OF FACULTY MEMBERS**

Each faculty member will be evaluated by students and by his/her supervisor each semester.

### **Evaluation of Instruction by Students**

On a semester basis, students are asked to complete a student response survey which evaluates the instructor and the course. The results of student evaluations of instructors are used to initiate changes in teaching styles and to modify curriculum, if necessary.

### **Evaluation by Supervisor**

On a semester basis, faculty members are evaluated by the Program Coordinator and by the Vice-President of Academic Affairs and by their students. Written forms are used to evaluate instructors based on specific criteria. The evaluation includes a classroom visitation. The results of evaluations by supervisors are used in professional development activities. Exemplary performance is used as a factor in salary and promotion decisions.

### **Criteria for Evaluation**

A satisfactory evaluation is based upon satisfactory fulfillment of the duties of the position as described in the faculty member's job description, the general criteria for all faculty members as described on p. xx of this manual and the criteria stated in the University's evaluation form for classroom observations. The evaluation form measures the following elements of classroom functioning: punctuality in beginning class, instructional strategies, mastery of content presented, teaching materials, learning activities, and closing activity.

## **REAPPOINTMENT AND TERMINATION**

Employees on contract may be terminated by the University “with cause” under those offenses subject to termination as described elsewhere in this manual. Employees who have voluntarily resigned from the University are generally eligible to be rehired by the University. The University generally will not rehire individuals who left the University for other than voluntary reasons.

### **Reappointment of Faculty for Subsequent Semesters**

Reappointment letters will be mailed to full-time, part-time and adjunct faculty thirty days prior to the beginning of the new semester. Reappointment of faculty for subsequent semesters is contingent upon satisfactory evaluations for and the availability of courses for the subsequent semester.

### **Termination of Appointment**

Termination of appointment of any faculty member prior to the conclusion of the semester or academic year for which he or she was appointed shall be on the basis of the following:

- “Academic Cause,” meaning service falling significantly below the standard that JMVU may reasonably expect of a person holding the academic rank obtained;
- Physical or mental disability of such nature as to produce Academic Cause as defined in the above paragraph;
- Personal conduct in flagrant conflict with the purpose of teaching and scholarship or the purpose and goals of JMVU;
- Personal conduct detrimental to JMVU morale; and
- Bona fide financial exigency of JMVU.

## **EMPLOYEE BENEFITS**

### **Unpaid Leave**

Employees are eligible for unpaid leave under the Family Medical Leave Act of 1993 (Code of Federal Regulations, Title 29, Chapter V, Part 825). Eligible employees will be granted up to a total of 12 work weeks of unpaid leave within any given 12 month period for the following reasons:

- To provide for the birth and care of an employee's newborn child
- To provide foster care for a child placed with the employee or for a child placed with the employee for adoption
- To provide the care of an immediate family member (spouse, child or parent) who is seriously ill or has a serious health condition
- To take leave for medical reasons when the employee cannot work because of a serious health condition

For further information regarding which employees may be eligible, please refer to Section 110 of the Federal Code (29 CFR825.110).

The University may currently grant leave without pay under certain approved circumstances. To receive unpaid leave, you must submit a request in writing to the Vice-President of Academic Affairs stating your reason for the request and the dates requested for the leave. Approval must be granted by your supervisor and the Vice-President of Academic Affairs.

### **Health Benefits**

The University pays the premium for a group medical plan for full-time employees who meet eligibility requirements. If you choose to participate in the plan, any premium amount not paid for by the University will be deducted, pre-tax from your pay. For further details, please contact the University representative dealing with human resources issues.

## **Retirement Benefits**

JMVU is required by law to participate in the Federal Employment Compensation Act, which requires the University to contribute an employer's share for Social Security Benefits. The employee's share is deducted from the payroll check.

## **Worker's Compensation**

To cover the cost of work-related injuries or illnesses, the University provides required worker's compensation. Benefits may vary depending on individual circumstances. Reporting forms for incidents of accident or injury are available through the Office of Administration and Academic Affairs. A report must be filed immediately upon injury or accident, no matter how insignificant the incident may seem.

## **Official University Holidays**

Official holidays observed by the University are as follows:

Labor Day	Thanksgiving	Christmas Winter Break
Spring Break	Memorial Day	Independence Day

See the current year's University Catalog to determine the exact dates of the above holidays for the year.

## **THE PAYROLL PROCESS**

### **Withholding and Payroll Deductions**

JMVU is required by law to take certain withholding or deductions from your wages. These include Federal Income Tax withholdings, which are withheld based on W-4 forms that you fill out upon employment. The federal government also requires you and the University to participate in Social Security (FICA) withholding. Under this program a required percentage is deducted from your wages, which the University matches in compliance with the law. Social Security is a federal plan that provides retirement, disability, death, survivor and Medicare benefits to eligible recipients. It is the employee's responsibility to maintain up to date information regarding what is taxable and non-taxable income.