



**OAKWOOD UNIVERSITY**  
**Faculty Handbook**

(Revised 2008)

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# **OAKWOOD UNIVERSITY FACULTY HANDBOOK**

## **Section I General Administrative Information**

## **OAKWOOD UNIVERSITY MISSION STATEMENT**

### **Oakwood University Mission**

Oakwood University, a historically Black Seventh-day Adventist institution of higher learning, provides quality Christian education that emphasizes academic excellence; promotes harmonious development of mind, body, and spirit; and prepares leaders in service for God and humanity.

The Oakwood University mission is stated in seven general goals:

#### **Spiritual Vitality**

Promote a Christ-centered, Seventh-day Adventist worldview.

#### **Educational Excellence**

Demonstrate academic excellence in teaching and learning.

#### **Nurturing Environment**

Facilitate a supportive environment that is sensitive to the needs of students and all other constituents.

#### **Operational Efficiency**

Ensure efficient service and resource management.

#### **Resource Development**

Provide sufficient financial resources to support all aspects of the institution.

#### **Institutional Relations**

Enhance the reputation and relationships of the institution.

#### **Technology Leadership**

Maintain a technologically progressive campus.

## **HISTORIC GLIMPSES**

### **Location**

Oakwood University is located in Huntsville, Alabama, nestled in the beautiful Tennessee Valley, near the foothills of the Appalachian Mountains. It has a population of approximately 191,000. The University property consists of 1,185 acres at an elevation of 1,100 feet above sea level. Currently, 300 to 500 acres are under cultivation, and 105 acres comprise the main campus

## **ACCREDITATION**

Oakwood University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate, baccalaureate, and masters degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Oakwood University. *(The Commission is to be contacted only if there is evidence that appears to support significant non-compliance by Oakwood University with a requirement or standard.)*

The university has denomination accreditation from the Adventist Accrediting Association of Seventh-day Adventist Schools, Colleges, and Universities.

## **AFFIRMATIVE ACTION AND RELIGIOUS INSTITUTION EXEMPTION**

Oakwood University promotes employment without regard to race, color, sex, origin, age, marital status, or presence of a non-job-related medical condition or handicap. In conformity with Title IX of the Education Amendments Act of 1972, and Section 504 of the Rehabilitation Act of 1973, the director of Development has been designated as the responsible employee to coordinate efforts to carry out responsibilities and make investigations of contentions relating to nondiscrimination.

Oakwood University welcomes student applications regardless of race, color, creed, or national origin. The university, however, reserves the right to deny admission to any student who, in the judgment of the Office of Student Services or the Office of Admissions and Records, may not benefit from the total program of the university or whose presence or conduct may be detrimental to that program.

## **SEXUAL HARASSMENT**

Oakwood University recognizes its responsibility to all employees to maintain a working environment free from sexual harassment. To achieve, this environment, certain appropriate preventive methods are employed. Oakwood University ensures that all employees are made aware that sexual harassment violates the law (Title VII of the Civil Rights Act of 1964) and is prohibited by the university. The university informs all employees of their right to raise the issue of sexual harassment and to be free from retaliation, and that the institution has developed appropriate sanctions to address such harassment.

Federal law defines sexual harassment in the following manner:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or (4) creating an intimidating, hostile, or offensive working environment.

Specific examples of the above-mentioned sexual harassment guidelines may include, but are not limited to, the following behavior:

1. Verbal harassment or abuse (e.g., degrading comments, propositions, jokes, tricks, etc.)
2. Subtle pressure or requests for sexual activity
3. Unnecessary or inappropriate touching of an individual (e.g., patting, pinching, hugging, repeated brushing against another individual's person.)
4. The threat, suggestion, or action making the individual's job, future promotions, wages, etc., dependent on whether or not he/she submits to sexual demands or tolerates harassment

Sexual harassment at Oakwood University will not be tolerated in any form. If an employee encounters verbal or physical sexual harassment from a supervisor, fellow employees, clients, or nonemployees, the following steps shall be taken immediately:

The complainant should report the incident(s) to the department head or the director of Human Resources. The complaint may be made initially in either verbal or written form, but verbal complaints should be put into writing. All matters related to such cases will remain confidential.

- 1) The Director of Human Resources (or his/her designee) will talk confidentially to all involved persons and determine whether or not an act of unwanted sexual harassment did occur.
- 2) To the extent possible, the director of Human Resources will talk confidentially to all involved persons and make findings concerning the complaint.
- 3) The director of Human Resources (or his/her designee) will notify the complainant and explain that corrective action has been taken.

Oakwood University will not retaliate against any employee for making a complaint of sexual harassment (or any other unlawful employment practice) or participating in the investigation or persecution of such a claim.

### **DRUG-FREE ENVIRONMENT**

Oakwood University is committed to providing a drug-free workplace for its faculty, staff, and students. The Drug-free Act of 1988 requires Oakwood University in Huntsville, Alabama, to provide the following statement of the university's drug-free workplace policy to all persons employed by the university.

1. It is forbidden to manufacture, distribute, sell, possess, or use any controlled substance unlawfully in the university workplace. The term "controlled substance" means any drug listed in the federal statutes and regulations, including, but not limited to, heroin, marijuana, cocaine, PCP, and crack. The term includes legal drugs that have not been prescribed by a licensed physician. Additionally, included within the perimeter of these guidelines are alcoholic beverages such as beer, liquor, or wine; drug paraphernalia; and any substance represented to be a drug.
2. Sanctions may be imposed for violations of this policy that include any of the disciplinary actions described in the Oakwood University faculty, staff, and student handbooks, up to and including immediate dismissal.
3. Any person employed by Oakwood University must, as a condition of employment, (a) abide by the university's drug-free workplace policy, and (b) notify the university, through the Personnel Office, within five days of his/her conviction under any criminal drug statute for a violation occurring in the university workplace. A conviction means a finding of guilt (including a plea of no contest) or the imposition of a sentence by a judge or jury in state or federal court.
4. An employee's signing of the Drug-free Form is evidence of acceptance and compliance with this policy.

Oakwood University will provide drug-free awareness programs in addition to making available counseling and treatment services through its counseling office and other agencies in the Huntsville area.

## **ESTABLISHMENT AND DISSOLUTION OF DEPARTMENTS AND MAJORS**

Establishment of an academic department, academic major, or concentration of courses leading to a degree shall require the approval of the Board of Trustees, upon the recommendation of the president. The recommendation shall be accompanied by a report determining the following:

1. Need for the function or service
2. Parameters of the proposed unit
3. Compatibility with the school's mission, aims, and goals
4. Academic and professional qualifications for staff
5. Organizational structure
6. Physical facilities
7. Estimated capital outlay and operating funds

The department chairperson, in collaboration with the vice president for Academic Affairs, shall prepare the report, and the recommendation shall be processed through the Curriculum Committee, the Faculty Senate, and the Faculty Assembly. A proposal relating to the modification or discontinuance of a department or major shall be processed by the same procedure.

### **Dissolving Instructional Departments**

The organization or dissolution of an instructional department is voted by the Board of Trustees upon the recommendation of the president, after recommendation from the vice president for Academic Affairs. Before the decision to make a recommendation to organize a new department or to disband or reorganize an existing department, the departmental faculty must be involved in the process of review, with the Curriculum Committee, the Faculty Senate, and the Faculty Assembly.

### **Curriculum Review**

A clearly defined process exists by which the curriculum is established, reviewed, and evaluated. Each department reviews and suggests changes in its offerings to the Curriculum Committee. The Curriculum Committee then has the primary responsibility for evaluating a department's program and recommending changes, which must then be approved by the Faculty Senate, Faculty Assembly, vice president for Academic Affairs, and the president. The president of the university submits major program changes for final ratification to the Board of Trustees, which is ultimately responsible for approval of all degree programs.





# **OAKWOOD UNIVERSITY FACULTY HANDBOOK**

## **Section II Policies Governing Faculty Functions**

## **FACULTY CLASSIFICATION**

### **Full-time**

A full-time faculty member of the university is one who holds academic rank, and who, apart from committee and temporary assignments of a special nature, engages in full-time instruction and research, or is on leave for such purposes. All faculty appointments to any academic department of the university or the library subject to Oakwood University policies and procedures. These appointments are of two contractual kinds: namely, annual appointments and continuous appointments.

### **Part-time**

A part-time faculty member teaches for the university in specified courses for which he/she qualifies according to the academic standards of the university (see the *Part-time Faculty Handbook*).

### **Adjunct**

An adjunct faculty member holds academic rank and is employed at another institution of higher learning and is available on either a regular or voluntary basis to provide instruction at the university.

### **Visiting**

A visiting faculty member is either a professor who holds a corresponding rank at another institution of higher learning and is on leave to teach in a department of Oakwood University, or has professional attainments comparable to those required for regular academic appointment. The appointment is temporary, usually on a year-to-year basis unless otherwise stated.

### **Affiliate**

An affiliate faculty member is an experienced professional who has either an occupation or special attainments that qualify him/her to provide instruction at the university.

### **Lecturer**

A lecturer conducts a series of lectures or renders occasional or regular academic lecture services on a semester or yearly basis.

### **Field Supervisors**

Field supervisors are affiliated with the university through individual departments that have student interns. Their title may differ slightly depending on the discipline. They must meet minimum criteria as defined by the university, the specific discipline, and accrediting bodies.

### **Artist in Residence**

Artists in residence have expertise, professional skills and recognition in their area that is needed in a particular discipline. They may be employed by the university for a determined period or to provide a particular service. Each appointment is determined on an individual basis after review of the portfolio by the vice president for Academic Affairs.

### **Clinical Instructors**

Clinical instructors are those individuals affiliated with the university who have expertise in the clinical area required for a particular discipline and who meet the requirements for that particular discipline.

## **ACADEMIC RANK**

The university assigns regular, temporary, and special ranks to faculty members who qualify. The regular, temporary, and special ranks are described below. The rank of each incoming faculty member is designated by the Board of Trustees, upon recommendation by the president, who will have consulted with the vice president for Academic Affairs and the chairperson/director of the educational unit in which the appointment is made. The president will recommend to the Board of Trustees the final appointment. The academic ranks of instructor, assistant professor, associate professor, and professor are conferred upon full-time members of the faculty and professional librarians.

## **PROMOTIONS**

### **Instructor**

#### ***Eligibility***

To qualify for the rank of instructor, the candidate must hold a master's degree or equivalent, including at least eighteen graduate semester credit hours in the teaching field.

Holders of the bachelor's degree in professional areas of significance to academic programs offered by the university and its teaching programs (e.g., art, music, and other four- or five-year professional degree areas) may be appointed to this rank. Where candidates have clearly established superior records in research, the performing arts, or other specialized areas, one or more of the criteria stated above may be waived with appropriate justification and review by the vice president for Academic Affairs and the president. There are five incremental steps in this rank.

#### ***Length of Term***

Change of rank for an instructor will not be considered until the faculty member has served at this rank for a minimum of three years or has acquired appropriate academic credentials for the higher rank.

#### ***Expectations***

An instructor is expected to show appropriate scholarly activity by attendance at scholarly meetings/workshops/in-service training sessions, attendance and participation in professional societies and research, community involvement, continued improvement in teaching, and engagement in further study where possible. Normally after the first semester in this rank, the faculty member may be assigned committee, advising, or other responsibilities as deemed appropriate by his/her chairperson, or the vice president for Academic Affairs. During their term, instructors should endeavor to fulfill the requirements for promotion to the assistant professor rank or make substantial progress toward such promotion within the minimum years allowed in this rank. An instructor is expected to know and comply with all the Oakwood University employment policies, including those set out in this Faculty Handbook.

The department chairperson shall assist a faculty member in setting specific scholarly activity goals for the years that a faculty member is expected to be in this rank. These goals are documented in the faculty member's file. Annual faculty evaluations are then made in relationship to these departmental goal achievements and other relevant expectations. Failure to make reasonable progress toward meeting the expectations for a given faculty member may jeopardize gaining contractual renewal at the appropriate time or lead to dismissal.

## **Assistant Professor**

### ***Eligibility***

To qualify for the rank of assistant professor, the candidate must

- hold a master's degree in the teaching field and have three years of successful teaching or professional experience, *or*
- hold an earned doctorate in the teaching field, *or*
- hold an earned doctorate from a recognized regionally accredited institution in a related field, with a minimum of eighteen graduate semester credit hours in the teaching field.

There are five incremental steps in this rank.

### ***Length of Term***

Promotion from assistant professor requires that a faculty member shall have remained at this rank for a minimum of four years.

### ***Expectations***

An assistant professor is expected to show scholarly activity by attendance and participation in professional societies, research/consulting/exhibition/performance, community involvement; show evidence of outstanding skills in teaching; and engage in further study where possible. The faculty member is also expected to be fully immersed in fulfilling his/her committee, advising, and other responsibilities at the university as deemed appropriate by his/her chair and the vice president for Academic Affairs. An assistant professor is to endeavor during his/her term as assistant professor to fulfill the requirements for promotion to the associate professor rank or should make substantial progress toward such promotion within the minimum years allowed for this rank. An assistant professor is expected to know and comply with all Oakwood University employment policies, including those set out in this Faculty Handbook.

The department chairperson shall assist a faculty member in setting specific scholarly activity goals for the years that a faculty member is expected to be in this rank. These goals are documented in the faculty member's file. Annual faculty evaluations are then made in relationship to these departmental/school goal achievements and other relevant expectations. Failure to make reasonable progress toward meeting the expectations for a given faculty member may jeopardize his/her contractual renewal at the appropriate time or lead to dismissal.

## **Associate Professor**

### ***Eligibility***

To qualify for the rank of associate professor, the candidate must

- hold an earned doctorate or equivalent terminal degree from a recognized accredited institution and have taught successfully for four years as an assistant professor, *or*
- hold a master's degree, have completed sixty graduate semester credit hours (including the hours in the master's) toward a doctorate, *and* have a minimum of ten years of successful university teaching experience, with at least five years as an assistant professor.

There are five incremental steps in this rank.

The disciplines and special cases where a doctoral degree is considered not necessary will be designated by the vice president for Academic Affairs, upon the recommendation of the department chair.

### ***Length of Term***

Promotion considerations require that a faculty member shall remain in this rank for a minimum of four years.

### ***Expectations***

During the period that a faculty member shall hold the rank of associate professor, he/she should establish a reputation in teaching service and scholarly endeavors. The department chairperson shall assist the faculty member in setting specific scholarly activity goals for the minimum number of years that the faculty member is expected to be in that rank. These goals are documented in the faculty member's file. Annual or term evaluations of faculty are then made in relationship to these departmental expectations. Associate professors are to endeavor during the term in their rank to fulfill the requirements for promotion to the professor rank or should make substantial progress toward such promotion within the minimum years for this rank. An associate professor is expected to know and comply with all Oakwood University employment policies, including those set out in this Faculty Handbook.

An associate professor who fails to keep up or progress in his/her discipline knowledge base or scholarly activity may not be promoted and may be disciplined, up to and including discharge.

### **Professor**

#### ***Eligibility***

The rank of professor is the highest of academic appointments. To be named a professor signifies demonstrated excellence as a faculty and scholar, as well as outstanding performance of all professional duties. The candidate should have a doctoral degree or an equivalent terminal degree and indicate the continuing ability to engage in scholarly and professional activity.

To qualify for the rank of professor, the candidate must:

- hold an earned doctorate or equivalent from a recognized accredited institution, *and*
- have taught for five years as an associate professor, *and*
- show evidence of continuing professional growth (i.e., research and publications in refereed journals and professional presentations), *and*
- have active membership in at least one learned society, or
- have achieved exceptional scholarship in their discipline or area of expertise.

There are four incremental steps in this rank.

#### ***Expectations***

The honor of being granted this rank provides an obligation to continue the pursuit of excellence in academic matters. It should be understood that the attainment of the rank of professor is not considered a final plateau and hence a license for the faculty member to decrease the quality and quantity of teaching excellence or scholarly activities. The professor should continue to engage in academic and professional experiences, and review these periodically with the department chairperson. A professor who fails to keep

up in his/her discipline knowledge base and scholarly activity may be disciplined, up to and including discharge.

## **Professor Emeritus**

### ***Eligibility***

Emeritus status is the last earned academic rank that can be bestowed by the Board of Trustees, upon recommendation by the president, in consultation with the vice president for Academic Affairs, to a faculty member on continuous appointment upon retirement from denominational service.

To become eligible for emeritus rank, the candidate must:

- have served the profession in a distinguished manner for at least twenty-five years, *and*
- have been a member of the Oakwood University faculty for the last fifteen years prior to retirement, *and*
- be retiring at the earned rank of professor or associate professor.

Candidates for this honorary rank will be nominated to the president in light of the above guidelines by the Committee on Rank and Continuous Appointment, in consultation with the vice president for Academic Affairs. As part of the nomination process, the committee will review information on the career and service of the retiring faculty member. Included with the nomination documents should be information about the following: service to the university, evidence of teaching excellence, and contribution to the discipline. For information on nomination procedures, consult the chairperson of the Committee on Rank and Continuous Appointment. Professor emeritus appointments may be revoked for cause as outlined in the policy on dismissal.

The *University Bulletin* will carry listings of emeritus personnel as long as they live, and emeriti will be invited to certain social and all academic functions of the university. No other obligations of the emeriti or the university exist with respect to this relationship.

## **Librarian Rank**

Librarians having professional or graduate academic degrees qualify for appointment as members of the faculty. Librarians hold academic rank and status; therefore, regular faculty policies apply to them.

The professional librarian has the same professorial teaching ranks as the teaching faculty (instructor, assistant professor, associate professor, and professor). The professional librarian is a member of the faculty and is entitled to all faculty privileges. The professional librarian who has a continuing assignment of teaching for academic credit may be given the appropriate academic rank in the area of his/her teaching by the president, upon recommendation of the department chairperson and the vice president for Academic Affairs.

### ***Expectations***

The professional librarian is expected to perform their duties according to existing standards of the profession. A librarian is expected to know and comply with all Oakwood University employment policies, including those set out in the Faculty Handbook.

## **FACULTY APPOINTMENT PROCESS**

### **Qualifications**

In accordance with the policy of the General Conference of Seventh-day Adventists, full-time members of the faculty - other than those who hold temporary appointments - must, in general, be members in good and regular standing of the Seventh-day Adventist Church. Every faculty member has, by reason of his/her acceptance of employment, an obligation to conduct his/her personal and professional life in harmony with the teachings of the Church as set forth in the statement of fundamental beliefs in the *Seventh-Day Adventist Yearbook*.

Exceptions may be made by the Board of Trustees in special cases for teaching areas for which it has been demonstrated that there is an unusually limited number of available Seventh-day Adventist faculty. By accepting employment at Oakwood, faculty members accept and must demonstrate the following responsibilities and behaviors:

- Personal qualities of moral integrity and honesty
- Academic and professional accomplishment
- Capability for teaching, service, and research
- Commitment to the philosophy and objectives of the university
- Interest in participating in the general work and governance of the department to which one has been appointed, and in the life of the university community
- Representation of Seventh-day Adventist standards on campus as well as in off-campus situations in which the individual represents the university.

### **Nepotism**

It is the responsibility of Oakwood University that not more than one member of a family be employed in the same department in an employment situation where there is not at least one supervisor between relatives. Broadly, this means that normally relatives do not work for one another in a relationship in which one might have direct authority over the other in matters of remuneration, promotion, and so forth. Exceptions to the policy may be made by a committee composed of the president and administration and will be approved in writing. When an employment situation contrary to this policy exists, on the effective date it will be terminated when one of the parties ceases employment, and that party may not be reemployed contrary to this policy.

### **Employment Status**

At the time that a faculty member is employed, he/she is assigned primary faculty membership and rank within one of the academic or library departments of the university.

### **Categories of Faculty Membership**

A faculty member is assigned to one or more of the academic departments or the library:

- Adult and Continuing Education
- Biological Sciences
- Business and Information Systems
- Chemistry
- Communications
- Education

- English and Foreign Languages
- Faculty Development and Research
- Family and Consumer Sciences
- History and Political Science
- Mathematics and Computer Sciences
- Music
- Nursing
- Physical Education
- Psychology
- Religion and Theology
- Social Work
- Library

### **Primary Appointment**

The initial assignment of a faculty member to a department is known as a “primary” faculty appointment, indicating thereby that the faculty member holds membership in that department and is responsible to the chairperson of the department.

### **Secondary Appointment**

A faculty member with primary appointment and primary membership in a given department of the university may teach up to 49 percent of the faculty load in an additional department of the university without being assigned faculty membership in that additional department. The faculty member shall carry out his/her assignments in the additional department under the direction of that department chairperson. Such an additional employment assignment without faculty membership shall be known as a secondary faculty appointment.

### **Joint Appointment**

When a faculty member who has or is given a primary appointment with membership and rank in a department of the university is assigned to another constituent department of the university and is given full membership and rank in that department, the appointment is known as a joint appointment. A joint appointment does not eliminate the initial primary appointment of a faculty member. The joint appointment of a faculty member is normally made for any of the following reasons:

1. To serve as instructional faculty in a joint degree program offered by two or more departments.
2. To integrate and supplement a program offered by the department of additional appointment with the expertise of the primary appointment discipline.
3. To teach in two areas of expertise on a half-time basis to constitute one full-time appointment at the university.
4. To serve in a high-level advisory capacity in more than one department of the university for curricular/instruction/clinical/research purposes.

When the appointment of a faculty member is initially planned to be joint appointment, the president, in consultation with the vice president for Academic Affairs, and with participation by the department chairpersons and faculty, shall designate one department as the department of primary appointment. Evaluation and promotion procedures for a faculty member who holds joint appointment must be initiated



by the faculty member's department of primary appointment. Evaluation and promotion procedures for a faculty member on joint appointment shall include input from each of the departments in which the faculty member holds a joint appointment.

### **Primary and Secondary Appointments: Promotion Procedures**

The promotion procedures for a faculty member on joint appointment must be initiated by the faculty member's department of primary appointment, with input from each of the departments in which the faculty member holds a secondary appointment.

### **Recruitment and Appointment of New Faculty**

The appointment of faculty, either by initial appointment or reappointment, is of critical importance in determining how the university fulfills its spiritual and academic mission. Candidates for appointment shall be reviewed carefully so that faculty members will not merely fill positions, but will bring to the university spiritual leadership, intellectual distinction, and the potential for eventual promotion to advanced rank. Candidates for appointment should aspire to excellence in their commitment to spiritual growth, teaching, and contributions to their professional communities beyond the immediate campus. The university is committed to equal employment opportunities for all, and does not discriminate on the basis of age, handicap, gender, race, color, or national origin.

### **Authority for Appointment of a Faculty Member**

The Board of Trustees of the university officially makes all faculty appointments at the recommendation of the president, in consultation with the vice president for Academic Affairs.

### **Notice of Appointments or Reappointment**

The appointment or reappointment of a faculty member to a teaching or library position is official when such a faculty member has received a written job offer from the vice president for Academic Affairs and accepted the same in writing.

### **Procedure for Appointment**

1. A recommendation for appointment to the faculty is made by the chairperson of the department to the vice president for Academic Affairs after consultation with the faculty of the department.
2. Upon achieving agreement with the department chairperson regarding the faculty appointment, the vice president for Academic Affairs transmits the recommendation to the president for endorsement.
3. The president submits the personnel recommendation with his approval to the Board of Trustees (or the executive committee of the board) for final approval.
4. The vice president for Academic Affairs notifies the person by letter, with a copy to the president, that includes the following information:
  - Department(s) of appointment
  - Rank and title
  - Effective date

- Status (continuous appointment, continuous track, noncontinuous track, full-time or part-time)
- Term of appointment
- Reference to the president's letter
- Salary details, including wage factor, step, and salary amount
- A statement that the appointment is subject to the *Oakwood University Faculty Handbook*, which the appointee has reviewed and will receive, and will acknowledge by signed statement
- A statement that additional information regarding benefits can be obtained from the Office of Human Resources.

## **Initial Appointment**

Notice of appointment as a faculty member to an academic position is the culminating event of a search to fill a particular vacancy in the university and normally occurs after several preliminary steps. The department chairperson and/or vice president for Academic Affairs shall initiate recruitment, but will include a cooperative effort by the department chairperson, faculty, and vice president for Academic Affairs to find qualified candidates for faculty vacancies. Department chairpersons will be primarily responsible for the collection of information concerning the candidate's qualifications.

In seeking prospective faculty members, a variety of methods shall be used to secure applicants. Recommendations from existing university personnel shall be sought, notices of vacancies sent to other Seventh-day Adventist colleges and universities, and advertisements submitted to appropriate publications according to Office of Human Resources policy.

Specifically, the following steps will constitute the initial appointment procedure:

1. Interested candidates for a job vacancy shall receive in writing from the Office of the Vice President for Academic Affairs a full job description of the vacancy, a listing of employment conditions, period of employment involved, and conditions and procedures for employment renewal.
2. Any chairperson considered from outside the campus shall be selected by a search committee appointed by the vice president for Academic Affairs. A majority of the search committee shall be comprised of the department's faculty.
3. Credentials of all candidates for a position shall be evaluated by the appropriate department chairpersons and the vice president for Academic Affairs. The vice president for Academic Affairs will consider requests to have desirable candidates visit the campus at university's expense.
4. Generally, an interview with a prospective faculty member will be required. In such cases, travel and housing expenses shall be reimbursed to such a prospective teacher. The department chairperson will serve as host and assume the responsibility for determining the schedule of activities. An *Oakwood University Faculty Handbook* is made available for study to a prospective member at such a time.

5. Prior to the final recommendation, the department chairperson shall arrange an interview between the candidate, the vice president for Academic Affairs, members of the particular department, the president, and students, if possible.
6. An appropriate rank and step will be recommended by the department chairperson to the vice president for Academic Affairs according to the established criteria.
7. All initial appointments are probationary and are offered for one year unless explicitly stated to the contrary in the letter of initial appointment from the president, upon recommendation by the vice president for Academic Affairs.

## **Reappointments**

Employment agreements may be renewed repeatedly for the same or another fixed contractual period. For a reappointment of a faculty member to become official, a written reappointment offer by the president of the university shall have been accepted in writing by the faculty member. The offer for reappointment shall contain the same basic information contained in the initial appointment letter.

Employment agreements for reappointment offers for faculty not on continuous appointment are sent out annually by the president. Faculty shall receive the forms for reappointment by May 15 of the academic year prior to the year of appointment.

Under certain circumstances an employee may not receive an employment agreement for reappointment, but instead receive notice that his/her employment at the university will not be renewed.

## **Continuous Appointment**

Continuous Appointment is an expression of mutual confidence between the university and a faculty member and expectation that continuing service of the faculty is appropriate and desirable, from the standpoint of both the faculty member and the institution, and that this service is expected to continue unless adequate cause to warrant termination would subsequently arise. It is an expression of confidence that a faculty member will continue to be a valued colleague, a good teacher, and an active scholar, artist or leader in one's profession. To the faculty member, Continuous Appointment provides a reasonable assurance of continuing faculty service, continuing exercise of the opportunity and responsibility of academic freedom and an accompanying degree of financial stability. To the institution, continuous appointment provides a reasonable assurance of responsibility, mature leadership and continuity in the faculty. Continuous Appointment is an affirmation that the faculty member has shown evidence of personal and professional development during the pre-continuous appointment period, aspires to continue this development, accepts and embraces the mission and standards of Oakwood University, and accepts the responsibility to work in spirit and in deed for the support of its mission. Rank and Continuous Appointment Committee recommends the names of faculty members for continuous appointment. A faculty member is considered for continuous appointment only when he/she:

- Holds a doctorate or terminal degree in his/her area of appointment
- Holds the associate professor or professor rank
- Has been employed by Oakwood University in a faculty position for at least six consecutive years
- Is in harmony with its mission and with its origins and affiliation with the Seventh-day Adventist church, the University reserves the right to employ faculty members who are in harmony with the

beliefs and practices of the Church as contained in the Church's Statement of Fundamental Beliefs. In order for its educational institutions to meet the spiritual goals for which these schools were established, the faculty must be members of the Seventh-day Adventist Church in regular standing; and must be committed to the philosophy and programs of the church. As a consequence, and consistent with Oakwood University's historic practices, only those faculty who are committed members of the Seventh-day Adventist Church are eligible for continuous appointment.

The evaluation of a faculty member for continuous appointment takes place at the end of the period of six years or in certain cases at initial appointment. In keeping with the historical practice of Oakwood University, only individuals that are members of the Seventh-day Adventist church in good standing are eligible to receive an award of continuous appointment.

The evaluation for continuous appointment is based on the faculty member's research, teaching, and community service record of the six years. The evaluation includes, but is not limited to, a consideration of the faculty member's performance in regard to the following:

- Thorough knowledge of the teaching field and its related disciplines
- Positive relationships with peers, students, and administrators
- Satisfactory work and responsible contributions to the needs, reputation, and activities of the department and the university
- Scholarly attainments in research or creative pursuits, publication in professional journals, and presentations at professional meetings
- The promise of sustained productivity in the department and the university
- Exemplary service to the profession and the community.

Relevant material for the evaluation shall be submitted by the faculty member to document achievement of all criteria of the continuous appointment standards.

As noted earlier, the rank of continuous appointment does not constitute a guarantee of continued employment or employment for specified period of time. A faculty member of this rank may be disciplined up to and including discharge, in accordance with the terms of this Faculty Handbook and other governing policies. All employment at Oakwood is at will, according to the laws of the State of Alabama. Some of the policies set out in this Faculty Handbook modify the at-will employment doctrine. All employment at Oakwood is subject to Oakwood employment policies, including, but not limited to, those set out in this Faculty Handbook. The University reserves the right to hire, promote, discipline, and terminate its employees.

### **New Faculty Orientation**

A new faculty orientation session is provided for new faculty annually hosted by the office of Faculty Development and Research. The purpose of this session is to acquaint new faculty members with key administrative personnel and their responsibilities and to orient them to benefits and expectations for faculty. After this meeting, orientation of new faculty members is coordinated throughout the year by Faculty Development and Research. The department chairperson and a faculty mentor help new faculty members become acquainted with departmental and university practices and procedures.

## **EVALUATION OF TEACHING FACULTY**

In order to ensure a high quality of professional performance, personal growth of a faculty member, and an appreciation for the individual contribution of every faculty member, the university has in place a program of faculty evaluation. The evaluation is for both noncontinuous and continuous appointment faculty and is on-going throughout that faculty member's career at Oakwood University. The evaluation system shall support the university and departmental mission and goals. The evaluation system is coordinated in collaboration with the vice president for Academic Affairs by the chairperson of each of the departments of the university in which faculty hold rank.

Faculty evaluation is a continuous process which is carried out to enhance the professional and personal development of the faculty, for the purpose of assessing teaching and curriculum effectiveness and identifying weaknesses so that appropriate corrective measures may be administered. The structured evaluation procedure explained here is used for both formative (improving quality of performance) and summative (decision-making for promotion or retention) purposes. Evaluations shall be reviewed by the vice president for Academic Affairs and the president. The evaluations process shall be multifaceted, including peer review, students evaluations, and chairpersons evaluation as outlined below. Faculty evaluations shall assess and measure faculty performance in teaching, research, and service. The following indicators of quality expectations illustrate factors that may be considered in the evaluation process:

### **Teaching Effectiveness**

- a. Evidence of the integration of faith and learning in curriculum teaching methods
- b. Student evaluations—both standard and teacher-developed
- c. Peer evaluation based on classroom visitation
- d. Classroom visitation by department chairpersons
- e. Syllabi and course outlines
- f. Evidence of attendance at professional meetings/workshops for improving instruction
- g. Evidence of faculty involvement in curricular development
- h. Presentations at professional meetings related to teaching and learning
- i. Testimony and performance of graduates
- j. Faculty awards
- k. Evidence of effective use of technology in teaching and learning
- l. Achievement of objectives for instructional improvement
- m. Evidence of interdisciplinary collaboration
- n. Evidence of instruction and assessment of written and verbal communication skills throughout the curriculum
- o. Evidence of practices that develop in students skills of independent, life-long learning
- p. Evidence of effective student advising
- q. Accessibility to students outside of classroom

### **Research and Professional Development**

- a. Research and professional activities
- b. Research grants received
- c. Publication activity:
  - Book
    - academic/professional book published

- work translated by the faculty member
  - chapter contributed
  - book/volume edited
  - major revisions published
- Article
- refereed journal article
  - professional journal article
  - book review (academic publication)
  - scientific abstract
  - dictionary/encyclopedia article
  - monograph
- d. Scholarly and creative professional activity
- scholarly/professional paper presented or read
  - professional consultation
  - musical concert/recording
  - poster presentation
  - new course curriculum developed
  - dramatic production
  - art exhibit
  - audio or visual production
  - invention/patent
  - computer program
  - musical composition
  - popular books and articles

### **Service for the University**

- a. General service reports of activities:
- In church
  - In the profession
  - In the community
  - Lecture
  - Training
- b. Committee memberships and offices:
- University
  - Church
  - Professional Organizations
  - Community
- c. References and testimonials from non-university leaders for recognition of service
- d. Advisee load
- e. Participation in departmental and university activities such as SACS review, curricular development, attendance at meetings, etc.
- f. Sponsorship of student organizations
- g. Representative for the university in community activities

## **Peer Review**

Peer review shall be conducted for the purpose of evaluating a faculty member's teaching performance according to the following list of procedures:

- a. The chairperson of the department shall be responsible for developing a set of specific criteria to evaluate, among other items, quality of course content, organization of materials, clarity of presentation and explanation, responsiveness to students' questions, involvement in discussion, variety in teaching methods, and use of technology and other teaching aids.
- b. The chairperson of the department, in consultation with the faculty member to be evaluated, shall select a peer from the department in which the faculty member teaches who will conduct the peer review.
- c. The evaluator will observe and analyze a minimum of one three-credit or four-credit four-unit class for the duration of a full class period and analyze the course syllabus and text materials.
- d. The evaluator will then prepare a report of the faculty member's performance and submit to the chairperson of the department.
- e. The vice president for academic affairs will receive summaries of all faculty performances and will have available the evaluation of faculty.

## **Student Review**

Student evaluation shall be conducted on a class-by-class basis according to the following list of procedures:

- a. The vice president for academic affairs shall develop a standard student rating form that can effectively evaluate a wide range of instructional characteristics and abilities.
- b. The rating forms shall be distributed to and collected from each class member for each class that a faculty member teaches.
- c. The student rating forms shall be distributed during a non-test period in the absence of the faculty member under evaluation.
- d. Student evaluations shall be conducted each semester.
- e. The vice president for academic affairs—through the Office on Institutional Effectiveness shall provide scoring and tabulation reports to department chairpersons, who are responsible for disseminating the reports to each faculty person.
- f. Each faculty member shall be provided the results of the student evaluations on a prompt basis and, where necessary, at the request of the chairperson, must submit a written response indicating corrective actions to be taken as a result of the findings.

## **Department Chairperson Evaluation**

The chairperson evaluates the quality of the faculty member's teaching, research, and service. The chairperson then prepares a summary evaluation document using the data obtained from the various evaluation sources.

1. The department chairperson shall analyze the faculty member's syllabus, text materials, and instructional equipment and observe and evaluate a minimum of one (maximum of two) teaching classes per year. One observation may be unannounced.
2. Within two weeks of the evaluation, the department chairperson shall prepare an evaluation of the observation and conduct a post-observation evaluation interview with the faculty member. The faculty member shall be provided a copy of the evaluation.
3. The faculty member shall be given the opportunity to prepare a written response to the evaluation, which shall become a part of the summary evaluation document. The summary evaluation and response become a part of the faculty member's evaluation file.
4. If the faculty member disagrees with any evaluation statements recorded within the document, he/she shall be given the opportunity to prepare a written comment that shall become a part of the summary evaluation document. Additionally, the department chairperson may attach a rebuttal.
5. The chairperson of the department shall submit the evaluation form, summary evaluation, and response to the vice president for academic affairs by the end of the semester in which the evaluation takes place.
6. The vice president for academic affairs shall share summaries of faculty performance with the president.

The process of evaluation and collection of evaluation data is ongoing; however, the process shall be formalized and summarized at least once per year.

## **Evaluation Files**

The evaluation files for each faculty member shall be maintained by the vice president for Academic Affairs in a secure location in either the Academic Affairs office or in another place designated by the vice president for Academic Affairs. The location of such files is to be known by each faculty member, and each individual's file shall be available for inspection by that faculty member and his/her department chairperson upon request.

## **Faculty Performance Documents and Records**

Department chairpersons are encouraged to keep their individual faculty members' personnel files up to date since documentation is necessary to support every action involving each individual—especially those actions pertaining to (a) appointment, (b) promotion, (c) continuous appointment, (d) termination, and (e) dismissal. The university maintains two categories of files for each faculty member: (1) the preemployment file containing the curriculum vita and official transcripts, and (2) the personnel file containing all other information pertaining to that faculty member's personnel actions. A faculty member has the right to view information contained in their personnel file.



## **PROCEDURE FOR APPLYING FOR PROMOTION**

Please refer to pages 11 to 20 of the Faculty Handbook for rank and continuous appointment eligibility. If you think that you satisfy these criteria you may request consideration for promotion by:

1. Submitting an intention to apply by December 1
2. Submitting a portfolio containing the following documents to the Rank and Continuous Appointment Committee by January 7. If the date falls on a weekend, the portfolio is due the previous Friday.
  - Faculty Self-Appraisal Form (obtainable in the Office of the Vice President for Academic Affairs)
  - Faculty vita
  - An appraisal and/or a letter of recommendation, from your department chair. Department chairs who are applying for promotion should request appraisal and/or letter of recommendation from the vice president for Academic Affairs.
  - Evidence of innovation and effective teaching (include student evaluations).
  - Proof of your support to the institution, i.e. how well do you contribute to the implementation and success of the university's overall program.
    - i. Documentation of research activity and recent publications
    - ii. Evidence of professional development
    - iii. Documentation of community and campus involvement

The Rank and Continuous Appointment Committee (*will notify the applicant concerning receipt of application materials. Before promotions are confirmed by the board, applicants will be notified of their status following the decisions made by the vice president for Academic Affairs by March 31*) only accepts promotion applications that are submitted by posted deadlines and are complete. It is the responsibility of the applicant to ensure that his/her application portfolio meets all application requirements.

After completing its review, the Rank and Continuous Appointment Committee is responsible for submitting to the vice president for Academic Affairs promotion recommendations. The vice president for Academic Affairs submits promotion recommendations to the president. The president submits recommendations to the Board of Trustees who has ultimate responsibility for promotion decisions. All promotion decisions are within the discretion of the university. Every effort will be made to notify the faculty applicant by March 31 of the recommendation that will be submitted to the board.

## **APPEALS PROCEDURE FOR DENIAL OF PROMOTION**

The Committee on Rank and Continuous Appointment shall consider appeals made by a faculty member who believes that he/she should receive a promotion in academic rank, but who has not received a favorable recommendation. The appeal must be submitted in writing to the chair of the committee. The committee, upon completion of its review of the appeal document, submits a recommendation to the vice president for academic affairs who in turn reviews the evidence and makes recommendations to the president for final action.

## **PROFESSIONAL DEVELOPMENT**

The university strongly encourages and provides support for continuous professional development by assisting faculty in maintaining high professional standards and enhancing a sense of personal efficacy. The institution encourages the continuous professional development of its faculty through application of the following provisions:

## **ADVANCED STUDY/ADVANCED SUPPORT**

Funds are made available through the Academic Affairs Division to supplement the cost of advanced education. Faculty members are encouraged to apply to the Vice President for Academic Affairs for the institutional funds and to external sources for fellowships/grants as they consider additional study in their representative disciplines. While primary responsibility for obtaining funds rests with the faculty member, the University actively seeks funding for advanced study from external sources such as the United Negro College Fund. The University provides funds to reimburse doctoral educational expenses for faculty who have recently obtained their degree from a regionally accredited institution up to a maximum amount , (specified by policy) over a five year period.

Requests for leave for advanced study is originated by the faculty member. The preference of the university is for all faculty members to obtain advanced educational training at their own expense and seek reimbursement once degrees are obtained. In certain situations, based on the unique needs of the university, a faculty member may be requested to obtain advanced education at the expense of the university. In these circumstances, a written agreement will be executed specifying acceptable expenses, amortization schedules, and expected service commitments. Such agreements must be endorsed by the chair of the respective department, the vice president for Academic Affairs, and president. In addition, financial support may be provided upon request for coursework to be taken at local universities to upgrade teaching skills in the area of specialization. For faculty members requesting leave for advanced study, the following guidelines apply:

### **Eligibility**

A faculty member must

- Have at least three years of successful teaching at the university
- Be accepted at a university or university that is accredited by the appropriate regional body
- Have adequate funding sources to pursue studies full-time for completion of the degree
- Be seeking a degree or seeking to develop skills that will add significant value to the department and the university

### **Approval**

Study leaves are approved for eligible faculty members based upon:

- Recommendations of the department chairperson and the vice president for Academic Affairs to the president
- Evidence of adequate coverage of teaching responsibilities
- The priority of need to the university
- Availability of funds

## Conditions

- At the time that an advanced study leave is approved by the president for a faculty member, the faculty member will be required to sign a special contract committing full-time service to the university. The contract states the obligation of one to five years of service, the amount of time in which the support is received, and the service the individual rendered to the university during the time of advance study support. It is expected that individuals pursuing distance learning programs while teaching and serving at the university should have shorter pay-back periods than if they were away from the university on study leave.

The faculty member shall also receive a letter from the vice president for Academic Affairs outlining the conditions surrounding the advanced study leave, which shall include the following:

1. The length of time approved for the advanced study leave (full-time doctoral studies may extend up to three full years and may or may not include time for the completion of a dissertation).
2. Specific alternate arrangements that have been made to care for the committee responsibilities of the faculty member during his/her absence on advanced study leave.
3. The amortization schedule and conditions for the same that shall obtain for the advanced study leave in question.
4. An agreement concerning scholarships or grants a faculty member may receive from the university where he/she is studying, or remuneration for other employment the faculty member may be engaged in while doing full-time advanced study at the time he/she is receiving salary and allowances from Oakwood University.
5. An agreement that invitations for the faculty member to accept employment from other denominational institutions will not be passed on to him/her during the first year of the agreed-upon amortization period, and that he/she will not pursue any such employment.
6. An agreement by the faculty member to supply the Office of the Vice President for Academic Affairs with grade reports during the study leave as well as a final transcript as evidence of the completion of the advanced study program.
7. The specific financial arrangements, which shall normally include the following:
  - Regular salary and address where payment will be made to the faculty member.
  - The employment benefits usually enjoyed by the full-time on-campus faculty member.
  - Promise of service credit to a faculty member during the study leave.
  - Reimbursement of all tuition, fees, research expenses and specific travel expenses approved for the proposed study program. Where appropriate, a special living allowance may be approved where a faculty member temporarily has to live away from his/her established home.

## **Required Period of Amortization**

In accordance with North American Division policy, and inasmuch as the expenditures connected with a faculty member's advanced study are regarded by the university as an investment for future service, a faculty member is expected to return after advanced study to serve the university for the agreed period up to a maximum of five years of service. This arrangement shall hold true whether a faculty member completes the proposed graduate degree or not.

## **Responsibility for Unamortized Study Expenses**

If a faculty member with an unamortized graduate expense account is called to another church organization, it shall be the new employing organization's responsibility to pay the unamortized balance in the graduate study expense account.

Should a faculty member leave denominational employment for any reason prior to full amortization of the unamortized graduate study expense account, it shall be the faculty member's responsibility to reimburse the university in full for the unamortized portion of the graduate study expense account if they accept employment with another organization.

## **RESEARCH ASSISTANCE**

Faculty members are encouraged to integrate teaching and research in their responsibilities to students. The Department of Research has a mandate to promote and stimulate research activities. Faculty members who express interest in research and want to initiate research activities are encouraged to work with this department in order to generate preliminary data for fundable research proposals.

Faculty members doing research and/or activity involving students in research may be compensated with an adjustment of teaching responsibilities and/or financial remuneration. Guidelines and procedures can be obtained through the Office of Research and/or Sponsored Programs.

## **AFFILIATION WITH PROFESSIONAL ORGANIZATIONS**

At least one professional membership fee annually is paid by the university for each faculty member. Additional memberships may be paid by the university, within its sole discretion.

## **TRAVEL TO PROFESSIONAL MEETINGS**

Funds are provided for faculty members and departmental chairpersons to travel annually to professional meetings. Additionally, departmental travel budgets may be supplemented by the vice president for Academic Affairs and/or the president as resources allow.

## **PUBLISHING**

Publishing stipends are provided for faculty members who publish articles or books in refereed (peer reviewed) and non-refereed journals in their fields and who present research papers at professional meetings in their disciplines. Faculty members may apply for these stipends from the office of the vice president for Academic Affairs, who will forward it to the Senate Budget and Efficiency Committee for action.

## **SABBATICALS**

Sabbaticals are for research, writing, postdoctoral studies, or related activities that increase knowledge and/or scholarly productivity. The purpose of the sabbatical is to aid in the professional growth and development of faculty members for greater usefulness, effectiveness, and productivity. Sabbaticals are not granted automatically but are contingent upon the fiscal and personnel resources of the university or financial support from other sources. It is the responsibility of department chairpersons to encourage the eligible members of their departments to make productive use of the sabbatical policy provisions. In the event of multiple applicants, preference will be given to length of service and/or rank. Not more than one person from a department may be approved for a sabbatical in any one year.

### **Eligibility for Sabbatical**

Full-time faculty members who hold the rank of associate professor or full professor are eligible to apply for an academic sabbatical year after six years of service. After four years of full-time service the faculty member may request one semester of sabbatical. A faculty member shall not be granted both fourth-year and seventh-year sabbaticals.

### **Application and Approval Process**

Application for sabbatical must be made in writing through the department chair to the Committee on Rank and Continuous Appointment by November 1 of the year prior to the academic year in which the leave is requested. After a preliminary discussion and clearance, the application is transferred to the Office of the Vice President for Academic Affairs for processing.

The written application for sabbaticals shall, among other things, contain a specific proposal on the nature of the academic activity to be pursued, expected progress to be made on it in the time requested, expected contribution to the available knowledge, possible advantages to the department and the university, and where applicable, shall report on the use made of previous sabbaticals and the results with respect to publications, etc. The proposal for sabbaticals shall also state whether the applicant has any committee responsibility and will present plans to discharge these committee responsibilities.

Sabbaticals for faculty members may be granted by the Board of Trustees, upon recommendation by the president of the university, the vice president for Academic Affairs, Rank and Continuous Appointment Committee, and the relevant department chairs. Sabbaticals may be granted for a maximum of one calendar year.

## **Timing of Sabbaticals**

The timing for a sabbatical leave is negotiated with the department. Sabbaticals are normally scheduled when they cause the least disruption to the program and when satisfactory staffing arrangements are possible. Factors such as number of faculty who can be spared at a given time, availability of substitutes, teaching loads, budgetary provision, research needs, etc., all are important factors in determining the timing for sabbaticals.

When it is not possible to schedule a sabbatical as requested, the parties involved shall make every effort to find a mutually acceptable alternative arrangement, the conditions of which shall be recorded and filed in the applicant's department and in the Office of the Vice President for Academic Affairs.

## **Remuneration and Conditions for Sabbaticals**

During the sabbatical a faculty member shall receive full salary, benefits, and retirement service credit, and is excused from all regular duties such as faculty meetings, committee meetings, etc. An allowance may be granted to help cover such expenses as travel, research, secretarial help, etc., as may be involved in the type of work to be undertaken during the leave. Faculty members who are granted sabbaticals and who have duties relating to student research shall alert students of their diminished availability during the time of the leave and shall make timely prior guidance arrangements for such students during his/her absence so as to minimize inconvenience to students.

## **Obligation**

Faculty members who have been granted a sabbatical are obligated by contract to (a) return to the university and teach for at least two years following the sabbatical or to repay the university, on a prorated basis for all funds expended; and (b) write a report to be submitted to the department chairperson, the vice president for Academic Affairs, and the president of the university during the semester following the sabbatical.

## **Restrictions**

Faculty members on sabbatical shall not be on salary for services in another institution or organization. Exemptions may be granted to faculty members to pursue academic growth and training.

## **RESEARCH LEAVE**

The university may grant a research leave for up to two years without salary, but with negotiated benefits, to a faculty member who wishes to engage in research with government/private organizations/foundations. Research leave will count as service credit.

## **SERVICE LEAVE**

Service leave may be granted to a faculty member to pursue professional employment elsewhere for purposes of academic growth and/or training. Such leave requires approval of the department chairperson, the vice president for Academic Affairs, and the president. Continuation of salary and benefits is negotiable.

## SICK/MEDICAL LEAVE.

Sick leave is accrued at 6.34 hours per month. Maximum accrual is 6 months.

Sick/medical leave policies are administered through the Office of Human Resources as follows:

### **Family and Medical Leave of Absence:**

The Family and Medical Leave Act (FMLA) provides twelve weeks of unpaid leave for:

- a. Birth or adoption of a child
- b. Care of ill family members
- c. Recovery from a serious health condition

To be eligible for this benefit, an employee must be employed for twelve months, although not necessarily consecutive months, and the employee must have completed 1,250 hours during the twelve-month period immediately preceding the commencement of the leave.

Qualified applicants are entitled to take up to twelve weeks of unpaid leave per year and to return to their place of employment to the same or an equivalent position. Applicants are required to submit medical certification to support a claim for family or medical leave and to give thirty days advance notice of the need of leave. An eligible employee who requests leave under the provisions of the FMLA must comply with the notice requirements of the FMLA as well as university policy as described below:

- A. Leave substitution: Except as noted, an employee is required to use paid leave as part of his or her FMLA leave prior to being granted FMLA unpaid leave. An employee may choose to substitute vacation in place of sick leave at any time and may choose not to use sick leave for FMLA leave for the necessary care of a spouse, child, or parent. Paid sick leave and vacation that is taken for FMLA purposes will be counted against the annual 12-week FMLA leave when FMLA leave is requested and granted. The year beginning with the first week of the period of FMLA leave taken will be used to determine the annual 12-week FMLA leave period for each employee.
- B. An employee may request FMLA leave when:
  1. An employee's own serious health condition results in his or her being unable to perform the expected functions of his or her job, or when an employee is needed to provide necessary care because of the serious condition of a spouse, parent or child. The leave sequence is (1) paid sick leave for FMLA purposes, (2) vacation for FMLA purposes, (3) disability (when available under the terms of the particular plan), and (4) FMLA unpaid leave.
  2. FMLA leave is requested because of the arrival of a child by birth, adoption, or state-ordered placement of a foster child. The leave sequence is:
    - (1) vacation for FMLA purposes and (2) FMLA unpaid leave.
- C. Policy limits: A couple employed by Oakwood University may only take a combined total of 12 weeks FMLA leave during a calendar year for the birth of a child, for placement for adoption or state-ordered foster care, to care for a child after birth or placement, or to care for a parent (but not parents-in-law) with a serious health condition.

- D. Notice requirements: An employee requesting FMLA leave must make such request in writing and must provide the anticipated timing, duration, and reason for the leave. When the need for FMLA leave is foreseeable, an employee must provide the Human Resources director with at least 30 days notice of the need for FMLA leave. When this is not practicable, notice should be verbally provided within two business days of when the employee is aware of the need. If an employee fails to give proper notice for foreseeable FMLA leave, the leave may be denied until 30 days after the date the employee provides notice. When notice of the need for FMLA leave occurs after paid leave has begun and before the employee has returned to work, the entire or some portion of paid leave may be counted as FMLA leave.
- E. Return to work: Employees on approved FMLA leave will be restored to the same or equivalent job, with equivalent pay, and complete benefit restoration upon return from leave. If an employee's medical condition or injury results in the employee being unable to perform essential job functions, a fitness-for-duty certificate (return-to-work slip with appropriate restrictions assigned by health-care provider) will be required in order to be restored to employment and may be subject to review by a health care provider selected by the university. Periodic reports of status and intent to return to work may be required.
- F. Medical certification: An employee may be required to furnish medical certification and/or periodic decertification of the need for FMLA leave due to a serious health condition as defined in the FMLA. Such certification may be required prior to FMLA leave approval; or while on FMLA leave if the conditions surrounding the leave change and appropriateness of the leave is in question; or after FMLA leave is exhausted and the employee is unable to return to work. Failure to furnish the appropriate certification within 15 days of a management request, or as soon as reasonable, may result in leave denial until proper certification is required. All medical certification documents will be maintained in separate confidential medical files and treated with strict confidentiality.
- G. Employee flexibility: Employees on FMLA leave will continue to accrue seniority and service time and may choose to continue health-care coverage, life and LTD Long Term Disability on the same basis as coverage exists before requesting leave. The university will continue to pay its share of the medical and insurance premiums for those employees electing to continue coverage. If an employee does not return to work after unpaid FMLA leave, without sufficient reason beyond his or her control, the university will require repayment of its cost of maintaining the employee's health care coverage.

When a medical necessity occurs, and leave is designated as FMLA leave, an employee may request leave on an intermittent or reduced schedule to care for a spouse, son or daughter, or parent who has a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform his/her own job functions. "Intermittent leave" is a leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks. A "reduced leave schedule" reduces the usual number or working hours per work week, or hours per workday. Intermittent or reduced schedule leave may be taken when there is a medical necessity to accommodate a treatment plan related to a serious medical condition.

When the need for intermittent or reduced scheduled leave is foreseeable based on a planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt



unduly the operations of the university. Also, the university may temporarily assign an employee to an alternative position with equivalent rate and benefits, that better accommodates the employee's approved intermittent or reduced leave schedule.

## **RECOGNITION OF FACULTY**

Full-time teaching faculty at Oakwood University are eligible for financial awards after application or nomination to the Citation and Recognition Committee. Nominees for awards are recommended to the president, based on criteria formulated by the Citation and Recognition Committee.

Recognition is also given for retirement, years of service, merit, and other achievements as determined by the faculty and administration.

## **TEACHING FACULTY**

### **General Responsibilities and Duties**

Teaching faculty are to provide classroom instruction within their areas of expertise and to meet the obligations of service to the department and to the committees and elected or appointed offices.

### **Specific Responsibilities and Duties**

Full-time faculty should fulfill the following specific responsibilities and duties:

1. Become personally acquainted with students and their needs, referring those who need special assistance to the proper staff members.
2. Advise students regarding their programs of study.
3. Apply the objectives of the university to classroom instruction.
4. Assist the administrative officers in the formation, interpretation, and application of policies and objectives.
5. Assist in the advisement of departmental majors.
6. Attend faculty meetings, assemblies, graduation exercises, and other regularly designated public functions as may reasonably be expected by the university administration.
7. Complete all required administrative reports.
8. Serve on committees and participate in extracurricular activities.
9. Keep records of class attendance.
10. Maintain a high level of professional ethics.
11. Maintain professional efficiency by personal study, research, and attendance at professional meetings.
12. Prepare for instruction and other class activities.
13. Perform departmental duties during the registration process.
14. Promptly submit grades to the Records Office at the end of each semester.
15. Encourage students to use the university library and department laboratories.
16. Prepare class syllabi and submit to the departmental chairperson by the second class meeting date of each semester.
17. Participate in community activities.

18. Represent the university in such meetings as may be designated by the president and the vice president for Academic Affairs.
19. Meet the specific objectives of each syllabus, and assess students based on criteria delineated in the course objectives.
20. Model personal and professional integrity through personifying Christian principles.
21. Model and require compliance with such standards as punctuality, attendance, and cooperation/collaboration.

### **RESPONSIBILITIES OF FIELD SUPERVISOR**

#### **Education Department: The Intern Supervisor**

The University Intern Supervisor is the liaison between the university's education program, the Coordinator of Field Experiences, the intern, and the cooperating teacher. Through regularly scheduled observations and conferences the supervisor assists the intern in his/her professional development.

1. Plans and participates in an orientation session with the intern and school personnel.
2. Assists in maintaining an appropriate relationship between the intern and the school personnel.
3. Visits and observes student interns and advises coordinator of field experiences of intern's progress.
4. Collaborates with the cooperating teacher in analyzing the intern (*reaching and*) assisting with professional problems.
5. Guides the intern toward self-evaluation.
6. Serves as a resource person for both the cooperating teacher educator and intern.
7. Participates in the continuous assessment of courses for an effective integration of theory and practice.

#### **Education Department: Cooperating Faculty Educator**

The cooperating faculty educator supervises student interns in school settings. They must meet minimum professional criteria, including:

- A master's degree
- Class A certification, with endorsement in the teaching field(s) of the student intern
- Three years of successful teaching experience
- A current teaching assignment in the intern's area of specialization
- Written approval of the appropriate school superintendent and the dean or director of faculty education

In addition, the cooperating faculty educator must understand the program of each intern supervised, be familiar with the levels of achievement of each, and be competent to provide them with superior professional supervision.

## **Social Work Department: Field Instructor**

The field instructor supervises student interns in social work. Minimum professional criteria for this position include:

- Master's level social work education, with two years experience in social work, *or* be a licensed, Bachelor of Social Work professional practitioner, as defined by the Council for Social Work Education
- Six months employment at the social agency prior to becoming a field instructor

In addition, field instructors must have an interest in social work education and be willing to provide instructional and supervisory support as indicated by the Department of Social Work.

## **Nursing Department: Clinical Associates**

Clinical associates supervise and assist nursing students directly as they provide nursing care to patients/clients. They must be knowledgeable of educational strategy and subject matter and experienced in the clinical technologies essential to the safe practice of nursing. They function under the guidance of a faculty member qualified to teach in the specific clinical area. They must meet minimum professional requirements, including:

- A master's degree in nursing
- Current licensure in Alabama
- Current certification in adult and child CPR

Additionally, clinical associates must model basic and advanced nursing skills and select varying experiences to give the students a well-rounded education.

## **Nursing Department: Clinical Preceptors**

Preceptors are health-care professionals who serve as facilitators of learning for individual nursing students. They function under the guidance of a designated faculty member. Minimum professional requirements for this position include:

- Current licensure in Alabama
- Expertise in the selected clinical area

Furthermore, a preceptor must be willing to serve as a role model and to provide individualized professional growth experiences for the students.

This supervisor must have an interest in nursing education and be willing to provide instruction and supervisory support as indicated by the Department of Nursing.

## **FACULTY ABSENCE**

Whenever a faculty member is unable to meet with a class due to illness or other emergencies, notice should be sent immediately to the department chairperson. When the department chairperson has to be absent, notice should be sent to the vice president for Academic Affairs. Nonemergency absences from classes are not encouraged and must not exceed the number of times the class meets in a week per semester; these absences must be arranged in advance with the department chairperson. Excessive absences and/or job abandonment may lead to termination.

## **OFF-CAMPUS TRIPS**

All class off-campus trips must be approved by the appropriate department chairperson and the vice president for Academic Affairs. An official travel form is available from the Academic Affairs office.

Request for trips that require students to miss class shall be made two weeks in advance. All trips must be completed two weeks before the end of the semester.

Transportation costs for class-related field trips must be borne by the students, unless otherwise arranged. All vehicles used for such trips must be fully insured.

## **OUTSIDE EMPLOYMENT**

The faculty's responsibilities to the university include not only assigned duties but also such activities as student counseling and advising, committee work, performance of scholarly activities, and continued professional development. Full-time or near full-time outside employment is prohibited. This applies to all full-time faculty.

The university recognizes that outside services of a professional nature are generally strengthening and enhancing to the faculty and contributes to the university's obligation of providing service to the public. The university, therefore, approves of the reasonable involvement of its faculty in activities that are paid or unpaid, which are consistent with their primary responsibilities to the institution. Prior approval is required for all outside employment and consulting activities that occur during the normal periods of employment.

The following guidelines have been established relative to outside employment and consulting for faculty members:

1. Oakwood University follows the conflict-of-interest philosophy as stated in the North American Division of Seventh-day Adventists working policy. (See Appendix)
2. Such employment shall in no way conflict with teaching assignments or other duties and responsibilities of the faculty member.
3. Faculty members shall not manipulate their normal work schedules, assignments, or duties to accommodate outside employment or consulting.
4. Faculty members may engage in consulting activities up to five working days per month.

## **FACULTY LOAD**

### **Normal Load**

The faculty member is expected to carry instructional and noninstructional responsibilities. Instructional responsibilities include twenty-four semester hours of teaching per year.

Noninstructional responsibilities include:

- Ten office hours per week
- Two committee assignments per year, apart from department and faculty meetings
- Up to forty advisees per year

A department chairperson's normal instructional load is 12 semester hours per year, with noninstructional responsibilities of

- At least twenty office hours per week
- Up to two committees per year apart from department and faculty meetings
- Up to twenty advisees per semester
- Direction of the formation and administration of departmental objectives

## **Normal Load Variation**

Variation of the normal load depends upon department, course, and instructor's objectives. The load is determined by the department chairperson, in collaboration with the Vice President for Academic Affairs, and based on the following guidelines:

1. Practicum, internship, and field instruction—a minimum of 50 percent of the number of course credit hours. An instructor supervising more than 10 students shall receive 100 percent of course credit hours. Supervising twenty or more students should be treated as an overload.
2. Labs/Intramural—one hour for every three hours of lab per week.
3. Activity courses—a one hour physical education activity course is the equivalent of a two-hour instructional class.
4. Independent Study/Research—25 percent of the number of course credit hours for one to two students, 50 percent for three to four, 75 percent for four to five students, and 100 percent for six or more students.
5. Team Teaching—if two or more teachers participate, load credit is calculated by dividing the credit course among them, and each is remunerated for that portion of the course credit.
6. Music faculty teaching only lecture courses should have their load determined in the same way as faculty in other departments of instruction. Lecture-type courses are weighted with studio lessons on 1:2 ratio; that is, one credit hour of classroom instruction equates to two clock hours of private instruction, up until the full-time 12-hour credit load has been reached. If an instructor teaches an overload of individual instruction, each overload credit hour taught will receive one-third credit.

## **Maximum Load**

The maximum faculty teaching load is the equivalent of 30 undergraduate credit hours per year, which reflects an overload of six (6) credit hours, excluding the summer. One (1) graduate credit hour is equal to two (2) undergraduate credit hours.

Faculty members may occasionally be asked to sponsor certain student organizations. It is not anticipated that these assignments will prevent the teachers from meeting their academic workload.

## **Load Reduction**

Faculty members involved in departmentally approved instructional and noninstructional activities beyond the established norm, as outlined above, may be eligible for one of the following reductions:

1. A reduction in nondepartmental responsibilities.
2. A reduction in teaching load, decreased to a minimum of one-half load (twelve hours per year).
3. Remuneration for an overload (over 24 hours) calculated on the part-time teacher scale.

## **Amount of Reduction**

A reduction of up to three hours per semester will be considered when any of the following categories apply:

1. Faculty members who teach more than 150 students per semester in classes requiring excessive grading or class preparation.
2. New junior faculty members.
3. A department chairperson who
  - Heads a department of ten or more faculty
  - Maintains state and national accreditation during the accreditation year
  - Administers curriculum labs
  - Administers grants.
4. The Faculty Senate chairperson.
5. Faculty members engaged in research, if they are doing critical scholarly research, publishing, and actively involving students in research and publishing.
6. Faculty members involved in writing grants.
7. Chairpersons and secretaries of major working committees.
8. Faculty members supervising an unusual number of student professional organizations.
9. Faculty members with special academic assignments.
10. Faculty members engaged in civic, community, and/or church activities as an official university representative.

All arrangements for course reduction shall be made through the department chairperson and the vice president for Academic Affairs.

## **DEPARTMENT CHAIRPERSONS' GENERAL DUTIES AND RESPONSIBILITIES**

1. Recommend the addition or deletion of courses and programs in the department to the Curriculum Committee.
2. Approve syllabi of all courses taught in the department.
3. Coordinate and assist in the formulation of recommendations concerning the requirements for departmental majors and minors.
4. Bring the vice president for Academic Affairs the material needs of the department regarding equipment and facilities, repairs, budget, and building needs.
5. Direct the study of the effectiveness of the teaching procedures in the department.
6. Direct the formation and administration of departmental objectives.
7. Initiate recommendations to the vice president for Academic Affairs regarding the hiring of new staff.
8. Perform all duties specified on the teaching faculty job description.
9. Prepare budget estimates for the department and properly expend funds allocated to the department.
10. Recommend, in collaboration with the departmental faculty, the purchase of books, journals, and materials for the department to the librarian.
11. Request department supplies and check shipments received.

12. Serve on the Academic Policies Committee and other committees involving academic policies.
13. Serve as curator for the educational equipment and supplies of the department (maps, books, apparatus, etc.).
14. Coordinate the development of departmental publicity material.
15. Approve use of departmental budget for faculty attendance at professional meetings.
16. Supervise and coordinate departmental registration.
17. Work with the faculty in planning the activities of the department.
18. Submit minutes of departmental meetings to the Vice President for Academic Affairs.
19. Share with faculty information concerning departmental budget and expenditures.
20. Review student's evaluation and chairperson's evaluation of faculty with individual teacher.
21. Collaborate with faculty in the preparation of departmental reports.

### **CHAIRPERSON SELECTION, EVALUATION, AND ROTATION PLAN**

In order to effect shared decision-making, shared leadership, identification and development of unused talent, and the stimulation of creativity and innovation, a three-year chairperson review rotation plan has been adopted by Oakwood University and shall function according to the following procedures:

1. The department faculty shall assist the vice president for Academic Affairs in making recommendations for appointments to head departments.
2. Reviews or renewals of chairpersons are to be initiated by the vice president for Academic Affairs, after consulting with the department faculty and receiving its recommendations and the approval of the president.
3. An incumbent chairperson might succeed himself/herself upon a vote of the department faculty, the recommendation of the vice president for Academic Affairs, and the approval of the president.
4. New chairpersons begin their duties on the first of July, but their positions are announced by the previous April to allow for orientation by:
  - Assisting the incumbent chairpersons in formulating departmental class schedules for the upcoming school year
  - Sitting as nonvoting observers on the Academic Policies Committee during the remainder of the spring semester and summer sessions.
5. The rank of assistant professor and three years of teaching experience on the university level are the minimum prerequisites to becoming a chairperson.
6. All department chairpersons will be reviewed and subject to change on a three-year cycle, or upon the request of the vice president for Academic Affairs, or upon the petition of the department faculty. Chairpersons will be evaluated by their departmental faculty and the vice president for Academic Affairs every year .
7. The vice president for Academic Affairs will initiate the review process by requesting a written self-evaluation by the incumbent chairperson and written evaluations of the chairperson by the department.

## **JOB SEVERANCE**

Each member of the faculty is expected, by his/her attitude, behavior, beliefs and interpersonal relationships, to enhance the academic, religious, and social atmosphere of the university. Failure in one or more of these aspects may ultimately result in termination.

## **SUSPENSIONS**

Suspension of a faculty member is appropriate in those situations in which his/her continuance presents a threat of harm to himself/herself or others and/or is in violation of the institutional mission or policies. Suspension decisions are made after a hearing by a committee composed of two administrative officers, two senate members outside of the faculty member's department, and a faculty member selected by the aggrieved faculty member. The Hearing Committee will be appointed by the president with consultation of the vice president for Academic Affairs. Suspension is appropriate only pending a hearing. A suspension can be made final and as such becomes a dismissal and will be executed under the terms of the policy on dismissal. Salary will continue during the period of suspension. The Faculty Affairs Committee of the Faculty Senate will serve as the Grievance Committee (see page 54).

## **TERMINAL SALARY OR NOTICE**

If the appointment is terminated, the faculty member will receive his/her salary notice in accordance with the schedule of notice to which he/she is entitled under the *North American Division of the General Conference: Working Policy* unless the termination involved failure to fulfill terms of the appointment, moral turpitude, or other serious offense. In these cases, every effort will be made to give as much notice as is possible.

## **Separation of a Faculty Member on Continuous Appointment**

A faculty member on continuous appointment may be separated from the university by the Board of Trustees for reasons of financial exigency of the university or discontinuance of a program or department of instruction by the university; or on the part of the faculty member, for inexcusable or persistent defiance and opposition to the standards and teachings of the Seventh-day Adventist Church as set forth in the "Statement of Fundamental Beliefs," in the *Seventh-day Adventist Yearbook*, or for persistence in teaching activities which threaten to undermine teachings of the Seventh-day Adventist Church, or for persistent violation of university policy.

In case of financial exigency or discontinuance of a program or department of instruction, the affected faculty member will be given full salary and benefits for six months from the expiration date of the current contract or be retained at the university on current full salary and benefits for twelve months from the expiration date of the current contract in a different work assignment. Securement of comparable employment will void this arrangement.

A faculty member with continuous appointment who is relieved of his/her employment with the university for any reason not involving the discontinuance of the program, other than extreme financial exigency, gross neglect of duty or misconduct, or repudiation or defiance of the standards and teachings of the Seventh-day Adventist Church, or for persistent violation of university policy shall receive full salary and



all regular allowances, reimbursements, refunds, etc., for twelve months commencing at the end of the current appointment. Every effort will be made to notify the faculty member no later than March 1. In all cases of separation, the faculty member is entitled to appeal to the (1) Faculty Senate Faculty Affairs Committee, (2) the president of the university, (3) and ultimately, to the Board of Trustees. The Faculty Senate Affairs Committee will report its findings and recommendations to the president.

## **DISMISSAL APPEAL PROCESS**

Adequate cause for dismissal will be related directly and substantially to the fitness of faculty members in their professional capacity as teachers or researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights as U.S. citizens or legal aliens as outlined in the statement on Theological and Academic Freedom and Accountability (see pages 46 - 49).

Dismissal of a faculty member with continuous appointment, or with a special or noncontinuous appointment before the end of the specified term, shall be in accord with the notice guidelines as described in the policies set forth in the Faculty Handbook and shall be preceded by (1) discussions between the faculty member and appropriate administrative officers seeking mutual agreement; (2) a statement of charges, framed with reasonable particularity by the president or his/her appointed representative.

A dismissal shall be preceded by a statement of reasons, and the individual concerned shall have the right to be heard by the Grievance Committee, which is the Faculty Affairs Committee of the Faculty Senate. The following guidelines shall be followed:

1. The faculty should petition the Faculty Affairs Committee for redress.
2. The petition shall detail the nature of the grievance. It shall contain any factual or other data that the petitioner deems pertinent to the case.
3. The committee, if it decides the facts merit arbitration on its part, will give notice of the date and time of the hearing to all parties. The committee will seek to bring about a settlement that is satisfactory to all parties concerned as quickly as possible.
4. All meetings of the Grievance Committee shall be closed to the campus community and the general public. Only those involved in the proceedings and those invited by the chairperson for specific purposes may attend.
5. All items brought to the committee shall be held in confidence.
6. During the proceedings the aggrieved faculty member shall be permitted to have another member of the faculty serve as advisor. The faculty advisor may attend the sessions when the aggrieved faculty member is present.
7. Attorneys shall not be permitted to attend sessions.
8. The university shall present clear and convincing evidence that adequate cause exists for dismissal of the aggrieved faculty member.
9. The aggrieved faculty member and university shall be afforded the opportunity to obtain necessary witnesses and documentary or other evidence. Both parties shall reasonably cooperate in the investigation. The aggrieved faculty member, grievance committee, and administration shall have the right to question witnesses. In the event a witness cannot or shall not appear, every reasonable effort shall be employed to secure a written interrogatory for the record.
10. In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members and/or administrators.
11. The findings of fact and the decision shall be based solely on the hearing record.

12. The Grievance Committee will report its findings and recommendations to the president.
13. The president of the university may elect to accept or reject the findings of the Grievance Committee. If the president does not accept the committee's recommendations, he/she shall state the reason(s) in writing and/or share the reason(s) in person with the committee.
14. If dissatisfaction persists or if a satisfactory settlement does not occur, the faculty member has the right to lodge a final appeal through the president to the chairperson of the Board of Trustees.

## **DISMISSAL PROCEDURES**

In the case of a dismissal, the refusal or failure of the faculty member to (1) participate in discussions with the appropriate administrative officer as provided after being given not less than a twenty-day notice in writing of the time and place of such proposed discussions or (2) to request a hearing by the Grievance Committee within twenty days after the conclusion of unsuccessful efforts to reach a mutual settlement agreement pursuant to proposed mediation, shall constitute a waiver by the faculty member to a hearing under this policy. In this event, the president shall transmit to the Board of Trustees a written report detailing his/her recommendation with respect to the proposed termination of the faculty appointment. The board shall act on the case based on the record as presented by the president. In its discretion, the board may seek additional information or provide additional opportunity for oral or written statements from those involved. In either case, the decision of the board is final.

## **DISMISSAL BASED ON FINANCIAL EXIGENCY, DISCONTINUANCE OF A PROGRAM, MEDICAL REASONS, POLICY VIOLATIONS, OR MORAL TURPITUDE**

Where dismissal is based upon financial exigency, bona fide discontinuance of a program or department of instruction, or moral turpitude, the faculty member(s) shall have the right, but must request, to have the issue reviewed by the Grievance Committee, with ultimate review by the president, and if necessary, the Board of Trustees. In every case of financial exigency, discontinuance of a program or department of instruction, or moral turpitude, the faculty member concerned shall be given notice as soon as possible. In situations of moral turpitude, the normal notice requirements outlined shall not apply.

In the case of financial exigency or discontinuance of a program, the institution shall make every effort to place affected faculty members in other suitable positions. If an appointment is terminated before the end of the period of appointment due to financial exigency or discontinuance of a program, the released faculty members shall not be replaced within a period of two years unless the released faculty members have been offered reappointment at the university for which they qualify and reasonable time within which to accept or decline.

Termination for medical reasons of a faculty member with continuous or special appointment or of a nontenured faculty member before the end of the period of appointment shall be based upon clear and convincing medical evidence, which shall, if the faculty member so requests, be reviewed by the Grievance Committee before a final decision is made by the Board of Trustees.

## **Separation of a Faculty Member Not on Continuous Appointment**

Faculty members whose first contract with the university will not be renewed shall receive notification no later than March 1 of the year the contract expires. If a first-year contract is not renewed, no statement of reasons for nonrenewal needs to accompany the notification for nonrenewal and there is no appeals process.

If a faculty member has served the university for less than three full academic years, notice of non-renewal shall be received by December 31 of the service. If a faculty contract is not renewed after three years of uninterrupted service, a statement setting forth the reason for the nonrenewal shall accompany the notification of nonrenewal not later than March 1. The faculty member is entitled to appeal to the Faculty Senate, Faculty Affairs Committee, the president of the university, and ultimately, to the Board of Trustees.

## **GRIEVANCE PROCEDURE FOR FACULTY**

If a faculty member feels that he/she has cause for grievance and has failed in attempts to resolve the issue on a personal basis, the following procedure shall be followed in filing a grievance. It is understood that each of the following steps will occur within a reasonable time period. The faculty member will:

1. Petition the Faculty Affairs Committee for redress.
2. The petition shall detail the nature of the grievance. It shall contain any factual or other data that the petitioner deems pertinent to the case.
3. The committee, if it decides the facts merit arbitration on its part, will give notice of the date and time of the hearing to all parties at least 10 working days prior to its convening. The committee will seek to bring about a settlement that is satisfactory to all parties concerned within 30 days. The committee will report its findings and recommendations to the vice president for academic affairs. All items brought to the committee shall be held in confidence.
4. If dissatisfaction persists or if a satisfactory settlement does not occur, the faculty member will appeal directly to the vice president for academic affairs who will respond within 10 working days.
5. If dissatisfaction persists or if a satisfactory settlement does not occur, the faculty member will appeal directly to the president who will respond within 20 working days.
6. If dissatisfaction persists or if a satisfactory settlement does not occur, the faculty member has the right to lodge a final appeal through the president to the chairperson of the Board of Trustees who will respond by its next meeting.

## **RESIGNATION AND TRANSFER**

A faculty member may terminate his service by resignation normally at the end of the regular school session in May. A notice of intention to resign should be given in writing to the department chairperson by the first of March.

Members of the university faculty may be offered positions with other Seventh-day Adventist denominational institutions. In order that there may be continuity of service, the university abides by the following guidelines:

1. After a calendar year's leave of absence for graduate study, the head of a department cannot be called by another employing organization within five years. Under similar circumstances, a faculty member who is not a department chairperson cannot be called within three years. Any exceptions must be agreed upon by the university board, and provision must be made for the unamortized portion of the allowance granted.
2. A faculty member, upon election or promotion to the chair of the department or a vice president of the university, cannot be called before the completion of five years of service unless agreed by the university board.

3. These regulations do not apply in cases of appointment to foreign service. However if a call is placed before the allowance for leave of absence is amortized, the amount uncared for shall be assumed by the calling division.

## **RETIREMENT**

Retirement age for full-time faculty is seventy years of age, although it is recognized that faculty members may chose to retire earlier. Employment may be extended beyond that point upon review and approval by the department chairperson, the vice president for Academic Affairs, and the president. Faculty choosing to retire earlier, if vested, will be eligible for benefits under the NAD retirement plan. They must have eligibility established by the Office of Human Resources in accordance with NAD policy. Retirement shall become effective at the end of a current contract. A member of the faculty who is in retirement may be employed if so approved by the department chairperson, the vice president for Academic Affairs, and the president.

## **THE FACULTY ASSEMBLY**

The Faculty Assembly is composed of full-time teaching faculty and administrative personnel. It is delegated with the primary responsibility for the formation, revision, and continuous review of educational policy and academic matters such as curriculum, admissions, degree requirements, methods of instruction, and research. (For further details, consult the Faculty Assembly Constitution in the appendix.)

Faculty Assembly meetings are scheduled approximately once a month during the academic year. Specific dates are listed on the university calendar. An effort is made to provide faculty meetings of such a nature as to contribute to professional growth. All faculty members are expected to attend regularly, and an attendance roster is maintained. Minutes of each meeting are maintained by the Office of Academic Affairs.

## **THE FACULTY SENATE**

The Faculty Senate is composed of twenty-one members: one representative from each academic department with up to ten faculty; two representatives from departments with more than ten faculty; one representative with academic rank from the library; one representative with academic rank for the Center for Academic Success (CAS); two or more members at large; and the president of the United Student Movement. The vice president for Academic Affairs and the president are ex-officio members.

## **FACULTY COMMITTEES**

Committee participation by each faculty member is expected. Assignments to committees are made either through the administration, Faculty Assembly, or Faculty Senate. While each faculty member is expected to serve on at least two committees each year, it is possible that because of expertise or other circumstances, a faculty member may be asked to serve on additional committees during a school year. Provisions for extra committee work as relates to regular teaching responsibilities are discussed in detail under the section

on faculty load. (For details of the major committees, consult the constitutions of the Faculty Assembly and the Faculty Senate in the appendix.)

## **ACADEMIC FREEDOM AND RESPONSIBILITY**

Academic freedom is defined as the right to investigate, to instruct, and to publish within the area of a teacher's competence and appointment. Universities recognize academic freedom as a professional right of teachers gained through scholarship and mastery of their subject matter. Academic responsibility includes planning professional experiences with students, the academic community, and the public. The North American Division's policy, "*Academic and Theological Freedom and Accountability in Seventh-day Adventist Educational Institutions*," provides the following statement regarding academic freedom and accountability.

## A Statement on Theological and Academic Freedom and Accountability

### **Document One: A Statement on Theological and Academic Freedom**

#### *The Church and Its Institutions*

Freedom for the Seventh-day Adventist pastor/worker, hereinafter referred to as worker, is based on the theological premise that God values freedom) and that without it there can be no love, truth, or justice. Love asks for affection and commitment to be given without constraint; the acceptance of truth requires a willing examination and reception of evidence and argument; justice demands respect for personal rights and freedom. The presence of these elements within the Church nurtures the spirit of unity for which our Lord prayed (John 17:21-23; of Psalm 133).

Seventh-day Adventists have derived their distinctive world view from the Old and New Testaments. They believe that Biblical truth and freedom of conscience are vital issues in the great controversy between good and evil. By its very nature evil depends on deception and falsehood, and sometimes force, to maintain itself. Truth thrives best in a climate of freedom, persuasion, and a sincere desire to do God's will (John 7:17; Psalm 111:10).

Consequently, it is consistent with Adventist administrative practice to recognize the worker's privilege to study the Bible for himself in order to "prove all things" (1 Thess 5:21). It would be inconsistent for the Church to preach that truth and freedom cannot exist without each other and then to deny its workers the right to freely investigate all claims to truth. This means, therefore, that the Church will not obstruct the quest for truth but will encourage its workers and constituents to engage in serious study of the Scriptures and to appreciate the spiritual light they disclose (Psalm 119:130).

Although the worker is free to pursue his studies, he may not assume that his personal, limited perspective does not need the insights and corrective influence of the Church he serves. What he thinks to be truth may be regarded by the larger community of believers to be error. And workers and members are called upon to be in agreement on essential points "that there be no divisions" in the body of Christ (1 Cor 1:10).

Freedom for the individual Christian grows out of his belonging to the community of Christ. No one is free in the Biblical sense who is out of relationship with God or others. Theological truth, therefore, is affirmed by community study and confirmation. One person may stimulate the community to study a question, but only God's people and church as a whole can decide what is or is not true in the light of Scripture. No member or worker can ever serve as an infallible interpreter for anyone else.

Inasmuch as deceptive teachings, harmful to the eternal welfare of souls, may at times arise from within the Church itself (of Acts 20:29-31; 2 Peter 2:1), its only safety is to receive and to foster no new doctrine or interpretation without first submitting it to the judgment of experienced brethren, for "in the multitude of counselors there is safety" (Prov 11:14).

Even a genuine insight into truth discovered by a worker may not be acceptable to the corporate body upon first exposure to it. If such a teaching is divisive, it should not be taught or preached until evaluated in the manner described above. The apostles themselves provide an example of this approach (of Acts 15:2, 6; Gal 2:2). It would be an irresponsible use of a worker's freedom to press a viewpoint that would endanger the unity of the church body which is as much a part of truth itself as are the formulated statements of doctrine (see Phil 1:27; Rom 15:5,6).

Furthermore, workers should distinguish between doctrines that cannot be compromised without destroying the gospel in the framework of the three angels' messages and other beliefs that are not church supported. An example of this distinction may be seen in the Jerusalem Council's decision (Acts 15). The apostle Paul's concern was to establish the truth of Christian liberty in the gospel for the Gentiles. Once that principle was accepted by the Church, he was willing to make concessions on matters of less significance (Rom 14:5-13) for the sake of unity. Allowing a principle or a new truth time to translate itself into the daily life of the Church shows respect for the integrity of the body of Christ.

But where shall the line be drawn between freedom and responsibility? An individual entering into employment with the Church is expected to assume the privilege of representing God's cause in a responsible and honorable manner. He

is expected to expound the Word of God conscientiously and with Christian concern for the eternal welfare of the persons under his care. Such a privilege precludes the promotion of theological views contrary to the accepted position of the Church.

Should a worker violate this trust, the Church must move to maintain its own character (Acts 20:28-31) inasmuch as the community of faith stands to be divided by the promulgation of divergent doctrinal views. The worker's privileges consequently stand in jeopardy. This is particularly so because the worker, being in the service of the Church, is accountable for the preservation of its order and unity (of Mark 3:24, 25; Eph 4:1-3; 1 Peter 5:1-5).

In the interest of genuine progress in spiritual understanding (2 Peter 3:18), the Church will arrange for a worker's divergent views, if he believes them to be new light, to be examined by a competent committee. Listening to alternatives will always advance truth. Either the alternative will strengthen and enlarge upon the truth, or it will stand exposed as false, thereby confirming present positions.

To ensure fairness and a mature assessment, therefore, the following guidelines are to be followed by the administrations concerned when dealing with a worker alleged to hold conflicting views on doctrine.

## **Document Two: *Academic Freedom in Seventh-day Adventist Institutions of Higher Education***

All learning and all teaching take place within the framework of a world view of the nature of reality, man, knowledge, and values. Roots of the Christian university are found in a principle that has long undergirded the development of all higher education - the belief that the best education is attained when intellectual growth occurs within an environment in which Biblically based concepts are central to the aims of education. This is the goal of Seventh-day Adventist education.

In the Seventh-day Adventist college and university, as in any institution of higher learning, the principle of academic freedom has been central to establishing such aims. This principle reflects a belief in freedom as an essential right in a democratic society, but with a particular focus in an academic community. It is the guarantee that teachers and students will be able to carry on the functions of learning, research, and teaching with a minimum of restrictions. It applies to subjects within the professor's professional expertise within which there is a special need for freedom to pursue truth. It also applies to the atmosphere of open inquiry necessary in an academic community if learning is to be honest and thorough.

For the church college or university, academic freedom has an additional significance. It is more important than it is in the secular institution, not less, for it is essential to the well-being of the Church itself. This places a responsibility on the Christian professor to be a self-disciplined, responsible, and mature scholar, to investigate, teach, and publish within the area of his academic competence, without external restraint, but with a due regard for the character and aims of the institution which provides him with credentials, and with concern for the spiritual and the intellectual needs of his students.

Seventh-day Adventist colleges and universities, therefore, subscribe to principles of academic freedom generally held important in higher education. These principles make possible the disciplined and creative pursuit of truth. They also recognize that freedoms are never absolute and that they imply commensurate responsibilities. The following principles of academic freedom are stated within the context of accountability, with special attention to limitations made necessary by the religious aims of a Christian institution.

### ***The Freedoms***

1) *Freedom of Speech.* While the right to private opinion is a part of the human heritage as creatures of God, in accepting employment at a Seventh-day Adventist college or university the teacher recognizes certain limits to expression of personal views.

As a member of a learned profession, he must recognize that the public will judge his profession by his utterances. Therefore, he will be accurate, respectful of the opinions of others, and will exercise appropriate restraint. He will make it clear when he does not speak for the institution. In expressing private views he will have in mind their effect on the reputation and goals of the institution.

2) *Freedom of Research.* The Christian scholar will undertake research within the context of his faith and from the perspective of Christian ethics. He is free to do responsible research with proper respect *for* public safety and decency.

3) *Freedom to Teach.* The teacher will conduct his professional activities and present his subject matter within the world view described in the opening paragraph of this document. As a specialist within a particular discipline, he is entitled to freedom in the classroom to discuss his subject honestly. However, he will not introduce into his teaching controversial matter unrelated to his subject. Academic freedom is freedom to pursue knowledge and truth in the area of the individual's specialty. It does not give license to express controversial opinions on subjects outside that specialty nor does it protect the individual from being held accountable for his teaching.

### ***Shared Responsibilities***

Just as the need for academic freedom has a special significance in a church institution, so do the limitations placed on it reflect the special concerns of such an institution. The first responsibility of the teacher and leaders of the institution, and of the Church, is to seek for and to disseminate truth. The second responsibility is the obligation of teachers and leaders of the institution and the Church to counsel together when scholarly findings have a bearing on the message and mission of the Church.

The true scholar, humble in his quest for truth, will not refuse to listen to the findings and the advice of others. He recognizes that others also have discovered and are discovering truth. He will learn from them and actively seek their counsel regarding the expression of views inconsistent with those generally taught by his Church, for his concern is for the harmony of the church community.

On the other hand, church leaders are expected to foster an atmosphere of Christian cordiality within which the scholar will not feel threatened if his findings differ from traditionally held views. Since the dynamic development of the Church depends on the continuing study of dedicated scholars, the president, board of trustees, and Church leaders will protect the scholar, not only for his sake but also for the cause of truth and the welfare of the Church.

The historic doctrinal position of the Church has been defined by the General Conference in session and is published in the *Seventh-day Adventist Yearbook* under the title, "Fundamental Beliefs." It is expected that a teacher in one of the Church's educational institutions will not teach as truth what is contrary to those fundamental truths. Truth, they will remember, is not the only product of the crucible of controversy; disruption also results. The dedicated scholar will exercise discretion in presenting concepts which might threaten church unity and the effectiveness of church action.

Aside from the fundamental beliefs there are findings and interpretations in which differences of opinions occur within the Church, but which do not affect one's relationship to it or to its message. When expressing such differences, a teacher will be fair in his presentation and will make his loyalty to the Church clear. He will attempt to differentiate between hypotheses and facts and between central and peripheral issues.

When questions arise dealing with matters of academic freedom, each university and college should have clearly stated procedures to follow in dealing with such grievances. Such procedures should include peer review, an appeal process, and a review by the board of trustees. Every possible care should be taken to insure that actions will be just and fair and will protect both the rights of the teacher and the integrity of the institution. The protection of both is not only a matter of justice but on a college or university campus it is also a matter of creating and protecting collegiality. It is also a protection against the disruptive, the servile, and the fraudulent.

***This position paper was approved and voted by the General Conference of Seventh-day Adventists Executive Committee at the Annual Council session in Washington, D.C., October 11, 1987.***

At Oakwood University, academic freedom is further understood to carry certain responsibilities to one's God, colleagues, institution, and state. The faculty member is expected to exercise his/her right of academic freedom within a framework of commitment and dedication to the principles of the Seventh-day Adventist Church. The following considerations then should guide the faculty member in navigating freedoms in relationship to the university and its tradition:



## ***FACULTY HANDBOOK***

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1. The faculty member should see it as both a right and a duty to maintain a high level of professional integrity and competence, and to teach, write, and publish in his/her discipline in harmony with the fundamental teachings of the Bible as officially set forth by the Seventh-day Adventist Church.
2. The faculty member is responsible to use the freedom of his/her office in an honest and persistent effort to search out and communicate truth.
3. The faculty member is entitled to freedom in the publication of his/her findings, subject to the adequate performance of his/her duties. Research for pecuniary gain, however, should be based upon an understanding with the vice president for Academic Affairs.
4. The faculty member is entitled to freedom in the classroom in presenting his/her subject. Care should be used, however, in expressing personal views, discussing materials not related to the subject taught, or dealing with topics for which he/she has no special training or competence.
5. The faculty member should be prepared both to support the rights of his/her colleagues to academic freedom and to interpret his/her own freedom in a way responsible to them and to the university. Differing points of view are unavoidable, but academic freedom must protect the rights of all by encouraging mutual respect and the exercise of social judgment.
6. When the faculty member speaks or writes as a private citizen, he/she is free to express his/her views. Because it is likely that the public will judge the university by his/her statements, he/she should exercise due restraint and reveal respect for the tradition of the university and the community, making every reasonable effort to indicate that he/she speaks as a citizen and not for the university.
7. The guarantees and boundaries of academic freedom are explicit in the contract between the university and the faculty members. The university accepts the responsibility for publishing an official statement of education philosophy and objectives, its own policy on continuous appointment and academic freedom, a faculty-approved code of ethics, and a procedure available to the faculty member who thinks himself or herself aggrieved.
8. The faculty member accepts the responsibility for informing himself/herself of his/her obligations as a guardian of the distinctive character of the university, as one who personally subscribes to its philosophies and objectives.

### **FACULTY COMMUNITY RESPONSIBILITY**

#### **Community Life**

It is essential to the vitality of the university's program that its people take an interest and an active part in community affairs. The university, therefore, strongly encourages activity in organizations related to community government, to the school system, to the church, and to other social and community agencies. In

all such activities, members of the faculty are asked to be conscious of the fact that they will generally, often without their intent, be regarded as representing the university.

## **Church Activity**

The university is one member of the system of colleges and universities affiliated with the Seventh-day Adventist Church. It is entirely appropriate that members of the faculty actively participate in the life and work of a local church. Recognizing that some members of the faculty may belong to other denominations or faiths, the university encourages them also to take an active part in the activities of the church of their choice.

## **Political Activity**

The university recognizes participation by members of the faculty in the political life of the community, the state, and the nation. Where convenient, leaves of absence may be granted to faculty who are elected to public office for the duration of a term of office, on timely application, and for a reasonable period of time. The terms of such leaves of absence shall be set forth in writing, and the leave will not affect the continuous appointment status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.

## **FACULTY RESPONSIBILITIES TO THE ACADEMIC PROFESSION**

Membership in the academic profession traditionally carries with it responsibilities to advance: (a) knowledge, (b) growth and development of students, (c) the search for truth, and (d) an open forum for examining competing viewpoints.

Oakwood University does not impose a rigid body of codified rules upon the members of the faculty. The university does, however, have certain legitimate expectations concerning the conduct of professional agencies. The following statements outline in a general way the obligations incumbent on faculty members of Oakwood University, with the expectation that each faculty member will take all of them seriously and will fulfill them to the best of his/her ability.

## **Professional Ethics**

In accepting a position with Oakwood University, each faculty member obligates himself/herself to preserve and promote the good name of the university and to support its ideals, policies, and regulations. Criticism of university policies to students or people outside the university is unprofessional, although it may have a place in faculty meetings, discussions with administrative officers of the university, and other groups officially related to the university, where it may serve a constructive purpose. Criticism of other faculty members to students or colleagues is unprofessional and should be handled in the same manner.

The following "Statement of Professional Ethics," adopted by the American Association of University Professors in 1987, expresses well the ethical obligations of faculty members to their profession and to their colleagues. (The headings are editorial additions.)

The Statement:

- I. Truth. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- II. Confidentiality. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
- III. Objectivity. As colleagues, professors have obligations that are derived from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
- IV. Responsibility. As members of an academic institution, professors seek, above all, to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due respect to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
- V. Citizenship. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for the university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.



# **OAKWOOD UNIVERSITY FACULTY HANDBOOK**

## **Section III Academic Support**

## **EVA B. DYKES LIBRARY**

The Eva B. Dykes Library provides a broad variety of books, periodicals, multimedia materials, electronic online databases, archival materials, instructional, research, and other educational materials for faculty and student use.

The library seeks to be not just a repository and lender of books, but a dynamic part of the instructional program and an extension of the classroom. In order to achieve this goal, it depends heavily upon the active support and cooperation of the faculty. Faculty members are asked to make the library an integral part of their teaching, encouraging students to make use of its resources and communicating their special needs to the library staff.

### **Selection of Materials**

Selection of materials for the library collections is the responsibility of the library director, acquisition library faculty, and academic department teaching faculty members. Faculty members are responsible for recommending materials to support the courses that they teach. Faculty selections are very important for building adequate collections to support the overall university curriculum. Faculty members are expected to recommend purchases that will develop the overall departmental subject materials needs for their subject fields and disciplines. Faculty follow the prescribed procedure for making library acquisition requests through their department chairperson. The Library Committee monitors and ensures participation and compliance with this process.

### **Circulation of Books and Periodicals**

Faculty members are extended very liberal borrowing privileges but are requested not to keep materials out any longer than necessary. Faculty books (other than reference, media resources, and periodicals) are due the last day of each semester. Reference books and back issues of periodicals are checked out for seven days. Audiovisual items may be checked out for fourteen days. Audiovisual equipment may be checked out for twenty-four hours. The Library reserves the right to recall material as needed. .

### **Reserve**

Faculty members are asked to place on reserve as early as possible any books, media resource materials, and periodicals which a large number of students will use. Reserves are removed at the end of each semester.

In order to help students, faculty members are urged to furnish the library with any reading lists or bibliographies used in course assignments prior to the beginning of the semester.

### **Ordering**

Academic departments are given annual allocations amounts from the library budget for the different library resources. Allocation adjustments are made to compensate for variations in cost of materials for different subject areas. Special consideration is provided for new courses, programs, majors, and degrees.

Regular contact should be maintained between the library director and the department chairs and faculty members concerning the development of their subject areas in the library collection.

Departments provide a faculty representative or liaison to coordinate the selections and orders with the library faculty persons involved with collection development. Faculty members consult, advise, and participate in weeding, withdrawing, and discarding collection items in their subject areas. Faculty members are encouraged to help the faculty librarians in selecting general materials to help balance the overall library collection in an objective, consistent, and thorough manner.

Requests should be made prior to April 1 of any academic year. Both audiovisual materials and books may be ordered from these funds. The library will periodically request departments to review their periodical subscriptions and make desired changes. Periodical selection is also a departmental responsibility.

### **Interlibrary Loan**

Interlibrary loan is a campus-wide service that allows library users to obtain materials not owned by the Eva B. Dykes Library (our library). Journal articles, books, and some audio-visual materials may be borrowed from libraries participating in resource sharing. While this is a free service, library users are responsible for late fees and lost materials.

### **Information Literacy Program**

The purpose of the Library's Information Literacy Program is to help students, faculty, and staff develop new as well as enhance existing information literacy skills. These skills enable individuals to locate, evaluate, and use information effectively and ethically. Librarians will work with each faculty to develop course-specific instruction. Classes are held in the library or in the classroom.

### **Electronic Resources**

A variety of electronic resources, including the library's online catalog are available through the campus network at the library's website. On-campus and off-campus access are available via <http://www.oakwood.edu/library>

## **CENTER FOR ACADEMIC SUCCESS (FRESHMAN STUDIES)**

The mission of the Center for Academic Success (CAS) is to assist students to gain the skills necessary to do university-level work. The program, in collaboration with the Departments of Psychology, Mathematics and Computer Science, and English and Foreign Languages, offers Scholarship Skills, Introduction to University Math, Composition Skills Review, and Developmental Reading to select groups of students who need to develop basic skills. In addition to attending regular lecture classes, students must attend a laboratory as prescribed by the instructor.

However, all labs are available to self-motivated students and the Center for Academic Success assists them across the curricula in tutorials, exercises, applications, and reviews. The laboratory component provides opportunity for individualized instruction consistent with student needs and desires. This also gives students the opportunity to assess their deficiencies, work to correct them, and receive instant feedback. Upgraded tutorial services supplement the developmental laboratories through the cooperative efforts of specialists and the tutor supervisor.

## **Freshman Studies**

The Freshman Studies Program is a composite of diagnostic, instructional, and supportive services to first-year students. Its purpose is to increase their potential for academic success and personal adjustment to the demands of university life.

## **Disability Services**

The Office of Disability Services assists students with disabilities by eliminating barriers and providing access to academic opportunities at Oakwood University. New students with disabilities who need special accommodations should contact the Disability Coordinator once they have received their letter of final acceptance and provide documentation of their disability and academic recommendations. Currently enrolled students with disabilities should contact the Disability Coordinator at the beginning of each semester to ensure continuity of services.

## **ACADEMIC PRACTICES AND PROCEDURES**

Academic practices and procedures are listed in the current University Bulletin, which is available to all faculty.



# **OAKWOOD UNIVERSITY FACULTY HANDBOOK**

## **Section IV Financial Policies and Benefits**



## **FINANCIAL POLICIES AND BENEFITS**

Salaries for academic appointees are determined in accordance with the regularly established salary scales approved by the General Conference of Seventh-day Adventists and endorsed by the Oakwood University Board of Trustees.

The basic salary rate for instructional personnel depends upon academic rank, education, years of service in the teaching profession, and other experiences.

## **NINETY-FIVE PERCENT SALARY PLAN**

Faculty, with the exception of department heads and some special employees, are paid by the ninety-five percent plan. The plan includes the following policies:

1. Each full-time teaching faculty member is issued a Notice of Employment based on 95 percent of the appropriate yearly wage for the fiscal year. Department chairpersons are employed at 100 percent of the wage scale and are expected to serve for the full year.
2. Teachers needed for summer school are expected to serve and will be paid at part-time faculty rates.
3. Contracts for the plan would cover ten months of work, with the two months off normally beginning about a month following Commencement and extending to early August.
4. The plan makes no allowance for annual vacations since the faculty member is being paid 95 percent of his/her salary for approximately ten months of work, or 80 percent of a year.
5. Faculty members and other employees who are not engaged in assigned teaching or other duties during the summer will remain on the university medical policy. However, the university medical policy will not apply to medical costs resulting from accidents or illnesses associated with any form of remunerative work in which the employees engage during the summer period, nor will it apply to other unusually hazardous activities undertaken by the employee during this period of time when he/she is not directly responsible to the university. Faculty members and other employees who are thus engaged are advised to carry special insurance to protect them in such situations. Details of this stipulation may be obtained from the Human Resources office of the university.

## **SALARY PAYMENT SCHEDULE**

The university operates on a bi-weekly pay period. An employee who does not receive a paycheck or receives an incorrect paycheck should contact the Human Resources and/or Payroll Office to arrange for a correction.

## **PAYROLL ADVANCE**

Payroll advances are made only in extreme emergencies and upon approval by administration. In those rare cases where an advance is necessary, an employee must make arrangements directly with the vice president for Financial Affairs.

## **PAYROLL DEDUCTIONS**

The university uses three main categories of payroll deductions:

### **Legislated**

These deductions are made until the maximum year-to-date amount required by law has been deducted. These deductions are Social Security (FICA), federal income tax, state income tax, and disability insurance.

### **Voluntary**

These deductions are made available by the university for the convenience of employees. Voluntary deductions are not made without a written request from the employee. Examples of deductions within the category are bookstore/market, health care, United Giving (Oakwood to Oakwood, Development Funding, UNCF), tuition payments, annuities, supplemental retirement, insurances, and campus rent.

### **Garnishment**

These deductions are made as required by law when the university is served with a garnishment or writ of execution. Employees are notified in advance if this category of deduction is necessary.

## **MOVING AND TRAVEL EXPENSE POLICY**

### **New Faculty**

It is the general practice of Oakwood University to offer assistance for moving and travel expenses for regular full-time new faculty members. Approval for such assistance must be granted by the university administration. Information regarding moving and travel expenses will be included in the offer for employment. All moving and travel payments and/or reimbursements will be handled through the Human Resources office.

Assistance will be paid according to the following schedule:

1. **Household goods.** Three estimates from reputable moving companies for moving of household goods must be submitted to the Human Resources director. Allowance is up to 12,000 lbs. for a family, and up to 6,000 lbs. for a single person. An authorized purchase order will be issued to the moving company with the lowest estimate. (Automobiles are not considered as household goods).
2. **Moving Allowance.** Fifty percent of current year wage factor is reimbursable for a family, twenty-five percent for a single person.

3. **Insurance Claims.** The employee is responsible to negotiate claims and/or damages with the moving company.
4. **Maximum Assistance.** The allowance referred to above shall be limited to two vehicles and one flat moving allowance per family even though both spouses are employed.
5. **Storage.** Employees are encouraged to wait until housing is secured in the Huntsville area before moving their household goods. However, the university will allow storage charges for exceptional cases for a limited period of time. Approval must be obtained from the vice president for Academic Affairs and Human Resources director prior to shipment of household goods. The maximum the university allows for storage is four days.
6. **Travel Expense.** The university will pay automobile mileage for the shortest route. Actual expenses will be paid according to the currently approved travel allowance (per mile and per diem).
7. **Sharing Moving Expenses.** When calls are extended to a husband and wife to join two different denominational institutional organizations in the same area, the cost of moving shall be shared by the calling organizations. However, when the initial call is for one spouse and the other spouse obtains employment, the organization that initiates the primary call shall be responsible for the full cost of the move.
8. **Agreement.** The total moving expense paid by the university will be amortized over a period of three years at the following rate: the first year at twenty-five percent and the third year at fifty percent.

If voluntary termination of employment becomes necessary within three years, the staff member must reimburse the university for the unamortized amount of the incurred moving and traveling expenses. The employee must initially agree to authorize the holding of his or her final check until the obligation has been paid.

Any other arrangements that are not covered by this policy are to be made with the Office of Human Resources.

### **RETIRING WORKERS**

When a worker who has given thirty years or more of denominational service retires, the denominational employing organization may arrange to pay the moving expenses on a reasonable amount of household goods and pay the transportation expense to the place of his/her choice in the North American Division. A worker who has served less than thirty years may be paid a proportionately less amount. The amount of moving expense reimbursement shall be decided by the employing organization. This arrangement is to be made within a period of one year after his/her retirement. Unless some other definite arrangement has been made, the worker is limited to one move only.

# FACULTY HANDBOOK

## SCHEDULE OF FACULTY SALARY FACTORS

<u>Degree</u>	<u>Rank</u>	<u>Level</u>	<u>Rate%</u>
Doctorate	Professor, Chair	5	121.82%
	Professor	4	120.30%
	Professor	3	118.77%
	Professor	2	117.25%
	Professor	1	115.73%
Doctorate	Associate Professor, Chair	5	108.43%
	Associate Professor	5	107.04%
	Associate Professor	4	105.65%
	Associate Professor	3	104.26%
	Associate Professor	2	102.87%
	Associate Professor	1	101.48%
Doctorate	Assistant Professor, Chair	5	98.78 %
	Assistant Professor	5	97.48 %
	Assistant Professor	4	96.18 %
	Assistant Professor	3	94.88 %
	Assistant Professor	2	93.58 %
	Assistant Professor	1	92.28 %
Master's	Associate Professor, Chair	5	103.57 %
	Associate Professor	5	102.18 %
	Associate Professor	4	100.78%
	Associate Professor	3	99.39%
	Associate Professor	2	98.00%
	Associate Professor	1	96.62%
Master's	Assistant Professor, Chair	5	93.58%
	Assistant Professor	5	92.28%
	Assistant Professor	4	90.98%
	Assistant Professor	3	89.68%
	Assistant Professor	2	88.39%
	Assistant Professor	1	87.08%
Master's	Instructor	5	87.31%
	Instructor	4	86.02%
	Instructor	3	84.72%
	Instructor	2	83.43%
	Instructor	1	82.14%
Bachelor's	Instructor	5	83.43%
	Instructor	4	82.14%
	Instructor	3	80.84%
	Instructor	2	79.55%
	Instructor	1	78.25%

## **BENEFITS**

### **Tuition and Elder/Child Care**

- Seventy percent tuition and fees for legally dependent children of faculty members who are dormitory students at Oakwood University, and thirty-five percent for nondormitory students provided a 2.00 GPA is maintained. Educational assistance is provided for attendance at other SDA colleges/universities for a maximum of two years at the same rates.
- Thirty-five percent tuition and fees for faculty children who are elementary and academy students at SDA Schools.
- Seventeen percent child and elder care reimbursement monthly up to \$80 for legal dependents.
- Faculty and spouses are each entitled to take one free course at Oakwood per semester.

### **Health Care Plan**

- Premium payments based on coverage; deductibles apply.
- Out-patient services: PPO 80 percent employer; 20 percent employee. Non-PPO 65 percent employer; 35 percent employee.
- In-patient services: PPO 80 percent employer; 20 percent employee (cap of \$2,000 for employee, \$4,000 for family). Non-PPO 65 percent employer; 35 percent employee (no cap for employee's share).
- Vision and dental expenses: 80 percent employer; 20 percent employee. Limits apply on some expenses.

### **Other Benefits**

- Three working days funeral leave if destination is under 1,000 miles one way from Oakwood. Five working days funeral leave if destination is over 1,000 miles one way from Oakwood.
- Faculty on continuous appointment have the option of choosing the 100% wage scale instead of 95 percent with recommendation of the vice president for Academic Affairs and approval by the university administration.
- The university can subtract the estimated cost of the faculty member's annual medical care expenses from the total income in order to decrease the amount of taxable income, if requested by the employee (Implemented January 1, 1999).

## **ACADEMIC REGALIA AND COMMENCEMENT PARTICIPATION**

The university requires all full-time faculty and administrative staff to participate in Commencement exercises and to wear full academic regalia. Participants include: full-time faculty, vice presidents, and assistant vice presidents. Persons having been in full-time service with the university for at least three years and who want to purchase regalia are assisted by the university with 75 percent of cost up to \$300.00. Persons assisted in purchase of regalia and who do not remain in service with the university at least three years must repay cost of purchase.

Rental of academic regalia for all other participants is done by the university.



**OAKWOOD UNIVERSITY  
FACULTY HANDBOOK**

**Section V**

**Addendum**

**A. Faculty Credentials - Guidelines**

## FACULTY CREDENTIALS

### - Guidelines –

Oakwood University uses the following guidelines when considering faculty for teaching assignments:

SACSCOC Comprehensive Standard 3.7.1 of the *Principles of Accreditation*, which reads as follows:

The institution employs competent faculty members qualified to accomplish the mission and goals of the institution. When determining acceptable qualifications of its faculty, an institution gives primary consideration to the highest earned degree in the discipline. The institution also considers competence, effectiveness, and capacity, including, as appropriate, undergraduate and graduate degrees, related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes. For all cases, the institution is responsible for justifying and documenting the qualifications of its faculty.

Commission Guidelines for Faculty Credentials:

When an institution defines faculty qualifications using faculty credentials, institutions should use the following as credential guidelines:

- a. Faculty teaching general education courses at the undergraduate level: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
- b. Faculty teaching associate degree courses designed for transfer to a baccalaureate degree: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
- c. Faculty teaching associate degree courses not designed for transfer to the baccalaureate degree: bachelor's degree in the teaching discipline, or associate's degree and demonstrated competencies in the teaching discipline. (*This item is not applicable at Oakwood University.*)
- d. Faculty teaching baccalaureate courses: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (minimum of 18 graduate semester hours in the teaching discipline).
- e. Faculty teaching graduate and post-baccalaureate course work: earned doctorate/terminal degree in the teaching discipline or a related discipline.



- f. Graduate teaching assistants: master's in the teaching discipline or 18 graduate semester hours in the teaching discipline, direct supervision by a faculty member experienced in the teaching discipline, regular in-service training, and planned and periodic evaluations. (*This item is not applicable at Oakwood University.*)

In addition to faculty credentials, Oakwood University considers “competence, effectiveness, and capacity, including, as appropriate, undergraduate and graduate degrees, related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes” especially under the following circumstances:

1. **Physical Education Activity Courses** – Faculty teaching baccalaureate courses: bachelor's degree and certification in the physical activity. Certification must be from a nationally recognized certification organization and must be current. Letter of justification is required. [Oakwood University follows the guideline as stated in the *Criteria for Accreditation*, 1998 edition: “Each full-time and part-time faculty member teaching credit courses leading toward the baccalaureate degree, *other than physical education activity courses*, must have completed at least 18 graduate semester hours in the teaching discipline and hold at least a master's degree, or hold the minimum of a master's degree with a major in the teaching discipline” (*Italics supplied*).]
2. **Remedial Courses** – Faculty teaching remedial courses: bachelor's degree in a discipline related to the teaching assignment and demonstrated competence in teaching effectiveness.
3. **Performing Arts** – Faculty teaching in the performing arts: outstanding professional experience in the field, demonstrated contributions to the discipline, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes. Letter of justification is required.

It is the responsibility of the department chair to verify, document, and justify the qualifications of all faculty, full-time and part-time, who are assigned to teach courses in the department. Final authority to approve teaching assignments rests with the Vice President for Academic Affairs.



# **OAKWOOD UNIVERSITY FACULTY HANDBOOK**

## **Section VI**

### **Appendices**

- B. Faculty Assembly Constitution**
- C. Faculty Senate Constitution**
- D. Intellectual Property**
- E. University Organizational Chart**
- F. Restated Articles of Incorporation and Bylaws**
- G. Guidelines for Assessing Divergent Views and for the Disciplinary of Dissidents**
- H. Code of Ethics for Seventh-day Adventist Educators**

## **FACULTY ASSEMBLY CONSTITUTION**

### **Membership**

#### **Regular**

The Faculty Assembly is composed of all fully-affiliated university teachers and administrative personnel. University teachers are those employees whose primary responsibility to the university is (1) teaching in one of the academic departments or (2) working as a professional librarian. Members of this category are referred to as teaching faculty. Administrative personnel are those employees whose offices are listed in the organizational chart of Oakwood University and who do not fall into the category of a university teacher. The term "faculty" will hereafter refer to the regular members of the Faculty Assembly.

#### **Special**

Persons in the university community who are not regular members of the Faculty Assembly, but are concerned with the policy-making of the university or have a professional relationship with students may, upon nomination by the Senate, be voted special membership by the Faculty Assembly. Special members have all the rights and privileges of regular members, with the exception of voting in the Senate elections and eligibility for Senate membership.

#### **Full Affiliation**

An individual is considered to have full affiliation with the university when he makes the university the center of his professional effort, and the university primarily determines the employment of his time and talents. A fully-affiliated member of the university may engage in other professional activities on a limited basis as is provided for under this working policy, but his major work must be conducted under the auspices of the university.

#### **Officers**

The chairperson shall be the president of the university, the vice chairperson shall be the vice president for Academic Affairs, and the secretary shall be a designated support staff person from the division of Academic Affairs.

#### **Duties**

The chairperson shall, in consultation with the other officers, plan, call, and chair meetings of the Faculty Assembly.

The vice chairperson shall assume the responsibility of the chairperson in his or her absence. The secretary shall notify members of meetings, take minutes of meetings, keep a permanent record of the minutes and make the minutes available to members upon request.

#### **Authority**

The Faculty Assembly is delegated with the primary responsibility for the formation, revision, and continuous review of educational policy and academic matters such as: curriculum, admissions, degree requirements, methods of instruction, and research. The assembly is also delegated with primary responsibility for student conduct and discipline; faculty conduct, tenure and discipline; and related fiscal policies.

In the areas of determination of salaries and allowances, long-range planning, physical plant expansion and general allocation of resources, the faculty shall act with the university officers through membership in committees as provided by institutional policy.

## **Functions**

Within the bounds of its delegated authority, it shall be the duty of the Faculty Assembly to formulate and adopt all academic, personnel, and professional policies (including fiscal policies related thereto).

Specifically, but not exclusively, the functions of the Faculty Assembly are to:

1. Bring all educational policies and procedures into conformity with the general objectives of the university.
2. Establish academic and social standards for admission and retention applicable to all students of the university.
3. Establish the requirements for the various curricula.
4. Establish the requirements for all certificates and degrees awarded by the university.
5. Establish standards of instruction, instructional services, and facilities.
6. Promote and facilitate research.
7. Adopt standards for all publications and programs sponsored by or in any way representing the university.
8. Advise the president and the board relative to academic freedom and faculty status.
9. Recommend policies relating to appointment, tenure, conduct, and dismissal of teachers.
10. Advise the president and the board concerning the definition and review the general objectives of Oakwood University.
11. Advise the president and the board concerning expenditure of funds allocated to instruction and research.
12. Advise the president and the board concerning major issues affecting current or projected budget decisions.
13. Advise the president and the board concerning the long-range master plan for the physical development of the university.
14. Advise the president and the board concerning policies governing the university's relations with government and private agencies.
15. Advise the president and the board concerning policies for cooperative and mutually beneficial relations with the constituency and the surrounding community.

## **Faculty Assembly Procedures**

Regular meetings shall be held once each month during the academic year. Special meetings may be called by the president.

## **Quorum**

A quorum of the faculty shall be 50 percent of the membership.

## **Voting Rules**

Normally, voting will be exercised by voice or a show of hands; however, at the discretion of the Chairperson, or upon request of the faculty, a secret ballot shall be taken.

## **Agenda**

Members of the faculty who wish to have a matter discussed at a meeting of the Faculty Assembly must present their request to the vice president for Academic Affairs, who usually chairs the assembly in the absence of the president. The chairperson will use his or her discretion in accepting “emergency” items after the agenda has been prepared.

## **Procedural Questions**

The latest edition of *Robert's Rules of Order* shall be used as a source of authority for parliamentary and organizational questions.

## **Standing Faculty Committees**

Questions concerning the jurisdiction of standing faculty committees shall be resolved by the Executive Committee of the Faculty Senate.

## **Minutes**

The secretary shall distribute minutes of a faculty meeting to members at the next meeting.

## **Arts and Lectures**

### **Membership**

The Arts and Lectures Committee shall consist of seven members: five teaching faculty members, including one each from the Music and Art Departments; the vice president for Student Affairs; and one student. The chairperson will be elected from the faculty members.

### **Purpose**

The purposes of the Arts and Lectures Committee are to:

1. Develop respect and appreciation for artistic and creative art, music and humanities.
2. Review and recommend an annual budget.
3. Recommend performers and performing groups for the year.
4. Plan and supervise each program.

## **Citation and Recognition**

### Membership

The Citation and Recognition Committee shall consist of seven members: five teaching faculty members, and two administrators. One of the teaching faculty will serve as chairperson.

### Purpose

The purposes of the Citation and Recognition Committee are to:

1. Arrange for an annual awards ceremony for faculty members who have distinguished themselves in teaching, research, or community service.
2. Recommend faculty members for local or national awards.
3. Honor faculty members who are retiring or have completed many years of service.
4. Review faculty members' requests for study leave, sabbaticals, and exchange programs.
5. Establish and review the criteria and qualifications for the above awards and honors.

## **Library Services**

### Membership

The Library Services Committee shall consist of nine members: five teaching faculty members, the director of Library Services, two additional members of the library staff, and one student. One of the teaching faculty members will serve as the chairperson.

### Purpose

The purposes of the Library Services Committee are to:

1. Review and recommend the general library budget.
2. Assist the librarian in developing the facility as a quality instructional institution.
3. Study the effectiveness of library administration policies and advise the librarian concerning needed improvements.
4. Serve as an advisory group to the librarian concerning matters of general operation, services, and improvements.
5. Advise the librarian and develop students and plans for fostering a love of reading among students and faculty members.
6. Serve as a liaison between the library and its users by helping to interpret to students the program procedures of the library.

## **Rank and Continuous Appointment**

### Membership

The Rank and Continuous Appointment Committee shall consist of seven members: six teaching faculty on continuous appointment (four of whom must hold the rank of full professor) and the vice president for Academic Affairs. The chairperson will be appointed by the president of the university, in consultation with the vice president for Academic Affairs from among the committee members.

### Purpose

The purposes of the Rank and Continuous Appointment Committee are to:

1. Establish and review the criteria for tenure and promotion in rank.
2. Examine the qualifications of members of the teaching faculty who are eligible for higher rank or continuous appointment status and, when desirable, to consider the qualifications of prospective faculty members and make appropriate confidential recommendations to the president of the university.
3. Assist the vice president for Academic Affairs in making recommendations for rotation or renewal of department chairpersons.

## **Research and Publications**

### Membership

The Research and Publication Committee shall consist of seven members: five teaching faculty members and two administrators. One of the teaching faculty will serve as the chairperson.

### Purpose

The purposes of the Research and Publication Committee are to:

1. Develop faculty journals and publications.
2. Formulate study groups and forums.
3. Bring to the campus for appropriate appearances lecturers and other individuals who are able to offer intellectual stimulation to the faculty.
4. Create various formal reports that will inform the faculty on intellectual issues of mutual concern.

## **Student Honors Committee**

### Membership

The Student Honors Committee consists of seven members: five teaching faculty members (one of whom will serve as chairperson), the director of Records, and one honor student.



## **Purpose**

The purposes of the Student Honors Committee are to (a) establish and review the criteria and qualifications for participation in the awards ceremonies and the Honors Day Convocation, (b) recommend those students who shall be nominated for *Who's Who Among Students* and other local and national awards and scholarships and (c) recognize high scholastic achievement among students by providing awards an annual Honors Day Convocation.

## **Teacher Education**

### **Membership**

The Teacher Education Committee shall consist of the chairperson of the Department of Education, the coordinator of student teaching, the coordinator of secondary teacher-education curriculum, the coordinator of elementary teacher-education curriculum, the principal of the academy, the senior check-sheet adviser, and one representative from each department offering majors in teaching areas. The chairperson of the Department of Education will serve as chairperson.

### **Purpose**

The purposes of the Teacher Education Committee are to:

1. Initiate policies governing teacher education.
2. Make recommendations for curriculum changes to the Curriculum Committee.
3. Prepare policies governing the admission of students to candidacy in the teacher-education curriculum.
4. Institute procedures by which applicants for admission to the teacher-education curriculum are identified, screened, and approved.
5. Propose standards for continuance in the programs and completion of the graduation and professional requirements.
6. Review periodically the progress of students in these professional programs.

**FACULTY SENATE CONSTITUTION**

Article I–Authority

The Faculty Senate is a legislative body established for the purpose of formation and review of all policy delegated to the Faculty Assembly. Its actions are subject to ratification by the Faculty Assembly, approval by the vice president for Academic Affairs and the president of the university, and ultimately by the Board of Trustees. Its legislative authority can be delegated to any committee of the senate, with the stipulation that a report be made at the senate session following a decision. Its authority does not extend over the internal affairs of departments except where these affairs affect another department or the university as a whole.

Article II–Purpose

The Faculty Senate, with its committees, is designed to bring into close working relationship spokespersons representing the major interest segments of the Faculty Assembly and students; to facilitate their participation in fulfilling the mission and carrying out the institutional objectives; to promote and encourage an intelligent understanding of the problems of the university; to foster a spirit of mutual esteem and cooperation among administration, faculty, and students; and to make the university a competent, progressive, and vital force in the development of mature Christian men and women.

Article III–Functions

The Faculty Senate is empowered to establish policy relating to those functions specifically delegated to the Faculty Assembly. To carry out this responsibility, the senate (a) reviews the overall functioning of the academic life of the university; (b) identifies and assigns priority to questions, concerns, and requests which it is to address or to delegate to faculty committees for consideration and action; (c) recommends appointments to senate committees and coordinates their work; (d) studies and prepares recommendations to the vice president for Academic Affairs of Oakwood University concerning the welfare of the students and faculty, departmental responsibilities, educational standards, curricula, and academic budget.

Article IV–Membership

The Faculty Senate shall be composed of twenty-one faculty members. The president of the university and the vice president for Academic Affairs are ex-officio members of the senate.

A. Faculty

The twenty-one faculty members shall be composed of regular, full-time teaching faculty. Each academic department, including the library and the Center for Academic Success, should select a first choice and may select a second choice from volunteers or nominations during a departmental meeting. The first choice will automatically be the representative of the department, and the second choice as well if the department has ten or more members. The remaining senators shall be selected by the Faculty Assembly from the second choices of the departments.

## B. Officers

The three officers of the Faculty Senate are the president, the vice president, and the secretary. They shall be chosen by secret ballot at the organizational meeting of the senate every two years, providing they are faculty senators and the president and vice president have the rank of assistant professor or above and have been at Oakwood at least three years.

### Article V--The Faculty Assembly

Minutes of the Faculty Senate will be distributed to faculty members the week before the monthly Faculty Assembly meeting. All voted actions of the senate will be reviewed by the Faculty Assembly in session, and any action not readily acceptable will be decided by majority vote of the Faculty Assembly.

### Article VI--Departments

In the event of a dispute between the senate and a department as to whether a proposed senate action would improperly affect a department's jurisdiction, the vice president for Academic Affairs and the president of the university shall make a ruling on the disputed issue after consulting with the department head and the Executive Committee of the Senate.

### Article VII--The University Board

The university board may review the actions of the Faculty Senate. It may also refer matters to the senate for restudy through the secretary of the board.

### Article VIII--Committees

The four standing committees of the Faculty Senate, with their membership requirements and purpose, are listed below. Members of each of these committees must be senators and are elected for two-year terms which may be renewable. The president of the university, the vice president for Academic Affairs, and the president of the Faculty Senate are ex-officio members of all senate committees. Each committee will meet and make a report to the senate at least once each semester.

#### Executive Committee

##### A. Membership:

The Executive Committee shall consist of the three senate officers and the three other standing committee chairperson. The president and the secretary of the Faculty Senate will serve as the chairperson and secretary of the Executive Committee, respectively.

##### B. Purpose:

1. To plan the agenda for Faculty Senate meetings at least one week in advance.
2. To handle routine senate business during the summer months.

3. To handle urgent senate business between senate meetings.
4. To assist in the election of senators and the appointment of senators to the other senate committees and any ad hoc committees.
5. Review the policy recommendations of the subcommittees of the senate.

## Budget and Efficiency

- A. Membership:  
The Budget and Efficiency Committee shall consist of six members, one of whom will serve as the chairperson.
- B. Purpose:
1. To make a continuous study of the academic and financial efficiency of the total academic program and each academic department, considering such items as:
    - a. Academic efficiency, teacher load, productivity, student/teacher ratio, class size/sections, and classroom space allocation
    - b. Financial efficiency, cost per student hour generated, class size break-even point, and equipment needs.
  2. To assist the vice president for Academic Affairs in reviewing the budget requests of academic departments and recommend allocation of financial resources for both operations and equipment.

## Curriculum

- A. Membership:  
The Curriculum Committee shall consist of eight members, one of whom will serve as the chairperson, and the president of the United Student Movement.
- B. Purpose:
1. To conduct a continuous study of the university's educational program in general, including long-range considerations and specific plans for improvement.
  2. To conduct a continuous study of the degree requirements, majors, courses, and other academic programs offered.
  3. To study and recommend desirable additions or deletions, using qualitative as well as quantitative approaches to determine the need for certain courses and majors.
  4. Review the policy recommendations of the Academic Policies and Teacher Education Committees of the Faculty Assembly upon the request of the vice president for Academic Affairs.

## Faculty Affairs

- A. Membership:  
The Faculty Affairs Committee shall consist of six members, one of whom will serve as the chairman.
- B. Purpose:
1. Study matters dealing with faculty welfare.
  2. Review and suggest changes to the *Faculty Handbook*.
  3. Serve as a grievance committee for faculty complaints.

## Article IX - Amendments

This constitution may be amended as follows:

Proposed amendments must be approved by a two-thirds majority of the membership of the Faculty Senate.

1. Proposed amendments approved by the senate must be ratified by a two-thirds majority vote of the Faculty Assembly.
2. Proposed amendments approved by the senate and ratified by the faculty must then be approved by the vice president for Academic Affairs and the president of the university, who may request approval by the Board of Trustees of the university.

## Article X - Bylaws

The Faculty Senate shall adopt bylaws as necessary. They may be adopted or amended by a two-thirds majority vote at any regular senate meeting, provided that the proposed bylaws or amendments have been submitted in writing to the senate at the previous meeting or appear on the previously-circulated written agenda for the present meeting.

**INTELLECTUAL PROPERTY POLICY**

Oakwood University's (the "University") primary mission lies in the creation and dissemination of knowledge in the works of the intellect in whatever medium they are embodied or expressed. This policy recognizes and acknowledges that intellectual property rights may arise in such works from time to time as a result of efforts by members of the Oakwood University community. This policy addresses issues of ownership and management of patents, copyright and trademarks, and applies to all faculty, employees and students of the University.

**PATENT POLICY**

**A. Purpose**

In view of the far-reaching research at the University, it is inevitable that new discoveries and inventions will be made. The members of the Oakwood University Board of Trustees (hereinafter referred to as the Board) recognize the importance of obtaining the greatest public benefit and usefulness from the products of the University's scientific research and inventiveness, and that the protection and control provided under patent laws or other legal means for the protection of property rights may be necessary to obtain this goal. It is further recognized that employees of the University need assistance in determining and evaluating patentability and in prosecuting patent applications for or otherwise protecting inventions made by them. Furthermore, many such inventions involve equities beyond those of the inventor since the use of University facilities, the assignment of duties as a condition of employment, and the use of research funds with contractual obligations regarding patent rights give rise to questions concerning the rights and equities of all concerned. The purpose of this patent policy is to establish a mechanism to serve the public benefit and interest, to determine and apprise all concerned parties of relative rights and equities, to facilitate patent applications, the licensing of inventions, the equitable distribution of any royalties or other financial returns, to provide necessary uniformity in patent matters, and to provide for adequate reporting of patent activities.

**B. Policy and Procedure**

1. It shall be the policy of the Board to encourage the concept that patentable inventions produced at the University shall be used for the greatest possible public benefit and to provide every reasonable incentive to the faculty, students and staff for the disclosure, evaluation and dissemination of such inventions. When University support makes the research effort possible or when it provides support for the development of a patentable invention, it is reasonable for the University to participate in the fruits of such development, including reimbursement for its costs. To that end, the University encourages the procurement of patents for such inventions and the licensing or other commercialization thereof in the interest of the public, the inventor, and the University.

2. This patent policy of the University, as amended from time to time, shall be deemed to be a condition of employment and contractual obligation, both while employed and thereafter, of every employee of each campus, including student employees, and a condition of enrollment and attendance and contractual obligation, both while in attendance and thereafter, by every student at each campus.
3. An invention or discovery (1) which is the result of research carried on by or under the direction of an employee of a campus of the University and/or having the costs thereof paid from funds provided by, under the control of or administered by a campus of the University, or (2) which is made by an employee of a campus of the University and which relates to the employee's field of work, or (3) which has been developed in whole or in part by the utilization of resources or facility belong to a campus of the University, shall be the property of the applicable campus of the University unless there is a written agreement between the university and the employee specifying alternate distribution of ownership. The applicability of the above-stated criteria to any invention or discovery will be determined at the sole discretion of the President of the University or his/her designee.
4. As a condition of their employment by or enrollment at a campus of the University, each faculty member, employee and student agrees that he/she shall be contractually bound by this patent policy and shall report to the officer or non-profit organization so designated by the President of the University to manage and commercialize such inventions and discoveries, any invention or discovery which such faculty member, employee or student has conceived, discovered, developed and/or reduced to practice by them or under their direction at any time following their initial appointment by, employment by, or enrollment with the University. All inventions and discoveries that meet the criteria of B.3. shall be automatically assigned to the University for the benefit of the University immediately upon creation or discovery or reduction to practice of the invention or discovery. The President of the University is authorized to further assign any invention or discovery it is deemed to own pursuant to this policy to a designated nonprofit organization established for the benefit of the respective campus of the University, which said assignment shall be conditioned on full compliance with this policy, regulations promulgated hereunder by the Board or by the President of the University, and appropriate state and federal law.
5. If the invention or discovery is one which is determined to be owned by the University, the President of the University or his/her designee shall further evaluate the invention or discovery and determine if and how best to develop, commercialize and protect the invention as he/she deems appropriate, including, but not limited to, applying for patent protection, or requesting further development of the invention or discovery. In making this determination, the benefits that might accrue to the University and the inventor(s) shall be considered. The designee shall act promptly in carrying out these duties so that the rights of the inventor(s) and the University may be protected.

6. If it is determined that the invention or discovery is one which is owned by the University pursuant to this policy but is one in which the University has no interest in retaining ownership, the University (or the non-profit organization to which an invention may have been assigned in accordance with the terms of this policy) may, but is under no obligation to, release its ownership rights to the inventor(s) on terms and conditions determined by the President or his/her designee, subject to any third party rights.
7. In consideration of the automatic assignment of ownership set forth in this policy, the President or its designee is authorized to pay to the inventors, their heirs or assigns, a percentage of the royalties, fees, or other financial returns received by the University (or the non-profit organization to which an invention may have been assigned in accordance with the terms of this policy) from such invention after a deduction of fifteen percent (15%) thereof for overhead costs, plus a deduction for costs of patenting and protection of intellectual property rights and any unusual expenses paid by the University or its non-profit designee or the inventor (which have been approved by the University or its non-profit designee). The President of the University or his/her designee shall be responsible for the development of a policy governing the percentage of royalties, fees, and other financial returns on an invention paid to the inventor and governing the internal distribution of the University's share of such financial returns.
8. It is understood that many research contracts, grants, and consulting agreements from or with the United States Government or its agencies, corporations, or individuals contain ownership of intellectual property clauses that may be at variance with this policy but which, if agreed to, require compliance. Such documents which are at variance with this policy may be referred to the appropriate designated officer of the campus for recommendations prior to approval.

### **COPYRIGHT POLICY**

#### **A. Purpose**

The University is dedicated to instruction, research and service to benefit society and encourages its faculty, staff and students to carry out scholarly endeavors in an open and free atmosphere, and to publish the results of such work without restraint, consistent with applicable law and policy. The University is committed to complying with all applicable laws regarding copyright. The purpose of this policy is to clarify individual rights and institutional rights associated with ownership of copyrights and with the distribution of benefits that may derive from the creation of various types of intellectual property. This policy applies to creators of copyrightable works, whether such creators are University faculty, staff or students.



## B. Ownership

Ownership of the various rights associated with copyright is dependent upon several factors, listed below. As a general rule, creator(s) retain all rights to copyrightable works, unless subject to the conditions discussed in this section.

1. **Individual Efforts:** The copyright in a copyrightable work produced by faculty, staff or students on their own initiative shall be the exclusive property of such individual(s) unless the work was specifically commissioned or assigned (refer to Section 1), or unless the work was prepared under the terms of a contract or grant, or unless preparation involved substantial use of University resources. Except in the cases covered in paragraphs 2 through 5 below, the ownership of books, scholarly articles/monographs, trade publications, maps, charts, articles in popular magazines and newspapers, novels, nonfiction works, supporting materials, artistic works, syllabi, lecture notes, and like works will reside with the creator(s) and any revenue derived from their work will belong to the creator(s).
2. **University Assigned Efforts:** The copyright in a copyrightable work prepared by faculty, staff or students in the course of their regular employment duties or by special direction or commission shall be the property of the University. Such condition of employment or such directions shall be in writing and shall be agreed to in advance by both the University and the individual. A faculty member's general obligation to produce scholarly and creative works does not constitute a University assignment in the context of this paragraph. Works created by students in the normal course of their coursework, such as a term paper, thesis/dissertation or similar scholarly work, does not constitute a University assignment in the context of this paragraph. A copyright agreement providing for the sharing of royalties, as discussed later in this policy may, at the discretion of the University, be entered into by the University and the individual in regard to the work.
3. **Sponsor Supported Efforts:** Copyright ownership in copyrightable materials developed during work supported partially or in full by an outside sponsor, through a contract or grant with the University, is determined by the applicable provisions of such contract or grant. In the absence of any governing provision, the ownership of any copyright shall be determined in accordance with paragraphs 1, 2, 4 or 5 herein.
4. **University-assisted Individual Efforts:** A copyrightable work that is developed with substantial use of University resources and is not sponsor-supported shall be the property of the University. Substantial use of institutional resources may include the commitment of staff, faculty or material support in the creation of the copyrightable work, but does not include the ordinary use of the University's libraries, faculty time, faculty offices, departmental office equipment, routine secretarial support or University owned personal computers.

Substantial use of University resources excludes Sabbaticals and other reductions in teaching load, except when granted as part of university assigned efforts. Should a question arise as to whether substantial use of University resources has occurred or may occur, a determination will be made by the Provost or his or her designee.

5. **Distance Learning:** With respect to distance learning materials, ownership of such materials shall be determined in accordance with the provisions of paragraphs 1 through 4 above.
6. **Shop Rights:** "Shop Rights" means a non-exclusive, non-transferable, royalty-free license to reproduce, distribute, publicly perform, publicly display, or make derivative works of the copyrighted work, for educational or research purposes only. Except for textbooks and articles published in scholarly journals, the University shall have shop rights to copyrighted materials developed by its faculty, staff and students, pursuant to paragraph 1 above, and faculty, staff and students of the University shall have shop rights to copyrighted materials owned by the University, pursuant to paragraphs 2 and 5 above; provided, however, that no faculty, staff or student shall use any shop rights hereunder in competition with the University while such individual is employed by the University.

## C. **Disclosure**

There is no mandatory disclosure requirement for works created by faculty, staff or students for works that meet the criteria set for in paragraph 1 above. For works that meet the criteria set forth in paragraphs 2, 3 or 4, the creator must disclose the existence of the work during or immediately after its creation. Disclosure shall be made in writing to the President of the University or his/her designee. If any questions exist regarding whether disclosure is required, contact the President of the University or his/her designee.

## D. **Commercialization/Distribution of Net Revenues**

All costs and revenues from the commercialization of any intellectual property hereunder, owned by the University, shall be distributed in accordance with the University's Patent Policy. Nothing contained in this policy shall be construed to supersede the University's Patent Policy, and the terms of the University's Patent Policy shall control in the case of any conflict between that Patent Policy and the Copyright Policy.

## TRADEMARK POLICY

### A. **Purpose**

In order to comply with and assure protection under federal trademark law, Title 15, U.S.C., section(s) 1051 et seq., the University is required to monitor all uses of its trademarks. The purpose of this policy is to provide information and guidelines to the

university community regarding the use of the University's trademarks. The overall purpose of the licensing program is to protect the University's trademarks and to promote the University.

### **B. Who Should Use This Policy**

This policy applies to faculty, staff, students, academic departments, ad hoc groups, administrative divisions/departments, alumni organizations, informal groups and student organizations.

### **C. Definitions**

- 1. Trademarks:** A trademark (including a service mark) includes any word, name, symbol or device, or a combination of them, used to associate goods (or services) with a particular entity and to distinguish them from the goods (or services) of others. A trademark may only be used by or with the consent of the owner thereof. The University's trademarks include, but are not limited to: the words "Oakwood University," "Oakwood University Education Excellence Eternity," the Oakwood University wordmark; the official seals of the University; and all current and future trademarks, service marks, wordmarks, designs or logos used by the University. The University asserts ownership over its name and any other mark, logo, insignia, seal, crest, design, symbol or any combination of these that have come to be associated with the University.
- 2. Licensing/Licensee**  
Licensing is the process of obtaining legal permission through a contract for the right to use someone's trademarks. An individual or company who enters into such an agreement is referred to as a licensee.

### **D. Guidelines for Using Trademarks**

The University's trademarks are intended to present a positive image of the university. The University's trademarks are not to be used in the name of a business, logo, in advertising services or on a product in a way that could state or imply an endorsement. The University's trademarks are not to be used in any way that will discriminate against any persons or groups based on age, ancestry, belief, color, creed, disability, national origin, race, religion, sex, sexual orientation or veteran status, or in any other way that would be a violation of the university's anti-discrimination policies.

#### **1. Approval**

The use of any University trademark by student organizations or groups or any third party (unless approved by the University) must be approved in writing by the President or his or her designee prior to production of each item. The use of the University's trademarks on consumer goods produced, ordered or sold by units of the University must be approved in writing by the President or his or her designee prior to production of each item. Items include, but are not limited to, brochures,

binders, T-shirts, coffee mugs, tickets, balloons, uniforms, booths and exhibits. Written approval is required for each specific use.

Approval to use the design for one application, e.g., T-shirts, does not grant someone permission to change the design even slightly for reuse or to apply it to another item, such as a coffee mug, without seeking additional written approval. Using a trademark on items such as letters or memos does not require permission from the University. The University reserves the right to approve or disapprove any use of the trademarks, even if not explicitly prohibited by this policy or these guidelines.

(a) *Product Approval Guidelines*

The following products normally will not be approved by the University:

- products that could be used to injure or kill;
- products that could present a high-liability exposure;
- alcohol-related products;
- tobacco-related products;
- sexually suggestive products;
- food products and accompanying packaging;
- beverage products and accompanying packaging;
- products that are inimical to the mission or image of the university.

(b) *Art Approval Guidelines*

Certain art/designs will not be approved for use in conjunction with University's trademarks. These include the following:

- art depicting the use or endorsement of alcohol;
- art depicting the use or endorsement of illegal drugs;
- art depicting the use or endorsement of tobacco products;
- art depicting the use or endorsement of firearms or other weapons;
- art depicting racist, sexist, hateful, demeaning or degrading language or statements;
- art depicting profanity;
- art depicting sexual acts;
- art depicting statements impugning other universities;
- art or a design incorporating trademarks or copyrights not owned by the university, unless written permission for such use is obtained from the mark holder or copyright owner.

2. **Compliance:** Individuals and suppliers who use the University's trademarks without permission from the University are subject to actions including receiving a cease-and-desist notice, having merchandise confiscated and legal proceedings.
3. **Class Projects:** Any item/artwork/project produced as part of a course and which uses the University's trademarks for non-commercial purposes does not require a license and is royalty exempt; however, for the purpose of monitoring use to assure protection of the trademark, the student, team leader or faculty member overseeing the project is asked to notify the President or his or designee of the use of a trademark prior to the start of the project.

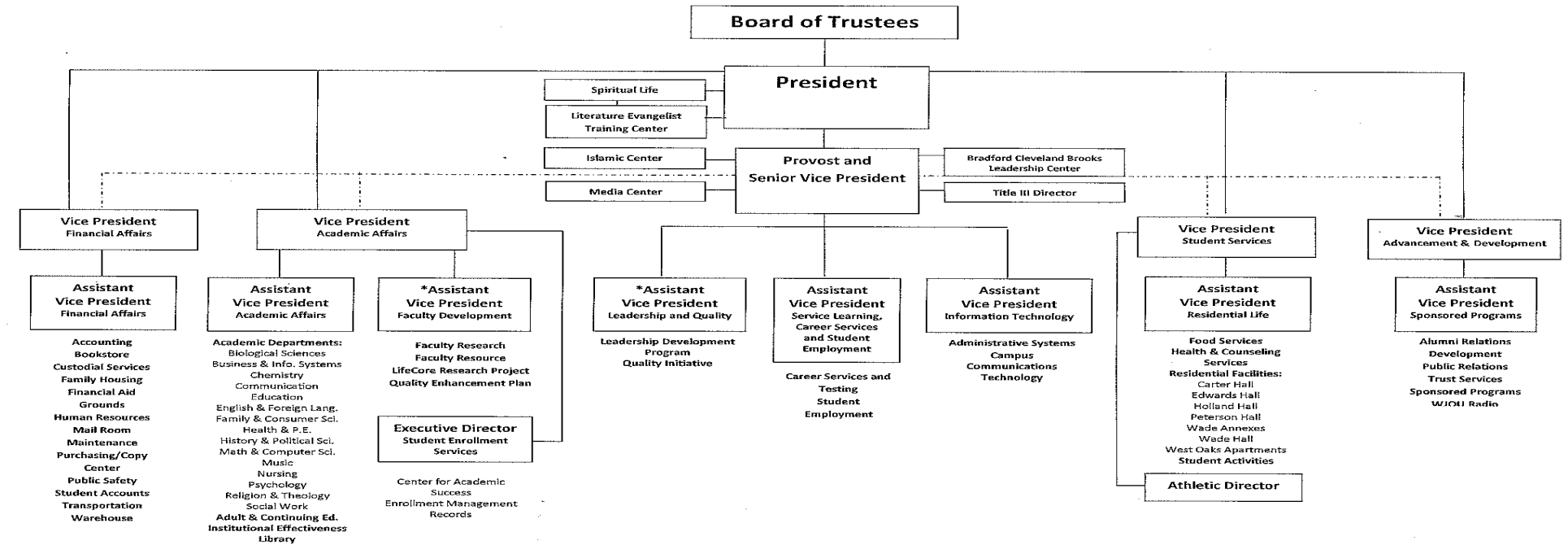
### **INTELLECTUAL PROPERTY ADMINISTRATION COMPONENT**

This policy shall be interpreted by the Intellectual Property Committee that is chosen by the President or the Provost. It shall consist of five to seven members, of which the majority shall be from the teaching faculty. In order to allow for continuity, the members of this committee may serve initial terms of one to three years (as designated by the President or Provost). Succeeding members may serve terms of three years, and may be reappointed.

### **APPEALS AND ARBITRATION**

Any person aggrieved by the proposed application of any provision of this Policy may appeal to the Intellectual Property Committee. This committee may consider appeals, interpret the policy and make recommendations to the President or the Provost. All appeals must be in writing and should clearly state the basis for the grievance and should be made within 30 days of knowledge of an existing conflict. Appeals of committee recommendations should be made in writing to the President or Provost within 30 days of notice of the recommendations and written decisions.

## OAKWOOD UNIVERSITY Organizational Chart



LEGEND: \*Indicates 50% time  
**Bold Emphasis:** Separate entities within the division  
*Italic Emphasis:* Individual departments under division

Source: Office for Institutional Effectiveness  
 Updated: November 14, 2011

# **OAKWOOD UNIVERSITY**



## **RESTATED ARTICLES OF INCORPORATION AND BYLAWS**

**May 28, 2006**  
*Huntsville, Alabama*

**RESTATED ARTICLES OF INCORPORATION AND BYLAWS**

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STATE OF ALABAMA )

COUNTY OF MADISON )

**AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF OAKWOOD UNIVERSITY, INC.**

**PREAMBLE**

KNOW ALL PEOPLE BY THESE PRESENTS: That the undersigned, as President of **OAKWOOD UNIVERSITY, INC.**, a Corporation organized and existing under the laws of the State of Alabama, (the "Corporation") hereby certifies that, in accordance with Sections 10-3A-81, 10-3A-82 and 10-3A-84 of the Alabama Nonprofit Corporation Act ("ANCA"), the Articles of Incorporation of the Corporation (the "Articles") were amended and restated by the approval of at least two-thirds (2/3) of the members of the Corporation at a meeting of the members, duly called and held and at which a quorum was present, as of the 28<sup>th</sup> of May, 2006, and states as follows:

That the name of the Corporation, is OAKWOOD UNIVERSITY, INC.

That the date of filing of the original Articles with the Judge of Probate of Madison County, Alabama, was April 15, 1944 (the "Original Articles").

That the text of the Original Articles is hereby amended by deleting the text of the Original Articles and by incorporating the provisions thereof into new Articles I through X, and restating the Articles in full to read as hereinafter set forth:

**ARTICLE I**

Name

The name of the Corporation shall be Oakwood University, Inc.

**ARTICLE II**

Registered Office and Agent

The location of the principal office of this Corporation is Huntsville, county of Madison, Alabama. The resident agent of the Corporation shall be the President of the Corporation, 7000 Adventist Boulevard, NW, Huntsville, Alabama, 35896.

**ARTICLE III**

Duration

The term for which the Corporation shall be organized and the duration of its existence shall be perpetual.

**ARTICLE IV**

Purpose

4.01 The Corporation is organized exclusively for charitable, religious, educational, literary, and scientific purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), or the corresponding provision of any subsequent federal tax law. In furtherance of such purposes, the Corporation is organized primarily to:

a) Further the educational and spiritual ministry of the international Seventh-day Adventist Church, in the context of a historically Black institution of higher education that is maintained under the auspices of its sponsoring organization, the General Conference of Seventh-day Adventists.

4.02 The purpose of this Corporation is implemented through its ability to:

- a) Confer academic and professional degrees.
- b) Provide quality Seventh-day Adventist Christian education.
- c) Facilitate an atmosphere for appreciation of oneself and the affirmation of cultural diversity.
- d) Issue degrees, certificates, and diplomas evidencing the completion of courses of instruction which may be given by it.
- e) Promote the dissemination of knowledge.
- f) Conduct research, encourage learning and the advancement of knowledge.
- g) Give opportunities for the pursuit of Christian values, character development, and service to humanity.

4.03 No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of (or in opposition to) any candidate for public office. Notwithstanding any other provisions of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under Section 501(c)(3) of the Code or the corresponding provision of any subsequent federal tax law, or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Code or the corresponding provision of any subsequent federal tax law.

## **ARTICLE V**

### **Membership**

The membership of the Corporation shall be comprised of Seventh-day Adventists in regular standing as prescribed and made up as specified in the Bylaws of the Corporation, Article 3, Section 1A, Section 2. At least fifty percent (50)% shall be composed of members from specific denominational constituencies, boards, or executive committees of organizations that are listed in the current edition of the *Seventh-day Adventist Yearbook*.

## **ARTICLE VI**

### **Board of Trustees**

The Trustees of this Corporation shall be made up of the number of members specified in the Bylaws, the manner of the election of the Trustees, the conditions of their service, and the length of terms which they serve shall be specified in the Bylaws as stated in Article 3, Section 2 through 4, of the Bylaws.

## **ARTICLE VII**

### Bylaws

The Bylaws of the Corporation and the rules and regulations governing the operation of the Corporation may be made, adopted, or amended at any regular meeting of the membership (constituency) or at any special meeting thereof called for such purpose. Such adoption or amendment shall be made by a two-thirds (2/3) vote of the members, subject to quorum rules.

## **ARTICLE VIII**

### Amendments

These Articles may not be amended nor may the Corporation adopt a plan of merger, consolidation or dissolution or sell, lease, mortgage, pledge or otherwise dispose of all or substantially all of its property without the affirmative votes of not less than two-thirds (2/3) of the members of the Constituency that are present and voting at a regular meeting of the constituency or at any special meeting thereof called for said purpose, subject to quorum rules.

## **ARTICLE IX**

### Asset Disposition

The Corporation may adopt a plan of merger, consolidation or dissolution or sell, lease, mortgage, pledge or otherwise dispose of all or substantially all of its property with the affirmative votes of at least two-thirds (2/3) of the members of the constituency that are present and voting at any regular meeting of the constituency or at any special meeting thereof called for said purpose, subject to quorum rules.

## **ARTICLE X**

### Dissolution

Upon dissolution of the Corporation, the Board of Trustees shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of all assets of the Corporation exclusively for the purpose of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, or religious purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue law), as the Board of Trustees shall determine. In no way shall any of the assets or property, in the event of dissolution, go or be distributed to members, either for the reimbursement of any sum subscribed, donated, or contributed by such members, or for any other such purpose, it being the intent in the event of dissolution of the Corporation that the property and assets then owned by the Corporation shall be devoted exclusively to charitable, educational, or religious purposes. In the event the General Conference Corporation of Seventh-day Adventists exists as a corporate entity at the time of the dissolution of the Corporation, and qualifies for the tax-exempt status described in this Article, the assets of the Corporation shall be disposed of by gift to said General Conference Corporation of Seventh-day Adventists.

## **ARTICLE XI**

### Liability

Pursuant to Section 10-11-1, *et. seq.*, Code of Alabama (1975), all noncompensated officers of the Corporation shall be immune from suit and not subject to civil liability arising from the conduct of the affairs of the Corporation except when the act or omission of such officer, which gives rise to a cause of action, amounts to willful or wanton misconduct or fraud, or gross negligence. For purposes of this Article X, the term "officer" shall include the Corporation's officers, directors, and trustees, and the members of any other governing body of the Corporation.

**OAKWOOD UNIVERSITY, INC.**

\_\_\_\_\_  
Delbert W. Baker, Ph.D.  
President

**STATE OF ALABAMA )**

**COUNTY OF MADISON )**

The undersigned, Notary Public in and for said County in said State, hereby certify that Delbert W. Baker, Ph.D., whose name as President of OAKWOOD UNIVERSITY, INC., an Alabama nonprofit corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, the same was executed voluntarily.

Given under my hand this the 28th day of May, 2006.

\_\_\_\_\_  
Notary Public  
[NOTARIAL SEAL]

My commission Expires: \_\_\_\_\_

**CERTIFICATE OF SECRETARY**

I certify that I am the duly elected Secretary of Oakwood University, Incorporated, an Alabama nonprofit Corporation, and that the amended and restated Articles of Incorporation on this and the previous three pages are the amended and restated Articles of Incorporation as adopted by the members at a meeting duly called on May 28, 2006, at which a quorum was present.

Executed on May 28, 2006, at Oakwood University, Huntsville, Alabama.

\_\_\_\_\_  
Secretary

**BYLAWS  
of  
OAKWOOD UNIVERSITY, INC.**

**PREAMBLE**

Know all people by these present, that Oakwood University is organized by the General Conference of Seventh-day Adventists under the laws of the State of Alabama. These Bylaws operate within the terms and provisions of the Articles of Incorporation of this Corporation which define Oakwood University as an institution of higher education within the educational system of the Seventh-day Adventist Church. Founded in 1896, Oakwood University, a historically Black, primarily liberal arts, four (4) year coeducational institution, has as its fundamental purpose quality Christian education. As a General Conference institution, Oakwood University serves national and international students who come from diverse geographical, cultural, educational, and socioeconomic backgrounds.

In accordance with the laws of the State of Alabama, Oakwood University is organized as a nonstock, nonprofit educational Corporation upon a membership basis with the number, qualification, rights, preferences, and limitations of the members of the Corporation (commonly called the constituency) set forth in these Bylaws. The members of the Corporation are required to receive reports and elect a Board of Trustees. The Board of Trustees is then required to provide governance for the Corporation. The Board of Trustees appoints the President and officers of the Corporation to administer its business, policies, and decisions.

**ARTICLE I**

**Name**

The name of this Corporation is Oakwood University, Inc.

**ARTICLE II**

**Location**

The principal office of the Corporation shall be located at Oakwood University, 7000 Adventist Boulevard, NW, Huntsville, County of Madison, Alabama 35896.

**ARTICLE III**

**Membership of the Corporation**

**SECTION 1. Constituency**

- A. The constituent membership of the Corporation shall be comprised of the persons specified in items 1 and 2 of this subsection, all of whom shall be members of the Seventh-day Adventist Church in regular standing:
1. From the officers and employees of the Corporation as follows:
    - a. The officers of the Corporation and University Administrators.
    - b. Thirty percent (30%) of full-time faculty of the University, as selected by the faculty at a duly called meeting of the Faculty Assembly.
    - c. Two (2) full-time staff persons from each administrative unit of the University selected at a duly called meeting of the Staff Business Session.
    - d. A student representative from the student body of the University.

2. Employees and laypersons of the Seventh-day Adventist Church who are not employees of the Corporation as follows:
  - a. The members of the General Conference Executive Committee residing in North America, exclusive of North American Division officers as noted in 2. b. (1), who may be present at any regular meeting or special meeting of the membership.
  - b. From the North American Division of the General Conference as follows:
    - (1) the President and Secretary.
    - (2) the President, Secretary, and Treasurer of each Regional Conference and the Bermuda Conference.
    - (3) Union Conference Presidents, if not included in paragraph 2. a.
    - (4) the Regional Affairs Directors of the Pacific Union Conference and the North Pacific Union Conference.
  - c. From the Southern Union Conference of Seventh-day Adventists as follows:
    - (1) members of the Executive Committee.
    - (2) members of the South Central Conference Executive Committee.
    - (3) the Senior Pastor of the Oakwood University Church.
  - d. The President of the Adventist Healthcare System Sunbelt.
  - e. From the Board of Trustees and the Alumni Association:
    - (1) members of the Board of Trustees who are not included in any group described in paragraphs 1 or 2 of this section.
    - (2) one (1) person who is an alumnus of Oakwood University, as selected by the Officers of the Oakwood University Alumni Association.
  - f. One (1) layperson from each Regional Conference and the Bermuda Conference, except Regional Conferences within the Southern Union, from which there shall be two laypersons.

## **SECTION 2. Meetings of the Corporation**

- A. **Regular Meeting:** The membership of the Corporation shall hold a regular meeting within twelve (12) months following the quinquennial (5-year) session of the General Conference of Seventh-day Adventists. In addition, the officers of the Corporation, as defined in Article V, Section 1.A., shall meet not less than annually.
- B. **Time and Place:** The time and place of the regular or any special meetings of the membership of the Corporation shall be set by action of the Board of Trustees.
- C. **Special Meetings:** Special meetings of the membership may be called by the Board of Trustees, and shall be called upon by written request of not less than ten percent (10%) of the members of the Corporation, delivered to the Chair, a Vice Chair, or a Secretary of the Corporation. The notice of a special meeting of the members shall state the purpose(s) for which it is called and only the purpose(s) for which it is called shall be considered at such meeting.

- D. Notice of Meetings: The Secretary of the Corporation shall give written notice of the time, place, and purposes of the regular and special meetings of the members of the Corporation not less than ten (10) nor more than sixty (60) days before the day of the meeting, either personally or by mail, to each member of record entitled to vote at the meeting and shall publish in the *Adventist Review* a notice of each regular or special meeting of the membership of the Corporation at least four (4) weeks before the date of such meeting.
- E. Quorum: At any meeting of the membership of the Corporation, fifty (50) or more members present in person shall constitute a quorum of the members for all purposes, except that a lesser number shall have power to adjourn the meeting from time to time until a quorum shall be present. Such adjournment and the reasons therefore shall be recorded in the minutes of the proceedings.
- F. Voting: Each member of the Corporation shall have only one (1) vote, and there shall be no voting by proxy.
- G. Rules of Order: The current issue of the *General Conference Rules of Order* shall govern the conduct of the meetings of the members of the Corporation.
- H. Officers: The following officers of the Board of Trustees shall preside at the quinquennial, or five-year session, and at any other special meeting of the membership of the Corporation:
  - 1. Chair:
    - a. The Chair of the Board of Trustees of the Corporation shall serve as chair at meetings of the membership.
    - b. The Chair shall be authorized to appoint a designee on his/her behalf as Chair of the Board of Trustees.
    - c. The functions of the Chair shall be to collaborate with the Secretary in the preparation of the agenda, and to preside at regular and special meetings of the membership.
  - 2. Vice Chairs:
    - a. There may be several Vice Chairs, who will consist of at least the following: the North American Division President, the South Central Conference President, and a layperson.
    - b. The functions of a Vice Chair shall be to act in the absence of the Chair and will be designated to serve in that capacity by the Chair. The Vice Chairs may have other responsibilities as designated by the Chair.
  - 3. Secretary
    - a. The Secretary of the Board of Trustees shall serve as Secretary of the meeting of the membership.
    - b. The functions of the Secretary shall be to assist the Chair in the preparation of the agenda and to take, prepare, distribute, and be custodian of the minutes of meeting of the membership.

### **SECTION 3. Duties**

- A. Additional Powers: In addition to the powers conferred upon the members of the Corporation by the Articles, the members shall have the following additional powers, functions, and duties:

1. Receive reports of the operation of the Corporation
  2. Approve all changes to the Articles of Incorporation and the Bylaws of the Corporation as proposed.
  3. Approve any change in the corporate purposes of the institution.
  4. Take such other actions as may be necessary and proper to carry out the purposes of the Corporation and to advance its interests.
- B. Nominating Committee: The members shall elect the Nominating Committee from the membership of the Corporation.
1. At the regular meeting of the members of the Corporation, the Nominating Committee shall nominate not more than thirty-seven (37) persons to serve as the Board of Trustees of the Corporation for the ensuing term.
  2. The Nominating Committee shall consist of up to sixteen (16) members from the categories and appointed as follows from among the members of the Corporation.
    - a. The General Conference of Seventh-day Adventist ex-officio members [4]:
      - (1) The President of the General Conference or the President's designee shall serve as Chair of the Nominating Committee [1].
      - (2) The Secretary of the General Conference or designee [1].
      - (3) The Treasurer of the General Conference or designee [1].
      - (4) The President of the North American Division or designee [1].
    - b. Elective members (12): The elective members of the Nominating Committee shall be appointed by the following five (5) groups represented within the membership of the Corporation. Each of the following groups shall appoint the designated number of members to the Nominating Committee from among their respective group.
      - (1) Five (5) persons from the Regional Conferences.
      - (2) Two (2) persons from the Southern Union Conference.
      - (3) Three (3) persons from the University faculty.
      - (4) One (1) person from the University staff.
      - (5) One (1) additional person who shall be the Young Alumnus currently serving on the Board of Trustees.
    - c. The Chair of the Nominating Committee shall be the President of the General Conference of Seventh-day Adventists or his/her designee.
    - d. The Secretary of the Nominating Committee shall be elected from among the members of the Nominating Committee at its first meeting.



#### **SECTION 4. Term and Termination**

- A. The term of membership in the Corporation shall be five (5) years unless sooner terminated as specified in paragraph B of this section.
- B. Membership in the Corporation shall not be transferable and shall be terminated by death, resignation, expulsion, expiration of a term of membership, or upon failure of a member of the Corporation to meet the qualifications of membership as set forth in Section 1 hereof.
- C. A terminated member shall be replaced by the successor in office or by the group or committee comprising the membership of this Corporation, as the case may be, or as otherwise provided by these Bylaws.

### **ARTICLE IV**

#### **Board of Trustees**

##### **SECTION 1. Governance**

The Board of Trustees has the statutory duty to provide governance for and manage the property, business, and affairs of the Corporation. The Board of Trustees, because of this governance function, shall ensure that the Corporation is administered by its elected officers in accordance with its mission, policies and decisions.

##### **SECTION 2. Qualifications and Tenure**

Each Trustee shall hold office for a term of five (5) years from the time of his/her election and qualification until his/her successor is duly elected or until the occasion of his/her resignation, removal, disqualification, incapacity, or death. A Trustee shall be deemed qualified as such only after filing a written acceptance of such office with the Secretary of the Corporation. A Trustee, other than an ex-officio member of the Board of Trustees, shall not serve more than three (3) consecutive terms, unless specifically designated by resolution of the Board of Trustees in accordance with the Bylaws.

##### **SECTION 3. Membership**

The membership of the Board of Trustees shall consist of thirty-seven (37) persons. The Board of Trustees shall be elected by the members of the Corporation at its regular meeting as follows:

- 1. Ex-officio members:
  - a. The President, Secretary, and Treasurer of the General Conference [3].
  - b. A Vice President of the General Conference designated by the General Conference President [1].
  - c. The President of the North American Division and one other officer [2].
  - d. The President of Oakwood University[1].
  - e. The President of the Southern Union Conference [1].
- 2. Nine Regional Conference Presidents [9].
- 3. The Regional Affairs Director of the Pacific Union Conference and the North Pacific Union Conference [2].

4. Eleven (11) lay representatives shall be elected with representatives from the union territories of the North American Division, and may include a member of the Committee of 100 or similar organizations [11].
5. One (1) President of the National Alumni Association [1].
6. One (1) Pastor who is actively pastoring a congregation [1].
7. The President (1) of the Adventist Healthcare System Sunbelt [1].
8. Two (2) additional Union Presidents from the North American Division of the General Conference of the Seventh-day Adventist Church [2].
9. One (1) additional at-large person shall be elected who may not be a member of the constituency [1].

#### **SECTION 4. Invitees**

- A. Regular: The number of regular attendees shall not exceed fifty percent (50%) of the members of the Board of Trustees.
- B. Advisors: The Board of Trustees shall appoint the following to serve as advisors to the Board of Trustees who shall be regularly invited to attend Board of Trustees meetings in an advisory capacity, and shall provide input and support to advance the mission of the University.
  1. The Director of Education of the General Conference of Seventh-day Adventists, or his/her designee [1].
  2. The Vice President responsible for education for the North American Division of the General Conference or his/her designee [1].
  3. The Union Presidents from the North American Division of the General Conference who are not members of the Board of Trustees [6].
  4. The President of the Bermuda Conference [1].
  5. The Editor of *Message* magazine [1].
  6. Faculty members [2].
  7. Staff member [1].
- C. Emerita/Emeritus Trustees: The Board of Trustees may elect as Emerita or Emeritus Trustee, any person who has been elected to membership on the Board of Trustees, and who has served not fewer than three (3) full terms (a total of fifteen (15) years). Recommendations for Emerita or Emeritus Trustee may be made to the Board of Trustees by the University Administration. An Emerita or Emeritus Trustee shall receive notices and minutes sent to members of the Board of Trustees, and shall be invited to attend and may speak at all Board of Trustees meetings without vote.
- D. Honorary Trustees: The Board of Trustees may appoint honorary status to such a person who has demonstrated extraordinary and distinctive services to the University. Honorary Trustees shall assist in the development of the University under the direction of the President of the Corporation. Recommendations for honorary Trustees may be made to the Board of Trustees by the University administration. Honorary Trustees shall receive notices and minutes sent to members of the Board of Trustees, and shall be invited to attend and may speak at all Board of Trustees meetings without vote.

- E. Invitees: The Board of Trustees may invite other persons to meet with the Board of Trustees as approved by the members of the Board of Trustees.

#### **SECTION 5. Additional Powers and Duties**

- A. The powers and duties conferred upon the Board of Trustees, in addition to those set forth by statute, include the following:
1. Maintain the University as a Seventh-day Adventist institution of higher education and as an integral part of the Church in fulfillment of its educational objectives.
  2. Elect the President and officers of the University and Corporation.
  3. Elect the officers of the Board of Trustees.
  4. Establish, approve, and maintain the policies that govern the University.
  5. Develop and facilitate adequate financial support for the operation and development of the University.
  6. Authorize and establish all corporations and entities related to the University in accordance with all necessary laws and regulations.
  7. Establish and discontinue schools, departments, and degrees.
  8. Delegate any of the powers of the Board of Trustees to any standing or special committee or to any officer, agent, or employee upon such terms as it may deem proper.
  9. Adopt annual budgets and require regular auditing of financial accounts review and receive the annual report of the auditor.
  10. Authorize improvement, expansion, and the acquisition and disposition of all real and personal property.
  11. Discipline or remove the officers of the University for cause, the removal of whom shall be only by an affirmative vote of two-thirds (2/3) of all the Trustees.
  12. Appoint, promote, or remove faculty members on the recommendation of the President.
  13. To authorize the officers of the University to execute annuity agreements, trust agreements, life income agreements, and other documents entrusted to the University.
  14. To authorize policies that govern the affairs of the University. To fulfill the mission of the University, the Board of Trustees must continually evaluate the needs of Seventh-day Adventist young people, educationally, occupationally, morally, spiritually, and socially.
  15. Accept, receive, manage, invest, and administer real and personal property of every kind and description transferred in any manner to the Corporation in trust for the benefit of the Corporation or the donor, trustor, or grantor thereof, or the heirs, dependents or other beneficiaries of such donor, trustor or grantor, in accordance with the terms and conditions of the instrument creating the trust, or as provided by law.
  16. Remove any Trustee for cause deemed sufficient, such removal being only by an affirmative vote of two-thirds (2/3) of all the Trustees or by a majority vote of the members of the Corporation at any regular or special meeting thereof.

17. Fill any vacancy of any office and/or create or adjust a title of an officer.
18. Fill any vacancy in the Board of Trustees occurring by reason of the resignation, removal, disqualification, incapacity, or death of a Trustee by a majority vote of the members of the Board of Trustees, the substitute Trustee shall hold office for the unexpired portion of the term related to such vacancy.
19. To appoint a Recording Secretary who may or may not be a member of the Board of Trustees.

## **SECTION 6. Chair, Vice Chairs, and Secretary**

- A. At the first meeting following its election, the Board of Trustees shall be called to order by the President of the General Conference of Seventh-day Adventists or said President's designee for the election of the President of the University, other officers, and for consideration of any other matter which may come before the meeting. The Board of Trustees shall elect the officers of the Board of Trustees as follows:
  1. Chair
    - a. The Chair shall be selected from among the members of the Board of Trustees who are representatives from the General Conference Executive Committee. The General Conference President may bring a recommendation for the position of Chair of the Board of Trustees from among the Vice Presidents of the General Conference.
    - b. The functions of the Chair of the Board of Trustees shall be to:
      - (1) Call and preside at regular and special meetings of the members of the University Board of Trustees, of the Executive Committee, and other committees as designated by the Board of Trustees.
      - (2) Act as official spokesperson for the Board of Trustees.
      - (3) Be knowledgeable of the affairs and issues of higher education and be capable of bringing this knowledge to bear upon the plans, programs, and policies of the University.
      - (4) Acquaint himself/herself fully with the Board of Trustees' policies and philosophies to ensure that they support the purposes, goals, and mission of the University.
      - (5) Assist in fund-raising, in facilitating Board of Trustees members to participate in fund-raising, and in securing overall gifts, resources, and expertise for the institution.
      - (6) Lead out in the appropriate orientation of new Trustees, in collaboration with the Secretary of the Board of Trustees.
      - (7) Consult with the Secretary and Vice Chairs in the appointment and membership of the committees of the Board of Trustees, and to ensure that the committees of the Board of Trustees function in a manner to effectively advise the Board of Trustees and to accommodate the needs of the governance of the University.
      - (8) Call to order executive sessions of the Board of Trustees for business with only full Board of Trustees members or other persons as specified by the Chair of the Board of Trustees.

- (9) Facilitate periodic evaluations of the President of the University by the Board of Trustees.
- (10) Collaborate with the President and Vice Chairs in the planning and evaluation of the responsibilities of the University.
- (11) Act as adviser to the President.
- (12) Liaison closely with the General Conference President.
- (13) Ensure that all actions of the constituency, and all actions of the Board of Trustees are carried into effect through the University President.
- (14) Perform such other duties as the Board of Trustees shall delegate.

2. Vice Chair(s)

- a. One (1) or more Vice Chairs shall be chosen from among the members of the Board of Trustees, one (1) of whom shall be an officer of the North American Division of the General Conference.
- b. A Vice Chair of the Board of Trustees shall preside at all meetings of the members of the Corporation and of the Board of Trustees at which the Chair of the Board of Trustees is not present, or at the request of the Chair.
- c. A Vice Chair of the Board of Trustees shall perform other responsibilities as designated by the Chair of the Board of Trustees.

3. Secretary

- a. The Secretary of the Board of Trustees shall be the President of the University.
- b. The functions of the Secretary of the Board of Trustees shall be to:
  - (1) Collaborate with the Chair in facilitating the planning and scheduling of regular and special meetings of the Board of Trustees and in implementing the business of the Board of Trustees.
  - (2) Correspond and/or communicate, or cause a designee to correspond and/or communicate, with relevant entities and persons on behalf of the Board of Trustees.
  - (3) Act as custodian to maintain, or cause a designee to maintain, all Board of Trustees' policy statements, minutes, and other official records of the Board of Trustees.
  - (4) Perform, or cause a designee to perform, other duties as prescribed from time to time by the Board of Trustees.
  - (5) Advise the Chair on the appointment and membership of committees of the Board of Trustees.

- 4. An Assistant Secretary may be elected from among the members of the Board of Trustees, who shall perform the duties of the Secretary in case of his/her absence or inability to act, and perform other duties as may be delegated by the Secretary or authorized by the Board of Trustees.

5. The Recording Secretary who shall be appointed as defined in Section 5(a)19 of this article. It shall be the function of the Recording Secretary to keep the minutes of all sessions of the Board of Trustees and perform other duties as may be delegated by the Secretary or authorized by the Board of Trustees.

#### **SECTION 7. Meetings**

- A. A regular meeting of the Board of Trustees shall be held without any other notice than this Bylaw immediately after, and at the same place as, the regular meeting of the members of the Corporation.
- B. Regular meetings of the Board of Trustees shall be held at such time and place as the Board of Trustees may determine and shall be held at least biannually. Special meetings of the Board of Trustees may be called by the Chair of the Board of Trustees, or if the Chair of the Board of Trustees is absent or unable or refuses to act, by a Vice Chair of the Board of Trustees, or upon written request of not less than twenty percent (20%) of all the Trustees in office delivered to the Secretary.
- C. Except as provided in paragraph A of this Section, notice of all meetings of the Board of Trustees shall be given at least seven (7) days previously thereto by electronic means or written notice delivered personally or sent by mail to each Trustee at his/her address as shown on the records of the Corporation.
- D. Members of the Board of Trustees shall be deemed present at any meeting if a conference telephone or similar communication equipment is used, by means of which all persons participating in the meeting can communicate with each other.

#### **SECTION 8. Quorum**

Nineteen (19) members of the Board of Trustees shall constitute a quorum for the transaction of business at any meeting of the Board of Trustees.

#### **SECTION 9. Voting**

Voting shall be by voice, roll call, or hand vote at the direction of the Chair, unless a secret ballot is requested, but not by proxy. Ballots shall be counted as appointed by the Chair.

#### **SECTION 10. Resignation of Trustees**

Any Trustee may resign at any time upon written notice to the Corporation, addressed to its principal office, or to its President or its Secretary. Any such resignation shall become effective at the time or upon the happening of the condition, if any, specified therein, or if no such condition or time is specified, upon its receipt. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

#### **SECTION 11. Conflict of Interest**

- A. A Trustee shall be considered to have a conflict of interest if the Trustee has existing or potential financial or other interests which impair or might reasonably appear to impair the exercise of independent, unbiased judgment in the discharge of responsibilities of the University; or if the Trustee is aware that a family member (a spouse, parent, sibling, or child, or any relative residing in the same household as the Trustee), or any organization in which the Trustee (or a family member), as an officer, director, employee, member, partner, Trustee, or controlling stockholder, has such existing or potential financial or other interests.

- B. All Trustees shall disclose to the Board of Trustees any possible conflict of interest at the earliest practical time. No Trustee shall vote on any matter under consideration at a meeting of the Board of Trustees or any of its committees in which the Trustee has a conflict of interest. The minutes of such a meeting shall reflect that a disclosure was made and that the Trustee having a conflict of interest abstained from voting. Any Trustee who is uncertain whether a conflict of interest may exist in any matter may request the Board of Trustees or a committee of the Board of Trustees to resolve the question by a majority vote.
- C. All Board of Trustees members shall annually execute conflict of interest statements.

#### **SECTION 12. Ethical Responsibility**

- A. It is the ethical responsibility of individual members of the Board of Trustees to keep in mind the mission and goals of the University when making decisions and to reject actions which are merely expedient. Personal decisions shall be based on all available facts in each situation. Individual votes shall result from honest conviction, unswayed by partisan bias of any kind. Trustees shall make clear to other Trustees any significant disagreement with an action under consideration.
- B. Trustees shall work with other Trustees in a spirit of decency, harmony, and cooperation in spite of differences of opinion that may arise during debate on issues.
- C. Trustees must recognize that the legal authority of the Board of Trustees is only expressed by action of the Board of Trustees as a group and that individual members have no legal authority. Trustees shall conduct relations with constituents, the University staff, and the community accordingly.
- D. Trustees shall maintain the confidentiality of deliberations of the Board of Trustees and abide by and uphold the final actions taken.
- E. Trustees shall refrain from inviting persons to sessions of the Board of Trustees unless authorized by the Chair or by vote of the Board of Trustees.
- F. Trustees shall refrain from interference with the President and his/her staff in the conduct of administrative affairs of the institution.

#### **SECTION 13. Unanimous Consent Without Meeting**

Any action required or permitted by the Articles of Incorporation or the Bylaws, or any action required by provision of law to be taken by the Board of Trustees or a committee thereof at a meeting or by resolution, may be taken without a meeting if before or after the action all members of the Board of Trustees or of the committee consent thereto in writing. The consents shall be filed with the minutes of the proceedings of the Board of Trustees or committee. The consent has the same effect as a vote of the Board of Trustees or committee for all purposes.

#### **SECTION 14. Executive Committee**

- A. At the first meeting following its election, the Board of Trustees shall appoint not more than eleven (11) of their own number to serve as an Executive Committee.
- B. The Chair (and his/her designee), Vice Chairs(s), and Secretary of the Board of Trustees shall be ex-officio members of the Executive Committee and shall serve as the Chair, and Vice Chair(s), and Secretary of the Executive Committee, respectively.

- C. The Board of Trustees shall have the power at any time to change the membership of the Executive Committee and to fill all vacancies.
- D. The Executive Committee shall have, and may exercise between meetings of the Board of Trustees, all the authority of the Board of Trustees in the governance of the Corporation, except that the Executive Committee shall not have authority with respect to the following matters, unless the Board of Trustees specifically delegates such powers to it:
  - 1. Elect, appoint, or remove any member of any committee of the Board of Trustees, including the Executive Committee, or any Trustee or officer of the Corporation.
  - 2. Recommend to the members an amendment to the Articles of Incorporation or Bylaws.
  - 3. Recommend to the members that the Corporation adopt an agreement of merger or consolidation.
  - 4. Recommend to the members sale, lease, or exchange of all or substantially all of the Corporation's property or assets.
  - 5. Recommend to the members a dissolution of the Corporation or revocation of a dissolution.
  - 6. Amend or repeal any resolution or action of the Board of Trustees which by its terms may be amended or repealed only by the Board of Trustees.
- E. The affirmative vote of a majority of the members present shall be necessary for the adopting of any resolution or action. A quorum of six (6), including a Chair or Vice Chair, shall be necessary for the transaction of business.

**SECTION 15. Other Committees**

- A. Prior to each regular or special meeting of the members of the Corporation, the Board of Trustees shall appoint a committee whose duties shall be to prepare recommendations for amendments, addition or deletions to the Articles of Incorporation and the recommended changes in the Bylaws to be submitted to the members of the Corporation for approval.
- B. The Board of Trustees, by resolution adopted by a majority of the Board of Trustees, may designate other standing and ad hoc committees of the Board of Trustees such as an Audit Committee, a Finance Committee, and other committees as needed, and may delegate to such committees such responsibilities and authority as the Board of Trustees deems desirable for the efficient functioning and development of the University. Such committees shall serve for a term concurrent with the Board of Trustees and may include non-trustees.

**ARTICLE V**

**Officers of the Corporation**

**SECTION 1. General**

- A. Officers: The officers of the Corporation shall be determined by the Board of Trustees and shall include a President, who shall be the President of the University; a Secretary, who shall be the Vice President for Financial Affairs or another officer designated by the Board of Trustees and shall not be a member of the Board of Trustees; a Treasurer, who shall be the Vice President for Financial Affairs; one or more Vice Presidents; and other officers as deemed necessary. Any two or more offices may be held by the same person, except the office of the President.



- B. Election and Term of Office: At the first meeting following its election, the Board of Trustees shall elect the President and the officers of the Corporation. If the election of officers is not held at such meeting, such election shall be held at a special meeting of the Board of Trustees not more than 30 days after the first meeting of the Board of Trustees following its election as the Board of Trustees. The term of each officer shall be for five (5) years; however, the election of an officer does not constitute an employment contract with the Corporation or the University. New offices may be created and filled at any meeting of the Board of Trustees. Each officer shall hold office for the term for which he/she is elected or appointed and until his/her successor shall have been duly elected and shall have qualified or until his/her death, or until he/she resigns, or shall have been removed in the manner hereinafter provided.
- C. Removal: Any officer of the Corporation, elected or appointed by the Board of Trustees, may be removed by the Board of Trustees whenever in its judgment the best interest of the Corporation would be served thereby. Such a removal shall be only by an affirmative vote of two-thirds (2/3) of all the Trustees in office.
- D. Vacancies: A vacancy in any office because of death, resignation, removal, disqualification, or otherwise is to be filled by the Board of Trustees for the unexpired portion of the term. Procedures and process for filling any vacancies or any office will be determined by the Board of Trustees.

## **SECTION 2: President**

- A. Duties to the Corporation: The President of the Corporation shall in general supervise the business of the Corporation. He/she shall perform all duties incident to the office of President and such duties as may be prescribed by the Board of Trustees.
- B. Duties to the University: The President shall be the Chief Executive Officer of the University and shall provide the spiritual, academic, and administrative leadership. He/she has primary responsibility for personnel, programs, budgets, and fund-raising. The President represents and speaks for the University before the Board of Trustees and to all public and private agencies. His/her functions shall include but not be limited to:
  - 1. Directing the implementation of the policies and the fulfillment of the directives of the Board of Trustees.
  - 2. Rendering an annual comprehensive report that includes the annual audited financial statement.
  - 3. Presenting the annual budget of the University.
  - 4. Recommending to the Board of Trustees the appointment of the administrative officers of the University.
  - 5. Appointing other administrators below the rank of Vice President.
  - 6. Appointing, promoting, reassigning, disciplining, or terminating other administrators and nonacademic staff within the policies of the *North American Division of the General Conference Working Policy*, the *Oakwood University Administrative Policy Manual*, and the *Oakwood University Faculty Handbook*.
- C. Powers: The President shall exercise such specific powers as are assigned to him/her by the Board of Trustees. In the exercise of these functions, he/she shall be assisted by the administrators in respective areas of responsibility, each of which is an extension of his/her office. In the event that the President shall for reason of absence, health, or any other reason be or become unable to serve as Chief Executive Officer of the University, then in that event, during such interim, the Provost shall serve as the acting Chief Executive Officer of the University until such time as the President again takes up such responsibilities or the Board of Trustees shall otherwise provide. In the event the

Provost shall for any reason be unable, then, in that event, one of the following named officers shall assume the responsibility of acting Chief Executive Officer of the institution in the following order, to wit: the Senior Vice President (in the event that there is no Provost acting as such), the Vice President for Academic Affairs, the Vice President for Financial Affairs, the Vice President for Student Services, and the Vice President for Advancement and Development.

### **SECTION 3. Provost**

The Provost serves under the President and is the Senior Vice President of the University officers, and is the Assistant to the President in areas of administration and planning.

### **SECTION 4. Senior Vice President**

In the event there is no Provost, a Vice President may be recommended by the President to be Senior Vice President and confirmed by the Board of Trustees.

### **SECTION 5. Vice Presidents**

Vice Presidents shall be recommended by the President and confirmed by the Board of Trustees. The duties of all administrative officers of the University shall be such as normally pertain to those officers and shall be fully delineated in an institutional policy manual and in a handbook of faculty working policy. Vice Presidents shall include but not be limited to: a Vice President for Academic Affairs, a Vice President for Financial Affairs, a Vice President for Student Services, and a Vice President for Advancement and Development.

### **SECTION 6. Secretary**

The Vice President for Financial Affairs, or other officer designated by the Board of Trustees, shall act as the Secretary of the Corporation and shall maintain the minutes of the meetings of the members of the Corporation in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; keep a register of the postal address of each member which shall be furnished to the Secretary by such member; and, in general, perform all duties incidental to the office of Secretary and other duties as may be assigned to him/her by the President.

### **SECTION 7. Treasurer**

The Vice President for Financial Affairs shall act as the Treasurer and shall give a bond for the faithful discharge of the Treasurer's duties in such sum and with such surety or sureties as the Board of Trustees shall determine. The Treasurer shall have charge and custody of, and be responsible for, all funds and securities of the Corporation; receive and give receipts for monies in the name of the Corporation in such banks, trust companies, and other depositories as shall be selected in accordance with the provisions of Article VI of these Bylaws; and, in general, perform all the duties incidental to the office of Treasurer, and such other duties as from time to time may be assigned to him/her by the President.

## **ARTICLE VI**

### **Contracts, Checks, Deposits, and Funds**

#### **SECTION 1. Contracts**

The Board of Trustees may authorize any officer or officers, agent or agents, to enter into any contract, to execute and deliver any instrument, or to acknowledge any instrument required by law to be acknowledged in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances, but the appointment of any person other than an officer to acknowledge an instrument required by law to be acknowledged should be made by instrument in writing. Unless otherwise specifically determined by the Board of Trustees, or otherwise required by law, contracts of the Corporation, deeds, conveyances, leases, bonds, and other papers, instruments, and documents of the Corporation shall be executed, signed, or endorsed by the President or a Vice President together with the Secretary or the Assistant Secretary, and may affix the corporate seal thereto.

## **SECTION 2. Checks, Drafts, Etc.**

All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents, of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Trustees. In the absence of such determination by the Board of Trustees, such instruments shall be signed by the Treasurer and countersigned by the President of the Corporation.

## **SECTION 3. Deposits**

All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the administrators may select.

## **SECTION 4. Gifts**

The administration may accept on behalf of the Board of Trustees any contribution, gift, bequest, or device for the general purposes or for any special purpose of the Corporation.

## **ARTICLE VII**

### **Exculpation**

Pursuant to Section 10-11-1, *et. seq.*, Code of Alabama (1975), all noncompensated officers of the Corporation shall be immune from suit and not subject to civil liability arising from the conduct of the affairs of the Corporation except when the act or omission of such officers which gives rise to a cause of action amounts to willful or wanton misconduct or fraud, or gross negligence. For purposes of this Article, the term "officer" shall include the Corporation's officers, trustees, and the members of any other governing body of the Corporation.

## **ARTICLE VIII**

### **Indemnification**

The Corporation shall indemnify any Trustee or officer, or former Trustee or officer of the Corporation, or any person who may have served at its request as a Trustee or officer of another corporation which it controls, or in which it owns shares of capital stock, or of which it is a creditor, against reasonable expenses, including attorney's fees, actually and necessarily incurred by him/her in connection with the defense of any civil, criminal, or administrative action, suit, or proceeding in which he/she is made a party, or with which he/she is threatened by reason of being, or having been or because of any act of such Trustee or officer, within the course of his/her duties or employment, except in relation to matters as to which he/she shall be adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of his/her duties. The Corporation may also reimburse any Trustee or officer for the reasonable costs of settlement of any such action, suit, or proceeding, if it shall be found by a majority of a committee composed of the Trustees not involved in the matter in controversy (whether or not a quorum) that it was to the interests of the Corporation that such settlement be made and that such Trustee or officer was not guilty of negligence or misconduct. The right of indemnification herein provided shall extend to the estate, executor, administrator, guardian, and conservator of any deceased or former Trustee or officer or person who himself/herself would have been entitled to indemnification. Such rights of indemnification and reimbursement shall not be deemed exclusive of any other rights to which such Trustee or officer may be entitled under any statute, agreement, vote of members, or otherwise.

**ARTICLE IX**

**Nondiscrimination**

The Corporation shall be committed to equal educational and employment opportunities for men and women, and shall not discriminate on the basis of race, color, sex, national origin, or disability (if otherwise qualified) among its students or employees, or among applicants for admission or employment.

**ARTICLE X**

**Waiver of Notice**

Whenever any notice is required to be given under the provisions of the Alabama Nonprofit Corporation Act or under the provisions of the Articles of Incorporation or the Bylaws of the Corporation, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

**ARTICLE XI**

**Amendments**

These Bylaws may be amended by a two-thirds (2/3) vote of the members of the Corporation present and voting at any regular or special meeting of the Corporation, when the proposed amendment does not conflict with federal or state laws or with the Articles of Incorporation. When it is proposed to change the Bylaws at any special meeting of the Corporation, notice shall be given to that effect in the notice of the meeting.

**CERTIFICATE OF SECRETARY**

I certify that I am the duly elected Secretary of Oakwood University Incorporated, an Alabama nonprofit Corporation, and that the above amended and restated Bylaws of Oakwood University on this and the previous fifteen pages are the amended and restated Bylaws as adopted by the members at a meeting duly called on May 28, 2006, at which a quorum was present.

Executed on May 28, 2006, at Oakwood University, Huntsville, Alabama.

\_\_\_\_\_  
Secretary

Amended November 2, 2008

## GUIDELINES FOR ASSESSING DIVERGENT VIEWS AND FOR THE DISCIPLINING OF DISSIDENTS: CHURCHES, CONFERENCES, EDUCATIONAL INSTITUTIONS, AND NON-ACADEMIC INSTITUTIONS

The church reserves the right to employ only those individuals who personally believe in and are committed to upholding the doctrinal tenets of the church as summarized in the document, *Fundamental Beliefs of Seventh-day Adventists*. Such individuals are issued special credentials by their respective church bodies identifying them as continuing workers in the church.

As church members, employees continue to be subject to the conditions for church membership as stated in the *Church Manual*. This document also relates to employment as salaried workers.

It is understood that the disciplining of such a church employee who persists in propagating doctrinal views differing from those of the church is viewed not as a violation of his freedom, but rather as a necessary protection of the church's integrity and identity. There are corporate church rights as well as individual freedoms. The worker's privileges do not include the license to express views that may injure or destroy the very community that supports and provides for him.

In spite of a careful process of screening and selection, there still may be occasions when a worker's theological views are brought under critical review. If a hearing is necessary, the following process is recommended:

### **1. Private Consultation Between the Chief Executive Officer and the Worker.**

Consultation should be in a spirit of conciliation, allowing the worker every opportunity to freely express his convictions in an open and honest manner. If this preliminary conversation indicates that the individual is in advocacy of doctrinal views divergent from accepted Adventist theology and is unwilling to refrain from their recital, the chief executive officer shall refer the matter to the conference/institutional executive committee, which will then arrange for a select committee to review the situation with the worker.

At the time of consultation between the chief executive officer and the worker, the officer's perception of the point in question shall determine the administrative options that shall be pursued.

- A. If the worker voluntarily initiates a consultation and informs the chief executive officer of his theological uncertainties, and if his attitude is open to counsel without compulsion to promulgate his doubts and views, the following course of action is recommended:
  1. The worker will continue to function at his post and will render a written report of his position before the end of six months.
  2. If within that period the matter is satisfactorily resolved, no further action is necessary.
  3. If the matter is not resolved, the executive committee of the conference/institution in which the worker is employed shall arrange for a hearing before a review committee. (See below for its composition and function.)
- B. If the worker actively promotes his divergent doctrinal opinions and his chief executive officer is obligated to initiate the consultation, the following course of action is recommended:
  1. The worker, at the discretion of the conference/institutional executive committee, shall either remain in his position with express instructions to refrain from private or public presentation of his views or shall be placed on administrative leave during the period of the hearing.
  2. The executive committee of the conference/institution in which the worker is employed shall arrange for a hearing before a review committee. (See below for its composition and function.)

## 2. **The Review Committee.** Its Composition and Function.

- A. The Review Committee, including peers chosen by the conference/institution executive committee with the concurrence of the next higher organization, shall give hearing to and judgment upon the doctrinal issue.
- B. The doctrinal views of the worker shall be submitted by him to the review committee in writing previous to the meeting. At the time of review he shall be available for discussion with the committee.
- C. The review committee shall conduct its business with serious purpose, complete honesty, and scrupulous fairness. After a careful adjudication of the points at issue, it shall give a detailed, written report of the discussion with its recommendations to the conference/institutional executive committee. If agreement is not reached within the committee, a minority report shall also be included.
- D. If the review committee finds that the views of the worker are compatible with the fundamental beliefs of the church, no further action will be necessary. However, if the worker's theological position is at variance with Seventh-day Adventist doctrine, the review committee shall discuss its conclusions with the worker and advise him:
  - 1. To restudy his theological position in the hope that this will eliminate his theological divergence.
  - 2. To refrain from the promulgation of his divergent doctrinal views.
- E. If the worker is unable to reconcile his theological views with the denominational positions and also feels constrained by his conscience to defend his views both privately and publicly, the review committee shall recommend to his executive committee that his credentials be withdrawn.
- F. If the worker has discovered a new position that is accepted as valid by the review committee, his view shall be studied by the union conference officers (in the case of a division/General Conference institution, the officers of the division/General Conference) and, with appropriate recommendations, shall be referred to the Biblical Research Institute of the General Conference for final disposition.

## 3. **Provision for Appeal.**

- A. The dissenting worker may make an appeal and appearance before an appeal committee of seven members appointed by the union executive committee (or the division committee in the case of a division/General Conference institution). This committee shall be chaired by the union conference president or his designate and shall include the ministerial secretary of the union, two representatives named by the division/General Conference executive committee, the conference/institutional chief executive officer, and two of the worker's peers selected from among five names submitted by him.
- B. Any recommendations of the union conference (division, if in a division institution) appeal committee shall be referred to the union conference (division) executive committee. The union conference (division) officers through their chief executive officer shall notify the worker of their collective decision.
- C. Any recommendations of the union conference (division) executive committee shall be referred back to the conference/institutional executive committee for final action on the worker's employment.
- D. A last appeal may be made by the worker to the executive committee of the division of the General Conference in which he resides. Their decision shall be final and shall be communicated to the executive committee of the employee's conference/institution.

During the period of hearing, review, and appeal, the worker shall refrain from public discussion of the issues involved.

## CODE OF ETHICS FOR SEVENTH-DAY ADVENTIST EDUCATORS

We Seventh-day Adventist educators affirm and confess Jesus Christ, the Master teacher, as our mentor. Learning from Him we strive to disciple our students, modeling His ways with people. Because all truth is God's truth, and because the knowledge of truth is the way to freedom (John 8:32), we pledge ourselves to search for it, to share it with those who seek, in harmony with the principles outlined below. We affirm that it is the ethical responsibility of Adventist educators:

1. To manifest our total commitment to God, to His Word, and to the beliefs and mission of the Seventh-day Adventist Church. In fulfilling this principle, we
  - a. Nurture our personal relationship with God through regular devotions, prayer life, and meditation.
  - b. Accept and study the Bible as God's Word.
  - c. Accept and study the writings of Ellen G. White as authoritative counsel given to the Seventh-day Adventist Church.
  - d. Belong to and actively participate in the life of a local Seventh-day Adventist church.
  - e. Engage in active witness to the saving grace of Jesus Christ, in the context of His soon return.
  
2. To provide all students with equal opportunity for the harmonious development of their faculties and potentials. In fulfilling this principle, we
  - a. Affirm our belief in the dignity of all human beings and pledge fair treatment of all students.
  - b. Endeavor to lead every student under our influence to Jesus Christ, the only Savior, and to His family, the church.
  - c. Recognize our obligation to make discreet use of personal information about a student or his/her home. Release of such information will be made only if sanctioned by law or as authorized by the student and/or his/her family.
  - d. Abstain from abusing our professional position by requesting or accepting financial, sexual, or other favors from the students or their family.
  - e. Provide factual letters of recommendation to appropriate persons and agencies upon request from the students in view of their professional advancement and learning.
  
3. To establish, model, and safeguard the highest standards in professional competence and behavior. In fulfilling this principle, we
  - a. Accept responsibility for our conduct and seek to safeguard the good name of our profession by urging our subordinates to abide by high professional standards.
  - b. Support policies and procedures that will ensure just and equitable treatment of all members of the profession in the exercise of their professional rights and responsibilities.
  - c. Cooperate in the development and implementation of constructive policies affecting education.
  - d. Give an honest description of assignments and work conditions to applicants seeking employment.
  - e. Support selective recruitment of Seventh-day Adventist teachers and help orient teaching assistants, interns, and new faculty.
  - f. Refrain from exerting inappropriate pressure based on the authority of our position at the expense of a colleague.
  - g. Adhere to the conditions of a contract or to the terms of an appointment until either has been terminated in accordance with policy.
  - h. Use personal and professional information accurately and responsibly when evaluating the character and work of a colleague.
  - i. Maintain integrity when dissenting by basing any criticism on valid assumptions established by careful evaluation of the facts.
  - j. Abide by the grievance process as voted by the governing authority of the employing institution.



- k. Accept no gratuities or gifts which might influence judgment in the exercise of professional duties.
  - l. Engage in no activities which will impair our effectiveness as Christian educators or commercially exploit our professional position.
4. To foster an instructional environment in which the free exchange of ideas is prized.
- In fulfilling this principle, we
- a. Assume unequivocally the Seventh-day Adventist biblical stance in our instruction while presenting other views fairly.
  - b. Foster responsible discussion of all points of view, respecting the students' right to form their own position, and encourage the students to choose the Seventh-day Adventist position.
  - c. Conduct seminars, tutorials, and class instruction in the spirit of learning without intimidation or reprisals, leading students to a deeper understanding of and commitment to truth.
  - d. Utilize grading, not as an instrument of discipline or coercion, but as a reliable way of providing students with a fair assessment of their learning in relation to the stated objectives of the course.
5. To maintain the highest norms of scholarship and integrity in research, production, and communication of findings. In fulfilling this principle, we
- a. Exercise integrity in the use and interpretation of the findings and writings of other scholars.
  - b. Explore truths on a personal level while understanding and respecting appropriate settings to share our findings.
  - c. Make appropriate use of time and resources received for professional research and other activities.
  - d. Fulfill our professional commitments to students, their families, our employing institution, and to other individuals or organizations.
  - e. Make available the data of the research to be refereed and published, as long as the privacy or confidentiality of those involved is not violated.
  - f. Seek to reach a mutual agreement between researchers in a group effort. We respect the division of work, compensation, access to data, rights of authorship, and other rights contained in the agreement.
  - g. Respect legal, professional, and religious constraints on research, and use consent forms in the case of human subjects.
6. To be concerned with and involved in the life and conditions of the school and community in which we work and live. In fulfilling this principle, we:
- a. Share with all citizens the responsibility for the development of sound public policy, especially in the domain of education.
  - b. Participate in the regular exercise of self-evaluation, the evaluation of programs and the performance of our school for the purpose of maintaining acceptable standards of accreditation.
  - c. Protect the good name of the Seventh-day Adventist Church against unreasonable attacks and malicious slander.
  - d. Participate in activities that will benefit the local communities.

**--Approved March 1997--**  
**World Education Directors' Consultation**  
**Loma Linda, California, U.S.A.**  
**Revised May 1997**

**Sources of Other Pertinent Information**

- *University Bulletin*
- *Institutional Policy and Procedures Manual*
- *Other Institutional Handbooks*

## **BOARD POLICY** **Removal of a Trustee for Cause**

1. Initiation of Investigation. Any member of the Board of Trustees may initiate the procedure for the removal of another Trustee for cause (as defined below) upon a motion made at any duly convened meeting of the Board of Trustees, or to the Executive Committee of the Board of Trustees, as applicable, by presenting such evidence as such moving Trustee deems sufficient to show that such other Trustee should be removed for “cause.” The policy shall define “cause” as follows:
  - a. A Trustee’s breach of any material duty or obligation under the University’s Articles of Incorporation, Bylaws, or policies;
  - b. A Trustee is convicted or pleads guilty or nolo contendere to any misdemeanor (other than traffic violation), felony, or any crime involving fraud, dishonesty or misappropriation;
  - c. A Trustee willfully or recklessly engages in misconduct that causes or will cause material harm to the University, including to the reputation or mission of the University; or
  - d. A Trustee willfully engages in an act that constitutes a conflict of interest with the University without the approval of the University’s Board of Trustees or the Executive Committee of the Board of Trustees, as may be provided in the University’s Articles of Incorporation or Bylaws from time to time.
  - e. A Trustee engages in an act which is determined to be in violation of the tenets of the Seventh-day Adventist church leading to loss of membership in the local church as provided for in the General Conference Working Policy, BA 40
2. Investigation. Following such Motion, the Board of Trustees, or the Executive Committee of the Board of Trustees, as applicable, shall vote whether to investigate such Trustee proposed to be removed for cause (the “Investigated Trustee”) in light of the evidence presented. If the Board of Trustees, or the Executive Committee of the Board of Trustees, as applicable, chooses to initiate an investigation, the Board of Trustees, or the Executive Committee of the Board of Trustees, as applicable, shall select members of such body to form an ad hoc investigative committee, which shall conduct an investigation of such Investigated Trustee concerning the allegations made by the moving member. Upon a Trustee becoming an Investigated Trustee, such Investigated Trustee shall not be entitled to vote on matters submitted for a vote to the Board of Trustees or to any committee thereof or to attend meetings of the Board of Directors or any committee thereof. The investigation shall be concluded on or prior to the ninetieth (90) day following the motion referenced in paragraph (1) above, and the ad hoc investigative committee shall submit its results to each member of the Board of Trustees at the time of such conclusion.
3. Rebuttal. Within thirty (30) days following the submission of the results of the investigation to the Board of Trustees, the Investigated Trustee shall have the opportunity to notify the Board of Trustees of such Investigated Trustee’s intent to rebut the findings of the investigation. Such rebuttal may be submitted to the Board of Trustees in the form of written documentation and/or in the form of an oral presentation. Such rebuttal must be presented to the Board of Trustees no later than sixty (60) days following the submission of the results of the investigation to the Board of Trustees.
4. Removal. Following the rebuttal, if any, the Chairperson of the Board of Trustees shall call a meeting of the Board of Trustees for the purpose of voting on the removal of such Investigated Trustee. Such meeting shall be held not less than sixty (60) days following the submission of the rebuttal referenced in the preceding paragraph.