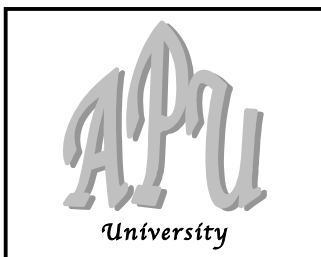
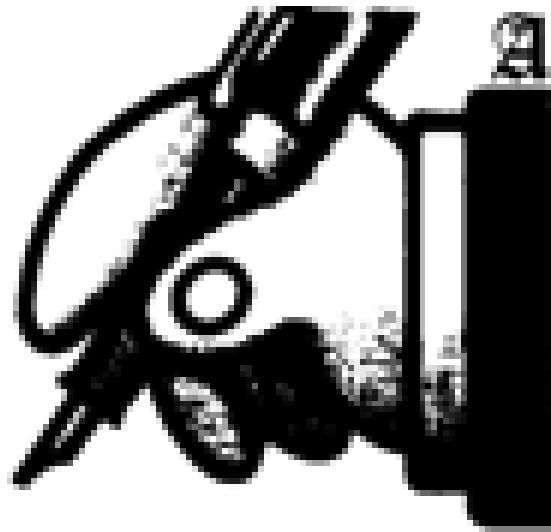


AMERICAN PATHWAYS UNIVERSITY

FACULTY-STAFF MANUAL



*To **KNOW** by Acquiring Knowledge
To **DO** by Equipping Reason & Skills
To **BECOME** by Liberating the Soul*

*So that in Truth and Grace every individual may live free, serve
God and society, and be stewards of creation.*

CONTENTS

INTRODUCTION	7
PROFILE OF AMERICAN PATHWAYS UNIVERSITY	7
Description	
Mission	
Purposes and Objectives	
Serve Denver’s Inner City	
Educational Purposes: Thinking, Doing, Being	
The Educational Purposes and the Curriculum	
Methodology: Pedagogy, Andragogy, Synergogy	
Community Service and Leadership	
Accreditation	
Accessibility	
Affordability	
Vision, Values, and Priorities	
University Vision	
University Values	
Organizational Priorities of the University	
GOVERNANCE AND ADMINISTRATION	14
Organizational Chart	
Patterns Of Governance	
Board Of Directors	
Administration: The University Center	
General Employment Qualifications	
Senior Administration	
Office of the President	
President (Chief Executive Officer)	
Provost and Vice President for Academic Affairs and Chief Operations Officer	
Vice President for Institutional Management	
Vice President for Institutional Advancement	
Office of the Provost and Vice President for Academic Affairs and Chief Operations Officer	
Provost and Vice President for Academic Affairs (COO)	
Dean of Students	
Director of Enrollment Management	
Director of Library Services and Learning Resources	
Academic Department Directors (Departmental Chairs)	
The Professoriate And Shared Academic Governance	
Philosophy of Shared Academic Governance	
Academic Policy-Making Bodies	
The Board of Directors	
The Professoriate/Faculty	
The Professoriate And Policy Formation	
Structures And Processes Through Which Faculty Carry Out These Roles And Responsibilities	
Standing Committees Of The Faculty	
Academic Departmental Committees	
Academic Curriculum and Policies Committee	
Faculty Performance and Promotions Committee	
Academic Assessment Committee	
Academic Advisory Council	

THE UNIVERSITY PROFESSORIATE	31
Structure For Handling Faculty Appointments, Reappointments, Promotion, Tenure	
The Faculty Paradigm	
How The University Determines That It Has A Sufficient Number Of Full-Time Faculty	
Faculty Qualifications For Appointment	
Multi-Disciplinary Faculty	
Credentials	
Motivations	
Skills	
Commitments	
Appointment Categories	
Full-time	
Part-time	
Faculty Rank And Rank Qualifications	
Professor	
Associate Professor	
Assistant Professor	
Instructor	
Lecturer	
Visiting Professor	
Tenured Faculty	
Administrative Officers and Staff Members with Faculty Rank	
Promotion Criteria And Procedures	
Procedure	
Criteria for Promotion	
PHILOSOPHY OF INSTRUCTION	35
APU Student Needs Analysis And Instructional Methodology Objectives	
Synthesis Of The Learning Objective Triad: Thinking-Doing-Being	
Situational Teaching	
Classroom Leadership	
Situational/Contingency Teaching And The Six Paradoxes	
University Professors As Developers	
ACADEMIC FREEDOM AT AMERICAN PATHWAYS UNIVERSITY	40
ACADEMIC PROCEDURES	41
Changes in course, faculty, and classroom assignments, classroom regulations, instructional materials, textbook selection and ordering, instructional technology for faculty use, building access policies, classroom management, instructor absences, course syllabus/format, faculty copyright protection, examinations/alternatives, school closure	
ACADEMIC POLICIES	41
American Pathways University Academic Catalog	
Policies relating to academic advising, registration, academic standards, grading system, credit transfer, prior learning credit, retroactive credit, unaccredited institutions transfer of credit, dropping and adding a course, standard student load, maximum course load per term, privacy rights of students	
Student Handbook	
Policies relating to University Ethics, student, staff and faculty Code of Conduct, Student and Employee Rights and Due Process, Student Life Policies and Procedures, Student Discipline Committee Policies and Procedures, Student Appeal and Review Procedures	
PERSONNEL POLICIES	41
Management Objectives Of American Pathways University	
People	
Individual Freedom	

Trust	
Partnership and Teamwork	
Respect for Infrastructural Colleagues and Functions	
Job Dignity	
Open, honest communication	
Leadership and Followership	
EBWA	
Visionary Leadership	
Inspiration	
Networking	
Personifying the Vision	
Futuristic thinking	
ODP	
Collegiality	
WIHS	
Ethics	
Corporate Objectives	
People development	
Leadership and Management	
Citizenship	
Field of Interest	
Innovation and Growth	
Clientele	
Infrastructure	
Honesty and Integrity	
FACULTY AND STAFF GRIEVANCE PROCEDURES	45
Scope	
Preliminary Adjudication	
Final Adjudication	
UNIVERSITY PRINCIPLES OF ETHICS AND CODE OF BEHAVIOR	46
Principles Of Ethics	
Code Of University Community And Student Conduct	
University Honor Code	
General Principles And Specific Applications	
University Standards And Criminal Violations	
General Standards Of Conduct For Which Action May Be Taken If A Violation Occurs	
Academic Integrity And Dishonesty	
Inclusiveness And Nondiscrimination	
Disability Accommodations	
PROFESSIONAL STANDARDS	50
Employment Of Relatives	
Nepotism	
Outside Professional Activities	
General Policy	
Consulting	
Teaching at Another College	
Conflict of Interest	
Use of University Facilities for Outside Remunerative Employment	
Professional Activities Not Considered as Outside Consulting	
Publication	
Professional Service	

VIOLATIONS OF SCHOLARLY AND RESEARCH INTEGRITY	53
PROCEDURES FOR DISCIPLINARY REVIEW AND ACTION	53
University Procedures In Cases Of Suspected Academic Dishonesty	
Harassment	
Amorous Relationships Involving Evaluative Authority	
Drugs And Alcohol Policy	
Ethical Use Of Computing	
World Wide Web Policy	
Disciplinary Action On WWW Policy Violations	
STUDENT AND EMPLOYEE RIGHTS AND DUE PROCESS	59
Privacy Rights	
Notice of Privacy Rights for Students	
Notice of Directory Information	
Student Life Policies And Procedures	
Student Discipline Committee Policies And Procedures	
Student Appeal And Review Procedures	
Summary Suspension	
Permanent Record Notations	
Release Of Disciplinary Information	
Refund Policy After Disciplinary Action	
APPOINTMENT	62
Equal Opportunity Employer	
Nondiscrimination Policy	
Elaboration	
Appointment	
Reappointment	
Regular Faculty	
Tenured Faculty	
Adjunct Faculty	
Documentary Support For Personnel Actions	
TERMINATION	63
Dismissal For Cause And Right Of Appeal	
Sanctions Other Than Dismissal	
Termination For Reasons Of Financial Exigency Leading To Program Reduction, Program Elimination, And Faculty Dismissal	
RIGHT OF APPEAL AND REINSTATEMENT RIGHTS	65
Right Of Appeal	
Reinstatement Rights	
SAIA: STRATEGIC AND LONG-RANGE PLANNING	65
INTELLECTUAL PROPERTY RIGHTS	70

INTRODUCTION

Except as specifically delineated otherwise, all personnel policies—equal opportunity, grievance procedures, and the like—apply equally to faculty and staff.

PROFILE OF AMERICAN PATHWAYS UNIVERSITY

This Profile of the University briefly delineates such topics as mission, programs and services, teaching, service and research, organization, and the institutional status at the end of July 2003.

Description

As a private, nonprofit institution 501(c) (3), American Pathways University's educational agenda and methods arise out of the urban context of which it is a part and are supported by a coalition of nonprofit service agencies that focus on the inner city.

In terms of the Carnegie Classifications, vis-à-vis other institutions in the same category, American Pathways University (APU) is selective in its admission policies in that it focuses primarily on recruiting and serving students living in inner city Denver—especially those who are low-income. Although intrinsically capable of college-level achievement, these students have been underserved by existing traditional regionally-accredited higher education in the University's service area. It will enroll fewer than 1,500 students annually, will require completion of a General Education core curriculum for undergraduate graduation, and will award less than half of its degrees in the liberal arts fields.

Mission

American Pathways University provides a program of liberal higher education, including a core curriculum of liberal arts general education and specialized fields of study—primarily for metropolitan Denver's diverse urban, low-income, and inner-city learners who have been traditionally un-reached and underserved by higher education—that is accessible, affordable, and designed to facilitate immediate and long-term changes in thinking, doing, and being as cornerstones for successful lives, financial self-reliance, and leadership for functional communities. (American Pathways University Catalog, p. 7).

The mission of American Pathways University is founded on the following institutional predicates.

American Pathways University is committed to liberal education of acquiring knowledge, empowering reason, and liberating the soul, creating a free person that leads to a good citizen. "Liberal" comes from the Latin *liber* meaning "free." The liberal arts and sciences are necessary and must be accessible for every individual to **become free** as a person and to **remain free** amid political, scientific, and cultural change.

American Pathways University is committed to liberal arts education—that educational enterprise, based on reason and knowledge, that believes the full range of creation and knowledge should be examined and applied by men and women prepared by the humanities to exercise their God-given free agency and personal gifts as responsible and effective stewards of creation and their own destiny and as contributing citizens of society.

American Pathways University is committed to liberal arts educational experience that promotes thinking, doing, and being in the learner. **Thinking** is the cognitive investigation and acquisition of knowledge. **Doing** is the effective empowerment and use of reason. **Being** is the affective and imperative liberation of the human spirit.

Purposes and Objectives

To achieve its mission, the University has identified and pursues institutional purposes and educational

objectives. They are: (1) serve the inner city of Denver; (2) institute the educational purposes of thinking-doing-being; (3) provide a curriculum that facilitates the educational purposes; (4) utilize a teaching methodology that is culturally appropriate and educationally effective; (5) deliver a quality education (the accreditation objective); (6) provide community service and leadership; (7) accessibility; and (8) affordability.

The University's vision, values, and organizational priorities guide the institution and ensure that the mission, purposes, and objectives are reached. These are discussed in the following section.

Below, in this section, each educational purpose and objective of the University is discussed in detail.

1. Serve Denver's Inner City

All qualified students are welcome at American Pathways University. The location of the University and its primary service area is the inner city of Metropolitan Denver. The thirty-two neighborhoods within this geographical/cultural area are the following:

Athmar Park	Commerce City	Northeast Park Hill
Auraria-Lincoln Park	East Colfax	North Park Hill
Baker	Elyria Swansea	Skyland
Barnum	Five Points	Sun Valley
Barnum West	Globeville	Union Station
Capitol Hill	Highland	Valverde
Central Business	Jefferson Park	Villa Park
City Park West	Mar Lee	West Colfax
Civic Center	Montbello	Westwood
Clayton	North Aurora	Whittier
Cole	North Capitol Hill	

Some of the neighborhoods are resource-challenged, having suffered the effects of systemic neglect, suburban flight, organized exploitation, and urban blight. There has been progress redressing the decline of Denver's core city as government, urban renewal, private agencies, faith-based organizations, and community leadership have provided various services and promoted community development. Some of the community resources available to these neighborhoods and hence to students of the American Pathways University are 138 places of worship, 14 recreation centers, 39 public and private (K-12) schools, the Denver Public Library and 4 branch libraries, and 14 major art and cultural sites including the Denver Art Museum, the Colorado Historical Society Museum, the Denver Zoo, the Denver Botanical Gardens, the Denver Performing Arts complex, and the Denver Museum of Nature and Science.

2. Educational Purposes: Thinking, Doing, Being

Educational opportunities and academic success are essential pathways for social and spiritual growth and success, for financial self-reliance, and for positive leadership for individuals and for the nation itself. This is true for all American citizens, whatever their economic or social status, and for the communities in which they live. Existing traditional institutions of higher education inadequately serve low income and other urbanites living in the inner city. Inner city culture and needs require a unique approach to make accredited learning accessible and affordable to its residents. American Pathways University addresses this need and in so doing emulates the great missions of the American university: (1) teaching, research, and discovery, (2) integration of knowledge; and (3) application of knowledge to issues faced by individuals and to community problems and community service.

To achieve its mission and general educational purposes, the University has delineated for its students a triad of specific learning objectives under the rubric *Thinking-Doing-Being*.

- **Thinking** is *intellectual achievement* referring to the *cognitive* component of education, consisting of knowledge acquisition, cultural literacy, and critical thinking skills. Students also learn the

information of a discrete field of study, social ethics, and leadership principles (and skills) applicable to successful careers and functional communities.

- **Doing** is *vocational achievement* referring to the *effective* component of education, consisting of responsible leadership in the community and personal success in pursuit of career paths and application of decision-making and problem solving skills. Students learn how to use their competence in fields of study in the market place and the community so that they acquire marketable skills conducive to financial responsibility, self-reliance, and community leadership.
- **Being** is *developmental achievement* referring to two components of education. The *affective* component of education consists of personal growth and responsibility. Through the nurturing and academic experience of the University, students develop character and confidence. Students develop empowering personal skills necessary for successful lives. The *imperative* component of education consists of the principle of integrity in decision-making and conduct based on the understanding that men and women are psycho-somatic-spiritual beings. Values thus predicated include an appreciation of the following: divine prolegomena, providence and grace; human weakness, potential, redemption and responsibility; and respect for the sanctity of life and human rights and commitment to civic and social justice.

The University believes that achievement of the learning objectives of this know-do-be triad will facilitate in its students personal development, community spirit, family cultivation, professionalism, entrepreneurial mindsets, life management skills, and leadership styles and skills that produce successful individuals who are financially responsible and who contribute to the development of improving communities, especially Denver's inner city community.

3. The Educational Purposes and the Curriculum

In the United States of America, in order to graduate from college with the Associate of Arts (A.A.) or the Baccalaureate degree (B.A./Bachelor of Arts or B.S./Bachelor of Science), colleges and universities generally require students to complete a course of study that includes *General Education* (often called the Core Curriculum), a specialized field of emphasis (called *The Academic Major*), and additional courses of the student's choice called *Electives*. To this paradigm American Pathways University adds required courses in *Life Skills Development*. General education, life skills development, and the academic major are regarded essential to facilitating intellectual growth, ethical maturity, personal success, vocational accomplishment, financial self-reliance, and community leadership.

General Education at American Pathways University: Pathway to the Truly Educated Person

American Pathways University's General Education program is designed to assist each student to attain specified educational objectives and achievements. The General Education requirement includes courses in English, speech, history, sociology, political science, the fine arts, literature, science, computing, mathematics, leadership, philosophy, ethics, and economics. Specific learning outcomes from successful completion of the General Education requirement are delineated later in the *Catalog*. The General Education program ensures breadth of knowledge and promotes intellectual inquiry as a pathway to an educated person.

Life Skills Development at American Pathways University: Pathway to Personal Success and Achievement

Through the experience of a required *life skills development curriculum* and the nurturing interaction with faculty and peers, students will develop character, confidence, and empowering life skills that facilitate the personal growth and responsibility necessary for successful lives.

The Academic Major at American Pathways University: Pathway to Professional Achievement

American Pathways University's academic majors are designed to facilitate *professional* (or vocational) achievement. As a result, the academic majors facilitate personal success, financial self-reliance, and meaningful community leadership, especially leadership relevant to the inner city.

The Synthesis of General Education, Life Skills Development, and the Academic Major at American Pathways University: Pathway to Integration of Know-Do-Be

The synthesis of General Education (Know), the Academic Major (Do), and Life Skills Development (Be) produces a true education of the whole person who may be expected to be successful in life and financially responsible, and to contribute to the quality of life of his/her community.

4. Methodology Objective

The University's mission is predicated on understanding and serving both traditional (ages 18-22) and non-traditional (23 years of age and older) students. Many of these urbanites want to attend college, but they must retain their jobs and reserve time and resources for family and other responsibilities. The University believes the optimal educational experience for its students utilizes *pedagogical*, *andragogical*, and *synergical* learning methods that are both culturally appropriate and educationally effective.

- *Pedagogy* is predominately a highly structured classroom conveyance of information from teacher to student by the lecture method.
- *Andragogy* is participatory, student-centered, and focuses on individual needs and goals, with an emphasis on student initiative, independence, and responsibility. The teacher is a learning facilitator in this methodology.
- *Synergogy* emphasizes student collaboration, cooperation and team learning, with the teacher acting as a facilitator of learning, as well as a source of information and director of learning.

5. Accreditation Objective

The University is not now accredited but is authorized by the State of Colorado and is pursuing regional accreditation. In support of this objective, the University strives to maintain an educational excellence and a quality of learning that characterizes accredited universities and colleges. Specifically, the University seeks to maintain the standards set by the Colorado Commission on Higher Education and regional accrediting associations for associate and baccalaureate degrees. This includes setting and maintaining educational standards, offering academic programs of higher learning, and arranging credit certification and transfer with other institutions.

6. Community Service And Leadership Objective

Modern worldwide urbanization has produced benefits and problems. In the inner city, functionality is always an issue that requires fostering renewal, reconstruction, and responsibility. The problems faced by people in the inner city are best solved indigenously by individuals and their institutions. Sociologists and public policy makers recognize the limited opportunities in the 21st century for persons without a college degree. For example, 60% of American corporations require a college degree to grant an employment interview and a college graduate will earn about 80% more over a lifetime than a person who has not graduated from college. Economic resources of residents are important to functional communities. Education is a pathway to this objective in a two-fold way: individual and social. The individual gains the knowledge, skills, empowerment, self-esteem, opportunity, and responsibility valued in the market place. Socially, the inner city benefits from creation of wealth, edification, restitution, justice, reformation, and self-determination for its neighborhoods and residents.

Universities can be critical to the health and welfare of the inner city. American Pathways University seeks to be a university of the community, by the community, and for the community. Essential to American Pathways University's mission is the contribution it can make to the development and maintenance of functional communities. American Pathways University utilizes indigenous resources of the community to serve the community. Through its affiliation with such organizations as the Denver Institute of Urban Studies, 21stCentury Associates, and the Higher Education Leadership Partnership (The H.E.L.P. Consortium), APU also endeavors to be of service to the community by facilitating scholarly research and application of the findings of that research to the issues confronting the inner city of Denver. American Pathways University also serves as a nexus where the inner city and society at large can meet for mutually beneficial endeavors, including the sharing of culture, values, solutions, and resources.

7. Accessibility Objective

Traditional universities and colleges under serve low-income urbanites and members of the diverse inner city cultures because typical admission thresholds, administrative policies, and teaching methods are predicated on prior academic achievement generally unfamiliar in inner city communities. This results in what might be described as a "bridge too far" matriculation expectation that is unattainable by many potential inner city students amid post-high school minorities, low-income workers, ESL residents, heads of households with extended family obligations, single parents, victims of violence, abuse, destructive behavior, and many other dysfunctions. Traditional educational delivery systems often require the student to come to their level before he or she may receive their benefits, but many urbanites do not have the resources necessary to access traditional educational institutions. Accessible urban education must provide an alternative expectation predicated on the proposition that education must be extended to the inner city by beginning with the culture and experience of the potential student and then helping him/her build an educational pathway to the future. Access is achieved by programs and courses open to all students regardless of prior academic success and by individual educational plans. As necessary, supplemental educational support and services, such as GED preparation, ESL, remedial, and tutorial programs, are available so the finished academic product is equal to that of graduates of traditional institutions. In other words, American Pathways University's admission policy is non-exclusive, but its graduation product will be competitive.

8. Affordability Objective

The low-income and working poor often cannot afford the market value of higher education. Education must be affordable to the inner city in a manner that preserves the value of the educational experience and the dignity of the student. This is achieved by an 80% scholarship for all urban students through foundation grants, philanthropic faculty and staff, and use of community facilities such as libraries. With 20% of the tuition paid from the student's own funds, he/she invests in the value and affirms the dignity of his/her educational endeavor. An American Pathways University student is not excluded from the educational experience.

Vision, Values, and Priorities

The University's vision, values, and organizational priorities guide the institution and facilitate its mission, purposes, and objectives. These are discussed in detail below.

University Vision

It is the vision of American Pathways University that by the year 2008 the University will:

- Be known for delivering educational excellence of the character found in universities and colleges accredited by the North Central Association of Colleges and Schools;
- Be known for delivering superb general education and academic majors that empower low-income residents of Denver's inner city and other urbanites to achieve personal success, financial self-

- reliance, community development leadership, and long-term, observable changes in thinking, doing, and being;
- Be known for serving a student population diversified in terms of gender, ethnicity, and socio-economic status—especially low-income residents of Denver’s inner city;
 - Be known for offering affordable (through a scholarship grant program that funds 80% of a student’s tuition) and accessible undergraduate educational opportunities that are for the people, of the people, and by the people of the inner city;
 - Be known for an innovative, progressive, situational synthesis of pedagogical, andragogical, and synergical methods of instruction;
 - Be known for the high quality and humanitarian values of its faculty and staff;
 - Enroll a minimum of 1000 students (beginning with a minimum enrollment of 200 students in the first year of operation and adding 200 to the enrollment each successive year through the year 2008); and
 - Be known as the premier university in the western United States in serving low-income students from the inner city (and as such, a model for similar endeavors elsewhere).

University Values

The core values of American Pathways University are embodied in The Apostles Creed, Christian liberal arts education, the American experience, and democratic institutions. Such values and orientation provide a philosophical and a moral compass which are predicated on basic tenets: men and women are psychosomatic-spiritual beings; divine prolegomena, providence and grace; human weakness, potential, redemption and responsibility; and respect for the sanctity of life, human rights and social justice. Related ethical principles and practices are love your neighbor as yourself (altruism), turn the other cheek and do not repay evil with evil (peaceful resolution of individual and community issues), limited and constitutional government (render unto Caesar the things that belong to Caesar and unto God the things that belong to God), positive government (the state as God’s servant to do good), tolerance (judge not lest you be judged), do good to all persons, and compassion. These ethical principles and practices stand at the core of the University’s values.

The Apostles Creed is the oldest and most universally accepted statement of the Christian faith in the triune God and his Christocentric paradigm for personal and social redemption. Historic Christian traditions, such as Evangelicalism, Catholicism and others, have espoused and applied the Creed's faith-based orientation and affirmations. A faith-based orientation acknowledges in theory and in practice the spirituality of life and the existence of God, who is involved in the affairs of man, and the necessity for man to be involved in the affairs of God.

Christian liberal arts education is historically based on the Christian worldview that creation is rational, knowable, and beneficial because the Creator is intelligent, wise, and loving. It holds that the full range of creation and knowledge should be examined and applied by men and women prepared by the humanities to exercise their God-given free agency and personal gifts as responsible and effective stewards of creation, captains of their own destiny, and citizens of society.

The American experience is the heritage and personal experience of Americans that consists of a spirit of entrepreneurial, self-reliant, individual liberty innate to each person. It is guided by the great ideals of the Founders, rooted in Judeo-Christian principles and shaped by the endeavor of each generation to implement those ideals for the common good and to mitigate and correct social and individual shortcomings along the way.

Democratic institutions are those organizations of the people, for the people, and by the people that embody, preserve, and serve the social compact of the common good. Such institutions empower individuals to pursue and achieve successful lives and responsible self-reliance. They also enable society in general to pursue and achieve functional communities and the great ideals of social justice (e.g., equality of rights, opportunity, and treatment) for all.

Education based on these values is a value in itself. Thus predicated, American Pathways University believes education will produce an ethical and successful person who is empowered to practice the highest ideals of integrity, decision-making, and personal conduct. It is also a pathway to regeneration and empowerment in the inner city, with the result being economic development, and functional communities.

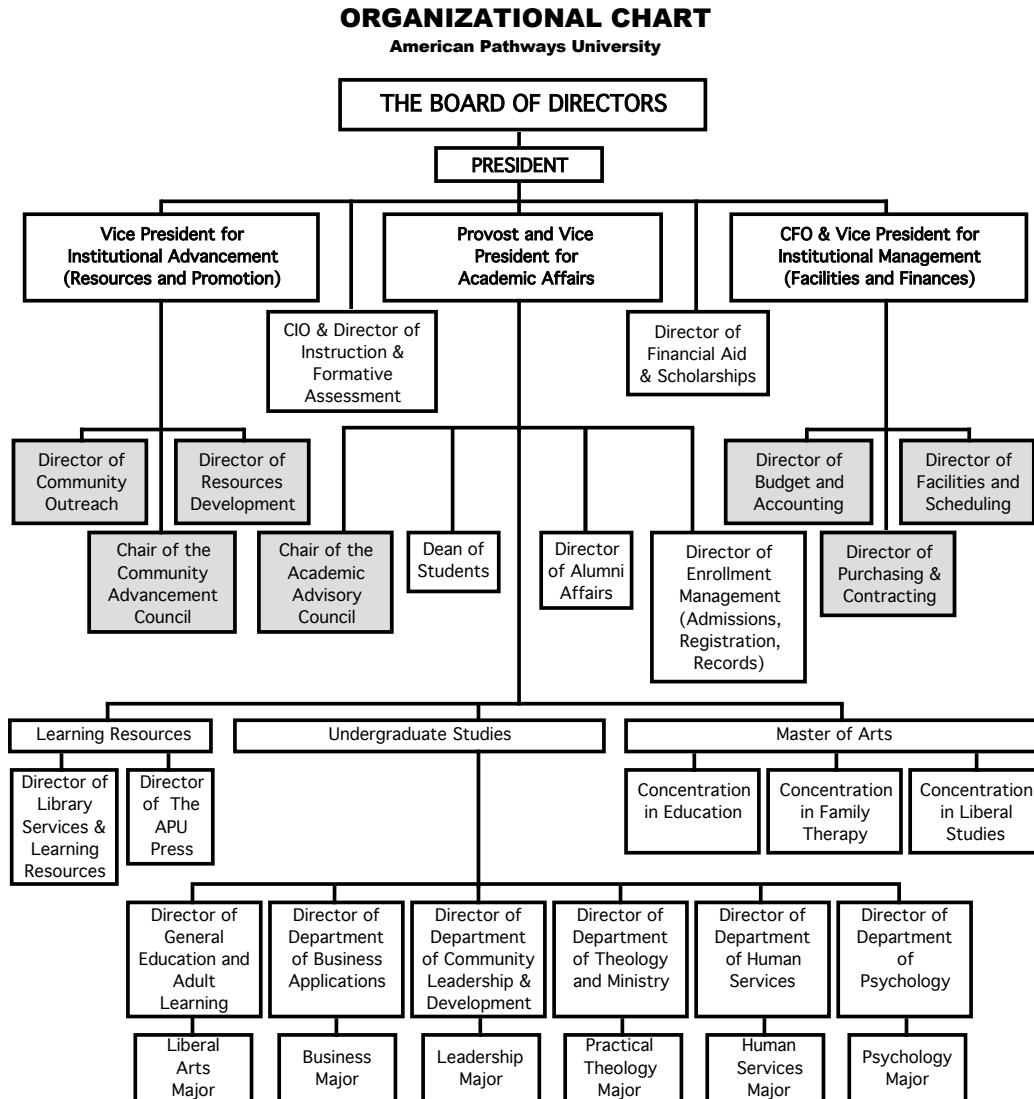
Organizational Priorities of the University

The University has established certain organizational priorities. Derived from the mission and statements of goals, educational purposes, vision, and values of the University, these priorities are:

1. To maintain an institution of higher learning called American Pathways University in Denver's inner city that serves its residents' educational aspirations, unique learning needs, and cultural expectations;
2. To guarantee the institutional integrity of American Pathways University by constituting an autonomous Board of Directors empowered to perform their independent fiduciary oversight responsibilities, by appointing a President, and by organizing a University structure and administration with clear lines of authority, responsibility, and accountability;
3. To develop, organize and administer personnel and resources necessary to establish the institution and maintain the vision, mission, and objectives of American Pathways University;
4. To implement and promote the core values of the institution and its academic programs;
5. To achieve an educational excellence and quality of learning of the character found in accredited universities and colleges;
6. To promote the scholarship of instruction, integration, discovery, and application;
7. To implement educational programs designed to facilitate long-term changes in thinking (cognitive component), doing (effective component), and being (affective component) as cornerstones of successful lives, financial independence, and functional communities;
8. To maintain a pedagogical/andragogical/synergological methodology which blends traditional, vocational and developmental educational principles in ways accessible to the low-income residents of Denver's inner city and other urbanites;
9. To provide affordable education for the low-income residents of Denver's inner city, with a target cost of 20% of the market value of the educational experience, skills acquisition and academic achievement offered;
10. To foster good public relations and community involvement with American Pathways University in order to marshal resources and promote collaboration with other community-based organizations through community outreach, auxiliary organizations (e.g., the H.E.L.P. Consortium), and other means; and
11. To participate in the academic community of the Denver Metroplex and of the regionally-accredited universities and colleges and to facilitate, as much as possible, cooperation and interchange between American Pathways University and the institutions of this greater academic community for the general welfare of higher education and the specific benefits that may accrue to the University's student body (e.g., credit transfer, academic standing, graduate studies).

GOVERNANCE AND ADMINISTRATION

Organizational Chart



Shaded blocks are positions according to the University's long-range planning model.

Patterns Of Governance

As identified by the North Central Association of Colleges and Schools, the following four patterns characterize the structure of governance and decision-making in American universities:

1. A board of directors/trustees, consisting of informed persons who understand their responsibilities, function in accordance with stated board policies, and have the resolve necessary to preserve the institution's integrity;
2. Qualified and experienced administrative personnel, led by a chief executive officer, who oversee instructional activities and exercise appropriate responsibility for them;
3. Effective administration through well-defined and understood organizational structures, policies, and procedures; and

4. Systems of governance that provide dependable information to the University's constituencies (including the faculty) and, as appropriate, involve these constituencies in the decision-making process.

The institutionalization of these patterns at American Pathways University is described below.

Board Of Directors

An independent Board of Directors oversees American Pathways University.

The Board of Directors is supreme and autonomous of any other organization as it exercises its responsibilities as the final authority in all matters affecting American Pathways University. Directors are solely and independently responsible for their contribution and the decisions of the APU board of directors.

A. General Powers and Responsibilities.

1. The Board of Directors exercises autonomous authority over all of the affairs of American Pathways University.

2. Each Director is responsible to perform his/her autonomous fiduciary responsibilities as a Director of American Pathways University.

3. The Board of Directors is generally responsible to appoint the chief executive officer (The President), determine corporate, financial and academic policy, and maintain the institutional and financial integrity of the University.

4. In addition to the general responsibilities, the Board of Directors is specifically responsible for the following:

- a. To meet frequently and structure itself so that the Directors have access to sufficient information and possess sound knowledge on which to establish and review its policies, the administrative and financial integrity of the institution, and the academic programs and faculty of the University;

- b. To establish and review basic policies that direct the institution, including maintaining the mission and general educational objectives, approving the curriculum and programs of the University, and ensuring that qualified faculty are appointed;

- c. To protect the financial integrity of the institution; and

- d. To appoint, evaluate, and dismiss the chief executive officer (The President).

B. Number. The number of Directors is the number duly elected to the Board of Directors, but shall not be less than the number required by the Colorado Revised Statutes.

C. Qualifications.

1. All Directors shall be "public members" (i.e., members who can make decisions free of any personal or financial interests that might be affected) and capable of making decisions free from undue influence of governmental bodies, supporting bodies, and University employees.

2. Each Director shall be a person of integrity and empowered to perform his/her independent fiduciary responsibilities as a Director.

3. Each Director shall be free from any actual, potential, or apparent conflict of interest.

4. Each Director shall support the mission and vision of American Pathways University, endorse its nondiscrimination policy statement, and be able to attend and participate in Board meetings and its responsibilities.

5. Each Director shall possess the general qualities and credentials appropriate for a director of an institution of higher education and such other specific qualifications appropriate for American Pathways University, including the following:

- a. Sensitivity—Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment; and

- b. Agreement—Commitment to the mission, vision, educational purposes, objectives, values, and code of ethics and conduct of the University that are expressed in the University Catalog, Student and Faculty Handbooks, and University auxiliary organizations.

D. Election. All nominees to the Board of Directors are subject to Board approval by majority vote at the annual Board meeting.

E. Term. All Directors serve one-year terms and may be re-elected. The President of the University is an *ex officio* Director for the term of his/her appointment as President.

F. Removal and Resignation. Any Director may be removed by a majority vote of the remaining Directors. Resignations are accepted by majority vote.

G. Vacancies. Any vacancy occurring in the Directors for any reason, and any directorships to be filled by reason of an increase in the number of Directors, may be filled at any time by majority vote of the Directors. A Director elected to fill a vacancy is elected for the unexpired term of his or her predecessor in office.

H. Meetings. An annual meeting and two other regular meetings are held each year. Special meetings or any committee meeting may be called by the President, the executive committee or by any two members of the Board of Directors. A quorum is a majority of the Directors then serving. The chairperson presides over meetings of the Board. Participation by telecommunications in which all persons participating in the meeting can hear each other shall constitute presence in person at the meeting. Meetings are conducted according to parliamentary procedure (*Roberts Rules of Order, Revised*).

I. Notice: Annual and other meetings take place at such time and place as determined by the Board of Directors and upon notice by the President.

J. Standing Committees. The President of the University is an *ex officio* member (with voting rights) of all standing committees of the Board of Directors.

1. The Executive Committee, as mandated in the By-Laws, shall exercise oversight of the corporation on behalf of the Board of Directors between meetings of the Board. The committee consists of the Board Chair, the President, and a Director (Board member) designated by the Board at its annual meeting. The designated Director shall serve as vice-chair of the Board of Directors and chair of the Executive Committee.

2. Academic Affairs Committee. This committee, consisting of at least three Directors, shall provide general oversight and review of the academic programs of the University and, working with the Vice President for Academic Affairs, bring matters of academic policy and recommendations to the Board for consideration. Accreditation and academic development of the University is a special interest of this committee. This committee shall review any actual or perceived conflicts of interest in its area of concern and make recommendations to the Board of Directors for resolution of such matters.

3. Institutional Management and Advancement Committee. The committee, consisting of at least three Directors shall provide the following oversight and review:

3.1. Organizational Management Sub-Committee. This sub-committee shall provide general oversight and review of the organizational management of the University and, working with the Vice President for Organizational Management, bring matters of operational policy and recommendations to the Board for consideration. Development of University facilities and budget is a special interest of this committee. This committee shall review any actual or perceived conflicts of interest in its area of concern and make recommendations to the Board of Directors for resolution of such matters.

3.2. Institutional Advancement Sub-Committee. This sub-committee shall provide general oversight and review of the institutional advancement of the University and, working with the Vice President for Institutional Advancement, bring matters of advancement policy and recommendations to the Board for consideration. Fund raising and endowment of the University is a special interest of this committee. This committee shall review any actual or perceived conflicts of interest in its area of concern and make recommendations to the Board of Directors for resolution of such matters.

4. Presidential Oversight and Review Committee. This committee, consisting of the chairs of the Executive, Academic Affairs, Organizational Management, and Institutional Advancement committees, shall provide general oversight and review of the Office of the President of the University. When the office of the President is vacant, the members of this committee shall serve as a search committee to find and recommend to the Board a qualified person to serve as President of the University. This committee shall review any actual or perceived conflicts of interest in its area of concern and make recommendations to the Board of Directors for resolution of such matters. The chair of this committee shall be the chair of the Executive Committee.

Administration: The University Center

The University Center is the administrative entity of the Board of Directors of American Pathways University. It is the coordinating/administrative agency that facilitates synergy of mutual support, academic cooperation, student interchange, and cross registration.

The University Center is responsible for the following:

1. Implementation of the mission, general objectives, and educational purposes of American Pathways University;
2. Academic advisement of the supporting organizations of the H.E.L.P. Consortium;
3. Promotion and coordination of registration, class schedules, and facilities;
4. Stewardship of academic and financial records of American Pathways University; and
5. Administration of the organization and resources of The University Center.

The University Center operates through the Administration and the Faculty.

General Employment Qualifications

All appointees to the faculty, administration, and staff must subscribe to the mission of the University, to its core values, philosophy of education and ethical standards, and to the University's nondiscrimination policy. Appointments to the faculty preferably will have experience teaching and/or working in inner city contexts. Applicants who have such experience will be given most favorable consideration.

Senior Administration

APU operates administratively through the Senior Administration, consisting of the following:

- **President/Chief Executive Officer**
- **Provost and Vice President for Academic Affairs/COO**
- **Vice President for Institutional Advancement**
- **Vice President for Institutional Management**

Office Of The President

President/Chief Executive Officer

Position Title:

President and Chief Executive Officer.

Objective:

To further the mission of the University by (1) institutionalizing the objectives of the corporation, (2) appointing necessary personnel, (3) and administering the responsibilities of the University Center.

Qualifications:

1. Education. Masters required (or higher preferred) and other specific education suitable for the responsibilities of the position.
2. Experience. Experience in the areas of education, human relations, counseling, networking, management, planning, and research.
3. Administration. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities. Demonstrated ability to work with others and within a multiple-staff environment. Demonstrated ability to work with an oversight board and subordinates.

4. **Specific Skills.** Strong human and public relations skills, communication and promotion skills, writing and organizational skills, management, research and planning skills, and vision and strategic thinking skills.

5. **Sensitivity.** Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

6. **Agreement.** Commitment to the mission, educational purposes and objectives, and to the values of the University expressed in the University Catalog, Student and Faculty Handbooks, and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential, redemption and responsibility; respect for the sanctity of life, human rights and social justice; and divine prolegomena, providence and grace).

Accountability:

The President is responsible to the Board of Directors.

Responsibilities:

1. The President is the chief executive officer of the corporation and shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

2. The President shall provide general oversight, leadership, and administration of the enterprise of the corporation and institution of American Pathways University, including, but not limited to, Academic Affairs, Institutional Management, and Institutional Advancement.

3. The President shall establish and maintain an administrative center (the University Center) of the institution of American Pathways University and shall implement and institutionalize the objectives of the corporation, appoint necessary personnel, and administer the responsibilities of the University Center. The responsibilities of the University Center shall include (a) implementation of the mission and objectives of the institution of American Pathways University, (b) academic advisement and course certification, (c) appointment, coordination and evaluation of faculty, (d) promotion and coordination of student matriculation, class schedules, course registration and use of facilities, (e) stewardship of academic and financial records, and (f) administration of the organization and resources of the educational endeavors of the institution of American Pathways University.

4. The President shall supervise and control all of the business and affairs of the corporation. Transactions that are in the ordinary course of the corporation's business are conducted by the President. The President shall seek Board authorization or general policy recommendations prior to proceeding with unusual business matters.

5. The President shall sign any deeds, mortgages, bonds, contracts, or other instruments that the Board of Directors has authorized to be executed. The President may authorize any officer or officers, agent or agents of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. The President or his designees shall sign all checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation.

6. The President may accept on behalf of the corporation any contribution, gift, bequest or device for the general purposes or for any special purpose of the corporation.

Provost and Vice President for Academic Affairs/Chief Operations Officer

Position Title:

Provost and Vice President for Academic Affairs/COO.

Objective:

To further the mission of the University by the following:

(1) Serving as chief operations officer with specific responsibilities relating to the academic function of the University including academics, student services, enrollment management, learning and library services, information technology and education;

(2) Serving as chief academic officer—as such, to administer the policies and procedures that apply to all University credit programs and related noncredit programs, and to develop and/or supervise the

development of policies and procedures relating to academic affairs, instructional affairs, and faculty roles and activities, and exercises leadership in the development of goals, objectives, and philosophy of the University as applicable through these program areas; and

(3) Serving as a member of the University Professoriate, with the minimum rank of Associate Professor.

Qualifications:

1. Earned doctorate (Ph.D., D.Min., Th.D., Ed.D.) or master's degree in the academic discipline(s) offered by an academic department or in higher education administration. The doctorate in the field is desirable but candidates who have the master's degree and substantial experiential education and professional experience may be as qualified or more qualified for the position.

2. Minimum of three years of college teaching experience (or college-level equivalents such as some corporate education programs) and a minimum of three years of college/university experience at the division/department chairman or higher level. Extensive experience as a provost or vice president for academic affairs or academic department/program director or executive vice president or equivalents.

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, endeavors to achieve specific goals, and ability to balance competing priorities.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a multi-staff environment as well as being a self-starter. Demonstrated ability to work with superiors and subordinates.

5. Specific Skills. Strong management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities, and strategic thinking skills.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and values of the University expressed in the University Catalog, Student Handbook, Faculty-Staff Handbook, and other University commitments (values include the Christian liberal arts college paradigm; The Apostles Creed; the American experience; democratic institutions; human potential, weakness, and responsibility; respect for life and human rights; social justice; and divine prolegomena, providence, and grace).

Accountability:

The Provost and Vice President for Academic Affairs/COO is responsible to the President of the University.

Responsibilities:

1. Member of the Senior Administrative Staff of the University.
2. Perform related activities as assigned by the President of the University.
3. Directly supervise the Dean of Students, the Director of Enrollment Management, and the Director of Library and Learning Services.
4. Directly supervise Academic Department Directors (department chairs).
5. Faculty management and scheduling (in conjunction with the Academic Department Directors).
6. Ensure the quality and effectiveness of academic instruction at the University.
7. Chief liaison officer to the Colorado Commission on Higher Education (CCHE).
8. Chief liaison officer to the Higher Learning Commission of the North Central Association of Colleges and Schools (HLC-NCA).
9. Coordinator of Accreditation Self-Studies and Site Evaluation visits by HLC-NCA.
10. Coordinator of Strategic and Long-Range Planning.
11. Chairperson of the *Academic Advisory Council*.
12. Chairperson of the *Academic Curriculum and Policies Committee*.
13. Managing editor of the American Pathways University Academic Catalog, Student Handbook, and Faculty-Staff Handbook.
14. Supervisor of the Editors of the *APU NewsGram*.
15. Manager of the American Pathways University *Homepage*.
16. Overall budgetary coordination for the University.
17. Supervise and coordinate the management of budgets within the areas of responsibility.

18. Chairperson of the University Budget Committee (other members: Vice Presidents for Institutional Management and Institutional Advancement).

19. Overall responsibility for the budgets of the Academic Departments, Student Services, Enrollment Management, Library and Learning Resources, and management information systems.

20. Supervision of the Academic integrity code.

21. Oversight of student academic grievance procedural implementation and appeals.

22. Overall responsibility for computer-assisted instruction programming.

23. Maintain accurate records of faculty evaluations, grade analyses, instructor loads, schedule analyses, and reports relating to instruction and faculty.

24. Develop, implement and supervise the Academic Assessment program of the University.

Vice President for Institutional Management

Position Title:

Vice President for Institutional Management.

Objective:

To further the mission of the University by (1) administering all business and business-related functions of the University, (2) develop new sources of operational funding and determine possible funding methods for accomplishing the goals of the institution, and (3) develop and maintain accounting and fiscal policies adopted by the Board of Directors and consistent with the standards of the National Association of College and University Business Officers (NACUBO).

Qualifications:

1. Education. B.A. required (preferably in Business Administration, Management, or Accounting); CPA or M.A. in business field desirable.

2. Experience. General experience in the areas of accounting, education, human relations, networking, management, planning, and research. Significant college/university experience or other nonprofit organization (preferably with teaching and personal development as one of its primary functions) as a staff member in the business office or related activities (including department director or chief financial officer or equivalent).

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a multiple-staff environment, as well as being a self-starter. Demonstrated ability to work with superiors and subordinates.

5. Specific Skills. Strong financial, management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities and strategic thinking skills.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and to the values of the University expressed in the University Catalog, Student and Faculty Handbooks and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential and responsibility; respect for life, human rights and social justice; and divine prolegomena, providence and grace).

Accountability:

The Vice President for Institutional Management is responsible to the President.

Responsibilities:

1. Administrative responsibility for and direct supervision of the activities of the Directors of Budgeting and Accounting, Facilities and Scheduling, and Financial Aid and Scholarships.

2. Development, monitoring, and maintenance of University budgets and provides financial analysis requested by the President or the Board of Directors.

3. Prepares and provides fiscal reports which may be requested by the Administration, Board of Directors, State and Federal agencies, accrediting agencies, and foundations and other donors and which

are consistent with the standards of the National Association of College and University Business Officers (NACUBO).

4. Supervision of the University's legal affairs (in conjunction with legal counsel), bidding, advertising, purchases and contractual matters, grant proposal review process, grants, donations and funding agreements, insurance (property, liability, employment, health), pro bono/in-kind donations to the University, and implementation of occupational safety and environmental policy.

5. Knowledge and administration of institutional, state, and Federal aid programs.

6. Performance of other related duties as assigned by the President.

7. Membership on the Senior Administration of the University.

8. Membership in the National Association of College and University Business Officers (NACUBO).

Vice President for Institutional Advancement

Position Title:

Vice President for Institutional Advancement.

Objective:

To further the mission of the University by providing (1) leadership and management in obtaining external funding, resources, and support, (2) institutional effectiveness, research, and strategic planning, and (3) identification and assistance to donors for achieving their philanthropic goals vis-à-vis the University.

Qualifications:

1. Education. Minimum B.A. and other specific education suitable for the responsibilities of the position.

2. Experience. Experience in the areas of promotion, fund raising, community contacts and networking, management, institutional development and advancement, strategic research and planning, and higher education.

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a teamwork setting, as well as being a self-starter.

5. Development. Knowledge of the grant-writing process and of grant-making foundations. Demonstrated ability to develop resources from donor sources in support of general funding and specific projects.

6. Specific Skills. Strong writing and organizational skills, management and human relations skills, communication and promotion skills, research and strategic planning skills, and vision and an eye for opportunities skills.

7. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

8. Agreement. Commitment to the mission, educational purposes and objectives, and to the values of the University expressed in the University Catalog, Student and Faculty Handbooks and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential and responsibility; respect for life, human rights and social justice; and divine prolegomena, providence and grace).

Accountability:

The Vice President for Institutional Advancement is responsible to the President.

Responsibilities:

1. Member of the Senior Administration of the University.

2. Member of the University Budget Committee (other members: Vice Presidents of Academic Affairs and of Institutional Advancement).

3. Manage institutional advancement priorities and activities by seeking and developing external funding and resource opportunities that support the University's mission, educational purposes, and needs.

This includes building relationships with individual donors, foundations and corporations, local-state-Federal agencies, and other organizations. These may be achieved through the following:

- a. Maintaining and augmenting support from current supporters, founders, and donors;
 - b. Identifying, developing, and implementing strategies for approaching and cultivating new sources of support;
 - c. Seeking and obtaining gifts and grants from donors through their Annual Fund, Major Gifts Program, Capital Campaigns, Planned Giving, Unrestricted Grants, and specific Sponsored Programs (restricted donations);
 - d. Securing commitment by external funding sources of other resources useful to the operations of the University (e.g., facilities, pro bono services, and in-kind donations);
 - e. Managing the University's public image through public affairs activities, publications, and marketing communications in order to stimulate support for the University, including preparing and disseminating promotional materials for fundraising and resource acquisition; and
 - f. Recruiting training, and supervising volunteer institutional advancement staff and community representatives.
4. Oversight of all external public funding and private grant proposals of funds and other resources (i.e., donor research, grant proposal development, grant writing/narrative, and financial reports).
 5. Work with the President and other University personnel (staff and faculty) to achieve the University's funding and resource objectives and needs.
 6. Management of institutional advancement records (including monitoring and tracking grant information, preparing income statements and status reports), advancement research, alumni and student family public relations, gift and pledge policies and procedures, and institutional advancement staff.
 7. Organize and oversee special projects and institutional advancement reports at the President's request.

Office Of The Provost And Vice President For Academic Affairs And Chief Operations Officer

Provost and Vice President for Academic Affairs (COO)

Please see position description for the Provost and Vice President for Academic Affairs/COO on page 18, listed under "Office of the President."

Dean of Students

The Dean of Students is the students' advocate and ombudsman. The Dean is concerned for student services, activities, and comfort. He or she provides counseling in the psycho-somatic-spiritual areas of student life.

Position Title:

Dean of Students.

Objective:

To further the mission of the University by (1) supervising, coordinating, and administering the University programs and services that are organizationally entitled student services and (2) working with the Provost, the President, and faculty to ensure the optimal integration of these programs and services with all components of the University.

Qualifications:

1. Education. B.A. required (M.A. or higher preferred) in Student Personnel Administration, Counseling, or other closely related areas (e.g., education in nonprofit service organizations servicing college students or ministerial service agencies, including urban/suburban churches) and other specific education suitable for the responsibilities of the position.

2. Experience. Experience in the areas of education, human relations, counseling, networking, management, planning, and research.

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities. Demonstrated ability to work with others and within a multiple-staff environment, as well as being a self-starter. Demonstrated ability to work with superiors and subordinates.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a teamwork setting, as well as being a self-starter.

5. Specific Skills. Strong counseling and human relations skills, communication and promotion skills, writing and organizational skills, management, research and planning skills, and vision, an eye for opportunities and strategic thinking skills.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and to the values of the University expressed in the University Catalog, Student and Faculty Handbooks and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential and responsibility; respect for life, human rights and social justice; and divine prolegomena, providence and grace).

Accountability:

The Dean of Students is responsible to the Provost/Vice President for Academic Affairs.

Responsibilities:

1. Overall responsibility for Student Services and for student activities, association, governance, organizations, co-curricular programming, discipline, orientation, and spiritual development.

2. Responsible to inform and advise the Provost and the President on all matters concerning students, student-life, and the staff of Student Services.

3. Specific responsibilities regarding students and student life:

a. Serve as the students' advocate and ombudsman;

b. Counseling in the areas of psycho-somatic-spiritual development and discipline; and

c. Advisement in the area of financial institutional, state, and Federal aid programs.

4. Specific responsibilities regarding Student Services:

a. Chief liaison for all communications between Student Services and the University;

b. Development and management of the Student Services budget; and

c. Represent Student Services within the American Pathways University community.

5. Performance of related activities as assigned by the Provost of the University.

Director of Enrollment Management

Position Title:

Director of Enrollment Management

Objective:

To further the mission of American Pathways University by enabling it to reach its goals for student enrollment and retention, and to increase public awareness of the University's purposes, quality, and achievements.

Qualifications:

1. Education. Minimum of a B.A. (with M.A. or higher desirable) in enrollment management, college admissions and recruiting, student services, or related fields.

2. Experience. General experience in the areas of college admissions and recruiting, registrar, student financial aid, student services, or related activities (positions held can include department director, admissions director or assistant director or admissions staff, public relations staff or director).

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, endeavors to achieve specific goals, and ability to balance competing priorities.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a teamwork setting, as well as being a self-starter.

5. Specific Skills. Strong management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities, and strategic thinking skills.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and values of the University expressed in the University Catalog, Student Handbook, Faculty-Staff Handbook, and other University commitments (values include the Christian liberal arts college paradigm; The Apostles Creed; the American experience; democratic institutions; human potential, weakness, and responsibility; respect for life and human rights; social justice; and divine prolegomena, providence and grace).

Accountability:

The Director of Enrollment Management is responsible to the Provost/Vice President for Academic Affairs.

Responsibilities:

1. Supervision of the work of undergraduate recruitment of students (prospective freshmen, transfer), admission of students, of student records (registrar), and enrollment marketing and information.

2. Identify prospective students, inform them about the University and its academic programs, encourage them to apply, and select qualified inner city diverse groups of students for admission.

3. Promote student enrollment by judicious marketing, including publications, advertising, the World Wide Web, on and off-campus information meetings, and one-to-one recruiting.

4. Remove barriers to enrollment through rational and managed admission, accurate transfer of credit evaluations, and financial aid policies.

5. Serve current students by developing and managing policies and procedures for registration, student records, grades, and enrollment certifications.

6. Maintain registration and course scheduling processes that reflect the University's mission, that address student demand, and that help students toward achieving their educational and graduation objectives.

7. Maintain student records and transcripts, report accurately student achievement (grades), report accurately student progress toward the degree, and certify students for graduation.

8. Develop relationships with high schools, community and two-year colleges, other four-year colleges, community agencies, and public and private organizations (including churches and denominational agencies and faith-based inner city organizations) that provide or promote educational programs and opportunities for prospective students.

9. Apprise the University community (administration, faculty, staff, auxiliary organizations and supporters of the institution) through official reports and an internal enrollment management newsletter vis-à-vis general information and for purposes of strategic planning about the following: (a) enrollment goals and the achievement of them, shifts in market demand, competition of other institutions, and changing and emerging student interests; and (b) faculty research, administrative projects and policies, and noteworthy campus events.

Director of Library Services and Learning Resources

Position Title:

Director of Library and Learning Resources.

Objective:

To further the mission of the University by securing learning resources and enabling student access by advisement and communication relative to those resources.

Qualifications

1. Education. Minimum of a M.A. or M.L.S. in library science.
2. Experience. Experience as a librarian or assistant librarian.

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, endeavors to achieve specific goals, and ability to balance competing priorities.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a teamwork setting, as well as being a self-starter.

5. Specific Skills. Strong management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities, and strategic thinking skills.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and values of the University expressed in the University Catalog, Student Handbook, Faculty-Staff Handbook, and other University commitments (values include the Christian liberal arts college paradigm; The Apostles Creed; the American experience; democratic institutions; human potential, weakness, and responsibility; respect for life and human rights; social justice; and divine prolegomena, providence and grace).

Accountability

The Director of Library Services and Learning Resources is responsible to the Provost and Vice President for Academic Affairs, and is collaterally accountable to the faculty he/she serves.

Responsibilities

1. Advise and assist individual students on the nuances of library research and resources, and conduct a library orientation seminar periodically for all students.

2. Publish the *APU NewsGram* and post the University website to keep students informed of all relevant university news and operations, including library news (services, orientation seminar dates, the latest in library technology).

Academic Department Directors (Departmental Chairs)

The academic program is organized into academic departments and academic majors, each administered by a Director (or Departmental Chairperson). The departments are:

- Department of General Education and Adult Learning: General Education, Adult Literacy, ESL, Mentoring, College Preparation Program;
- Department of Sociology and Human Services: Human Services Major;
- Department of Business Applications: Business Major;
- Department of Community Leadership and Development: Leadership Major; and
- Department of Theology and Ministry: Practical Theology Major.

Position Title:

Director, Academic Department.

Objective:

To further the mission of the University by organizing and promoting the academic programs of the University and ensuring their quality and the quality of the academic instruction of those programs.

Qualifications:

1. Education. Minimum of a master's degree in the academic discipline(s) offered by the department; the doctorate in the field is desirable but candidates who have the master's degree and substantial experiential education and professional experience may be as qualified, even more qualified for the position.

2. Experience. Experience as an instructor at the college-level (or college-level equivalents such as some corporate education programs).

3. Faculty Status. Full-time (regular) status on the University faculty.

4. Administration. Demonstrated ability to develop and coordinate personnel, programs, endeavors to achieve specific goals, and ability to balance competing priorities.

5. Collaboration and Initiative. Demonstrated ability to work with others and within a multi-staff environment, as well as being a self-starter. Demonstrated ability to work with superiors and subordinates.

6. Specific Skills. Strong management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities, and strategic thinking skills.

7. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

8. Agreement. Commitment to the mission, educational purposes and objectives, and values of the University expressed in the University Catalog, Student Handbook, Faculty-Staff Handbook, and other University commitments (values include the Christian liberal arts college paradigm; The Apostles Creed; the American experience; democratic institutions; human potential, weakness, and responsibility; respect for life and human rights; social justice; and divine prolegomena, providence and grace).

Accountability:

Academic Department Directors are responsible to the Provost and Vice President for Academic Affairs, and are accountable to the faculty they serve.

Responsibilities:

1. Academic Department Directors hold regular faculty status, and are assigned the appropriate synthesis of instructional and supervisory responsibilities.

2. Administrative responsibilities of Academic Department Directors are academic governance, including committee facilitation, long and short-range planning, scheduling, policy formation, recommendation of policy.

3. Faculty affairs responsibilities include recruitment, selection, and recommendation for appointment of faculty for that program, faculty instructional and committee assignments, evaluation of faculty performance, recommendations for renewal and non-renewal of faculty, conflict resolution among faculty. Professional development responsibilities include fostering of teaching excellence, equal opportunity hiring and promotion.

4. Student affairs responsibilities include advising and counseling students, and promotion of effective, efficient academic advising by faculty.

5. Financial responsibilities include preparation and administration of the program's budget, promote fund raising for the program, and serve on the appropriate University committees and work with the President and other administrators to promote the mission and welfare of the institution and its students.

Office Of Instruction and Formative Assessment

Director of Instruction and Formative Assessment/Chief Information Officer

Position Title:

Director of Instruction and Formative Assessment/CIO.

Objective:

To develop and assess disciplinary methodology, instructional pedagogy, faculty effectiveness, and liberal formation.

Qualifications:

1. Education. B.A. required (preferably in instructional design, educational leadership and administration); M.A. is desirable.

2. Experience. Experience as an educator in the areas of instruction, curriculum development and management, and formative assessment (preferably at the college-level or college-level equivalents such as some corporate education programs)—minimum of three years university level instruction preferable.

3. Administration. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities. Demonstrated ability to work with others and within a multiple-staff environment, as well as being a self-starter. Demonstrated ability to work with superiors and subordinates.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a teamwork setting, as well as being a self-starter.

5. Specific Skills. Strong educational, management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities and strategic thinking skills. Expertise in formative assessment processes and strategies. Proficiency with multimedia communication tools, such as discussion boards, web logs, email, instant messaging, and audio podcasts.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and to the values of the University expressed in the University Catalog, Student and Faculty Handbooks and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential and responsibility; respect for life, human rights and social justice; and divine prolegomena, providence and grace).

Accountability:

The Director of Instruction and Formative Assessment is responsible to the President.

Responsibilities:

1. Coordination with the Office of Academic Affairs.
2. Generally, develop and administer the articulation, strategic development, action plan (implementation) and assessment of disciplinary methodology, instructional pedagogy, faculty effectiveness, and liberal formation.
3. Develop and articulate a comprehensive instructional model.
4. Develop and articulate instructional design around formative assessment strategies applied to all university courses
5. Oversee implementation of an induction program (professional development of faculty in the university instructional model and instructional strategies).
6. Lead in-service professional development activities and coordinate programs that increase instructional staff expertise and effectiveness.
7. Develop and articulate technology enhanced instructional tools and learning pathways.
8. Webmaster.

Office Of Financial Aid and Scholarships

Director of Financial Aid and Scholarships

Position Title:

Director of Financial Aid and Scholarships.

Objective:

To administer Federal and State financial aid programs and the University's institutional financial aid program.

Qualifications:

1. Education. B.A. required (preferably in Business Administration, Management, or Accounting); CPA or M.A. in business field desirable.
2. Experience. General experience in the areas of accounting, education, human relations, networking, management, planning, and research. Significant college/university experience or other nonprofit organization (preferably with teaching and personal development as one of its primary functions) as a staff member in the business office or related activities (including department director or chief financial officer or equivalent).
3. Administration. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities. Demonstrated ability to work

with others and within a multiple-staff environment, as well as being a self-starter. Demonstrated ability to work with superiors and subordinates.

4. Collaboration and Initiative. Demonstrated ability to work with others and within a teamwork setting, as well as being a self-starter.

5. Specific Skills. Strong financial, management and human relations skills, communication and promotion skills, writing and organizational skills, research and planning skills, and vision, an eye for opportunities and strategic thinking skills.

6. Sensitivity. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

7. Agreement. Commitment to the mission, educational purposes and objectives, and to the values of the University expressed in the University Catalog, Student and Faculty Handbooks and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential and responsibility; respect for life, human rights and social justice; and divine prolegomena, providence and grace).

Accountability:

The Director of Financial Aid and Scholarships is responsible to the President.

Responsibilities:

1. Coordination with the Offices of Academic Affairs and Institutional Management.
2. Administer and maintain a student program of Title IV Federal Financial Aid.
3. Administer and maintain student access to State programs of financial aid.
4. Administer and maintain the University's institutional scholarship program.

The Professoriate And Shared Academic Governance

Philosophy: Shared Academic Governance

The University practices shared academic governance.

A modern university is a complex institution having many closely interrelated functions, with the responsibility for the policy direction of many of them being a series of shared responsibilities, some of which can be rather easily defined while others cannot be.

It is clear that the conduct of the ongoing academic program has to be vested in the faculty and students.

It is equally clear that the deliberations of a forward-looking faculty educational enterprise may also have serious implications for the future nature, purpose, and fiscal capabilities of the University as a whole. This is the crux of systems management, systematic strategic long-range planning, and healthy university governance.

Therefore, the success of the fulfillment of individual responsibilities and the success of achievement of institutional goals and potentialities are achieved and measured in the long-term by the success of those who share the responsibilities in understanding their respective roles and agreeing on courses of action that they can all support.

The principle bodies and groups charged with significant responsibility in academic policy-making include the Board of Directors, the President, the Academic Administration (Provost and Academic Department Directors), the faculty, and faculty academic committees.

The University faculty as a body does not have independent policy-making powers. It meets at least once each academic year at convocation and at other times as appropriate, at the call of the Provost, to hear

reports on the state of the University, and to provide opportunity for general discussion of matters of interest to the faculty.

Academic Policy-Making Bodies

The Board of Directors

The Board of Directors determines the nature and directions of development of the University, formulates the policies by which the institution is governed, selects the President, and assures itself at all times that the University is functioning in accordance with these policies as an academically and fiscally sound institution dedicated to the highest possible standards. Legally and in keeping with the time-honored great traditions of American higher education, the Board of Directors delineates the broad outlines of the activities, including educational activities, in which the University is to engage, and provides the resources to support them properly.

The Professoriate/Faculty

The professoriate/faculty have a primary role in academic policy formation.

The Professoriate And Policy Formation

Approved by the Board of Directors (*June 13, 2002*), subject to the powers vested in the Board and the President, the faculty functioning through its duly constituted entities shall have primary responsibility for:

1. Sound educational methods and academic standards;
2. Development of curricula and recommendation of courses;
3. Promotion of the general welfare and academic development of students;
4. Innovative approaches to the academic endeavor;
5. Assurance of academic excellence;
6. Recommendations vis-à-vis the instructional budget;
7. Recommendation of faculty appointments, promotions, and other faculty personnel concerns; and
8. Encouragement of the professional growth of its membership.

Structures And Processes Through Which The Professoriate And Administration Carry Out These Roles And Responsibilities

1. The professoriate facilitates its roles and responsibilities through standing and special committees.
2. All professors may attend and participate in departmental meetings and general faculty meetings, but only regular appointment faculty shall have a vote.
3. Only regular appointment faculty shall have a vote in determining curricula and academic policy.
4. Regular appointment faculty shall participate in the recruitment and selection of faculty.
5. Adjunct faculty may participate in academic planning and policy formation but not in decision-making by vote.
6. Regular appointment faculty (through the Academic Curriculum and Policies Committee and academic departmental committees) are consulted as to the nature of the curriculum and on ways to evaluate the effectiveness and currency of the curricula.
7. The Chief Academic Officer (i.e., Provost and Vice President for Academic Affairs) serves on the Academic Affairs Committee of the Board, and represents the faculty there (and may bring members of the faculty to this committee to discuss and review programs).

Standing Committees Of The Faculty

Academic Departmental Committees

1. Voting members are all regular status faculty of each academic department; participating, non-voting members are all adjunct faculty.
2. The committee shall review and recommend policies (including academic standards) and curriculum and programs recommended by the academic departmental faculty.
3. Endorsements or disapprovals shall be submitted to the Provost for review and endorsement or disapproval, who shall then send the academic program or policy to the President and from there, depending on the recommendation, to the Board of Directors.

Academic Curriculum and Policies Committee

1. This committee shall consist of each departmental director (chairperson) and one representative from each academic department elected by the regular appointment professors of each department—for a membership of ten (10)—and chaired by the Provost and Vice President for Academic Affairs.
2. The committee shall review and recommend policies (including academic standards) and curriculum and programs recommended by the academic departmental faculty.
3. Endorsements or disapprovals shall be submitted to the Provost for review and endorsement or disapproval, who shall then send the academic program or policy to the President.
4. The President may disapprove of the program or policy, or approve it and submit it to the *Academic Affairs Committee* of the Board of Directors, which committee shall review the program or policy and submit it to the Board of Directors with endorsement or disapproval.

Faculty Performance and Promotions Committee

1. This committee shall review annually faculty performance and shall consider, with recommendations for or against, applications for faculty promotion, and submit them to the Provost, who shall review the promotions recommendations, and submit his/her recommendation to the President.
2. The President shall make the final decision on faculty promotion except in the case of tenured appointments. Tenured appointments are the purview of the Board of Directors.

Academic Assessment Committee

1. Consisting of one member elected from each departmental faculty—for a total of five elected members—and the Provost and Vice President for Academic Affairs, this committee shall develop, implement, and oversee the academic assessment program of the University.
2. The academic assessment program is to include longitudinal research instruments (utilizing pre- and post-testing, and other pre- and post-evaluation techniques) that measure student progress and change from the beginning of the student's academic career to graduation, and student evaluation of their university education from the perspective of two years after graduation.

Academic Advisory Council

1. This committee serves as a special advisory committee to the Chief Academic Officer (Provost and Vice President for Academic Affairs). As a high-performance consulting committee, it advises the Chief Academic Officer on ways the academic program, and other dimensions of the University, can facilitate mutually beneficial relations with the larger academic community (through transfer agreements, cooperative programs, and the like), as well as significant elements of the urban community such as ethnic, business, religious, and public organizations. It also facilitates liaisons between the University and those elements.
2. Although technically not a faculty committee, it may have faculty representatives as participants at the invitation of the Chief Academic Officer and the primary membership of the Council. Its primary

membership comes from the community and consists of representatives from the community college sector, the four-year public college community, the university community, the business community, the American minority communities (African-American, Hispanic, Asian, Native American), and the inner city service organizations community. The University Vice President for Institutional Advancement and the University President are *ex officio* members.

THE UNIVERSITY PROFESSORIATE

Structure For Handling Faculty Appointments, Reappointments, Promotion, Tenure, And Grievances

Formal authority for making faculty personnel decisions rests with the Provost and his/her designee, on advice of the appropriate faculty, after consultation with each Academic Department Director (chairperson), and is subject to approval of the President and the Board of Directors.

The Faculty Paradigm

1. American Pathways University has appointed full-time (regular) and part-time (adjunct) faculty based on explicit criteria established by the Board of Directors (*June 13, 2002*).
2. The core and majority of the faculty shall hold regular appointment (full-time or half-time) status.
3. Each major should have at least one full-time faculty member, and preferably three. It is understood that in the first two years of APU development, one to two full-time faculty per program will not be uncommon, but a minimum of three is the ultimate objective

How The University Determines That It Has A Sufficient Number Of Full-Time Faculty

1. The sufficient minimum number of faculty for each major is one full-time faculty, and a minimum of three is the preferred goal. In the first two years of APU development, it is understood that one or two full-time faculty per program will probably be common.
2. Furthermore, it is the goal of the University that there will be a full-time faculty member for each 10 students majoring in a program (i.e., student:faculty ratio of 10:1).

Faculty Qualifications For Appointment

Objective

To have a minimum of 80% of the full-time faculty with the doctoral degree by the third year of operation.

Credentials

- a. The University employs a faculty who have earned degrees from accredited institutions (or institutions that are candidates for regional accreditation by one of the six regional accrediting agencies) that are appropriate to the level of instruction offered by the institution.
- b. In most cases, the master's degree is the minimum credential. In rare instances, because of their expert skills and accomplishments, persons who do not have the master's degree may be appointed. The percentage of faculty who do not have the master's degree is to be delimited to 1-3 percent maximum of the total.
- c. Faculty should hold degrees in the fields in which they teach and from accredited institutions or, in some cases, from institutions that hold candidate for accreditation status with one of the six regional accreditation associations (e.g., the North Central Association of Colleges and Schools).

Multi-Disciplinary Faculty

Some candidates for appointment may be qualified to teach in more than one discipline/collateral field because of their graduate school academic credentials and/or their professional experience is collateral with those fields and sufficiently comprehensive and impressive to qualify them to teach in that discipline. For example, a candidate who has the M.B.A. and extensive business experience, and a Ph.D. in higher education administration and leadership (with or without previous college-level teaching experience) could be assigned to teach specific courses in the two disciplines. Wherever possible the University seeks to appoint faculty who meet the criteria of multi-disciplinary Master Teachers. (For more information on the multi-disciplinary, or “Master Teacher,” see the extensive writings of Richard Meeth)

Skills (In Addition to Academic Credentials)

- a. Experience in the areas of education, human relations, counseling, networking, management, planning, and research.
- b. Demonstrated ability to develop and coordinate personnel, programs, and endeavor to achieve specific goals and ability to balance competing priorities.
- c. Demonstrated ability to work with others and within a multiple-staff environment.
- d. Demonstrated ability to work with supervisors and subordinates.
- e. Strong human and public relations skills, communication and promotion skills, writing and organizational skills, management, research and planning skills, and vision and strategic thinking skills.
- f. Awareness, knowledge, and appreciation of the people and cultures of the urban and inner city environment.

Motivations

A keen sense of justice, idealism, cultural diversity, and a heart for the city.

Commitments

Faculty must ascribe to the mission and educational purposes/objectives of the University as delineated in the *Academic Catalog*. Exceptions to this requirement for adjunct faculty or visiting scholars may be made by the President upon the recommendation and rationale presented by the director of the academic program/major field. No faculty member holding full-time rank shall be exempted from this qualification. Specific commitments are agreement with the mission, vision, and educational purposes and objectives, and endorsement of the values of the University expressed in the University Catalog, Student and Faculty-Staff Handbooks and University auxiliary organizations (including: a Christian Liberal Arts education paradigm; The Apostles Creed; the American experience; democratic institutions; human weakness, potential, redemption and responsibility; respect for the sanctity of life, human rights and social justice; and divine prolegomena, providence and grace).

Appointment Categories

- Full-time*: Professor, Associate Professor, Assistant Professor, Instructor
- Part-time*: Lecturer and Visiting Professor

Faculty Rank And Rank Qualifications

Professor

1. Generally, professor rank is reserved to those holding the doctorate or the highest degree customary in the discipline and who have achieved all of the qualifications for Associate Professor.
2. Those professors holding the earned doctorate are not automatically a Professor; additional criteria are length and quality of service as teachers, researchers, service to the community, and mentoring of students. Specifically, the faculty member must have achieved a record of continuing distinction in scholarship or creative endeavors in the field, and must have a demonstrated excellent teaching ability and

shown continuing active engagement with students in and outside the classroom. There must be a record of continuing evidence of relevant and effective professional service and demonstrated ability for continuing achievement in all areas.

3. Furthermore, the professor must have at least 5 years of full-time teaching experience in a college or university, including at least 2 of those years in a rank higher than Assistant Professor.

Associate Professor

1. Promotion to this rank is contingent on whether the faculty member has the doctorate or the highest degree customary in the discipline, or a combination of the master's degree, experiential certifications, and professional experience, and on length and quality of service as teachers, researchers, service to the community, and mentoring of students.

2. Specifically, the candidate must have demonstrated high quality as a teacher, shown engagement with students in and out of the classroom, must have demonstrated significant scholarly or creative accomplishments appropriate to the faculty member's discipline, show potential for becoming a scholar or artist of distinction, and have demonstrated professional recognition and growth.

3. Furthermore, the professor must have had at least 4 years of teaching experience in a college or university, including at least 2 of those years in a rank higher than Assistant Professor.

Assistant Professor

1. Promotion to this rank is generally contingent on whether the faculty member has the Masters degree (doctorate preferred), or the highest degrees customary in the discipline, and on the length and quality of service as teachers, researchers, service to the community, and mentoring of students.

2. Specifically, the appointee must have demonstrated the potential to achieve excellence in teaching and scholarly or creative activities and must also demonstrate promise of future professional growth in his or her field, and promise of participating in University affairs and of mentoring and advising students.

Instructor

1. An appointment to the rank of Instructor is a temporary one-year appointment, subject to renewal after an annual review. Total service as Instructor is not to exceed 5 years.

2. Required to have a master's degree or the highest degree awarded for that field of study.

3. Some college teaching or equivalent experience is desirable, the lack of which may be compensated for by professional experience, scholarly publications, research, recognition based on professional merit by groups other than professional societies, such as foundations, government bodies, or community groups.

Lecturer

1. Generally limited to adjunct appointment. The appointment contract is issued on a course-by-course basis.

2. The minimum degree is the master's degree although some Lecturers may not have the master's but may be qualified to hold this appointment because of experiential learning or professional achievement and experience.

3. Outstanding teaching performance is also required.

Visiting Professor

This is a rank given to a part-time professor who has distinguished his or herself in the world of higher education and in the community.

Tenured Faculty

1. Tenure is not acquired merely by successive reappointment over a specified time. In order to be eligible for tenure, a professor must have 6 years of regular teaching service at the rank of Assistant Professor or higher.

2. For a positive tenure decision, a faculty member must have demonstrated high quality in both teaching and scholarship or creative abilities. There must also be evidence of the ability to continue significant growth in these areas and continue to make positive contributions to the University community.

3. A professor with tenure may continue at the rank to which he/she has been appointed with tenure, or at a higher rank, until retirement, unless the University finds it necessary after due process to invoke its right to terminate the association at an earlier date. Termination will be based on proof of adequate cause for dismissal, and will be related directly and substantially to the fitness or performance of the faculty member in his/her professional capacity as a member of the University community, teacher, researcher, or creative member of his/her professional field. If, for reasons of financial exigency of a program in which a tenured professor is teaching, the termination of a tenured appointment is proposed, such termination shall be considered only as a last resort after every effort has been made to meet the need in some other way and to find for the professor a suitable reassignment in the University.

Administrative Officers and Staff Members with Faculty Rank

1. Depending on their academic credentials (master's, doctorate), administrative officers and qualified staff members may hold faculty rank.

2. The President is automatically a member of the faculty and holds the faculty rank to which he/she is entitled. The chief academic officer holds faculty rank at the level justified by his/her academic credentials and professional performance. The Director of Library Services and Learning Resources may or may not hold faculty rank depending on academic credentials and professional experience.

Faculty Promotion: Procedure And Criteria

Procedure

1. The Faculty Performance and Promotions Committee shall review annually faculty performance and shall consider, with recommendations for or against, applications for faculty promotion, and submit them to the Provost and Vice President for Academic Affairs.

2. The Provost shall review the promotion recommendations and submit his/her recommendation to the President.

3. The President shall make the final decision on faculty promotion.

Criteria for Promotion

General criteria used in evaluation of faculty members for promotion and for retention are:

1. Educational and professional background according to the credentials required for the rank;
2. Effective teaching, based on student and peer reviews (including the peer reviews of departmental faculty) and evaluation by the Faculty Performance and Promotions Committee;
3. Creative, scholarly and professional development;
4. Contribution to the University Community; and
5. Community service in the University service area.

PHILOSOPHY OF INSTRUCTION

APU Student Needs Analysis And The Methodology Objective

Students

This objective of the University's mission is predicated on understanding and serving both the traditional and the non-traditional age student.

Instructional Methodology

- *Class size* is small by design, usually limited to 10 students in keeping with the University's goal of maintaining a 10:1 student:faculty ratio.

- *Pedagogy*, represented by the traditional model, is predominately a highly structured classroom conveyance of information from teacher to student by the lecture method.

- *Androgogy*, represented by adult learning models, recognizes that adult learners generally differ from recent high school graduates in that adults have gained knowledge from life and work experience and are motivated to learn based on career advancement or change of professions. This is often an accelerated method that is more participatory, student-centered, Socratic, and personal focusing on individual needs and goals with emphasis on student initiative, independence, and responsibility.

- *Synergogy* emphasizes student collaboration, cooperation and team learning, with the teacher acting as a facilitator of learning rather than the source of information as a lecturer and director of learning.

- *Tutorial* learning is patterned after the English model where students are taught by faculty members in settings of one to three students; the Tutor gives individual attention to the students who generally enjoy regular faculty interaction and feedback and a more rigorous academic challenge than standard classroom courses.

Synthesis Of The Learning Objective Triad: Thinking-Doing-Being

(by Lawrence D. Marlatt, D.D., President of the University)

A principle plus a process equals a product. The challenge for higher education is the process, for a principle without a process has no product. The process is the philosophy and practice of instruction.

At American Pathways University, *learning is the principle*, not instruction. Learning is a long-term change in thinking (know), doing (do), and being (be) which will be demonstrated in appropriate ways, including successful lives, financial self-sufficiency, and leadership of functional communities. The synthesis of General Education (Know), the Academic Major (Do), and Life Skills Development (Be) produces a true education of the whole person who may be expected to be successful in life, financially self-reliant, and contributing to the quality of life of his/her community. In pursuit of the Know-Do-Be triad, the curriculum and general educational experience of American Pathways University are designed to empower students to attain the following achievements: (1) Intellectual; (2) Vocational; (3) Developmental; and (4) Ethical.

The instructional *process may facilitate or frustrate* the principle of learning. At American Pathways University, we recognize that life is a teacher and many life-learning experiences are college-equivalent. Students have the opportunity to demonstrate this. But while a student is attending APU, the teacher and instruction are essential ingredients of empowering students to build a pathway to their future through higher education. The question must be asked and answered: Is the teacher and his/her instruction "the pathway" or is he/she a "guiding light?" How one answers this question determines whether the educational enterprise and experience is teacher-centered (pedagogy) or student-centered (andragogy). In the words of the poet, Robert Frost, these two divergent paths make all the difference.

Of course it would be a false dichotomy to view pedagogy and andragogy as mutually exclusive. They are not, for one may supplement the other in the educational enterprise. But as an orientation—a philosophy of instruction—they are divergent paths. Furthermore, perhaps only the andragogy pathway leads to the highway of educational synergy where classroom competition is replaced by collaborative learning and the *finished product* is truly greater than the educational process.

It is believed that andragogy/synergogy is more suitable for the urban/inner city learner than simply pedagogy. By andragogy/synergogy the learning triad of thinking-doing-being is best synthesized. It is also believed that andragogy/synergogy requires more from the teacher but the rewards are commensurate. One reason that more may be required is that the teacher may not have seen andragogy/synergogy modeled in his/her own traditional higher education experience. Another reason is that andragogy/synergogy requires the teacher to know his/her students and their context as well as the subject. The following is a discussion of APU's philosophy and practice of instruction vis-à-vis pedagogy and andragogy/synergogy.

Situational Teaching

One of the primary objectives of the University is to graduate persons who will assume positions and roles of leadership within their communities. Teachers modeling leadership, not solely teaching leadership theory, can be a major contributor to leadership education.

Leadership scholar and university professor, Stuart L. Tubbs makes the following observations (the following three subsections, including the chart at the end of the third subsection, are verbatim quotations from *A Systems Approach to Small Group Interaction*, 4th Edition, McGraw-Hill, 1992).

Classroom Leadership: Teacher as Developer

The most abrupt shock I encountered on my first full-time teaching job was the contrast between the one-on-one competition of the classroom and the need for effective teamwork with my teaching colleagues. Employers regularly criticize business students (usually M.B.A. holders) for being too self-absorbed in their careers, and not sufficiently team-oriented. It is not surprising that we don't have much in the way of team-oriented skills. Few of our classes teach this type of skill.

As a result of this lack of skill-oriented teaching, the American Assembly of Collegiate Schools of Business (AACSB) has been pursuing what it calls the "Outcome Measures Project." This project is designed to measure student gains as a result of having been through a business education. Outcomes are of two types:

1. Cognitive outcomes include knowledge of such disciplines as Accounting, Economics, Finance, Management, Marketing, Quantitative Analysis, etc.
2. Non-cognitive outcomes include such skills as Leadership, Oral Communication/Presentation Skills, Written Communication, Planning and Organizing, Information Gathering and Problem Analysis, Decision-making, Delegation and Control, Self-objectivity, and Disposition to Lead.

The Outcomes Measures Project represents a significant step toward legitimizing skill development as part of university teaching. Students can learn these skills if they do them constantly in the classroom. Such a development has been occurring in college classrooms. The traditional model of instruction has had the instructor as expert, but this is evolving into the model of instructor as developer.

Arrington (1989) and Kraft (1985) have described this approach as Group-Inquiry. Students are divided into groups of five to actively analyze and report on structured topics.

[Researchers have] also reported on a Consulting Team's methodology in which student teams serve as consultants to business organizations off campus, and report their results in class.

"Dr. Zia Kronfel, associate professor of psychiatry at The University of Michigan Medical School, is my next door neighbor. Recently he mentioned that the professors in his school were trying to reduce the problem of excessive absences from their lectures. I asked him if they had diagnosed the problem. He said

the medical students told them that the lectures were a waste of time. They preferred to meet on their own in groups of three or four to discuss the material. I asked him if this type of group discussion might be held in class. He said that they were experimenting with a technique that had been successful in one course entitled 'Introduction to Clinical Practice.'

Under the careful guidance and coaching of the instructor, the students are divided into teams of three. One student role-plays the physician. One plays the patient, and one videotapes and critiques the physician's techniques. He said both the faculty and students were very satisfied with this teaching method."

Situational/Contingency Teaching and the Six Paradoxes

The philosophical underpinnings of these approaches are based on the principle that active learning is more effective than passive learning (Tubbs, 1973,1987,1988).

Paradox 1

The Teacher-as-Developer has to be both less active and more active than the heroic teacher.

In 1965, I was student teaching Biology in Lakewood (Ohio) High School. After observing me teaching dissection in a laboratory one day, my supervising teacher, Mr. Coleman, told me, "You're working too hard. Let them do more for themselves. They will learn it better." This advice has served me well throughout my career.

It takes great skill to use student participation effectively. The greatest tendency of managers when attempting participative management is to go from autocratic to laissez-faire leadership. Similarly, when instructors attempt to change from lectures to group discussions, they tend to withdraw too much and the student discussions may go nowhere.

What we need to develop is the ability to develop constant student interaction, but with very active structuring, questioning, and coaching from the instructor. So we are less actively lecturing, but more active in prodding, provoking structuring, and guiding student discovery.

Paradox 2

The Teacher-as-Developer must give greater autonomy to students while establishing more control.

One of my most successful teaching experiences has been with classes of student "Consulting Teams" (Tubbs, 1985). The approach is to divide students in teams of five.

Each team is assigned to work for a United Way agency as volunteer consultants. They negotiate and write a contract that identifies mutually agreed-upon objectives for the students and client organizations to meet.

Since the students are off campus, they have greater autonomy than they would normally have meeting in the classroom under my caring but watchful eye.

However, at the same time, I had to develop more guidelines (or controls) so students would know what was expected of them, and what behaviors were inappropriate for the assignment.

For example, some members of the team would chronically complain that not all group members would live up to the contract. Thus, I had to establish a peer rating as part of the evaluation process leading to their project grade.

This illustrates the new challenges presented by Paradox 2.

Paradox 3

Teachers-as-Developers increase their own power by giving students greater power.

There is a big difference between position power and personal power. Position power is the authority of our position. For example, the university gives us the authority to make assignments, assign grades, etc.

However, personal power is the credibility which we earn based on our knowledge, experience, and interpersonal skills. As we allow greater participation and ownership of group outcomes, we also increase our personal power by building stronger support and loyalty.

It doesn't take much teaching experience to realize that our formal authority of power over students is very limited. However, the enthusiasm and excitement that results from getting students turned on to the subject matter is substantial.

A student once told me, “You get excited over ideas.” I had never thought about it that way, but she was right. That kind of power to excite people through ideas rarely occurs through position power.

Paradox 4

The Teacher-as-Developer builds a team as a way to support member individuality.

Think about being new in a group. How free do you feel to express your opinions, especially when they deviate from those expressed in the group? Now think about a group in which you feel very secure. How free do you feel to express a deviant opinion now?

Janis, in his well known book, *Groupthink* (1982), advises that groups can institute processes that actually increase individual thinking in cohesive groups where “groupthink” would otherwise tend to occur. Obviously, a high level of skill in running groups is required. (For more on this see Stuart L. Tubbs, 1988.)

The implication for teachers is that we need to allow students the freedom to disagree with one another and with us. At the same time, we need to teach them the difference between idea opponents and personal opponents. The trick is to keep from turning an idea opponent into a personal opponent. The skill required is persuasion.

Paradox 5

The Teacher-as-Developer model requires an optimistic faith in student possibilities but demands tough implementation to work.

In this context, Bradford and Cohen (1984) state:

The Manager-as-Developer model is optimistic in several ways. First, the model is based on the premise that virtually everyone wants to do well—that no reason exists for basic incompatibility between what the organization needs (in its search for excellence) and what individuals want to produce (in terms of performing competently). ... At the same time, the Manager-as-Developer model is basically a tough approach. It is tough in setting high standards (and holding people to them). It is tough in requiring that the manager hold subordinates’ feet to the fire when they may want to avoid the difficult issues.

In business, no person better illustrates this principle than Lee Iacocca. He has been the savior of Chrysler Corporation. Yet most people don’t know that he has fired more than 25 Chrysler vice presidents in the process of turning that company around.

The popular 1989 movie, “Lean on Me,” is the true story about Joe Clark, a controversial high school principal in Patterson, New Jersey. He took over a school infested with dope dealers and maladroits. Through tough new policies and practices, he was able to spur students to much higher levels of academic achievement. He exemplifies all of us who believe our students have the potential to reach new heights, but we may have to get tough in the process.

Paradox 6

Although the Developer model requires new behavior, the best way to improve your performance as a teacher is to focus on the needs of students, rather than on yourself.

The most contemporary paradigm for leadership is the situational model. Hersey and Blanchard, *Management of Organizational Behavior* (1988), argue persuasively that leadership is most effective when adapted to the specific needs of the situation, most particularly, the individual follower.

It is axiomatic that to be an effective teacher, one must diagnose the needs of students, and then help to meet those needs. The common complaint about teachers is that they really know the subject matter, but can’t get it across. Clearly, to “snow” students with our knowledge and vocabulary does little to advance learning.

Resistance to Change

It has been said that the only person who likes change is a baby with a wet diaper. Obviously, those of us who have been successful with a didactic teaching style will find many reasons not to change.

Similarly, Fred Herr, former Vice President of Product Assurance for Ford, said in a speech once that one of Ford’s top managers found the new employee-oriented management methods so distasteful that he resigned and retired. The manager reportedly said, “For years you have encouraged me to be an attack dog. Now you want me to be a pussycat. I can’t do it.”

The catalyst for change in industry is the ravaging of our industries by foreign competition. The catalyst for change in education is the avalanche of criticism from tuition-paying customers who are becoming increasingly dissatisfied with the education they are getting for their precious dollars.

The ironic thing is that changes can be difficult for students too. I remember teaching a class at the University of Kansas more than 20 years ago in which a student got angry with me for not “teaching.” He asked, “What are you getting paid for if we have to teach ourselves?”

I’m sure that whatever I said to convince him was not very effective. Today I might quote Carl Rogers (1969), who wrote:

“I have come to feel that the only learning which significantly influences behavior is self-discovered, self-appropriated learning. Such learning, ... assimilated inexperience, cannot be directly communicated to another.”

University Professors as Developers

On the other hand, after hundreds of classes and thousands of students (and three awards for outstanding teaching), I am more convinced than ever that the secret to success is through the methods advanced in this paper. Teams of workers and teams of students can support each other to discover for themselves what they need to learn, how they need to grow, and how problems might be solved. This kind of togetherness describes the future. And it works, in corporations and in classrooms.

The following chart contrasts some of the differences between the teacher-centered (pedagogical) model and the student-centered (andragogical) model.

	Teacher-as-Hero Model	Teacher-as-Developer Model
Assumption	Lessons best <i>revealed to</i> students through lectures	Lessons best <i>acquired by</i> students through experience -based activities
Method	Primarily one-way communication	Primarily group-centered, two-way communication
Emphasis	Increasing information, passivity	Development of skills, activity, creativity
Locus of Responsibility	Instructor	Instructor/Students
Incentives	Grades	Grades, ego involvement, skill development
Culture	Formal, Parent-child, competitive	Informal, adult-adult, cooperative
Cognitive Approach	Analysis	Synthesis
Student-Teacher Relations	Distant, sometimes adversarial	Closer, more collaborative
Power	Centralized	More distributed
Organizational Criteria	Efficiency	Effectiveness

ACADEMIC FREEDOM AT AMERICAN PATHWAYS UNIVERSITY

Academic Freedom for Faculty

The University adheres to the following “1940 Statement of Academic Freedom of the American Association of University Professors” (AAUP) and the Association of American Colleges (as adapted by Colorado Christian University).

“1. Institutions of higher education are conducted for the common good and not to further the interest of either the individual faculty or the institution as a whole. The common good depends on the free search for truth and its free expression.

2. Academic freedom is essential to these purposes and applied to both teacher and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with its duties correlative rights, as delineated below.

3. The university teacher is entitled to full freedom in research in the publication of results, subject to adequate performance of the other academic duties; however, research for pecuniary gain should be based on an understanding with authorities of the University.

4. The teacher is entitled to freedom in the classroom in discussing the subject, but should be careful not to introduce into instruction controversial matter that has no relation to the subject.

5. The university professor is a citizen, a member of a learned profession (the University Professoriate), and an officer of an educational institution. When speaking or writing as a citizen, he/she should be free from institutional censorship of discipline. However, the special position of the university professor in the community imposes special obligations as a person of learning and an educational officer, and therefore the university professor should remember that the public may judge his or her profession and institution by each comment. Hence, the professor should show respect for the opinions of others, and should make every effort to indicate that he/she is not, in such contexts, an institutional spokesperson.”

The Statements of Mission (mission, values, vision, priorities) and the statement of “University Ethics” (as both categories are delineated in this document and the *Academic Catalog*) provide the framework within which academic freedom functions at APU.

Academic Freedom for Students

APU is a non-sectarian institution and has no limitations on individual freedom of speech. Responsible and civil promulgation and discussion of ideas, truth, and religious and political dialogue, in the view of the University, are hallmarks of liberal education and necessary for freedom of speech.

Faculty Must Respect Student Academic Freedom and Freedom of Speech

The faculty member is entitled to freedom in the classroom in discussing his/her subject. The faculty member is, however, responsible for the maintenance of appropriate standards of scholarship and teaching ability. It is not the function of a faculty member in a democracy to indoctrinate his/her students with ready-made conclusions on controversial subjects. The faculty member is expected to train students to think for themselves, and to provide them access to those materials which they need if they are to think intelligently. Hence, in giving instruction upon controversial matters, the faculty member is expected to be of a fair and judicial mind, and to set forth justly... the divergent opinions of other investigators. No faculty member may claim as a right the privilege of discussing in the classroom controversial topics outside his/her own field of study. The faculty member is normally bound not to take advantage of his/her position by introducing into the classroom provocative discussions of irrelevant subjects not within the field of his/her study. (Adopted from the Penn State University *Academic Freedom for Students* policy)

Students and Faculty Must Respect An Appropriate Environment for Academic Freedom

The University encourages free speech within an atmosphere, decorum, and comity that facilitates and is consistent with liberal education. Such counterproductive behaviors as vulgarities and hate speech are discouraged as unbecoming of the liberally educated person and a liberal arts educational experience and as disruptive of a setting and atmosphere conducive to inquiry, discussion, learning, and contemplation.

ACADEMIC PROCEDURES

Procedures are published at the beginning of each term by the Office of the Provost and reviewed in depth at faculty meetings. Such procedures address course and faculty changes, classroom assignments and changes, classroom regulations, instructional materials, textbook selection, ordering textbooks, instructional technology for faculty use, building access policies, classroom management, instructor absences, course syllabus and format, copyright protection of faculty generated material, examinations and alternatives, and school closure.

ACADEMIC POLICIES

Academic Catalog

The *American Pathways University Academic Catalog* is published annually. It contains the salient features of the institution—mission, philosophy of education, service area, grading policies, registration policies and procedures, transfer of credit policies, unaccredited institutions transfer of credit, faculty and staff, and policies regarding academic advising, registration, academic standards, grading system, retroactive credit, prior learning credit, dropping and adding a course, standard student load, maximum course load per term, and privacy rights of students. It contains the *Student Handbook* (which is also published separately).

Student Handbook

The *Student Handbook* is incorporated in the *American Pathways University Academic Catalog*. It is also published separately by the Office of the Provost.

PERSONNEL POLICIES

Management Objectives Of American Pathways University

(an adaptation from *Leadership and Management* (CCU Press, 1994) by Gene R. Marlatt, Provost and Vice President for Academic Affairs)

People — People are the key to successful enterprise as good stewards of God-given abilities and responsibilities. The people of the University enterprise have the confidence and respect of the University community.

Individual freedom — People are allowed considerable freedom to set their own schedules within the boundaries of appropriate and just contribution to the enterprise, and to set the standards of quality of their work.

Trust — People are trusted to do their jobs effectively, efficiently, and ethically, without constant directives. Such rules and procedures as are encoded exist as guidelines and maps, and do not indicate a lack of confidence.

Partnership and Teamwork — Emphasis is placed on working together and sharing rewards, sharing responsibilities, helping each other, learning from each other, and on learning from our own and our colleagues' mistakes and successes. There is no hierarchical management. Rather, management and leadership are functional and hence lateral. For example, the chief administrative officer in a specific division is in charge of certain functions, the office manager certain functions, and so forth.

Respect for Infrastructural Colleagues and Functions — In the parlance of economic policy and growth, infrastructure refers to transportation systems, communications systems, and water and energy resources and access systems that are essential to the success of business and personal welfare. No division of the University could operate at a high level of efficiency, if at all, without the overall infrastructure of the offices of Accounting, Financial Aid, Registrar's, Academic Affairs, the President, Facilities and Maintenance, Admissions, Management Information Systems, and a plethora of other entities that collectively comprise the infrastructure of the University. No one entity of the University enterprise is more important than the other. All divisions of the corporation are indispensable to the other parts, and none should have greater glory than any other.

Job Dignity — Every position is important. Therefore, treat others with appropriate respect and give them opportunity for meaningful participation. Do not “look down” on others. Do unto others as you would have them do unto you. Their jobs are difficult, too, and they deserve your understanding and patience without judgmental attitudes or expressions. This is not to say, however, that it is inappropriate to judge and evaluate job performance. Judgment is distinct from judgmentalism or a critical spirit.

Open, honest communication — No artificial distinction between colleagues—let us be on a first name basis with each other. With a third party (a client, a student, some fellow worker in another school or department of the university), when referring to a colleague please use titles and surnames (Dr., Professor, Mr./Ms.). To say this does not preclude your personal style of being on a first name basis with students or other colleagues.

Leadership and Followership — We are all leaders and we are all followers. We need to practice both functions. What Aristotle wrote about leaders applies equally well to followers. Therefore, it applies to us all. Aristotle taught that the good leader must have *ethos*, *pathos*, and *logos*. The *ethos* is his or her moral character. The *pathos* is his/her ability to touch feelings, to move people emotionally. The *logos* is his or her ability to give solid reasons for an action, to move people intellectually. To this we would add such leadership practices as win-win, “no deal” (when an issue is not resolvable because of its unacceptable terms), accommodational strategies, leadership by wandering around, leading up as well as leading down, situational leadership, multifacetic leadership, and transactional and transformational leadership.

ELBWA — *Ethical Leadership By Wandering Around* (ELBWA) is critical at APU. We have all heard of MBWA (management by wandering around). ELBWA is a step beyond it. ELBWA is critical to leadership. To have a well-managed operation, the people who work there must be aware of what is happening in their areas — not just at their immediate level, but also at several levels above and below. Persons in the corporation are our most important resource, and leaders have direct responsibility for their training, performance and general welfare. To do this, true leaders must move around to find out how their people feel about their jobs, and what they think will make their work more productive and more meaningful. We believe that this is what managers, technicians that they are, endeavor to do. Leaders understand that they are the recipients of Grace, and that they must be practitioners of Grace. They understand that they must have vision, and empathy, and tolerance, and patient. They understand that

leadership goes up and it goes down in the organization and that empowerment of others is perhaps the most important thing, other than compassion, that they can do.

Visionary Leadership — Burt Nanus, Professor of Management at the University of Southern California's School of Business and Director of Research at USC's Leadership Institute (and co-author with Warren Bennis of *Leaders: The Strategies for Taking Charge*) has an insightful perspective on vision and leadership (*Visionary Leadership*, 1992). Nanus' formulas for leadership are:

Vision + Communication + Shared Purpose + Empowered People + Appropriate Organizational
Changes + Strategic Thinking = Successful Visionary Leadership

All good visions reflect the uniqueness of one's organization. A visionary leader must make it happen. A vision will remain just a vision unless you make others in your organization aware of it — as a leader, you have to become the spokesperson for vision. Since in APU we are all leaders, we have to be spokespersons for the vision, which we hope will be shared and multifaceted in nature.

There is more. Nanus suggests four dimensions of Visionary Leadership. "To be an effective leader in today's rapidly changing world requires a delicate balancing act in four dimensions, as follows:"

•**Inspiration:** "You must be able to relate skillfully to the managers and workers who look to you for guidance, encouragement and motivation *inside* your own organization." Whether it's through memos or public speaking, or a combination of these and other media, you have to inspire others to make your (their) vision a reality.

•**Networking:** "You need to be able to make decisions that capitalize on all the forces *outside* your organization that have a great impact on whether your organization survives and flourishes — changes in customer tastes, for example, or in interest rates, technologies, societal values, politics or the global economy." Thus, you must spend a good deal of time negotiating with people both inside and outside (the inside-outside phenomenon) your organization to generate trust and consensus around your vision. Helmut Kohl, the Chancellor of Germany, could not have achieved his vision of a unified Germany had he not carefully built up personal relationships with Soviet, American and European leaders and then lobbied successfully for their support.

•**Personifying the Vision:** "You must be able to shape and influence the *present* operations of your organization — the way it works; how it relates to competitors, suppliers, investors and clients; and what it must do to succeed." You must live your vision by making all your actions and behavior consistent with it, and by creating a sense of urgency and passion for its attainment. Martin Luther King, Jr., knew that he had to be the very embodiment of the civil-rights movement if he expected to make a difference. You must learn how to become an agent of change for your vision, how to be a coach for your vision, how to "lead from the middle," and how to be a prudent visionary (don't do it alone; don't be overly idealistic).

•**Futuristic thinking:** "You must be highly skilled in anticipating the *future* — that is, able to access developments that are likely to have critical implications for your organization in the coming year or as much as a decade ahead, and therefore require preparation and investment today."

ODP (Open Door Policy) — Managers are expected to promote a work environment in which colleagues feel free and comfortable to seek individual counsel, express general concerns, and offer ideas. All colleagues have the right, if in their opinion they feel such steps are necessary, to discuss their concerns with the level of management they feel is appropriate to handle the situation. Any effort to prevent any colleague from going to higher-level management through intimidation or any other means, is absolutely contrary to APU policy and is not acceptable. Using the open door policy will not in any way impact any evaluations of colleagues or subject them to any other adverse consequences.

Collegiality — Collegiality is the collective responsibility shared by each of the associates in the enterprise. Colleagues also have individual responsibilities. Not only do they share in decision-making and policy setting, they share in openness. They are not to practice unannounced "end runs" (going behind the

back of their managerial colleague) without candid discussion with that colleague first and informing him or her that they will practice the open door policy with an upper-level manager. They should keep their discussions with upper-level managers objective and focused on significant individual concerns. Colleagues should also remember that there are different points of view in every situation and that they may need to play a role in resolving the issues.

WIHS — Walking In His Shoes — It is easy to be critical of others. Objective, knowledgeable judgment of a colleague’s performance by those who should do that function is appropriate, and in a sense everyone has a right to evaluate colleagues. Yet that judgment must be knowledgeable, which means the judge must have reasonable awareness of the complexities of the other person’s job and reasons for the decisions made before judging. “Shooting from the hip” is neither intelligent nor tolerable.

Ethics — APU is predicated on Christian personal and social ethics and the Christian worldview. APU must operate within that ethos. All personnel in APU are to practice the highest ethics. This means no use of obscenities or profanity, ever, whatever the provocation. This means no backbiting (appropriate use of the open door policy will enable us to avoid this in practice if not in attitude). This means practicing our interpersonal relationships according to the injunction to “do unto others as you would have them do unto you.” This means following the rules of the corporation, even if we do not like them, and seeking through due process and appropriate procedures to change the rules if we believe that they need changing. This means adhering conscientiously to the University’s Principles of Ethics and Code of Behavior.

Corporate Objectives

In addition to the general mission and vision of the University, APU has the following “corporate objectives:”

People development — To help APU’s people share in the University’s successes that they make possible; to provide employment security based on their performance; to ensure them a safe and pleasant work environment; to recognize their individual achievements; and to help them gain a sense of satisfaction and accomplishment from their work.

Leadership and Management — To foster initiative and creativity by allowing the individual great freedom of action in attaining well-defined objectives.

Citizenship — To honor our obligations to society by being an economic, intellectual, and social asset to the general community and to such sub-communities (church, business, education, minorities) as are possible to reach. Hence, APU faculty, staff, and students are encouraged to participate in community-based organizations and activities within the University’s service area (e.g., church and parachurch ministries, political activities, government, educational consulting, board memberships, and the like).

Fields of Interest — To participate in those fields of interest that build upon our technology and customer base, that offer opportunities for continuing growth, and that enable us to make a needed and profitable contribution.

Innovation and Growth — To let our growth be limited only by our results and our ability to develop and produce programs that serve real needs. This includes such practices as developing new program ideas, based on sound educational policy and market research, as the basis for expanding existing markets or diversifying into new markets.

Clientele — To provide educational services of the highest quality and the greatest possible value to our students and the corporations and proprietorships for which they work, thus gaining and holding their

respect and loyalty. Clientele satisfaction is a legitimate goal of the institution. Our clientele, in particular, is our students. To ensure clientele satisfaction, we will offer a curriculum that has been thoroughly designed, tested, and specified; we will strive to create an educational product that has lasting value and benefits that are additional to the specific curriculum they have received.

Infrastructure — Infrastructure exists to promote the welfare of the University as an institution of higher education. Its programs are designed to benefit the University as a whole. There is no room for “turf protection” in such an enterprise.

Honesty and Integrity — In all matters, open and honest communication with colleagues, clients, and community should be practiced.

FACULTY AND STAFF GRIEVANCE PROCEDURES

Scope

The grievance procedure is designed to resolve conflicts that may arise between any two or more members of the American Pathways University community. It is not an appeals procedure to be followed when an employee’s supervisor determines that his or her work or conduct justifies termination of employment. For the latter, please see the section on Dismissal and Due Process. For resolution of problems relating to course grades or academic suspension, please see Grade Appeal Policy.

Preliminary Adjudication

All members of the American Pathways University community are reminded that grievances should be resolved in a professional and ethical manner. Normally, therefore, an aggrieved party should meet with the person considered at fault and in a loving and humble attitude seek a resolution without intervention by a third party or parties. Assuming that such an effort has failed to produce a satisfactory result, the parties to the dispute will arrange to meet with two administrators according to the following schedule and seek an informal solution to the problem.

1. The Dean of Students and the Vice President for Institutional Management will work together to resolve conflicts between a student and financial staff members.
2. The Dean of Students and the Provost will work together to resolve conflicts between a student and a faculty member.
3. The Dean of Students and the Provost will work together to resolve a conflict between a student and a member of the student development staff.
4. A conflict between a member of the Institutional Advancement staff and any other member of the University community will require a meeting with the Vice President for Institutional Advancement and the member of the President’s Cabinet supervising the other member’s area.
5. A faculty/staff grievance will involve a meeting with the Provost and the Department Director or the Vice President supervising the staff member.
6. A grievance involving two faculty members will be brought to the Provost, who may call in a Department Director or a member of the President’s Cabinet for resolution of the problem.
7. A grievance between two staff members in the same department will be brought to the Vice President in charge, who may call in another member of the President’s Cabinet for resolution of the problem.

Final Adjudication

If the problem cannot be resolved through an informal meeting as described above, the grievant may file a formal, written appeal with the Office of the President, provided it is submitted within twenty (20) days

after the grievant reasonably should have had knowledge of the alleged action or affront. The grievant must indicate the action or affront alleged to have occurred, its time of occurrence and the established policies or procedures deemed inadequate, violated, or improperly administered. The grievant must state the action of resolution requested.

The President's Cabinet may resolve the problem based on the written petition alone, may ask both parties to appear for a hearing and may or may not ask other witnesses to appear. Neither party shall have the right to legal counsel before the Cabinet.

If the grievance involves a member of the President's Cabinet, that member shall be disqualified from voting on the outcome.

The majority vote of the President's Cabinet shall constitute a final settlement of the issue.

UNIVERSITY PRINCIPLES OF ETHICS AND CODE OF BEHAVIOR

(collateral sources: *Academic Catalog* and *Student Handbook*)

American Pathways University adheres to several general principles of ethical behavior and behavioral standards. These are delineated in the *Student Handbook* and are equally applicable to faculty and staff.

Principles Of Ethics

Participation in an academic community carries responsibilities as well as privileges. Employment is regarded as an agreement by the appointee to abide by University standards while on campus, in campus housing, and in the classroom as outlined in the *Student Handbook* and in this *Faculty-Staff Manual*.

A. Employees should practice careful stewardship of mind, time, abilities, funds, and opportunities.

B. Practices disruptive or destructive to the university community, such as immoral, unethical, and illegal activities, are prohibited on the campus and during University-sponsored events. Employees convicted of such illegal activities are subject to expulsion from the University.

C. In all other matters of behavior and ethics, all members of the University community should always act in consideration of others, should use informed discretion, and should exercise personal restraint.

D. In addition to overt behaviors, certain attitudes are inappropriate for our academic community. These include greed, jealousy, pride, lust, bitterness, needless anger, an unforgiving spirit, and prejudice and concomitant discrimination based on race, gender, or social status.

Code Of University And Student Conduct

(collateral source: *Student Handbook*)

Note: American Pathways University is indebted to the Associate Chancellor at the University of Colorado at Denver (UCD) for much of the Code of University and Student Conduct, Disciplinary Policies and Procedures, and Student Rights comes (sometimes in paraphrase, sometimes verbatim) from UCD's academic catalog, which has won acclaim by accrediting associations for its comprehensiveness and quality. This material is used by permission. It should be noted that most of the Code applies to faculty, staff, and visitors as well. The definition of plagiarism is found in *The Random House Dictionary of the English Language*.

University Honor Code

As members of the American Pathways University, faculty, staff, administration, and students are expected to adhere to and maintain the highest standards of intellectual honesty and ethical conduct in completing all forms of academic and related work at the University. This commitment is the essence of the University Honor Code.

General Principles And Specific Applications

General principles of ethics such as those found in the “University Principles of Ethics” require specific statements of expected behavior known as law and regulations. The University has adopted a Code of Student Conduct to give guidelines and expectations by which to apply those principles and expedite adherence to the Honor Code. Of prudent necessity, students failing to adhere to these regulations when on campus are subject to disciplinary action by the University, the most extreme of which is expulsion. Violation of public law can result in punitive action by the Federal, state, or municipal authorities as well.

University Standards And Criminal Violations

All members of the American Pathways University community, students, staff, and faculty are held responsible for upholding civil and criminal laws, as well as University standards. Enrollment does not confer either immunity or special consideration with reference to civil and criminal laws. Disciplinary action by the University will not be subject to challenge or postponement on the grounds that criminal charges involving the same incident have been dismissed, reduced, or are pending in civil or criminal court. In addition, the University reserves the right to pursue disciplinary action if a student violates a standard and withdraws from the University before administrative action is final.

General Standards Of Conduct For Which Action May Be Taken If A Violation Occurs

A. All persons (staff, students, visitors) on University property are required, for reasonable cause, to identify themselves when requested by those officials acting in the performance of their duties—whether they are University staff or police officers.

B. Acting through its administrative offices, APU reserves the right to exclude those posing a danger to University personnel or property and those who interfere with its function as an educational institution.

C. Behaviors delineated below will not be tolerated because they threaten the safety of individuals and violate the basic purpose of the University and the personal rights and freedoms of its members.

1. *Intentional obstruction, disruption, or interference* with teaching, research, disciplinary proceedings, or other University activities, including public services and administrative functions or authorized activities on APU premises.

2. *Willful obstruction or interference* with the freedom of movement of students, school officials, employees, and invited guests to all facilities of APU.

3. *Physical abuse* of any person on property owned or controlled by APU or at functions sponsored or supervised by the University, or conduct that threatens or endangers the health or safety of any such person.

4. *Verbal or physical harassment* and/or hazing in all forms, which includes, but is not limited to, striking, laying of hands upon, threatening with violence, or offering to do bodily harm to another person with intent to punish or injure; or other treatment of a tyrannical, abusive, insulting, or humiliating nature. This includes, but is not limited to, demeaning behavior of an ethnic, sexist, or racist nature, unwanted sexual advances, or intimidations. This also includes the use of abusive language of an ethnic, sexist, or racist nature and to all forms of obscene (obscenities) and profane (profanity) speech whether of a harassing nature or not. *APU is an obscenity-profanity free campus:* Whatever profane or obscene language students, staff, or faculty use off campus, such language is not to be used on campus.

5. *Prohibited entry or use* of APU property for illegal purposes or purposes detrimental to the University.

6. *Theft or damage* to University property or the private property of students, University officials, employees, and invited guests. This includes the possession of known stolen property.

7. *Forgery, falsification, alteration, or use of University documents, records, or instruments of identification and fraud* (including computer fraud), with intent to gain any unentitled advantage.

8. *Possession of firearms, explosives, or other dangerous weapons or materials* within or upon the grounds, buildings, or any other facilities of the University. Weapons may include, but are not limited to, firearms, explosives, BB guns, slingshots, martial arts devices, brass knuckles, Bowie knives, daggers or similar knives, or switchblades. A harmless instrument designed to look like a firearm, explosive, or dangerous weapon that is used by a person is expressly included within the meaning of the terms firearms, explosive, or dangerous weapon. (This policy does not apply to any police officer while on duty authorized by the University or private police employed by the University.)

9. *Illegal Drugs*: Sale, distribution, use, possession, or manufacture of illegal drugs within, or on the grounds, buildings, or any other facilities of APU.

10. *Physical restriction, coercion, or harassment of any person and significant theft*: damage; theft; sale/manufacture of illegal drugs (includes the possession of a sufficient quantity with intent to sell); unauthorized possession of University property; or forgery, falsification, alteration or use of University documents, records, or instruments of identification to gain any unentitled advantage.

11. *Classroom Conduct*. Students are expected to conduct themselves appropriately in classroom situations. If disruptive behavior occurs in a classroom, an instructor has the authority to ask the disruptive student to leave the classroom. Should such disorderly or disruptive conduct persist, the instructor should report the matter to the Provost's office. The appropriate Academic Department Director or the Provost may dismiss a student from a particular class for disruptive behavior, while a student discipline committee may recommend to the President to withdraw, suspend, permanently expel, and/or permanently exclude the student from the campus. Appeal questions concerning disruptive behavior should be directed to the Provost when withdrawal from a class is involved.

12. *Use of University Facilities: Proper Use, Inappropriate Use, Peaceful/ Orderly Assembly*. Campus regulations are designed to prevent interference with University functions and activities.

a. Members of the APU community (students, staff, faculty) using University facilities are expected to do so in an effective, efficient, appropriate, ethical and legal manner. Use of these facilities depends on mutual respect and cooperation to ensure that all members of the community have equal access, privileges, privacy, and protection from interference and harassment. Violations of this policy are subject to discipline.

b. Nothing in the Code of Conduct shall be construed to prevent peaceful and orderly assembly for voicing of concerns or grievances. The University is dedicated to the pursuit of knowledge through a free exchange of ideas, and this shall be a cardinal principle in the determination of whether or not a proposed use of APU facilities is appropriate.

c. Except where otherwise specifically authorized, or when members of the public are invited, the use of APU facilities shall be limited to faculty, staff, and students of the APU campus, and to organizations having chapters, local groups, or other recognized university-connected representation among faculty, staff, or students.

Academic Integrity And Dishonesty

The University expects students as well as faculty and staff to adhere to the highest forms of academic integrity and avoid academic dishonesty. *Academic Dishonesty* is defined as a student's use of unauthorized assistance with intent to deceive an instructor or other such person who may be assigned to evaluate the student's work in meeting course and degree requirements. Questions regarding academic integrity and dishonesty should be directed to the Provost's office or to the Director of the academic major in which the student is enrolled.

Examples of academic dishonesty include, but are not limited to, the following instances.

A. Plagiarism

The most common example of academic dishonesty is plagiarism, which is the “appropriation or imitation of the language, ideas, and thoughts of another author’s writing or speeches (e.g., the lectures of a professor), and representing them as one’s original work.” Plagiarism may be intended or inadvertent, but it is plagiarism nonetheless and thus subject to disciplinary action usually in the form of a grade penalty or failure of a course. If plagiarism is intentional, it is meant to deceive an instructor or other such person who may be assigned to evaluate the student’s work in meeting course and degree requirements, and thus academic dishonesty.

The incorporation of another person’s work into one’s own account requires appropriate identification and acknowledgement, regardless of the means of appropriation. The following are considered to be forms of plagiarism when the source is not noted: (1) word-for-word copying of another person’s ideas or words; (2) the mosaic (the interspersing of one’s own words here and there while, in essence, copying another’s work; (3) the paraphrase—the rewriting of another’s work, yet still using their fundamental idea or theory without attribution; (4) fabrication—inventing or counterfeiting sources; (5) submission of another’s work as one’s own; (6) neglecting quotation marks on material that is otherwise acknowledged. Note that acknowledgement is not necessary when the material is common knowledge.

B. Cheating

Cheating involves the possession, communication, or use of information, materials, notes, study aids, or other devices not authorized by the instructor in any academic exercise, or communication with another person during such an exercise. Examples of cheating are: (1) copying the answers to a test given by another student or copying from another student’s paper; (2) receiving unauthorized assistance from another during an academic exercise or in the submission of academic material; (3) using a calculator when its use has been disallowed; (4) collaborating with another student or students during an academic exercise without the consent of the instructor.

C. Fabrication or falsification

Fabrication is inventing or counterfeiting information such as creating results not obtained in a study or laboratory experiment; falsification is the deliberate changing of results to suit one’s needs in an experiment or other academic exercise.

D. Multiple Submission

Multiple Submission is the submission of academic work for which academic credit has already been earned, when such submission is made without instructor authorization.

E. Misuse of Academic Materials

Misuse of academic materials, includes the following: stealing or destroying library or reference materials or computer programs; stealing or destroying another student’s notes or materials, or having such materials in one’s possession without the owner’s consent; receiving assistance in locating or using sources of information in an assignment when such assistance has been forbidden by the instructor; illegitimate possession, disposition, or use of examinations or answer keys to examinations; unauthorized alteration, forgery, or falsification of academic records; unauthorized sale or purchase of examinations, papers, or assignments.

F. *Complicity*

Complicity is deliberate involvement in academic dishonesty and knowingly contributing to acts of academic dishonesty.

Inclusiveness And Nondiscrimination

The American Pathways University admits students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

American Pathways University is committed to enhancing the inclusiveness of its work force and its students. Inclusiveness among students, faculty, staff, and administration is essential to educational excellence and to accomplishing APU's urban mission. Inclusiveness among faculty, staff, and administrators provides role models and mentors for students, who will become leaders in society, and ensures that a broad array of experiences will shape teaching, research, service, and decision-making at APU.

As expressions of APU's inclusiveness principle, the following policies prevail.

A. APU does not discriminate on the basis of race, color, national origin, age, disability, creed, religion, sex, or veteran status in admission and access to, and treatment and employment in, its educational programs and activities.

B. APU seeks to increase ethnic, cultural, and gender diversity, to employ qualified disabled individuals, and to provide equal opportunity to all students and employees.

C. APU complies with all local, state, and Federal laws and regulations related to education, employment, and contracting.

Disability Accommodations

American Pathways University seeks to provide reasonable accommodation and access for persons with disabilities. Any person requiring such accommodation in order to access programs and services of the University should make a timely request for such accommodation from the individual or office responsible for providing the program or service. For further information, contact the Office of the Provost.

PROFESSIONAL STANDARDS

(APU is indebted to the Provost/Vice President for Academic Affairs at American University of Washington, D.C. for advice and consultation in developing these policies)

Employment Of Relatives

The University does not prohibit the initial appointment or continued appointment of relatives (filial, spousal) to positions on the faculty or the staff, including positions within the same department.

The policy of the University is that all personnel decisions—appointment, termination—should be made on their merits, uninfluenced by personal relationships.

However, as a general principle, personnel should not participate in the decision of any matter that may affect directly the appointment, tenure, promotion, salary, or other employment status or interest of a close relative or of someone with whom the professor, staff, or administrative member has a personal living relationship. Where such relationships exist, some administrator other than the supervisor shall be called

upon to make the decision or recommend a decision. That decision will be binding unless overruled by the President or the Board of Directors.

Nepotism

Nepotism, the unjustified patronage or favoritism bestowed on a colleague on the basis of family relationship, is not permitted. All personnel decisions (appointment, promotion, remuneration, termination) should be made on their merits, uninfluenced by personal relationships. Charges of nepotism should not be levied lightly or without definitive proof. Where nepotism is proven, sanctions and even dismissal are possible.

Outside Professional Activities

General Policy

1. Increasingly, the private and public sectors are relying on the university professoriate for advice and guidance. This recognition of the contribution that institutions of higher learning can make to the non-academic world has provided many members of the professoriate with the opportunity to use their knowledge and talents constructively and profitably to strengthen their competence through a greater variety of professional experience.
2. APU professors are encouraged to engage in appropriate outside professional activities, including research, consulting, community service, and in certain defined instances teaching.
3. Specific policies prevail vis-à-vis consulting and teaching at another institution, and the avoidance of conflicts of interest.

Consulting

The University permits a regular appointment professor, whose on-campus and scholarly performance is otherwise satisfactory, to engage in outside consulting (professional activity related to the professor's field or discipline, where a fee-for-service or equivalent relationship with a third party exists), provided that such activity does not diminish the professor's total contribution to the University. There are many types of consulting relationships and fee arrangements, and the precise form entered into is not determinative. The principle is that, in consulting, a professor agrees to use his/her professional capabilities to further the agenda of a third party for a significant immediate or prospective gain. This privilege is not extended to research faculty who are paid wholly from research grants or contracts.

Payments for such consulting are negotiated by the professor directly and do not involve the University. The University assumes no responsibility or liability for private professional services rendered by members of the faculty, and it must be made clear to any client that the work has no official connection with the University.

The responsibility for adhering to the limit on outside consulting lies first with the individual professor. Professors are expected to resolve all questions and ambiguities with their Department Director before the fact so that the University is not injured by their actions. Professors have an obligation to report fully the level of their consulting activities when asked to do so by the University so that it may be determined whether the principles set forth herein are being followed.

The University will protect its interest from losses due to excessive consulting and will require the professor to stop any consulting activity that is inconsistent with this policy.

Teaching at Another College

Instruction at another college or university at any time requires advance written approval from the director of the department and the Provost.

Conflict of Interest

Conflict of Interest should be avoided in all instances of outside professional activities. Professors must ensure that no conflict of interest exists (as is expected of the Board of Directors, staff, and other officials).

A conflict of interest means external professional activities that intrude upon the academic functions of teaching, scholarly activities (including research), and service to the institution.

Such conflicts include (1) situations where a research or community service activity could and ordinarily would be facilitated within University activities and programs is conducted elsewhere to the disadvantage of the University and its legitimate interests; (2) situations where consulting or other services are provided to an organization that would place the University at a competitive disadvantage; and (3) involvement in any arrangement that might enable (or appear to enable) the professor to influence the University's relationship with an outside organization in ways leading to personal gain or to other conflicts of interest.

In cases where questions arise regarding potential or apparent conflict between consulting activities and the professor's University duties, the professor shall disclose, upon request from the appropriate Department Director, Provost, or President, the names of clients for whom the professor consults, the general nature of each consulting agreement (as opposed to detailed technical aspects), and the number of days committed per consulting agreement.

Use of University Facilities for Outside Remunerative Employment

This activity is prohibited unless authorized by the Departmental Director and the Provost and scheduled by the Director of Facilities and Scheduling. University facilities include, but are not limited to, the physical facilities, email, photocopying, telephone, the University letterhead, and the use of the University's address as the professor's business address.

Professional Activities Considered as Outside Activities

1. Publication

Scholarly communications in the form of books, scholarly or popular articles, motion pictures, television productions, art works, opinion editorials (op-eds), and other genres, although frequently earning financial profit for a professor and for another party (e.g., a publisher or producer) are not considered prohibited activities or consulting.

2. Professional Service

Professional service includes participation on national or local commissions and professional associations, ecclesiastical organizations, governmental agencies and boards, granting agency peer group review panels, visiting committees or advisory groups to other universities, and analogous bodies.

The fundamental distinction between professional service and consulting is that they are public or University service. Although an honorarium or equivalent is sometimes forthcoming, these professional activities are not undertaken for personal financial gain. Therefore, such service does not fall within the definition of outside consulting.

The University emphatically encourages its professors and staff to engage in professional and community service.

VIOLATIONS OF SCHOLARLY AND RESEARCH INTEGRITY

Definitions

Scholarly or research misconduct is defined as fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scholarly community for proposing, conducting, or reporting research or scholarly work. It does not include honest error or honest differences in the interpretations or judgments of data.

Policy

The University follows the generally recommended procedures developed by the Office of Research Integrity of the U. S. Department of Health and Human Services (USDHHS) for investigating charges of violation of scholarly or research activity. As applied to the governance structure of the University, these procedures will apply if a possible violation is brought to the attention of the University:

A. The Department Director or his/her designee will conduct an inquiry to determine whether the charge appears to have merit. The director will discuss the issue with the complainant and the respondent (the professor) and any other relevant parties.

B. If the Department Director concludes that there are sufficient grounds for the complaint, the director will initiate a hearing before the department faculty, following hearing procedures outlined above.

C. If the Department Director concludes that there are sufficient grounds for the complaint, or there are insufficient grounds, he/she will send his/her findings and recommendations in a report to the Provost.

D. The Provost may affirm or modify the recommendation. In either case, the Provost's decision is final.

PROCEDURES FOR DISCIPLINARY REVIEW AND ACTION

(collateral source: *Student Handbook*)

University Procedures In Cases Of Suspected Academic Dishonesty

As a general rule, all school and college procedures contain the following requirements and provisions.

A. Faculty, staff, or students may submit charges of academic dishonesty against students. A student who has evidence that another student is guilty of academic dishonesty should inform in writing the instructor or the Department Director of the charge.

B. A faculty member who has evidence that a student is guilty of academic dishonesty should confront the student with the evidence. In cases of academic dishonesty, the faculty member has the authority to reprimand the student appropriately, which can include the issuance of a failing grade. If the student is issued a failing grade because of academic dishonesty, the faculty member shall submit a written report to the director of the academic department within five (5) working days. The report shall include the time, place, nature of the offense(s), the name(s) of the accusers, witnesses (if any), and any other additional relevant information. If the faculty member believes that his/her reprimand is an insufficient sanction for a particular case of academic dishonesty, the faculty member may recommend that further actions be taken.

C. When a faculty member has recommended further action in a case of academic dishonesty, the

Provost or a designated committee shall schedule a disciplinary hearing as soon as expedient. The student(s) accused of academic dishonesty shall be notified in writing of the specific charge(s). The student(s) also have the right to have a representative present for advice, and to be present during the proceedings. The student(s) must notify the Provost five (5) working days before the hearing of the intent to have legal counsel present at the hearing.

D. The Provost or the designated committee may take any of the following actions:

1. Probation: place the student(s) on disciplinary probation for a specified period of time.
2. Suspension: suspend registration at APU for a specified period of time.
3. Expulsion: no opportunity to return to APU or the academic major in which the infraction occurred.
4. Take no further action against the accused student(s).

E. Closure of the matter.

1. A record of the action taken shall be kept in the committee's confidential file and a copy sent to the Provost.
2. In all cases, the student(s) shall be notified of the Provost's or the committee's decision within seven (7) working days.

F. Appeal: If a student wishes to appeal a case, the student should request the procedures for doing so from the Department Director of his or her academic major.

Harassment

Principles

Harassment of any kind violates the principles of justice, a positive learning-working-living environment, and civil law to which American Pathways University is committed. Although all forms of harassment are prohibited, the University specifically will not condone sexual harassment or related retaliation of or by any employee or student.

Sexual Harassment Policy

Sexual Harassment and related retaliation are expressly prohibited.

A. For the purposes of this policy Sexual Harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either *explicitly or implicitly a term or condition* of an individual's employment, living conditions, and/or educational evaluation;
2. Submission to or rejection of such conduct by an individual is used as *the basis for tangible employment or educational decisions* affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an *intimidating, hostile, or offensive working or educational environment*. Hostile environment sexual harassment is unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile, or offensive. The determination of whether an environment is "hostile" or "offensive" must be based on all the circumstances. These circumstances could include the frequency of the conduct, its severity, and whether it is threatening or humiliating.

B. Examples of policy violations include: a professor offers a higher grade to a student if the student submits to the professor's sexual advances; a supervisor implicitly or explicitly threatens termination if a subordinate refuses the supervisor's sexual advances; and repeated and unwelcome physical touching or severe and pervasive comments of a sexual nature that create an intimidating and offensive work or classroom environment.

C. *Retaliation* means adverse actions against individuals because they have, in good faith, reported

instances of sexual harassment. Examples include: an employee who makes a report under this policy about a supervisor's behavior is given an unsatisfactory performance review by that supervisor that is inconsistent with the employee's actual performance; a student is notified of a report under this policy made by another student and subsequently sends threatening messages to the student who made the report.

D. Making false complaints or providing false information is prohibited. It is a violation of this policy for anyone to make an intentionally false accusation of sexual harassment or related retaliation, or of any harassment, or to provide intentionally false information regarding a complaint.

E. Individuals who violate this policy will be disciplined or subjected to corrective action, including termination of employment or expulsion of the student from the University.

F. **Obligation to Report.**

1. In order to take appropriate corrective action, the University must be aware of sexual harassment or related retaliation. Therefore, anyone who believes that he or she has experienced or witnessed sexual harassment or related retaliation should promptly report such behavior to a campus sexual harassment officer (the Provost).

2. *Supervisor's Obligation To Report.* Any supervisor who experiences, witnesses, or receives a written or oral report or complaint of sexual harassment or related retaliation shall report it to a campus sexual harassment officer. However, this policy does not obligate a supervisor to reporting responsibilities, whose profession and/or university responsibilities require the supervisor to keep certain communications confidential (e.g., a professional counselor, a minister, an ombudsperson). Supervisory positions that qualify under this exception are delineated by the University.

G. **Procedures.**

1. Reports or complaints under this policy will be addressed and resolved as promptly as practicable after the complaint or report is made. It is the responsibility of the sexual harassment officer(s) to determine the most appropriate means for addressing the report or complaint. Options include: (a) investigating the report or complaint in accordance with paragraph three (below); (b) with the agreement of the parties, attempting to resolve the report or complaint through a form of alternative dispute resolution (e.g., mediation); or (c) determining that the facts of the complaint are a violation of this policy—the campus sexual harassment officer(s) may designate another individual (either from within the University, including an administrator, or from outside the University) to conduct the investigation or to manage an alternative dispute resolution process.

2. All reports or complaints shall be made as promptly as feasible after the occurrence. A delay in reporting may be reasonable under some circumstances, as determined on a case-by-case basis. An unreasonable delay in reporting, however, is an appropriate consideration in evaluating the merits of a complaint or report.

3. If an investigation is conducted, the alleged victim and the respondent shall have the right to: (a) at the commencement of the investigation, receive written notice of the report or complaint, including a statement of the allegations; (b) present relevant information to the investigator(s); and (c) receive, at the conclusion of the investigation, a copy of the investigator's report (to the extent permitted by law).

4. At the conclusion of an investigation, the investigator shall prepare a written report that shall include a statement of factual findings, and a determination of whether this policy has been violated. The report shall be presented for review to the person or committee designated by the President or the Provost.

5. The reviewing person or committee may consult with the investigator and the parties, request that further investigation be done by the same or another investigator, or request that the entire investigation be conducted again by another investigator. The reviewing person or committee may not, however, conduct its own investigation or hearing. Once the reviewing person or committee has completed its review, and to the extent permitted by law, the report(s) shall be sent to the campus sexual harassment officer(s), the alleged victim, and the respondent. If the Provost is the respondent or victim, then the report shall be sent to the President. If the President is the respondent or victim, the report shall be sent to the Board of Directors.

6. If a policy violation is found, the report(s) shall be sent to the disciplinary authority for the individual found to have violated the policy, and the disciplinary authority must initiate formal action against that individual. The disciplinary authority may have access to the records of the investigation.

7. When formal action is initiated against an individual found to have violated the policy, the sexual harassment officer shall ensure that the victim is appropriately advised of the resolution of that action.

8. A report of the action taken against the individual for violation of this policy shall be retained permanently in the individual's personnel file or student educational file. Other investigation records shall be maintained for a minimum of three (3) years or for as long as any administrative or legal action arising out of the complaint is pending.

9. All records of sexual harassment reports and investigations shall be considered confidential and shall not be disclosed publicly except to the extent required by law.

10. *Complaints Involving Two Or More Campuses.* American Pathways University has "consortia" agreements with several institutions of higher education. In cases where an alleged policy violation involves one of the consortia institutions, the institution having disciplinary authority over the respondent shall handle the complaint. The institution responsible for the investigation may request the involvement or cooperation of any other affected institution and should advise appropriate officials of the affected institution of the progress and results of the investigation.

11. *Complaints By And Against University Employees Arising In An Affiliated Entity.* University employees and students sometime work or study at the work site or program of another organization affiliated with the University. When a policy violation is alleged by or against a University employee or student in those circumstances and contexts, the complaint shall be expedited as provided in the affiliation agreement between the University and the other entity. In the absence of an affiliation or consortia agreement or a provision addressing the issue, the University may, at its discretion, choose to: (a) conduct its own investigation; (b) conduct a joint investigation with the affiliated entity; (c) defer to the findings of an investigation by the affiliated entity where the University has reviewed the investigation process and is satisfied that it was fairly conducted; or (d) use the investigation and findings of the affiliated entity as a basis for further investigation.

12. *No Limitation on Existing Authority.* No provision of this policy will be construed as a limitation on the authority of a disciplinary authority under applicable policies and procedures to initiate disciplinary action. If an individual is disciplined for conduct that also violates this policy, the conduct and the discipline imposed shall be reported to a campus sexual harassment officer. If the investigation is conducted under this policy and no violation is found, this fact does not prevent discipline of the alleged perpetrator for unprofessional conduct under other applicable policies and procedures.

13. *Information and Education.* The President's office shall provide an annual report documenting: (a) the number of reports or complaints of policy violations; (b) the categories (i.e., student, employee, or other) and genders of the parties involved; (c) the number of policy violations found; and (d) examples of sanctions imposed for policy violations.

Amorous Relationships Involving Evaluative Authority

An amorous relationship between an employee and a student or between two employees constitutes a conflict of interest when one of the individuals has direct evaluative authority over the other and requires that the direct evaluative authority must be eliminated. Hence, in cases of spouses working in the same department, or engaged couples, or boyfriend-girlfriend relationships, neither individual in the relationship may have direct evaluative authority over the other.

Drugs and Alcohol Policy

Principle

American Pathways University is committed to providing a drug-free educational environment and drug-free workplace. This policy statement is designed to ensure that the University complies with the Federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. These Acts require the University, as a participant in upholding the public law, to take measures to combat the abuse of drugs and alcohol. Furthermore, for those institutions whose students receive Federal financial aid, the continuation of such aid for students is based on compliance with these statutes and their regulations.

Policy

American Pathways University prohibits the unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance (illicit drugs of any kind or amount) and the abuse of alcohol by students and employees on University property or as part of any of its activities. This prohibition covers any individual's actions that are part of any University activity, including those while on University property or in the conduct of University business away from campus.

Ethical Use of Computing

Policy

Computing resources are defined as facilities, equipment, systems, and personnel. Use of these resources includes World Wide Web pages, listservs, email, application software, and any other electronic communication. Those who use APU computing resources are to do so in an effective, efficient, appropriate, ethical and legal manner. Use of these facilities depends on mutual respect and cooperation to ensure that all members of the community have equal access, privileges, privacy, and protection from interference and harassment. Furthermore, APU computing facilities shall be used in a manner consistent with the instruction, research, and administrative objectives of the academic community in general and with the purpose for which such use of resources and facilities is intended. All activities inconsistent (e.g., games, harassment, extortion, pornography) with these objectives are considered to be inappropriate and may jeopardize continued use of APU's computing resources. Furthermore, APU's computing resources are for the use of authorized individuals only and for use only in a manner consistent with each individual's authority. The University's computing resources may not be used in any manner inconsistent with an individual's authority, prohibited by licenses, contracts, University policies, or local, state, and Federal law. No one may grant permission for inappropriate use of computing resources, nor does the ability to perform inappropriate actions constitute permission to do so.

User Agreement

Each computer user of APU computing resources is responsible for knowing and complying with all applicable laws, policies, and procedures. APU reserves the right to monitor, record, and store computing activities of anyone using computing resources. If such monitoring, recording, and storage reveal possible evidence of inappropriate, unethical, or illegal activity, computing system personnel may provide the evidence obtained from monitoring to appropriate University and civic authorities.

A. Each user agrees to make appropriate use of computing resources including, but not limited to, the following:

1. Respecting the approved purposes of computing resources, facilities, and equipment (approved purposes are scholarly research, academic, administrative, and APU sponsored services);
2. Respecting the approved purposes of computer accounts;
3. Respecting the dignity and privacy of other users;
4. Respecting the integrity of the systems;
5. Respecting the resource controls of the systems and managing use of disk space appropriately;
6. Respecting the privileges associated with having network connectivity;
7. Respecting the copyright protection of licensed software and documentation; and
8. Following all American Pathways University policies and local, state, and Federal laws.

B. Each user agrees to refrain from inappropriate uses of computing resources, including but not limited to, the following:

1. Using another individual's computer account or password;
2. Inappropriate, unethical, or illegal use of another individual's computer;
3. Using computing resources, facilities, and equipment for personal commercial gain;

4. Intentionally seeking information on, obtaining copies of, modifying or tampering with files, tapes, passwords, or any type of data belonging to other users, unless specifically authorized to do so by those other users;
5. Using resources to develop or execute programs that could harass other users, damage or alter the systems or software components, or disrupt APU activities;
6. Violating any University network-related policy;
7. Altering or avoiding accounting for the use of computing resources, controlled or otherwise.
8. Making excessive use of resources, controlled or otherwise;
9. Misrepresenting oneself or others through email or other electronic communication;
10. Using, duplicating, or distributing licensed software and documentation without express written permission of the original copyright owner;
11. Using unauthorized copies of licensed software;
12. Abusing, harassing, intimidating, threatening, stalking, or discriminating against others through the use of computing resources;
13. Sending obscene, abusive, harassing, or threatening messages to any other individual; and
14. Engaging in vandalism or mischief that incapacitates, compromises, or destroys APU resources.

World Wide Web Policy

Access to the World Wide Web (WWW) and the ability to create web pages on APU computing systems are privileges provided to members of the APU community. The following policies apply.

- A. APU users must conduct their activities in a courteous and professional manner.
- B. Appropriate use policies for APU accounts also apply to individual home pages and to departmental web pages.
- C. Appropriate individual use for home pages includes: (1) presenting personal non-commercial information (resumes, family, etc.); (2) experimenting with available Web technologies and authoring tools; (3) publishing and disseminating academic work; (4) linking to cultural, scientific, or historical sites; (5) and posting announcements, news bulletins, and other general information.
- D. Inappropriate uses for individual home pages include, but are not limited to: (1) use of copyright materials in any form without the expressed written permission of the original copyright owner; (2) personal and commercial uses that could result in a financial benefit for the page owner and associates; (3) use of audio, images (e.g., photographs, paintings, or derivatives thereof), videos, or movies of individuals without their express written consent; (4) use of any personal information that is not public record pertaining to other individuals without their express written permission; (5) use of any images or data that are abusive, obscene and pornographic, profane, harassing, threatening, or discriminatory; (6) sexually harassing; (7) creation of hyperlink texts to abusive, obscene and pornographic, profane, harassing, threatening, or discriminatory material; (8) use of materials whose nature or volume compromise the ability of the system to serve other users' documents and web pages; (9) any use that constitutes academic dishonesty; and (10) any use of individual home pages to engage in illegal activity.
- E. Appropriate use policies for APU students also apply to departmental Web pages. All departmental Web pages are expected to adhere to the APU Authoring Standards. Departmental pages are encouraged for disseminating general departmental information (goals, office hours, point of contact, etc.), highlighting departmental programs or activities, and introducing faculty or staff and hyper-linking to their personal pages.
- F. Inappropriate departmental uses include, but are not limited to: (1) use of copyrighted materials in any form without the express written permission of the original copyright owner; (2) personal and commercial uses that could result in a financial benefit for the page owner and associates; (3) use of audio, images (e.g., photographs, paintings, or derivatives thereof), videos, or movies of individuals without their express written consent; (4) use of any personal information that is not public record pertaining to other individuals without their express written permission; (5) use of any images or data that are abusive, obscene and pornographic, profane, harassing, threatening, or discriminatory; (6) sexually harassing; (7) creation of hyperlink texts to abusive, obscene and pornographic, profane, harassing, threatening, or discriminatory material; (8) use of materials whose nature or volume compromise the ability of the system to serve other

users' documents and web pages; (9) any use that constitutes academic dishonesty; and (10) any use of individual home pages to engage in illegal activity.

Disciplinary Action on WWW Policy Violations

A. APU appoints a Webmaster to manage the APU Web site, set policies for and oversee the use of electronic communication at APU, and handle violations of APU Computing Policies.

B. *Reporting.* Anyone who becomes aware of inappropriate, unethical, or illegal use of American Pathways University computing resources, inappropriate content of individual home page, or any inappropriate electronic communication shall notify the APU Webmaster.

C. *Child Pornography.* Any material that appears to contain child pornography will be immediately referred to the Denver Police Department, and will also be subject to the procedures that follow.

D. The APU Webmaster will notify the user who is alleged to have violated APU's computing policies of the nature of the alleged violation and will provide the user with a copy of APU computing policies.

E. *Suspension of Computing Privileges During Investigation.* During the investigation of an alleged policy violation, a user's computing and network access may be suspended. APU reserves the right to examine a user's recorded and stored information in the course of investigating an alleged policy violation.

F. Procedures.

1. The APU Webmaster will review the material alleged to be in violation of policy. If the Webmaster believes that the material is in violation, the Webmaster will request that the user remove the offending material.

2. If the alleged violator fails or refuses to comply with the Webmaster's request, the Webmaster may refer the matter to the APU Provost for action.

3. If the alleged violator disagrees with the Webmaster, the user may file a written petition requesting that the Provost review the case.

4. The Provost shall appoint a three-person committee of the faculty and staff to review the case.

5. After consulting with the alleged violator and with the Webmaster, the committee will determine if a policy violation has occurred and, if a policy violation has occurred, what action should be taken to remedy the policy violation.

G. Consequences of policy violations may result in disciplinary action, including but not limited to suspension of access to the University's WWW, suspension of email privileges, suspension of computing privileges, suspension or expulsion from the University, suspension or termination of employment, imposition of fines, and referral for legal action. The review committee is charged with making these recommendations.

STUDENT AND EMPLOYEE RIGHTS AND DUE PROCESS

(collateral source: *Student Handbook*)

Privacy Rights

Notice of Privacy Rights of Students

The Family Education Rights and Privacy Act of 1974 (FERPA), with which the University intends to comply fully, is designed to protect the privacy of education records, to establish the rights of students to inspect and review their records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the right to file complaints with the Family Educational Rights and Privacy Act Office concerning alleged failures by the University to comply with the Act. The University's "Institutional Policy Concerning Privacy Rights of Students" explains in detail the procedures to be used by the University for compliance with the provisions of the Act. Copies of the policy and a list of all records maintained on students by the University are available from the Office of the Provost. Privacy rights also extend to faculty and staff

Notice of Directory Information

Likewise, the following "Notice of Directory Information" extends the faculty and staff.

The University designates the following categories of student information as public or "Directory Information." Such information that may be disclosed by the institution for any purpose, at its discretion, includes: the student's name, telephone number, dates of attendance, and class (e.g., freshman); previous institution(s) attended, major and minor fields of study, awards, honors, degrees conferred (including dates).

Currently enrolled students may withhold disclosure of any category of information under the Family Education Rights and Privacy Act of 1974. To withhold disclosure, written notice must be received by the Office of the Provost prior to September 15 for students entering in the fall semester and prior to February 15 for students entering in the spring semester. Forms requesting the withholding of "Directory Information" are available from the Provost. The University assumes that failure on the part of any student to request specifically the withholding of categories of "Directory Information" indicates individual approval for disclosure.

Student Life Policies and Procedures

A. When any of the Standards of Conduct delineated in the Code of Student Conduct is violated, the student may be referred to the appropriate University officer (Provost, Academic Department Director, Dean of Students, or Webmaster).

B. Any person may refer a student or student group suspected of violating this Code to an appropriate official. Persons making such referrals will be asked to provide information pertinent to the case.

C. The appropriate official shall make a determination as to the seriousness of the case. This will be done in most situations by asking the student(s) involved in the case to come in for an interview to determine what actions, if any, will be taken by the University. Students will be notified in writing of the results of such administrative reviews.

D. Designated University officials have the authority to:

1. Dismiss the case;
2. Take no further action other than talking with the accused student(s);
3. Issue a University warning (a statement that a student's behavior has been inappropriate, and any further violation of University rules will result in stronger disciplinary action);
4. Place the student on *disciplinary probation* (a violation of the terms of which could result in a suspension or expulsion from the University);
5. Refer cases to the Student Disciplinary Committee when the above sanctions are determined to be inadequate; and
6. Take other actions, including but not limited to counseling, ensuring the violator(s) provide(s) compensation for theft or damage, and/or placing stops on registration.

Student Discipline Committee Policies and Procedures

A. Disciplinary proceedings are conducted as administrative proceedings and not as judicial proceedings. This is because American Pathways University is not a part of the judicial branch of local, state, or Federal government. The University has authority only to promulgate and enforce internal rules of behavior that shall be administered in a fair and impartial manner in harmony with its educational objectives and purposes, and its administrative nature.

B. As part of the administrative nature of the Student Discipline Committee's procedures, fundamental rules of fairness and equity shall be followed.

C. The committee is composed of students, faculty and staff and charged with making the decision whether or not students charged with violations of the Code of Student Conduct may continue to attend the

American Pathways University.

- D. Students must be notified in writing of the disciplinary action taken within five (5) days.
- E. Student Discipline Committee has the authority to:
 - 1. Dismiss the case;
 - 2. Take no action other than talking with the accused student;
 - 3. Issue a University warning (a statement that a student's behavior has been inappropriate, and that further violation of University rules will result in stronger disciplinary action);
 - 4. *Place the student on disciplinary probation* (a violation of the terms of which could result in suspension or expulsion from the University);
 - 5. *Recommend suspension* of a student from the University for disciplinary reasons (suspension may be for various lengths of time ranging from one semester to an indefinite period of time; after the period of disciplinary suspension has expired, a student may apply in writing to have the notation on his/her record removed);
 - 6. *Recommend expulsion* of a student from the University (notation on the student's record will be kept permanently; when the student is suspended or expelled for disciplinary reasons, an additional sanction may include being excluded from the University campus); and
 - 7. Take other actions, including but not limited to counseling, ensuring the violator(s) provide(s) compensation for theft or damage, and/or placing stops on registration.

Student Appeal and Review Procedures

A student has the right to appeal a disciplinary decision by submitting a request to the Office of the Provost within seven (7) working days after notice of the decision for a review of the recommendation of suspension or expulsion by the Student Discipline Committee or University official. Except for the sanctions of *summary suspension*, the sanctions of suspension or expulsion for disciplinary reasons shall be effective only after administrative review by the Provost has been exhausted or waived by the student. The Provost's decision shall be in writing to the student(s), with a copy to the Student Discipline Committee.

Summary Suspension

Summary suspension is a suspension from the University that begins immediately upon notice from the appropriate University official without a formal hearing by the Student Discipline Committee. Summary suspension may also include a physical exclusion from the campus if deemed necessary. A hearing before the Student Discipline Committee is subsequently scheduled in an expedient and expeditious manner (usually within seven calendar days) to determine the disposition of the case.

The President, the Provost, or the Dean of Students have the authority to suspend summarily any student when in their opinion(s) such suspension is necessary to: (a) maintain order on campus; (b) preserve the orderly functioning of the University; (c) stop interference in any manner with the public or private rights of citizens on the American Pathways University campus; (d) stop actions that are threatening to the health or safety of any person; or (e) stop actions that are destroying or damaging the property of the American Pathways University campus and its students, faculty, staff, or guests.

Permanent Record Notations

While disciplinary proceedings are pending or contemplated, a temporary hold may be placed on the student's academic record. It will not be released until all actions and appeal procedures have been completed or finalized by the University. Only in those cases where suspension, deferred suspension, or permanent expulsion results from disciplinary action will notations be placed on the academic records.

Release of Disciplinary Information

Access to any student's academic transcript or disciplinary file shall be governed by the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Only the student charged or those

University officials having a legitimate educational interest in disciplinary information may have access to the files. All other inquiries (including but not limited to employees, governmental agencies, news media, family, friends or Denver Police) must have a written release from the student to gain access to University disciplinary files.

The University will extend every effort to respect the privacy of the student. However, where the identity of the student has been publicly disclosed in the news media, APU reserves the right to respond as it deems appropriate to describe fairly and accurately the disposition of the disciplinary action.

Refund Policy After Disciplinary Action

Submission of registration materials obligates the student to pay the assessed tuition and fees for that term. If a student is suspended or expelled from the University, the amount of tuition will be refunded the same as when a student voluntarily withdraws from a semester. The official date applicable for tuition refund purposes will be the date of the Student Discipline Committee's action, or the date of summary suspension.

APPOINTMENT

(APU is indebted to the Provost of American University in Washington, D.C., for consultation on developing these appointment and termination policies)

Equal Employment Opportunity

Nondiscrimination Policy

The American Pathways University admits students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs, including recruitment and empowerment of faculty and staff.

American Pathways University is an equal opportunity educational institution. The University does not discriminate on the basis of race, religion, national origin, gender, age, disability, creed, or veteran status in the recruitment and admission of students, the recruitment and employment of faculty and staff, and the operation of any of its programs and activities, as specified by Federal laws and regulations.

Elaboration

It is the policy of the University to provide equal employment opportunity for all employees and applicants for employment, including appointments to faculty, without regard to race, color, national or ethnic origin, religion, age, sex, or non-disqualifying physical or mental handicap.

All other personnel decisions such as compensation, benefits, lay-offs, terminations, and other programs shall be administered without regard to race, color, national or ethnic origin, age, sex, religion, or non-disqualifying physical or mental handicap.

Appointment

Appointments to the regular faculty prior to the granting of tenure are usually made for two years. A one-year appointment may be made when the terminal degree has not been awarded prior to the start of the academic year and there are no or insufficient experiential or professional qualifications compensating for the terminal degree.

Reappointment

Regular Faculty

1. Regular faculty reappointments are made contingent on the satisfaction of the general criteria for the evaluation of professors.
2. Evaluation for reappointment is expedited in the first year of a two-year contract.

Tenured Faculty

Tenured faculty will be evaluated at least every three years by the departmental faculty, the Department Director, and the Provost.

Adjunct Faculty

Adjunct faculty may be appointed for a period of up to 3 years, and reappointment at the end of the appointment period if recommended by the appropriate Department Director, subject to the approval of the Provost. Adjunct faculty appointment expires at the end of the appointment period unless it is renewed according to procedures established by the Provost.

Documentary Support for Faculty Personnel Actions

1. A Professor is responsible for updating his/her own File for Action, and all the appropriate documents he/she has supplied will accompany personnel actions such as reappointment and promotion as they are sent through the personnel process.
2. Professors are informed promptly in writing of what recommendations have been made.
3. An offer of employment is not final until a contract is forwarded from the Provost and the Department Director, and in cases of an offer of tenure final action by the Board of Directors is required.

TERMINATION

Dismissal for Cause and Right of Appeal

On occasion, a professor may be disciplined for incompetence, misconduct, or felony conviction. Disciplinary actions may include, but are not limited to, reprimand, suspension, or dismissal. Adequate cause for dismissal will be related, directly and substantially, to the fitness or performance of the professor in his/her professional capacity as a professor or researcher or creative member of his/her professional field.

Suspension is used in cases where the University deems that there is potential immediate harm to others if the professor continues at the institution.

Dismissal may only follow the filing of charges by the appropriate administrator (departmental chairperson or Provost) and the convening of a hearing before a faculty committee (hearing panel). This hearing panel shall be conducted according to the rules of evidence, the candidate for dismissal shall have the right to have independent counsel, and a recorded and written stenograph of proceedings. If the accused professor or staff member waives the hearing, but denies the charges or asserts that the charges are groundless, the hearing panel will decide the case based on the evidence in the record. The burden of proof that adequate cause for dismissal exists rests with the University and shall be satisfied only by clear and convincing evidence in the record as a whole.

The decision of the hearing panel, made by majority vote, will be forwarded as recommendations to the President, with copies to the professor and Provost. The President may approve, reject, or amend such recommendations. The President's decision shall be communicated to all parties with reasons. The President's decision is final in all cases.

A professor may appeal a disciplinary dismissal action to the Executive Committee of the Board of Directors, based on any of the following reasons: (1) improper procedures followed by the University; (2) new, relevant, material evidence is submitted that may affect the outcome; or (3) the disciplinary action is not commensurate with the findings of the hearing panel or the President. The Executive Committee will consider the appeal based on the record and the professor's written appeal. With reasons stated in writing, the Executive Committee's decision is final. (Note: for the purpose of considering the appeal the President, being a member of the Executive Committee, shall be replaced by another member of the Board of Directors by appointment of the Chairperson of the Board.)

Sanctions Other Than Dismissal

If the Provost believes that the conduct of a professor is sufficiently grave (although not constituting adequate cause for dismissal), he/she may impose a major or minor sanction—such as suspension from service for a stated period (major sanction) or lesser penalty (minor sanction). The professor has the right to appeal such sanctions to the President. In minor sanctions, the President's decision may not be appealed. For major sanctions, the appeal may be made to the Executive Committee of the Board.

Termination for Reasons of Financial Exigency Leading to Program Reduction, or Program Elimination and Concomitant Faculty Termination

1. Determination of a state of financial exigency is the prerogative of the Provost following, and only following, extensive research and a clearly stated prospectus recommending financial exigency. Consideration shall be given to what services, programs, or units will be affected, the need for faculty reduction or redistribution, and the future development of institutional policy. In particular, consideration will be given to determining what alternatives may be adopted short of faculty termination.

2. Since it directly affects the educational policy of the institution and the status of faculty and staff, the decision that a state of financial exigency exists is of such consequence that the broadest possible consideration of the matter within the University community is essential. The reduction of an academic program or its total elimination (for reasons of financial exigency or inadequate enrollment) is also of great consequence for the same institutional and personnel reasons.

3. If after due diligence, the condition of financial exigency is supported by all evidence, the Department Director and faculty of the affected program shall identify and notify the faculty to be terminated.

In making this determination, with respect to matters affecting faculty reduction or redistribution, consideration shall be given to academic criteria, affirmative action requirements where relevant, and the length and quality of service of the faculty member so affected.

In the event of termination of a tenured professor, the University will not, at the same time, make a new appointment in such professor's department except under extraordinary circumstances where a serious distortion in the academic program would otherwise result. The appointment of a professor with tenure will not be terminated in favor of retaining a professor without tenure except under extraordinary circumstances where a serious distortion of the academic program would otherwise eventuate.

With faculty participation, the University shall make every effort to place a professor who has been recommended for termination in another suitable position within the University (the same principle applies to academic and non-academic staff).

Final determination of these matters shall rest with the President and the Board of Directors.

In the event that it becomes necessary for the University to terminate a tenured professor, the affected professor shall have the right to a formal hearing before the Provost upon written request within 30 days of

receipt of notice of the proposed termination (or reassignment). At the hearing, the administration must prove the existence and extent of the condition of financial exigency. The Provost will issue a statement to the faculty and the professor indicating the action that will be taken, and the reasons for the action if such action is at variance with the professor's appeal.

RIGHT OF APPEAL AND REINSTATEMENT RIGHTS

Right of Appeal

A professor whose appointment is terminated by the Provost for reasons of financial exigency may, within 10 days of notice, appeal the action of the Provost to the Executive Committee of the Board of Directors. The Executive Committee will make a final decision only after study of the appeal and the Provost's decision.

Reinstatement Rights

In all cases of termination of an appointment with tenure because of financial exigency, the position of the professor will not be filled by a replacement within a period of 3 years, unless the released professor has been offered reinstatement and a reasonable time in which to accept or decline.

SAIA: STRATEGIC AND LONG-RANGE PLANNING

(APU is indebted to Colorado Christian University for its part in developing the strategic and long-range planning paradigm described in this section)

POLICY AND PROCEDURE

Prolegomena

All strategic and long-range planning is to be done within the context of and guided by the following (as stated in the *American Pathways University Academic Catalog* and in the *Faculty-Staff Manual*):

1. The University mission;
2. The educational purposes and objectives;
3. The education objective of Knowing, Doing, Being as facilitated in general education (for breadth), life skills development, and the academic major (depth studies);
4. The instructional methodology triad of pedagogy, andragogy, and synergogy;
5. Regional accreditation as a means to ensure quality;
6. Community service and leadership;
7. Accessibility of the education to a diverse urban and inner city population;
8. Affordability of the education to the low-income inner city learner;
9. The University vision;
10. The University values; and
11. The University's organizational priorities.

To facilitate strategic long-range planning and implementation, APU has adopted the SAIA planning model.

THE SAIA MODEL

I. SAIA means Systems Analysis/Impact Analysis

II. Components

SAIA consists of strategic planning, creation of facilitating organizational structures, principles of planning for the future, objectives and goals, mission, values, vision, and organizational priorities, and the SAIA process *per se*.

III. Definitions

A. Strategic Planning—strategy formation and planning, organizational structuring, implementation, and control. Strategic planning is for the long-term, 3-5 years. Strategic planning is basically the same as long-term planning.

B. Organizational Structuring

1. Principles:
 - a. Delegation of authority—parity principle that delegation and authority must be matched.
 - b. Unity of command—each personnel factor should have only one immediate manager.
 - c. Scalar Principle—a series of managers link every member of the personnel directly to the top of the organization.
 - d. Span of Management—the number of subordinates reporting to the manager must be affected by job scope and depth, similarity of work, physical proximity of workers, and the quality of subordinates and the manager.
 - e. A learning organization—the organization must be continually learning, adapting, structuring and restructuring based on its learning and the environmental factors that it encounters.
2. Building Blocks of the Organization Structure:
 - a. Division of work
 - b. Departmentalization
 - c. Line and Staff relationships, controls and communication
 - d. Organic/Hierarchical organization (as opposed to hierarchy alone or matrix; in organic, tasks are the focus. Tasks continually change, as do the work groups; there is some hierarchy for coordination, but less than in strictly hierarchical organizations. Communication is more network than vertical; control of jobs rests with the person most knowledgeable and capable)
 - e. The principle of the learning organization
 - f. Departmental structures
 - (1) Should be simple
 - (2) Should be functional
 - (3) Should be customer oriented
 - (4) Should be results-driven
 - (5) Should be humanistic
 - (6) Should be adaptable and flexible

IV. Principles of Planning for the Future

A. Planning Process (in general)

1. Conceptualization before action.
2. The process of establishing objectives and means to reach them.

3. Should be formal planning (informal planning is mentally noting or sketchily jotting down; Formal planning is thoughtful and is written in some organized fashion).
4. Formal planning:
 - a. Sets forth objectives and actions for everyone in the organization;
 - b. Integrates the efforts of every group or department in the interests of the organizations as a whole;
 - c. Identifies the resources required to complete the plan; and
 - d. Precedes and ties together the other management functions of organizing, leading, and controlling.
5. Must avoid the dysfunctions of planning:
 - a. Inflexibility in the face of a rapidly changing environment; and
 - b. Erroneous assumptions built into the plan (assumptions must always be challenge).
6. Hierarchy of plans: Level, Time Span in Years:
 - a. The **Strategic Plan**—corporate level, 3-5 years and more;
 - b. The **Business Plan (including the marketing plan)**—developed by the President, COO, senior administration, 3-5 years;
 - c. Short-range, functional plans—functional managers, department heads, variation relative to time and circumstances and department.

7. Purpose of each type of plan:
 - a. **Strategic Long-Range Plan** (The Strategic Corporate Plan sets the direction of the organization by answering this question, “What should our business be?” and The Strategic Long-Range Plan specifies the portfolio and prospectus of the enterprise);
 - b. The **Business Plan** (including the marketing plan, answers the question, “How do we complete in this particular business?”); and
 - c. **Short-range functional (and sub-functional) plans** (these plans answer the questions: “For our sub-objectives, who does what, in what time period, and with what resources?”).
8. Each plan must consider and analyze the following factors:
 - a. **Prevailing forces:** strengths and opportunities, and opportunity costs, that is: ease of entry (easy entry) into the market;
 - b. **Countervailing forces** (weaknesses, threats and potential problems, difficulty of entry); and
 - c. **Synergy and Balance** between long-range and short-range plans

B. Objectives and Goals

1. **Objectives**—statements of specific events that the plan is meant to achieve. It is specific, concrete, measurable, and signifies the idea of “grasp.” Example: *We have the objective of increasing our enrollment 200 students a year for the next three years.*
2. **Goals**—Broad, not time-specific ends which are unattainable but constantly striven for.
3. **Major Objectives**—Established in principal areas of organizational activities, then divided into sub-objectives at each lower level in a cascade or hierarchy.
4. **Major Goals**—Established in principal areas of organizational activities, then divided into sub-objectives at each lower level in a cascade or hierarchy.
5. **Key Objective and Key Goal Areas (Key Result Areas)** (major areas for which key objectives and key goals may be set and used as standards for control purposes):
 - a. Profitability;
 - b. Markets and market share;
 - c. Products and product lines;
 - d. Financial resources;
 - e. Physical facilities;
 - f. Innovation and research and development (R & D);
 - g. Organizational structure;
 - h. Human resources development and productivity; and
 - i. Leadership—legitimacy of leadership (not just positional leadership), ideological leadership, moral leadership, servant leadership, social responsibility leadership.

V. SAIA Model Processes

- A. Organizational, administrative and academic decision-making, and strategic planning and long-range planning, demand broad participation and assume responsible, thoughtful systems of management and planning.
- B. All major dimensions of the University are subject to the SAIA process: a new major; elimination of a major or academic program; a new academic center; a new campus; major capital/infrastructural change; a new information management system; and a new telecommunications systems.

- C. Although changes within an existing department or major program (such as deletion or addition of courses) do not require the entire SAIA process, even in those cases, the department or faculty should use the process.
- D. Chief Planning Officer: The Provost is the Chief Planning Officer
- E. Strategic Planning Committee (SPC)
 1. The Strategic Planning Committee is appointed by the Provost to coordinate the strategic long-range plan of the University.
 2. It reviews the short-range and middle-long-range plans submitted to it by the strategic planning groups of the University, suggests refinements, and submits recommendations to the President and his senior administrative officers vis-à-vis the work and recommendations of the planning groups.
 3. It also identifies the opportunities and threats posed by the internal and external environments confronting the University, submits reports on these opportunities and threats to the planning groups, the Board of Directors, the Administration and the Faculty, and monitors the systems development of the strategic plan.
- F. Other Planning Sub-Groups/Committees

Additional strategic and short-range planning groups include the academic department and the offices of Institutional Advancement, Institutional Management, Dean of Students, Director of Enrollment Management, and Director of Library Services.
- G. Procedure
 1. Administrative divisions or faculty departments submit proposals to their director or supervisor.
 2. The Strategic Planning Committee may also review the proposal (or change or program), and submit the findings of the review to the appropriate committee, to the Provost, and to the Office of the President.
 3. The Strategic Planning Committee may not veto any proposal, but is expected to critique said proposal vis-à-vis strengths, weaknesses, opportunities, and threats (potential problems)—that is: **prevailing forces** (strengths, opportunities and opportunity costs, ease of entry (easy entry) into the market, and **countervailing forces** (weaknesses, threats and potential problems).
 4. Once recommended by the appropriate entity, the proposal is submitted to the Provost, who will review it at the Strategic Planning Committee level.
 5. Following Strategic Planning Committee review, the proposal may be submitted to the President, either with a recommendation for adoption or a recommendation that the proposal not be adopted.
 6. Generally, the process of review and approval or rejection of the proposal will conclude with review by the President and his senior administrative officers.
 7. The President and his senior administrative officers may, however, refer the proposal back to the recommending body for further review and development.

8. Proposal Contents. SAIA requires that the components listed below be addressed in every proposal. Proposals that do not satisfactorily address these issues, probably will not be considered (in the following, an academic program is used as an example).

- a. Program description—curriculum, philosophy of curriculum, learning outcomes, admission requirements, graduation requirements, learning outcomes assessment plan.
- b. Relationship and consistency of the proposed program to the mission and educational purposes of the University, the University's values and ethics, the University Vision, and the University's Organizational Priorities.
- c. The demand for the program (including, in so far as possible, a scientific market survey).
- d. External opportunities and threats to the success of the program, said analysis to be conducted vis-à-vis strengths, weaknesses, opportunities, and threats (potential problems)—that is: **prevailing forces** (strengths, opportunities, costs, ease of entry into the market) and **countervailing forces** (weaknesses, threats, potential problems).
- e. Evidence that the academic program department has the necessary internal and external approvals to initiate the program.
- f. Analysis of the anticipated impact of the proposed program on other parts of the University infrastructure, including facilities, enrollment management, programs and staffing, financial aid, accounting, information technology, library, faculty, and budgeting.
- g. Delineation of the administrative, faculty, financial, and physical resources (classrooms, offices, library) necessary to make the program effective.

INTELLECTUAL PROPERTY POLICY

(APU utilizes an adaptation of the intellectual property policies of the University of Denver)

I. INTRODUCTION

American Pathways University recognizes and encourages the individual effort on the part of its employees, faculty and students leading to the creation of intellectual property. It is the University's intent to protect the rights of the individual, the University and the sponsoring entity (if involved), and to effectuate reasonable and appropriate sharing of the fruits of the enterprise in the event these creations have commercial value.

II. POLICY

A. Objectives. The objectives of the Intellectual Property Policy are as follows:

1. To provide the necessary protections and incentives to encourage both the discovery and development of new knowledge and creative works, and their exploitation for the public benefit, and to guide the generation of revenue for the University and the Creator(s).
2. To fulfill the terms of sponsored agreements and other contracts relating to the development of the intellectual property.
3. To create a reasonable and workable policy that enables an efficient administration of the intellectual property issues, and that accounts for the constant advance of science and technology.

B. Definitions.

1. "Creator" shall mean the person(s) who has/have made substantial creative or authorship contributions to a work giving rise to intellectual property rights.
2. "Creator" shall mean the person(s) who has/have made substantial creative or authorship contributions to a work giving rise to intellectual property rights.
3. "Intellectual Property" shall mean the legal rights in and to a Work as provided by applicable statute, regulation or judicial decision, including, without limitation, patent, copyright, trademark, service mark, trade secret, domain name registration, mask work, or plant variety protection certificate.
4. The "Work" shall mean any invention, discovery, know-how, show-how, process, material, manuscript, original data, academic course or portion thereof, learning tool or aid, or other creative

or artistic work and any expression or physical embodiment thereof, including, without limitation, any sound or visual recording, multimedia presentation, model, machine, device, prototype, design, drawing, apparatus, instrumentation, circuit, computer program, database, biological material or specimen, chemical compound, other composition of matter, plan, record or laboratory notebook, whether now known or developed in the future.

5. "Derivative Work" shall mean a new "Work" which is based upon or which has evolved from the Work and which could not have been possible but for the Work. "Work" as used herein shall include derivative works.
6. "Sponsor" shall mean any external party, entity or agency with which the University has an agreement for services or other compensation.
7. "Sponsored Agreement" shall mean grants, contracts, subcontracts, and other agreements between a Sponsor and the University for the purpose of conducting research, instruction, training, and other activities at the University, or using University staff for compensation.
8. "Employee" or "Staff Member" shall mean any person employed full or part-time by the University in any capacity.
9. "Student" shall include any person enrolled for any course offered by the University in a program for an academic degree.

C. Intellectual Property Committee. The Academic Policies and Curriculum Committee is hereby established to review issues, questions or disputes pertaining to ownership of Intellectual Property rights involving possible ownership, or partial ownership by the University, and to interpret the policies of the University with respect to those issues, including this Policy. The Committee shall consist of:

1. Three members from the faculty, appointed for three-year, staggered terms.
2. The Vice President for Institutional Management when issues of Intellectual Property shall be considered.

D. General Policy Provisions.

1. Application of This Policy. As a condition of their employment, enrollment or participation in University programs, or their use of funds, space, staff or facilities, all employees of the University, whether appointed, non-appointed, full or part-time, and all faculty shall be bound by this Policy, unless stated otherwise in a written agreement between such person and the University. Faculty shall be included within the term "employee." This Policy shall also apply to all students of the University in whatever program or status.
2. Patent Matters. The Patent Policy of the University, which is separately stated and incorporated herein by this reference, governs all matters pertaining to Intellectual Property created by University faculty, employees or students giving rise to patent rights, and sharing of income from commercial exploitation of those rights. The Patent Committee shall report to and be responsible to the Intellectual Property Committee.
3. General Statement Regarding Non-Patent Matters. The University acknowledges the right of faculty, staff and students to generate a Work and its associated Intellectual Property in their ordinary daily pursuits to which they have sole ownership. This general statement of ownership is qualified by the Patent Policy of the University, the policy regarding substantial University assistance set forth below, and by the doctrine "work for hire" under U. S. copyright law and Section D.9 of this Policy.
4. Substantial University Assistance. The following guidelines shall be used to determine whether "substantial University assistance" is involved in the creation of a Work, thereby making the Work and its associated Intellectual Property the sole and exclusive property of the University:
 - a. General Rule. To qualify as "substantial University assistance," the University's participation in or support of the creative or developmental activity leading to a Work must be material, significant and beyond the resources normally provided to individual Employees, Staff Members and Students. Without limiting the foregoing, the University does not regard the University's provision of normal and customary compensation, student financial aid, library resources, office or laboratory facilities, office staff or laboratory support, telecommunications facilities, individual personal computers, and ordinary and reasonable access to the University's computer network and websites or similar University provided electronic communication tools used for non-commercial

scholarly pursuits, as constituting "substantial University assistance." It is recognized that the terms "normal" and "customary" as used herein are subject to change as technology and University operations evolve. Ordinarily, "normal" and "customary" will be defined through general published procedure or established University policy.

- b. Illustrations.
 - i. Substantial direction and guidance in development of materials.
 - ii. Substantial use of University software designers, programmers or other information technology staff or University computing or telecommunications facilities.
 - iii. In the case of students, support or assistance beyond ordinary and reasonable classroom/ laboratory resources provided in conjunction with a specific academic program.
 - iv. Any instructional materials, curricula, examinations, teaching or learning aids, "lessonware," "courseware" or other student interactive audio/visual material created or used by any Employees, Staff Members or Students at the direction of the University in connection with any University-initiated strategic plan for remote or distance education or cyber teaching program. See Section D.12 of this Policy for special provisions on this subject.
 - v. Substantial use of any special or rare University holdings, such as museum collections, rare manuscripts or books or the like.
 - vi. Substantial use in the Work of voice(s) or image(s) of University Employees, Staff Members or property.
 - vii. Substantial use of University student assistance beyond that which is normal and customary for the department or division.
 - viii. Substantial creative or developmental contribution to the Work by Employees, Staff Members, or Students engaged in the course of their regular employment or academic program (other than Creator(s)).
 - ix. The use in any Work of the University's name or insignia, or the name or insignia of any of its affiliate organizations (other than for the sole purpose of identification of individuals) to identify or promote any product, services or enterprise, or any other identification or reference in a Work that could reasonably be understood by members of the public to imply approval or endorsement by the University or any of its affiliate organizations. Any such use of the name or insignia of the University is strictly limited and governed by another University policy, to be separately published.
5. Reputation, Goodwill, Competition. University reserves the right to prohibit or limit the use and/or publication of any Work and the Intellectual Property therein for which it has contributed substantial University assistance, or any Work that is a "work for hire" owned by the University, if, in the University's sole judgment, such use or publication would adversely impact the University's goodwill, competitive position or reputation as an educational institution.
6. Written Agreement Required. Whenever the element of "substantial University assistance" is perceived (by either the University or the Creator(s) to be involved in the preparation of the Work or Derivative Work(s), the parties are required, in a timely fashion, to hold good faith negotiations toward a written agreement regarding University usage, Creator(s) usage, and commercial exploitation, and all other aspects of the proposed development and use of the Work. The following procedures shall apply:
 - a. Negotiations. The Dean or Administrative Director of a particular University academic unit or administrative unit will facilitate the commencement of discussions toward an agreement with the Creator(s), in consultation with University counsel and the Vice President for Academic Affairs. A University representative will be designated. All such agreements shall be reported to the Intellectual Property Committee. The Creator(s) and University may choose to be represented by legal counsel in such negotiations. A Creator may also be represented by a fellow employee of his or her choosing.
 - b. Agreements. If negotiations between the Creator(s) of a Work and the University lead to mutually acceptable terms and conditions, they shall be expressed in a written agreement. Any such agreements should protect the appropriate rights of the Creator(s) and the

University, establish the party's share of any royalties or other income derived from the product, and define the scope of use to be permitted by University and third parties. The Vice President for Institutional Management in consultation with the Vice President for Academic Affairs must approve all such agreements. In all circumstances involving substantial University assistance, the University will, at a minimum, retain the right in perpetuity to use the Work for its own institutional academic purposes. Similarly, Creator(s) shall retain the right, in perpetuity, to use the Work for reasonable personal (non-commercial) purposes and (by reference) in academic credentials.

- c. If No Agreement is Reached.
 - i. Anticipatory Situations. In the case of a proposed project involving substantial University assistance (not yet commenced), either the University or the Creator(s) shall have the ability to decline to go forward with the project. In such circumstances, the University may also decline to permit University resources (beyond those normally provided) to be used by Creator(s).
 - ii. Previously Commenced or Completed Projects. If a Work and the associated Intellectual Property rights therein arise or are the result of a project involving substantial University assistance that has already substantially commenced, and if the Creator(s) and University are unable to reach Agreement, the provisions of this Policy regarding Commercial Exploitation and Sharing (Sections 7 and 8 below), shall apply.
7. Commercial Exploitation. As owner, the University shall have the exclusive right to commercially exploit any Work or Derivative Work(s) created with "substantial University assistance." Said right shall endure for a period of one year following the completion of the Work, or any of the Derivative Work(s), in a classroom usable or publishable form. If the University has declined to exercise its right within the one-year period, the University will assign ownership of the Intellectual Property Rights in the Work to the Creator(s), and the Creator(s) may proceed to commercially exploit and pursue other opportunities, provided that University shall retain its right to reimbursement of expenses and royalty rights as set forth below in Section 8, and provided further that University shall have, in its reasonable discretion, the rights to veto any proposed third party commercial exploitation of any such work, if such arrangement would materially prejudice the University's reputation, goodwill, or competitive interests as set forth in Section D.5 above.
8. Sharing of Intellectual Property Income. As a general matter, the following apportionment of Net Income shall be considered the norm as it relates to commercial exploitation of the Works and Intellectual Property hereunder, except when the written agreement between the Creator(s) and University states otherwise.

INCOME	INVENTOR	DEPT/DIV	UNIVERSITY
<\$25,000	100%	0%	0%
\$25,001-50,000*	40%	30%	30%
>\$50,000**	33.4%	33.3%	33.3%

*Of the amount over \$25,000

**Of the amount over \$50,000

For the purposes of this Policy, "Net income" shall mean the sum of any royalties, license fees or other receipts, minus administrative, marketing, licensing, legal, equipment, materials, contract services, travel, and any other appropriate related expenses incurred by University or the Creator(s) in the process of development, creation or protection of the Work, and the associated Intellectual Property therein, but exclusive of the University's ordinary and traditional tuition income from courses taught primarily on campus and primarily to a live audience of students. (Ordinarily, course material which rises to the level of a Work hereunder, developed by a faculty member Creator to be taught by that faculty member, may not be used by University for other purposes without the consent of the Creator.) Tuition income from courses taught primarily through distance learning programs will be considered income for this purpose, provided that the name and reputation of the University will be factored in as an additional expense, valued at not less than 25% of gross receipts. The Creator(s)' share of Net Income shall be divided pro rata among such Creator(s), unless they otherwise agree in writing and so notify the University. The

- Chancellor or the Provost, as appropriate, shall determine how the department/division share shall be disbursed. Such department or division funds will ordinarily be used for continuation of activities of the Creator(s) in the University context, as long as the Creator(s) remains with the University.
9. Work-For-Hire. Persons whose work product is owned by the University as work-for-hire (under the copyright law) generally are not entitled to share income under this Policy, but may be given a share if the appropriate University official or department determines that they have made an unusually significant creative contribution to the Work. Tasks performed by non-appointed employees in the ordinary course of business of the University will be considered "Work-For-Hire," unless a specific written agreement stating otherwise is executed by the Employee and an Officer of the University.
 10. Sponsored Research. Often, research or related activity is subject to an agreement between a Sponsor and the University that contains restrictions concerning copyright, or the use of copyrighted materials or other Intellectual Property resulting from the project. In such circumstances, the sponsorship agreement shall govern the allocation of property rights and income. In negotiating with Sponsors, the project directors and the University should strive to protect and advance the public interest, as well as to obtain reasonable latitude and rights for the individual author and the University, consistent with the public interest and this Policy.
 11. Legal Protection of University Intellectual Property. If a Work and the Intellectual Property therein are owned by or licensed to the University under this Policy, the University's legal counsel shall investigate third party rights, conduct searches and clearances, file applications and take such other steps as the University, in its sole discretion, deems reasonable and necessary to protect the rights of the University and the Creator(s). All University employees and students shall cooperate fully with University legal counsel and execute such documents as may be required in their capacity as Creator(s) hereunder. The University reserves the right to pursue multiple forms of legal protection in parallel fashion, if available. For example, the University may seek to protect a Work of computer software by copyright, patent, trade secret, and trademark. The University shall bear all costs or expenses of such protective processes, provided, however, the University shall then be entitled to full reimbursement thereof from the first revenues produced by the commercial exploitation of such Work and the Intellectual Property therein.
 12. Special Provisions Regarding the Extended Learning Initiative. In recognition of the strategic importance of the work of the Division of Extended Learning (DUXL) being developed by the University to provide courses substantially through electronic means to off-campus locations, the following special policy provision shall apply to all Works developed in connection with DUXL originated programs: Substantial University Assistance shall be conclusively presumed for every element of the curricula, examinations, terminology or learning aids, class materials, courseware, lessonware, interactive audio/visual material, and all other aspects of the product offered by University
 13. Dispute Resolution. Any disputes between University and Creator(s) regarding the application, interpretation or enforcement of this Policy that are not resolved through appeal to the Intellectual Property Committee, will be resolved through expedited arbitration under the auspices of and using the rules of the American Arbitration Association. Any hearing on such matter shall be held in the vicinity of Denver, Colorado. This Policy shall be construed under the laws of the state of Colorado.
- E. Other Policy Considerations.** Nothing contained in this Intellectual Property Policy shall limit or abrogate the effect of other University policies regarding Fair Use of third party materials, Privacy and Security in Electronic Communication, Conflicts of Interest or Faculty Appointment, Promotions and Tenure.