

III – 1.40 - Policy on Credit by Examination and Portfolio Assessment

Salisbury University provides undergraduate students with opportunities to earn up to sixty semester credit hours by examination. Such credits may be awarded through standardized examinations such as those in the Advanced Placement Program of the College Entrance Board (AP), or in the College Level Examination Program (CLEP), or through portfolio assessment or departmental examinations conducted by the faculty in the appropriate discipline. The total amount of credit earned through either departmentally developed examinations or portfolio assessment may not exceed thirty semester credit hours. The source of credit by examination or by portfolio assessment is identified on the student's permanent record.

(BOR III - 1.40)

III – 2.00 - Policy on Continuing Education

1. The university makes available traditional and non-traditional educational opportunities through evening course, extension course, non-credit courses, winter term, summer session, TV and newspaper courses, workshops/conferences, short courses, institutes, undergraduate and graduate courses and other types of educational/experimental experiences, both on campus and off campus.
2. Traditional, credit-bearing courses are graded according to the same policies and guidelines for grading undergraduate and graduate courses offered in the university's regular fall and spring academic semesters.
3. The University has adopted the Continuing Education Unit (CEU) for selected offerings in the Non-Credit Continuing Education Program as a method of recognizing, identifying, measuring and rewarding participation in non-credit certificate programs, special courses of varying lengths that are not part of the regular undergraduate or graduate degree programs. The Continuing Education Unit is defined as "10 contact hours of participation in an organized continuing education experience under responsible sponsoring, capable direction and qualified instruction." Both professional and person growth may be assessed in this manner. Courses which CEU credit will be awarded are designated (CEU).

(BOR III - 2.00)

III – 2.10 - Policy on Summer and Special Sessions

1. Salisbury University offers special sessions during the summer and winter periods that use various formats to meet the needs of faculty and students. In addition, the University offers evening sessions and extension programs that correspond to the fall, winter, spring or summer terms.
2. Students who are interested in summer and/or winter programs follow the normal registration procedures established by the Registrar's Office. Students have the opportunity to register either by mail or in-person for these terms. Any student who has not been denied admission as a matriculated student or who has not been academically dismissed from the University may register for courses during these sessions.
3. All special terms and sessions are governed by the University's regulations and policies for instruction in undergraduate and graduate programs. Consequently, all academic policies governing grading procedures, mid-semester notification of academic deficiency, procedures for withdrawal, etc. apply to these sessions.
4. Faculty salaries during special sessions are determined according to instructional principles related to class size.
 - a. Because the amount of material that must be covered and student work that must be evaluated in a shortened multi-week period, the class limit for a "typical" lecture/discussion course should be equivalent to established limits for the same course during fall/spring offerings. Once a course has been selected by the department chair and approved by the respective dean for inclusion in the winter and summer term, it will be offered unless it enrolls fewer than nine undergraduate or seven graduate students. The course will then only be cancelled if the instructor agrees to the cancellation.
 - b. When determining the amount of an instructor's salary, the following guidelines will be used:
 - 1) Undergraduate only courses:
 - * For the first nine students, the instructor will be compensated at a rate of 60% of the tuition generated at the in-state rate currently in effect.
 - * For enrollments of ten or greater, the compensation will be calculated as follows: base pay (for the academic year 2000/2001 the base pay is \$700 per course credit hour) plus 12.5% of the in-state tuition generated over the base pay.
 - * Contact hours are compensated at 12/14ths of the corresponding pay for credit hours.
 - * Tuition waiver students are included in course enrollments.
 - 2) Graduate only course:
 - * For the first seven students, the instructor will be compensated a rate of 60% of the tuition generated at the in-state rate currently in effect.
 - * For enrollment of eight or greater, the compensation will be calculated as follows: base pay (for the academic year 2000/2001 the base pay is \$730 per course credit hour) plus 12.5% of the in-state tuition generated over the base pay.
 - * Contact hours are compensated at 12/14ths of the corresponding pay for credit hours.
 - * Tuition waiver students are included in course enrollments.

- 3) Combined undergraduate and graduate courses: The compensation will first be calculated by taking the difference between the undergraduate and graduate pay schedules as defined above.
 - * This difference will then be multiplied by the fractional relationship between the number of graduate students and the total course enrollment.
 - * After calculating the fractional component, that amount will be added to the compensation at the undergraduate level for the course.
 - 4) Specialty Courses
 - * Includes student teaching, internships, etc.
 - * Compensation will be based on guidelines established at the department and/or school level.
- c. All salaries will be determined after the end of the drop/add period.
5. There is a two course maximum per session for any faculty member.

(BOR III - 2.10)

III – 2.20 - Policy on Combined Bachelor's/Master's Programs

1. Faculty who wish to develop combined bachelor's/master's degree programs must design such programs cooperatively with the dean of their school, Graduate Council and the Office of Academic Affairs. Combined programs must be approved in accordance with the steps described in the university's curriculum manual, *Policies and Procedures for Curriculum Approval*.
2. Undergraduate students who are within six semester hours of completing requirements for the baccalaureate degree and who have submitted an Application for Admission to Graduate Study, an application fee, two recommendation forms and an appropriate standardized test score (see *Graduate Catalogue*) may, with the approval from the Registrar's Office. Graduate credit for these courses is awarded only upon completion of the baccalaureate degree by the end of the semester in which the students began the final course requirements.

(BOR III - 2.20)

III – 2.30 - Policy on Eligibility to Register

Students' eligibility to register at Salisbury University depends upon their academic status, which is determined by the university's deficit point system. That system and its relationship to students' eligibility to register is described below.

Deficit Point System

1. Students whose cumulative GPA falls below 2.0 acquire deficit points that reflect the number of D and F grades they have made. A grade of D results in the assignment of one deficit point for each credit hour of the course in which the D grade was earned. A grade of F results in the assignment of two deficit points for each credit hour of the course. For example, a D in a three-credit course results in three (3) deficit points while an F in the same course results in six (6) deficit points.
2. Each credit hour of grade A will reduce a students' deficit point total by two points for each credit hour earned. A grade of B will reduce the deficit point total by one point for each credit hour earned. For example, a grade of A in a three-credit course will reduce the student's overall deficit point total by six points. A grade of B in the same course will reduce the student's overall deficit point total by three points.
3. **Figure 5** displays a sample grade record that illustrates how deficit points are assigned for D and F grades and how grades of A and B reduce deficit points.

Figure 5. Relationship of Grades to Assignment and Reduction of Deficit Points

Course	Attempted Credit Hours	Grade	Deficit Points Assigned	Deficit Points Reduced
English 102	3	B	0	3
History 102	3	D	3	0
Chemistry 122	4	F	8	0
Psychology 210	3	B	0	3
Phys. Ed. 106	3	C	0	0
Music 100	1	A	0	2
Sub-Total	17		11	8
Total	17		3	

In this example, the total hours earned towards graduation are 17 and the total deficit points assigned are three (11 assigned - 8 reduced = 3).

Academic Probation and Dismissal

Students whose Salisbury University cumulative grade point average is less than 2.0 acquire deficit points (**explained on page 173**) and are placed on academic probation or are dismissed.

Academic Probation

1. First Semester Students

Students who acquire one or more deficit points during their first semester are placed on academic probation. Students on academic probation may register for up to 15 credit hours per semester but may not take any course on a Pass/Fail basis if the course is offered for a grade.

2. Continuing Students

Students who accumulate one to 12 deficit points are placed on academic probation. Students on academic probation may register for up to 15 credit hours per semester but may not take any course on a Pass/Fail basis if the course is offered for a grade.

Academic Dismissal

1. First Semester Students

First semester students are not academically dismissed during their first semester. During their second semester, students on academic probation who do not earn a semester grade point average of 2.0 are dismissed. During the third and subsequent semesters, these students are considered continuing students and are subject to the policies below.

2. Continuing Students

Students who accumulate 13 or more deficit points are academically dismissed. Students on academic probation who do not reduce their deficit points and make a 2.0 grade point average each semester are dismissed. Part-time students on academic probation in a fall or spring semester, or students on academic probation during a winter or summer session, may not increase their deficit point totals or they are dismissed.

3. Dismissed Students

Dismissed students are allowed to attend the University only as restricted-status students taking no more than seven credit hours per semester. Students dismissed while on probation may apply for *readmission on academic probation* once they have six or fewer deficiency points AND they have fewer deficit points than they had when dismissed. Such students remain on academic probation until they have a grade point average of 2.0 or better. Students dismissed because they accumulated more than 12 deficit points may apply for *readmission on academic probation* once their deficit point totals have been reduced to six or fewer. Dismissed students who have not attended the University for two years but who can demonstrate evidence of good academic promise may apply for *readmission as students on special probation*. Dismissed students who increase their deficit point totals may be denied permission to register for classes at the University.

4. Students Who are Academically Dismissed
 - a. lose on-campus housing;
 - b. are not eligible for any financial aid and any financial aid that had been awarded is canceled;
and
 - c. have pre-registered schedules canceled and must re-register as restricted status students.

(BOR III - 2.30)

III – 2.40 - Policy on Undergraduate Student Concurrent Inter-Institutional Registration

Undergraduate students at Salisbury University may register concurrently at other institutions in the University System of Maryland in accordance with **BOR III - 2.40 UNIVERSITY SYSTEM OF MARYLAND POLICY ON UNDERGRADUATE STUDENT CONCURRENT INTER-INSTITUTIONAL REGISTRATION**, which is cited in full below.

I. Policy

In order to permit enrichment of the college experience for full-time undergraduate students attending system institutions, each institution shall provide opportunities for students to pursue courses for credit at other institutions within the University System, with exceptions as provided in **section III** below. The existence of this policy does not supersede cooperative agreements entered into by two or more USM institutions. Student participation is on a voluntary basis; however, course work should be used to augment the program of study being pursued at the home institution.

II. Definitions

- A. Home Institution - The institution that the student is currently, admitted and is enrolled as an undergraduate degree candidate;
- B. Host Institution - The institution at which the student is registered to pursue courses through the inter-institutional registration program.

III. Regulations Governing the Inter-Institutional Registration Program

- A. Only undergraduates who are enrolled full-time in degree programs and who have attained at least sophomore status and are in good academic standing at the home institution are eligible to participate in the program. Students participating in the ROTC program are exempt from the sophomore standing requirement.
- B. This program is not available at university college or in self-support programs.
- C. Participation in the student inter-institutional registration program shall be entered into only after receiving approval from the appropriate authority at the home institution and with the concurrence of the appropriate authority at the host institution. Approval does not insure availability of a place in the course at the host institution. Students will use the registration procedures and times applicable to native students at the host institution.
- D. All tuition and fees incurred by students shall be paid to the home institution in accordance with that institution's policies. No additional registration fees may be charged. However, fees at the host institution associated with special courses may be assessed.
- E. Ordinarily students may attempt in a given semester only the number of credits in combined registration equal to the maximum number permitted students at the home institution. At least fifty (50) percent of the semester course credits must be taken at the home institution.
- F. All credits and grades earned by participating students at a host institution shall be defined as resident credit and entered on the academic record of the student at the home institution. Both grades and credits earned within this program shall be included in the calculation of the grade point average at the home institution.
- G. The University System of Maryland and each institution shall develop coordinated procedures for the implementation of this policy.

(BOR III - 2.40)

III – 2.41 - Policy on Graduate Student Concurrent Inter-Institutional Registration

Undergraduate students at Salisbury University may register concurrently at other institutions in the University System of Maryland in accordance with **BOR III - 2.41 UNIVERSITY SYSTEM OF MARYLAND POLICY ON UNDERGRADUATE STUDENT CONCURRENT INTER-INSTITUTIONAL REGISTRATION**, which is cited in full below.

I. Policy

It is the policy of the Board of Regents of the University System of Maryland to encourage graduate students enrolled at one institution of the system to avail themselves of course offerings, research facilities, and special faculty competencies at the other institutions of the System. Therefore, degree-seeking graduate students at USM institutions may, with the permission of the graduate coordinator in the program to which they were admitted, pursue for credit at other institutions within the university system graduate courses to augment their degree programs.

Courses taken at other institutions should be used to augment the home campus program. If a major portion of the program a student wants is not given at the home institution, then the student should transfer to an institution which offers the program.

In granting permission to pursue the opportunity afforded by this policy, significant factors to be considered by the graduate coordinator may include but are not limited to:

- A. Unavailability of a similar or comparable course at the home institution within a reasonable time frame. Here convenience is not adequate justification.
- B. Possible enhancement of the student's overall program in a way not possible at the home institution, as by the existence at the host institution of a unique research or instructional facility, particular faculty expertise, or the availability of a particular course not offered at the home institution.
- C. The level and content of the course, including the nature of prerequisite course work.

II. Definitions

- A. Home Institution -- The institution to which the student is currently, formally admitted in an approved graduate degree program. The home institution will be responsible for admission, academic advising, grants of financial aid, the academic transcript and the awarding of the graduate degree. The student must maintain academic eligibility at the home institution.
- B. Host Institution -- The institution that registers the inter-institutional student for the inter-institutional course only and offers the course(s) taken as a visiting inter-institutional student. The host institution will provide, on a space available basis, access to courses, seminars, and research facilities. Use of the libraries, parking facilities, and emergency health care will be made on the same terms on which they are offered to graduate students at that institution.

III. Regulations Governing the Inter-Institutional Registration Program

- A. Degree-seeking graduate students in good academic standing in approved graduate programs at USM institutions are eligible to participate.
- B. Participation in the program shall be entered into only after receiving approval from the appropriate authority at the home institution and with the concurrence of the appropriate authority at the host institution. Approval does not insure availability of a place in the course at the host institution. Actual registration is on a "seats available" or other established basis. Contact with the department or

program at the host institution is recommended in order to determine availability of space in the course and the existence of particular prerequisites. This should be done well in advance of the registration period in which the course will be taken. Students will use the registration procedures and times applicable to native students at the host institution.

- C. Inter-institutional students shall pay all tuition for courses taken at a host institution directly to the home institution in accordance with that institution's policies. On an annual basis there will be an exchange of tuition collected based on enrollments at the host institutions. For teaching load and FTE student computation, the credit hours taken at the host institution will be reflected at the host institution.
- D. All credits and grades earned by participating students at a host institution are defined as resident credit by the home institution and entered on the academic record of the student at the home institution.
- E. The University System of Maryland and each institution shall develop coordinated procedures for the implementation of this policy.

(BOR III - 2.41)

III – 2.50 - Policy on Academic Advising

Faculty Advising

1. All faculty are required to advise matriculated students and to be available to meet with them outside formal classes. It is suggested that a minimum of five (5) hours each week be set aside for scheduled office hours. These scheduled hours should provide access for students at various times and on various days of the week. The schedule of office hours is to be posted on the faculty member's office door, filed with the faculty member's department chair and dean, and with the Office of Academic Affairs. During program planning weeks, it may be necessary for faculty to schedule additional office hours in order to accommodate advisees.
2. Faculty Advisors are assigned to matriculated students. Students who have declared a major are assigned an advisor in their major department. Students who have not declared a major are assigned an advisor from the faculty at large.
3. Matriculated students must confer with their assigned academic advisor about course selections, requirements and other academic matters prior to registration each semester.
4. There are three categories of undergraduate non-degree students (UND). These categories and their management within the university advising system are as follows:
 - a. Non-program students are students pursuing one or two courses on the basis of personal interest without reference to a degree program. These students are not assigned advisors. If, however, these students complete 30 semester hours of work, they must apply for admission to the university as matriculated students and will then be assigned advisors.
 - b. Provisional students are first time students to the university. They are full-time, non-matriculated students attending under the direction of the dean of enrollment management. These students are assigned an advisor in the Admissions Office.
 - c. Restricted status students are students who have been academically dismissed but who are permitted to continue to attend the university under the direction of the assistant vice president. The assistant vice president assigns these students to advisors.
5. The *Advising Handbook* published by the Office of Academic Affairs provides information to faculty about the advising process and program requirements at the university.

(BOR III - 2.50)

III – 3.00 - Policy on Awarding of Honorary Degrees

1. Salisbury University awards honorary degrees at commencement exercises on the basis of recommendation by an ad hoc honorary degree committee and approval of the provost, university president and the Board of Regents of the University System of Maryland.
2. Deadline for nominations to the Chancellor is the end of the fall semester. The Committee on Education Policy will review all nominations and make recommendations to the full Board, which will take action during the February meeting.
3. Care should be taken to ensure strict confidentiality at all stages of the honorary degree process. There should be no communication with prospective degree recipients regarding a likely degree until after the board of Regents has approved the award. Approvals shall remain confidential until the candidate is notified of his/her selection. Degrees may be conferred at any time within five years of approval, unless withdrawn by the Board of Regents for cause.
4. The provost establishes the Honorary Degree Committee using a ballot of all tenured, full professors at the university. Students, faculty, administration and alumni can propose candidates for consideration to the committee.
5. There is no expectation that Salisbury University will award one or more honorary degrees at each commencement exercise.
6. It is a practice that the university not award honorary degrees to sitting politicians.
7. The Honorary Degree Committee may use any or all of the following criteria in selecting candidates they will recommend for honorary degrees:
 - a. The candidate should have but not necessarily be limited to some ties to the region predominately served by Salisbury University (e.g., Eastern Shore; Mid-Atlantic).
 - b. Candidates may be considered on the basis of intellectual or academic achievement consistent with the mission of the institution.
 - c. Candidates may be considered on the basis of philanthropic inclination.

Revisions Approved by the BOR on July 13, 2001

(BOR III - 3.00)

III – 5.00 - Policy On Academic Calendar

In the matter of the academic calendar, Salisbury University operates under **BOR III - 5.00 UNIVERSITY SYSTEM OF MARYLAND POLICY ON ACADEMIC CALENDAR**, which is reproduced in full below.

1. All institutions of the University System of Maryland will follow a common academic calendar to assist student planning, facilitate joint and cooperative programs and appointments, simplify student and faculty movement among institutions, and facilitate use of distance education technologies throughout the System.
2. The common academic calendar will provide sufficient time for instruction and examinations as recommended by the Middle States Association and as stipulated by the Maryland Higher Education Commission. Within the common framework, each president shall be authorized to adjust class time to meet instructional needs.
3. The features of the common calendar will include:
 - a. a fall semester, which begins before Labor Day, except in those calendar years when a start after Labor Day can also accommodate the requirements for class meeting time, interrupted by a two-day recess for Thanksgiving. The final examination period will conclude on or before December 23.
 - b. a minimum of fourteen instructional days over a three-week period in January available for institutions to use for an academic winter session or, for those institutions which do not plan to offer course work, an extended winter holiday.
 - c. a spring semester interrupted by a one-week common spring break. The final examination period will conclude prior to Memorial Day.
4. The particular dates for each year's common calendar will be recommended by the Presidents' Council and approved by the chancellor for publication and dissemination. The academic calendar will be adopted at least two/three years in advance.
5. The Law School at the University of Baltimore and the professional programs in the schools of the University of Maryland at Baltimore, and distributed learning and cohort programs are exempted from this policy. Each president shall be authorized to designate the programs to be exempted and adjust class time to meet instructional needs. However, all programs not otherwise constrained by the requirements of professional accrediting bodies or designated as an exempt distributed learning or cohort program should be on the USM common academic calendar.
6. By June 1 of each year, each institution will provide for the files of the Office of the Chancellor a copy of its detailed academic calendar for the upcoming academic year, including information such as registration periods, drop/add periods, and commencement dates as well as dates for summer sessions. Professional schools exempted from the common academic calendar under provision five will provide copies of their academic calendars to the chancellor's office on the same schedule.

FALL 2003	
Labor Day	September 1 (Monday)
Start Date	September 2 (Tuesday)
Last Day of Classes	December 12 (Friday)
Last Day of Finals	No later than December 23

SPRING 2004	
Start Date	January 26 (Monday)
Spring Break	March 21 – 28 (Sunday – Sunday)
Last Day of Classes	May 11 (Tuesday)
Last Day of Finals	Prior to Memorial Day

Revised September 1998
 Revised April 6, 2001

(BOR III - 5.00)

**III – 5.10 - Policy Concerning the Scheduling
of Academic Assignments on Dates of Religious Observances**

1. In July of each academic year, the Office of Academic Affairs distributes a religious observances calendar to deans of the university schools with the reminder that students are not to be penalized because of observances of their religious holidays and are to be given opportunity, wherever feasible, to make up within a reasonable time any academic assignments missed due to participation in religious observances.
2. School deans have responsibility for distributing the religious observances calendar to their department chairs and faculty with the reminder that students must not be penalized for participation in religious observances.

(BOR III - 5.10)

**III – 6.10 - Policy on the Numbering
Academic Courses at Institutions in the University System of Maryland**

1. Academic courses offered at Salisbury University are numbered in the following way:

00-99	Non-degree-credit Courses
100-299	Lower Division Courses, primarily for Freshmen and Sophomores
300-499	Upper Division Courses, primarily for Juniors and Seniors; 400-499 courses may be available for credit toward some graduate degrees
500-	Post-baccalaureate Courses

2. Faculty who wish to change course numbers must follow procedures outlined in the university's curriculum manual, *Policies and Procedures for Curriculum Approvals*.

(BOR III - 6.10)

III – 6.30 - Policy on Confidentiality and Disclosure of Student Records

1. Salisbury University assumes the right, under the provisions of the Family Educational Rights and Privacy Act, to provide student directory information without prior consent of the student. Directory information is defined as a student's name, local address (if listed), date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of an athletic team member, dates of attendance degrees and awards received, most recent previous educational agency of institution attended, listing of officers of student organizations (including names and addresses).
2. In the event students want more than directory information released, they must notify the Student Affairs Office in the University Center.

(BOR III - 6.30)

III – 6.40 - Policy on Classification of Undergraduate Students

I. A full-time undergraduate student is one who is registered during any fall or spring semester in any day and/or evening courses totaling twelve (12) or more credit hours.

II. Students are classified according to the number of semester hours they have completed with grades of A, B, C, D, or PS as follows:

Freshman	0-29
Sophomore	30-59
Junior	60-89
Senior	90 and above

III. Students are also designated as follows:

A. **Matriculated Students** - full or part-time degree candidates who are assigned a faculty advisor in an academic department.

B. **Undergraduate Non-Degree Students (UND Students or Restricted Students)** - students who have been academically dismissed but who are permitted to attend under the direction of and are assigned an advisor by the assistant vice president of academic affairs.

C. All students enrolled for twelve (12) or more semester hours pay full-time tuition and fees regardless of classification. Students enrolled for 11 or fewer semester hours pay tuition assessed on a per-credit basis and pay part-time fees.

(BOR III - 6.40)

III – 7.00 - Policy on Degree and Curricular Requirements

- A. The requirements for the degrees currently offered by Salisbury University have been established by the faculty of the university's academic departments and are published in the Academic Program section of the *University Catalogue*.
- B. Matriculated students normally meet degree requirements as stated in any *University Catalogue* when they have met the following conditions:
1. Matriculated in the university.
 2. Successfully completed at least 120 credit hours of course work with a cumulative grade-point average of 2.0 or higher; including transfer credits.
 3. Completed at least 60 credit hours (or 30 hours if a transfer student) by direct classroom instruction and/or laboratory experience, and not through Credit by Examination.
 4. Completed at least 30 credit hours at the 300- or 400-level with a grade of C or better; or 15 hours if a transfer student. (NOTE: Other than field-based courses in the Department of Education, courses taken on a pass/fail basis do not satisfy this requirement).
 5. Satisfied requirements of the general education program.
 6. Satisfied the requirements in at least one major program of study including the major's required grade point average.
 7. Earned grades of C or better in ENGL 101 and 102.
 8. Submitted an Application for Graduation Form to the registrar by the appropriate date.
 9. Paid the graduation fee and made arrangements for the repayment of any outstanding debt.
 10. Returned all materials borrowed from the Library or academic departments.
- C. Faculty of the university have also established minor programs of study, which are described in the Academic Program section of the *University Catalogue*. The general requirements for completing a minor are as follows:
1. At least fifteen (15) hours of the work applied toward a minor must consist of courses not used to satisfy general education or major requirements.
 2. At least nine (9) hours of the work applied toward a minor must be credits earned at Salisbury University.
 3. Students must earn grades of C or better in all courses applied toward completion of minors.
- D. University faculty may modify existing degree programs or develop new ones in accordance with the following procedures:
1. Faculty and department chairs secure approval to proceed with program design from dean and the provost.
 2. Faculty designing program secure concept approval from their school curriculum committee and the University Curriculum Committee.

3. Faculty program designers develop a prospectus for the program using guidelines in the Maryland Higher Education Commission's (MHEC) manual, *Policies and Procedures for Academic Program Proposals* and technical assistance from the assistant vice president of academic affairs.
4. The dean of the school in which the program is being designed provides the prospectus to the provost who secures approval for it from the University System of Maryland (USM) Academic Affairs Advisory Council and the USM chancellor.
5. Upon USM prospectus approval, program designers develop a full program description using guidelines in the MHEC *Policies and Procedures for Academic Program Proposals* and technical assistance from the assistant vice president of academic affairs.
6. Program designers secure approval for the program and its component courses from their school curriculum committee and from the University Curriculum Committee.
7. The University Curriculum Committee recommends the program to the provost who secures approval for the program from the USM chancellor.

When this sequence is complete and the chancellor of the University System of Maryland notifies the president of the university that the program has been approved, it becomes part of the university curriculum.

(BOR III - 7.00)

**III – 7.01 - Policy on The Review and Approval of
New Academic Programs That Do Not Require New Resources**

In the matters of the review and approval of new academic programs that do not require new resources, Salisbury University operates under **BOR III - 7.01 UNIVERSITY SYSTEM OF MARYLAND POLICY ON REVIEW AND APPROVAL OF NEW ACADEMIC PROGRAMS THAT DO NOT REQUIRE NEW RESOURCES** which is reproduced in full below.

1. The Committee on Education Policy of the Board of Regents shall review each proposal for a new academic program and make a recommendation concerning approval to the full Board of Regents.
2. In accordance with Section 11-206.1(b)(2), new programs shall be consistent with the established mission of the institution and able to be implemented within the existing program resources of the institution.
3. The Committee's review and recommendation for approval or disapproval shall be given within 60 days of submission.
4. If the Committee recommends disapproval of a program proposal, the proposing institution shall be entitled to present its proposal to the full Board of Regents before the Board takes final action.
5. The full Board will take final action no later than 60 days after submission.
6. If, within 30 days of the Commission's receipt of notice of an institution's intent to establish a new program, an objection to a proposed new program is filed either by the Maryland Higher Education Commission or by any Maryland institution of higher education, on the basis of (a) inconsistency of the proposed program with the institution's mission, (b) unreasonable program duplication which would cause demonstrable harm to another institution, and/or (c) violation of the State's equal educational opportunity obligations under State and federal law, in accordance with Section 11-106.1(c) and (d), and if the Commission upon review of supporting evidence finds the objection to be justified, the Board of Regents shall work with the President of the proposing institution and the Commission to attempt to resolve the objection.

Approved by BOR April 7, 2000

(BOR III – 7.01)

III – 7.02 - Policy on The Review and Abolition of Existing Academic Programs

In the matters of the review and abolition of existing academic programs, Salisbury University operates under **BOR III - 7.02 UNIVERSITY SYSTEM OF MARYLAND POLICY ON THE REVIEW AND ABOLITION OF EXISTING ACADEMIC PROGRAMS** which is reproduced in full below.

1. This policy applies to all proposals for the abolition of existing academic programs, whether they originate as a result of periodic program review, in response to the identification of such programs as “low productivity,” or as part of an overall institutional restructuring.
2. In accordance with Section 11-206.1(A)(1) of the Annotated Code of Maryland, a President who proposes to abolish an existing academic program shall provide the Board of Regents with evidence that the action is consistent with the adopted mission of the institution and can be implemented within the existing program resources of the institution. The Committee on Education Policy of the Board of Regents shall review each proposal for the abolition of an existing academic program and provide a report to the full Board of Regents.
3. The President shall provide the Board of Regents with information on the following:
 - a. proposed date after which no new students will be admitted into the program;
 - b. accommodation of currently enrolled students in the realization of their degree objectives;
 - c. treatment of all tenured and non-tenured faculty and other staff in the affected program;
 - d. reallocation of funds from the budget of the affected program; and
 - e. existence at other state public institutions of programs to which to redirect students who might have enrolled in the program proposed for abolition.

Approved October 27, 2000

(BOR III – 7.02)

III – 7.10 - Policy on Graduate Education

1. Salisbury University is authorized to offer masters degree programs in business, education, English, history, nursing and psychology. The requirements for the master degrees currently offered by Salisbury University have been established by the graduate faculty in the university's academic departments and are published in the University's *Undergraduate and Graduate Catalogue*.
2. The University graduate programs are administered by the provost in cooperation with the dean of enrollment management and the deans of the school, which offer graduate programs and the registrar. Following are the guidelines for graduate program administration.
 - a. **Authority of Deans** - Authority for the design, development and implementation of individual graduate programs rests with the dean of the school in which those programs are offered. Programs are supervised in accord with a "chain-of-command" which begins with faculty who develop graduate courses and programs, moves to graduate program directors selected by departments to implement those programs, and thence to department chairs in which the programs are offered. Department chairs have administrative and supervisory responsibility for programs in their departments and for the work of their graduate program directors. Department chairs, in turn, report to the dean of the school who has final authority over and responsibility for the graduate programs of the departments of the school.
 - b. **Authority of the Dean of Enrollment Management** - Authority for the management of university wide aspects of graduate study rests in part with the dean of enrollment management who engages in general recruitment for graduate students with special emphasis on minority graduate students, disseminates general information about the university and supervises application and admission of students to graduate study at the institution. This dean supervises publication of the graduate catalogue in cooperation with the graduate council.
 - c. **Role of the Graduate Council** - The Graduate Council develops university-wide policy and procedures for graduate study at the university and for the coordination of the individual graduate programs offered by departments and schools. The Graduate Council consists of the provost, dean of enrollment management and the registrar (all ex-officio), one member from each of the graduate programs in education, English, history and psychology, business, nursing, one member elected at large from the graduate faculty of the Henson School of Science and Technology and two members elected at large from graduate faculty of those departments in the Fulton and Perdue Schools and the School of Education and Professional Studies which do not have master's degree programs.
 - d. **Role of Graduate Program Directors** - Graduate program directors are appointed by their departments and assist the provost in administering the graduate program. Graduate program directors are appointed according to procedures detailed in **Article IV: Bylaws Adoption and Amendments, Graduate Program Directors** of this handbook under **The Graduate Council** section. Program directors disseminate general information about the university and specific information about individual graduate programs offered by their schools and departments, supervise the application of students to graduate study in their departments, monitor graduate student compliance with university wide academic policies for graduate students, and work in close coordination with the Graduate Council, provost, dean of enrollment management, registrar, and deans to implement approved policies and procedures.
 - e. **Graduate Faculty Advocacy** - Graduate faculty are supported by and supervised by their department chairs and by the deans of their schools. Support for special graduate program activities such as research and release time is provided to graduate faculty by their department chairs and

deans in accordance with the overall plans of the departments and schools, and within the context of the **Mission and Academic Long Range Plan** of the university.

- f. **Application for Graduate Study at Salisbury University** - The purpose of application is to become eligible for post-baccalaureate study. Students who are accepted for graduate study are encouraged to affiliate with a particular graduate program but do not necessarily have to do so. Steps in the application process include:
- 1) development by the Graduate Council of general admission requirements;
 - 2) application by prospective student;
 - 3) notification in writing to applicants by the dean of enrollment management of acceptance, conditional acceptance or non-acceptance to general graduate study;
 - 4) notification to applicants who are accepted and who have expressed interest in a particular graduate program that their interest will be conveyed to that program's director who will, in turn, contact them; and
 - 5) forwarding of applications of students expressing program interest to the director of the program of interest.
- g. **Admission to Individual Graduate Programs** - The process of admitting students to the individual graduate programs of the university is managed by the graduate program directors in the departments/schools which offer these programs. Steps in this admission process include:
- 1) development of criteria for program admission by department/school offering program;
 - 2) evaluation of records of program applicants by graduate program directors;
 - 3) notification in writing to applicants by program directors of acceptance, conditional acceptance or non-acceptance; and
 - 4) notification in writing to the registrar of the student's acceptance into the program, including the starting semester for which admission is granted.
- h. **Program Design, Development and Approval** - Before designing an individual graduate program, faculty/departments/deans must tender a prospectus of the program to the secretary of higher education via the Graduate Council, the provost and the president of the university. Once this prospectus has been reviewed and approved by the Maryland Higher Education Commission (MHEC), faculty working with their departments, department chairs and deans may proceed with the design of a full, program proposal. This proposal must then be approved by the Graduate Council, the provost, the University System of Maryland (USM) Academic Affairs Advisory Council and USM Board of Regents; and ultimately by the Maryland Higher Education Commission. The design, development and approval of individual graduate programs results in degree requirements, graduate courses and program sequences. Steps leading to these results include:
- 1) notification by prospectus to the Secretary of Higher Education of intent to develop a specific graduate program with copies to provost and Graduate Council;
 - 2) discussion and review of program prospectus by USM constituents;
 - 3) design of proposed graduate program, including requirements, courses and sequences by faculty/departments/deans;
 - 4) review and approval of program by Graduate Council;
 - 5) review and approval of program by provost of the university;
 - 6) review and approval of program by USM Academic Affairs Advisory Council;
 - 7) review and approval of program by USM Board of Regents'
 - 8) review and approval of program by Maryland Higher Education Commission;
 - 9) publication of program including requirements, courses and program sequence in university's *Graduate Catalogue* by the Publications Office.
- i. **Process for Appeals by Graduate Students** - The general principal governing appeals of procedures, requirements or decisions by graduate students is that appeals related to general university concerns are heard by the provost and that appeals related to individual graduate programs are heard by program directors, department chairs then deans in sequence as necessary. Where students seek the

hearing of appeals which may concern both general university and individual program matters, the provost and the director, department chair and/or dean of the relevant school will work together in close cooperation to consider the appeal. There are several kinds of appeals which have been identified as within the authority of either the provost or deans of schools and these are listed below.

- 1) extension of grades of Incomplete;
- 2) permission for enrollment beyond 12 hours;
- 3) extension of the Drop/Add period; and
- 4) waivers.

j. **Scheduling of Graduate Courses** - The scheduling of graduate courses is, in general, governed by the program sequences of which they are a part and is the responsibility of the department chairs in which the programs are offered, subject to the approval of the dean of the school, working in close cooperation with the registrar. Steps in the process for scheduling graduate courses include:

- 1) submission by department chairs/deans of schedules of graduate course offerings to the provost for regular terms and to registrar for winter and summer terms;
- 2) negotiation of final schedules of graduate course offerings by school deans in tally meetings with the registrar for regular terms as well as for winter and summer terms; and
- 3) publication by the registrar of comprehensive and graduate-only schedules-of-classes for regular terms and for winter and summer terms.

k. **Marketing of Graduate Programs and Recruitment of Graduate Students** - Graduate program marketing and recruitment activities are shared by the dean of enrollment management and deans of schools in the following way:

- 1) promulgation of the array of graduate programs available at SU by the dean of enrollment management at general graduate student recruitment events,
- 2) specific recruitment of minority graduate students to graduate study at SU and at special minority graduate student events; and
- 3) marketing and recruitment for individual graduate programs by directors/department chairs/deans at events and through methods possible given the resource allocations of the department/school.

l. **Assignment of Graduate Assistantships to Graduate Programs** - The USM governance structure makes possible the use of graduate assistants who are appropriately qualified and adequately supervised as teaching assistants. Individual graduate programs may pursue graduate assistantships specific to the needs and content of their programs with the approval of the provost of the university. Graduate programs may be assigned graduate assistantships as follows:

- 1) documentation of needs for graduate assistantships by program directors/department chairs/deans to the registrar; and
- 2) assignment of graduate assistantships to individual graduate programs by the registrar after consultation with provost.

(BOR III - 7.10)

III – SU - Policy on Military Call-up of Students

In the event of the call-up of student military reservists to active duty, the university's policy for issuance of grades provides them three options.

1. They may withdraw outright receiving W's in all courses and receive a full refund for the semester;
2. They may receive W's in some courses (with no refund) and negotiate with faculty members for Incompletes in other courses;
3. They may negotiate with faculty members for Incompletes in all courses.

The terms negotiated by faculty members and students for Incomplete grades should be specific for the individual and time frame involved. It is, of course, the students' prerogative to initiate the negotiation.

III – 7.50 - Policy on Inter-Institutional Graduate Faculty

In the matters of inter-institutional graduate faculty, Salisbury University operates under **BOR III - 7.50 UNIVERSITY SYSTEM OF MARYLAND POLICY ON INTER-INSTITUTIONAL GRADUATE FACULTY**, which is reproduced in full below.

I. Definitions

- A. A **degree-granting institution** is a USM institution authorized by law to award post-baccalaureate degrees, including, but not limited to, the M.S., Ph.D., and doctorals in Education, Engineering, etc.
- B. A **home institution** is the degree-granting institution in which a particular graduate degree-granting program resides and in which a student must be enrolled to participate in that program.
- C. **Institutional graduate faculty** refers to a body formally established by an USM institution to serve its graduate education activities.
- D. **Inter-institutional graduate programs** are those established jointly by institutions within the USM to serve students through courses and/or research supervision provided by faculty members drawn from the participating institutions.
- E. **Graduate program directors** are those appointed by the USM institutions to administer one or more specific graduate programs based at the degree-granting USM institutions, or they may be department chairs, academic deans, or other individuals so designated for this purpose by the institutions.

II. Principles of Organization

- A. The USM Inter-Institutional Graduate Faculty is established for the following purposes:
 - 1. In accordance with **III-7.10** of the USM Bylaws, Policies and Procedures of the Board of Regents, *Policy on Graduate Education*, to "...facilitate the inter-institutional participation of graduate students and faculty in programs throughout the University System of Maryland.
 - 2. To promote the wider use of USM resources in graduate education, particularly in the development and offering of multi- and trans-disciplinary programs that meet the demands for advanced study in an increasingly complex world.
 - 3. To facilitate graduate students' access to the expertise of faculty members from all component institutions within the USM.
 - 4. To assure that the studies of graduate students enrolled in inter-institutional programs are subject to the same level of rigor and review as provided by the policies and procedures of the individual institutions responsible for awarding advanced degrees.
 - 5. To provide each institution responsible for awarding post-baccalaureate degrees with a pool of faculty members from other USM institutions qualified to offer graduate-level courses and/or direct the research of graduate students.

- B. The following principles shall be fundamental to the organization of the USM Inter-Institutional Graduate Faculty and conduct of programs in which its members participate:
1. Establishment of the USM Inter-Institutional Graduate Faculty is intended to facilitate student access to faculty expertise across all USM institutions. The primary concerns of this policy shall be the interests and welfare of the graduate student.
 2. Assurance of program quality rests with the home institution and the individual program directors. The home institution shall retain final authority for approving a student's advisor, course of study, committee composition, and final certification for award of degree according to its established policies.
 3. Nothing in these policies shall be construed to circumvent the established policies and procedures, the completion of advanced degree requirements, and the conduct of graduate programs at any USM institution. In particular, no student or participating faculty member shall be exempt from requirements for the conduct of an institution's graduate programs, e.g., animal care and use, radioactive materials safety, etc.
 - a. Each institution shall have an academic misconduct policy or policies applicable to faculty and graduate students and consistent with the following:
 - 1) Charges of academic misconduct made against faculty members shall be governed by the policies of the institution(s) of salaried appointment; and,
 - 2) Charges of academic misconduct made against a graduate student shall be governed by the policies of the student's home institution.

III. **Appointment and Membership**

- A. Appointment of a faculty member to the USM Inter-Institutional Graduate Faculty shall require all of the following:
1. Membership has not established such policies and procedures, or if it is not authorized to grant graduate degrees, a member of its faculty must first be formally appointed to another institutional graduate faculty in order to be eligible for appointment to the USM Inter-Institutional Graduate Faculty.
 2. Written letter from each individual requesting appointment, identifying the institutional graduate faculty of which he or she is a member, specifying the graduate degree(s) that he or she is qualified to supervise under the conditions of that appointment, and expressing a commitment to serve USM graduate students by participating in and contributing to the development of one or more specified graduate programs.

The letter shall be accompanied by current *curriculum vitae*.
 3. Written letter of endorsement prepared by the dean or appropriate official referenced above at the individual's institution of salaried appointment, identifying the faculty member by name and rank and certifying institutional graduate faculty appointment status.

- B. The chair of the Inter-Institutional Graduate Council shall inform faculty members who have fulfilled the above requirements of their appointment to the USM Inter-Institutional Graduate Faculty. The letter of appointment shall specify whether or not a member is eligible to chair Ph.D. or other doctoral thesis committees according to the documents assembled in support of his/her appointment. The members of the Inter-Institutional Graduate Council shall be informed of all such appointments.
- C. Appointment shall be for an indefinite period of time. However, a member's appointment shall automatically cease should the individual's qualifying institutional graduate faculty appointment be terminated for any reason.

IV. **Rights and Privileges**

- A. These policies establish a reciprocal agreement among the USM institutions regarding a faculty member's eligibility to participate in graduate programs. Subject to the approval of the appropriate program director(s), the policies and procedures of a student's home institution, and the individual's conditions of appointment, a member shall be eligible to participate in any graduate program offered within the USM.
- B. A member of the USM Inter-Institutional Graduate Faculty shall be eligible to teach graduate-level courses and to participate in the supervision of candidates for advanced degrees as set forth in the individual's letter of appointment from the chair of the USM Inter-Institutional Graduate Council.
- C. All members shall be able to participate in the governance of the Inter-Institutional Graduate Faculty by bringing issues and recommendations before the Inter-Institutional Graduate Council for consideration.

V. **Administration**

- A. The USM Inter-Institutional Graduate Faculty shall be administered by the Inter-Institutional Graduate Council.
 - 1. Each USM institution shall be invited to appoint, according to its accepted internal procedures, one tenured faculty member, at the minimum rank of associate professor or equivalent, as a voting member of the Council.

Each voting member shall serve for a renewable term of two years.
 - 2. Each USM institution, and the USM vice chancellor for academic affairs, shall be invited to appoint one administrator as a non-voting *ex officio* member who will serve an indefinite term at the pleasure of the appointment office.
 - 3. The Council shall elect its chair from among its voting members. The chair shall serve for a term of one year and may be re-elected for not more than one additional contiguous term.

- B. Responsibilities of the Inter-Institutional Graduate Council shall include the following:
1. Review and action on requests for appointment to the USM Inter-Institutional Graduate Faculty.
 2. Review of issues brought to its attention that affect inter-institutional graduate education within the USM.
 3. Development of recommendations to facilitate faculty interaction between USM institutions for the purpose of encouraging and enhancing inter-institutional graduate programs.

The development and implementation of new inter-institutional graduate programs shall remain the prerogative and responsibility of the participating institutions according to established USM procedures.
 4. At an institution's request, the Council may assist in the review of new institutional graduate faculty policies or policy revisions to ensure that such policies provide the level of rigor necessary for faculty members to be routinely authorized to participate in USM inter-institutional graduate programs.
 5. Any recommendations involving USM graduate education policy shall be made to the Academic Affairs Advisory Council and shall be submitted for institutional review by the appropriate governance structure prior to a final decision by the Council.
 - a. Recommendations approved by the Academic Affairs Advisory Council shall be forwarded to the Chancellor's Council.
 - b. If such recommendations involve change(s) in the policies of one or more USM institutions, they shall be accompanied by the written responses from the individual institutions.
- C. The Council shall make available to all USM institutions, a list of members of the Inter-Institutional Graduate Faculty and the specified conditions of each member's appointment.
- D. At the close of each academic year, the Council shall file a written report with the vice chancellor for academic affairs on the status of inter-institutional graduate education within the USM.
- E. The Office of the Vice Chancellor for Academic Affairs shall provide clerical staff support to the Council and maintain the official listing of all members of the USM Inter-Institutional Graduate Faculty.

VI. Policy Amendments

- A. Proposed amendments to this policy shall originate with or be transmitted to the Inter-Institutional Graduate Council.

- B. The Council shall submit its recommendations concerning all proposed amendment to the Academic Affairs Advisory Council.
1. The Academic Affairs Advisory Council shall refer a proposed amendment to its member institutions for review and recommendation prior to rendering its decision.
 2. A proposed amendment must be unanimously endorsed by the USM institutions before it can be adopted.

(BOR III - 7.50)

D. Section IV: Research

IV – 1.00 - Policy on Establishment and Review of Centers and Institutes

1. Centers and institutes at Salisbury University facilitate teaching, research and service and are designed to activate and enhance the mission of the University. Unlike projects and grants which are more limited in nature, centers and institutes are generally created with a continuing mission.
2. Centers and institutes are accountable to the University through the appropriate structures each serves. At the time of initiation, each center or institute provides a mission statement specifying goals, operational structure, financial provisions (budget, sources, management), space needs, and accountability/evaluation plans to appropriate deans or directors who seek the approval of the provost. A copy of the approved mission statement is filed with that provost.
3. Regular center or institute reports are provided to the dean or director who conducts a periodic review of the center or institute.
4. Each center and institute must comply with Salisbury University's policies related to operation, personnel and finances.

As of September 1998, the following centers and institutes are operating at Salisbury University.

Name	Mission	School
Business Resource Center	Providing services to all sizes of businesses and industries.	School of Business
Center for Adolescent Health	Undertaking research that focuses on the development and evaluation of programs and policies that promote health and prevent diseases.	School of Science
Center for Applied Mathematical Sciences	Involving students in solving problems from business and industry.	School of Science
Center for Bilingual Education	Improving recruitment and training opportunities for ESOL and bilingual teachers and improving the learning abilities of limited-English students.	School of Liberal Arts
Center for Conflict Resolution, Inc.	Conflict resolution.	Office of the President
Center for Economic Education	Improving and expanding the level of economic understanding of school children.	School of Business School of Education & Professional Studies
Center for Social Program Development and Evaluation	Provides consultation and evaluation services to human service organizations	School of Education & Professional Studies
Center for Technology Resource Center	Providing basic training in state-of-the-art technology applications in the classroom or any education setting.	School of Education & Professional Studies
Eastern Shore Export Assistance Center	Providing companies in the eight eastern shore counties with international business, trade and investment.	School of Business
Eastern Shore Regional Safe Communities Center	Providing resource materials on highway and community safety, alcohol and drug issues affiliated with Student Affairs.	Student Affairs
Eastern Shore Small Business	Providing small business counseling and training	School of Business

Name	Mission	School
Development Center	for the nine counties of the Eastern Shore.	
Enterprise Development Group	Acting as the “entrepreneurial arm” of SU by providing one-stop-shop access to the University’s technology, know-how and other outreach assets.	School of Business
European American Business Institute	Working on international projects and promoting international business exchange.	School of Business
Institute for Service Learning	Advancing service learning programs in a three-county region of Maryland’s Lower Eastern Shore through faculty development, curriculum development and by engaging youth and young adults in meaningful service to their communities.	Student Affairs Academic Affairs
John B. and Florence Simoñds May Literacy Lab	Provides literacy tutoring for community members.	School of Educatio & Professional Studies
Lower Shore Child Care Resource and Referral Center	Provides referrals for child care and resources and training to child care provider.	School of Education & Professional Studies
Maryland Summer Center for the Arts	Providing a integrated arts enrichment program in the visual and performing arts for gifted and talented students in grades 7-11.	School of Liberal Arts
The Mid-Atlantic Sales and Marketing Institute	Providing marketing-related consulting services to area business.	School of Business
Partnership for Adolescents on the Lower Shore	An AmeriCorps national service program, which delivers services to adolescents in a four-county region of Maryland’s Lower Eastern Shore.	Student Affairs Academic Affairs
The Perdue Center for Professional Development	Sponsoring and conducting seminars for regional business owners and other professionals.	School of Business
BEACON	Offering a variety of business, economic, enterprise and community development consulting services to a variety of clients.	School of Business
Edward H. Nabb Research Center for Delmarva History & Culture	Preserving the history and culture of the Maryland, Delaware, and Virginia region.	School of Liberal Arts
Shore CAN Volunteer Center	Generating citizen action through volunteer service to address community needs on Maryland’s Lower Eastern Shore.	Student Affairs Academic Affairs
Small Business Institute	Coordinating assistant to regional business.	School of Business

(BOR IV - 1.00)

IV – 2.00 - Policy on Solicitation and Acceptance of Sponsored Projects

1. The Office of Grants and Sponsored Research has responsibility for grants administration and works with administrators and faculty interested in securing federal, state or private funds for projects requiring outside support.
2. Administrators and/or faculty initiate, conceive and develop proposals for prospective grants and awards. Such proposals must be reviewed for program content and university support by relevant department chairs and deans and the provost. Where grant proposals require university financial or other support, proposal initiators need to secure necessary support from appropriate offices.
3. Grant applications must be submitted to the Office of Grants and Sponsored Research at least two (2) weeks before the day of final submission. The office recommends that all who are involved in proposal writing should submit preliminary budgets when they are first developed and well in advance of complete proposal submission and provide guidelines which appear in **Appendix J**. This will ensure assistance from the office in necessary budget review and possible revision.
4. Each grant application must be accompanied by a completed sign-off sheet available from the Office of Grants and Sponsored Research.
5. Once administrative review and the sign-off sheet for a proposal is complete, the office will have the final proposal duplicated, distribute it to appropriate campus officials and it to the granting agency.
6. The office will work with grant and award recipients to help them fulfill administrative requirements and to ensure that the provisions of the grant are completed. The office also notifies the Office of Administration and Finance of grant approval so that accounting and fiscal records can be established, funds augmented to appropriate accounts or expended locally in accordance with current regulations, restrictions and grant agreements.
7. The office maintains files of guidelines, general information, application forms and other materials related to grant programs sponsored by many federal, state and local agencies.
8. The Office of Grants and Sponsored Research administers the Salisbury University Foundation Faculty and Administrator Grant Program. This program provides mini-grants for professional development. Formal procedures and guidelines for the award of foundation grants are available from the office.

(BOR IV - 2.00)

IV – 2.10 - Policy for the Committee on Human Research

Whenever student subjects are sought in the classroom setting for research purposes and some form of academic credit (e.g. extra points computed in the student's final grade) is offered in exchange for involvement, the following criteria must be met in order to secure approval from the Committee on Human Research.

1. Student involvement in the research protocol must demonstrably possess academic validity and relevance in the course in which the credit will be given.

The researcher must justify the academic validity in relation to the course and should explain what specific steps will be taken to ensure the student will receive academic benefit from such involvement (e.g. classroom discussion of the experiment and its results).

2. Alternative experiences offering academic credit must be given to students who do not choose to participate in the research protocol. These alternatives must be roughly equivalent in time and effort to that undertaken by the research volunteers.

Note: Applications for review can be obtained in the Office of Grants and Sponsored Research.

(BOR IV - 2.10)

IV – 2.20 - Policy on Classified and Proprietary Work

In the matter of classified and proprietary work, Salisbury University operates under **BOR IV - 2.20 UNIVERSITY SYSTEM OF MARYLAND POLICY ON CLASSIFIED AND PROPRIETARY WORK**, which is reproduced in full below.

The mission of the University System of Maryland is to generate and to disseminate knowledge. University System interests and purposes are well served by the conduct of extramurally sponsored activities. Sponsors may operate within a proprietary or classified environment while the University functions on the principle of free inquiry and open expression. To serve the common interests of both the University System and the external sponsors, reasonable and workable guidelines for collaborative work which both facilitate beneficial arrangements with the sponsors and protect the basic tenets of the University are necessary.

Policy

It is the policy of the University System of Maryland that instruction, research, and services will be accomplished openly and without prohibitions on the publication and dissemination of the results of academic and research activities. The following statements establish the basis, under this general policy, on which the University System institutions will enter into contractual agreements under governmental or private sponsorship. It also provides the basis for acceptance of graduate theses and dissertations.

1. It is the policy of the University System of Maryland that it neither conducts federal classified work nor permits the use of University facilities or resources for classified work on any of its campuses. When it is in both the University System and the national interest, it is appropriate to engage in classified work, such work must be conducted at off-campus sites.
2. The University System of Maryland enters into no contractual agreement that restrains it from disclosing the existence of the agreement, the nature of the work, and the identity of the sponsor.
3. University System institutions will enter into no agreement that bars investigator(s) from publishing or otherwise disclosing the findings publicly. However, with the concurrence of the investigator(s), the institution may agree to delay publication for a maximum of 90 days to allow sponsors to determine whether their proprietary information may be revealed, or whether they will exercise their rights under patent clauses in agreements with the institution. The institution with the concurrence of the investigator(s) may agree to an additional delay of up to 90 days.
4. The University System recognizes that some publishable work can best be accomplished if a University investigator(s) has access to a sponsor's proprietary information or materials. The University and investigator(s) may agree to use reasonable efforts to protect such information or materials from disclosure, but they cannot accept liability if such efforts fail.
5. University System institutions accept no graduate theses or dissertations that cannot be made public. The provisions stated in **item 3** for delaying public disclosure also apply to graduate theses and dissertations; therefore, the institution will not permit a student to defend any thesis or dissertation which contains proprietary information until the time period allowed by **item 3** has expired.
6. This policy does not apply to consulting or other activities conducted off-campus or without the use of University facilities or resources. Consulting activities must conform to the University's separate policy on consulting.

7. This policy does not require the disclosure of the identity of human-research subjects whose participation in research projects is secured through pledges of anonymity. Further, this policy does not require disclosure of confidential student, patient or employee records protected by federal, state or university policies or of information protected by professional ethics.
8. Under highly unusual circumstances, exceptions to **items 1-4** may be granted by the chancellor of the University System of Maryland on the recommendation of the appropriate president or director. The chancellor will make an annual report to the Board of Regents specifying exceptions granted under this provision.

Definitions

For the purpose of this policy proprietary information or materials means unclassified information or materials that can be made public or that can be disseminated only with the approval of an individual or organization external to the University System of Maryland.

(BOR IV - 2.20)

IV – 3.00 - Policy on Patents

In the matter of patents for inventions and discoveries, Salisbury University operates under **BOR IV - 3.00 UNIVERSITY SYSTEM OF MARYLAND POLICY ON PATENTS**. That policy is reproduced in full below.

I. Objectives

The objectives of this policy are to encourage and aid research at the University System of Maryland, to provide financial compensation as well as professional recognition to inventors, and to protect and best serve the public interest. To these ends, this policy encourages disclosure of inventions and discoveries and their evaluation for possible patenting and licensing and establishes principles for determining the rights of the constituent institutions and inventors. The University System of Maryland continues to encourage scholarly publication of the results of faculty and student research.

II. Applicability

The University System of Maryland Patent Policy applies to all personnel. As used in this policy, "personnel" means all paid and unpaid full-time and part-time faculty members and staff, and all paid employees (including those on approved leaves); and students and fellows.

III. General Policy

- A. The University System of Maryland has an interest in all inventions of personnel which are conceived or first actually reduced to practice as a part of or as a result of: a University System Administration or constituent institution administered program of research; activities within the scope of the inventor's employment by the University System Administration or constituent institution; or activities involving the use, to a substantial degree, of University System Administration or constituent institution time, facilities, or materials or of University System Administration or constituent institution information not available to the public. "Invention" means any invention or discovery which is or may be patentable or which may be commercially licensable. At the time of appointment of visiting faculty and staff, a signed acknowledgment of this policy will be required. An invention shall be considered as resulting from activities "within the scope of the inventor's employment" whenever his or her duties include research or investigation or the supervision of research or investigation and the invention is relevant to the general field of inquiry to which the inventor was devoted or assigned. "Time, facilities and materials" paid for from funds administered by the University System Administration or constituent institution shall be considered University System Administration or constituent institution time, facilities and materials whether the funds arise from federal or state appropriations, student fees, donations, grants, contracts or other sources.
- B. The University System Administration or constituent institution has a right to ownership of any invention in which it has an interest. Unless otherwise agreed, this policy also applies to any inventions in which the University System Administration or constituent institution has an interest under the terms of contracts, grants or other agreements. An invention in which the University System Administration or constituent institution does not have a legal interest may be offered to the University System Administration or constituent institution, and, if accepted, the University System Administration or constituent institution will administer such invention in accordance with this Patent Policy or as otherwise agreed.
- C. Except under special circumstances the University System will not agree to assign rights in future inventions to private corporations or businesses.

IV. **Responsibilities of the University System of Maryland and Delegations of Authority**

- A. The University System shall: (1) notify the inventor promptly whenever it decides not to pursue or to abandon the pursuit of patenting or commercialization of an invention, (2) execute, upon request, all contracts, assignments, waivers or other legal documents necessary to transfer to the inventor the University System's interest in any invention which it has so chosen not to pursue, (3) act with reasonable promptness and in good faith on all inventions disclosed to it, and (4) remit to the inventors their shares of income from inventions as specified in the Revenue Sharing section of this policy. Subject to these responsibilities, the University System may, at any time, decide not to pursue or to abandon the pursuit of patenting and/or commercialization of an invention in which it has an interest.
- B. Authority and responsibility for Patent Policy is delegated to the chancellor (or his designee). The chancellor (or his designee) may seek the advice and assistance of the University System of Maryland Intellectual Property Committee (hereafter called the Intellectual Property Committee; see **Administration section on the next page**). The responsibility for administration of the University System of Maryland Patent Policy (including **subparts 1-4 of IV.A above**) is delegated to the chief executive officers of constituent institutions, except that rights in future inventions shall not be assigned unless the chancellor determines in writing that doing so is in the best interests of the System. Each constituent institution shall develop procedures for implementing this policy.

V. **Responsibilities of Personnel**

- A. Personnel who, either alone or in association with others, make an invention in which the University System has or may have an interest shall disclose to the chief executive officer or designee such inventions reasonably promptly. As to an invention in which the University System through the constituent institution has an interest, the inventor, upon request, shall execute promptly all contracts, assignments, waivers or other legal documents necessary to vest in the University System, or its assignees, any or all rights to the invention, including complete assignment of any patents or patent applications relating to the invention.
- B. Personnel may not: 1) sign patent agreements with outside persons or organizations which may abrogate the University System's rights and interests as stated in this policy or which otherwise conflict with this policy, nor 2) without prior authorization use the name of the University System of Maryland or constituent institutions in connection with any invention.

VI. **Revenue Sharing**

- A. The University System through its constituent institutions shall share with the inventors revenue, which it receives from patents or inventions. Specific provisions of grants or contracts may govern rights and revenue distribution regarding inventions made in connection with sponsored research. Consequently, revenues received from such inventions may be exclusive of payments of royalty shares to donors or contractors. Moreover, constituent institutions may contract with outside persons or organizations for the obtaining, managing and defending of patents, and any royalty share or expenses contractually committed to such persons or organizations may be deducted before revenues accrue or before the inventor's share is distributed.
- B. The revenues (net, if applicable per the preceding paragraph) which are received from a patent or invention will be applied first to reimburse the University System Administration or constituent institution for any specific, incremental expenses incurred by it in obtaining and maintaining the patent and in marketing, licensing and defending the patent or licensable invention. After provision for such expenses, such revenues shall be shared as follows: 1) the first \$5,000 will be paid to the inventor or inventors; 2) thereafter the inventor(s) will receive fifty percent of such revenues. Applicable laws, regulations or provisions of grants or contracts may, however, require that a lesser share be paid to the inventor.

- C. To the extent consistent with State and University System budget policies any net revenue received on account of an invention, after sharing with the inventor, will be dedicated to research and to the promotion of patenting and patents. If practicable, 85% of the University System Administration's or constituent institution's share of new revenue from each invention will be designated for research in the inventor's department or analogous unit up to \$100,000 in a fiscal year for a particular department or analogous unit. The remaining part of the net revenues shall be devoted to research and the promotion of patenting and patents as directed by the chief executive officer, or designee (or, for the System Office, the chancellor or designee).
- D. If use of such funds for research within the inventor's department or analogous unit is not practicable or for an amount in excess of \$100,000 per fiscal year, the chief executive officer may allocate funds for other use within the institution.

VII. Special Cases

The University System recognizes that special cases will arise which are not specifically covered by this policy or which may justify waivers of this policy. Such cases may be submitted to the chancellor or designee.

VIII. Administration

- A. The Intellectual Property Committee consists of the vice chancellor for academic affairs or designee as an *ex officio* member and chair and no more than fourteen other members selected and appointed by the chancellor from candidates nominated by the chief executive officers of constituent institutions. Members are appointed for three-year terms with non-concurrent expiration dates and may serve successive terms.
- B. The Intellectual Property Committee convenes at the call of the vice chancellor or designee, who determines when implementation or interpretation of the University System of Maryland Patent Policy requires consideration by the committee. Among the matters which may be referred to the committee for recommendation to the chancellor are: whether the University System of Maryland has an interest in an invention; questions not covered by policy; and whether some part of the policy should be waived.
- C. When the committee is considering a particular invention, the inventor and/or a representative designated by the inventor may examine all materials submitted to the committee, may make written and oral presentations to the committee, and may be present during oral presentations of others.
- D. It is recognized that the evaluation of inventions and discoveries and the administration, development and processing of patents involves substantial time and expense and requires talents and experience not ordinarily found in its staff. Therefore, the University System Administration or constituent institution may enter into a contract or contracts with third parties in connection with the administration of identified inventions, disclosures of invention, and developed patents.
- E. Disputes on patent matters, including the interpretation of this Patent Policy, shall be referred for resolution to the chancellor or designee.

(BOR IV - 3.00)

IV – 3.10 - Policy on Copyrights

In the matter of copyrights, Salisbury University operates under **BOR IV - 3.10 UNIVERSITY SYSTEM OF MARYLAND POLICY ON COPYRIGHTS**. That policy is reproduced in full below.

Preamble

Prior practice of the University System of Maryland has been to ascribe ownership of copyright on the basis of the extent of the use of facilities and resources. This revision basis ownership on the characteristics of the work effort, e.g. the work may be an independent creative act in the course of employment or it could be a commissioned work produced under contract.

Contextual factors such as use of resources etc. will remain important in determining contract terms and in interpreting the policy.

I. Policy

It is the policy of the University System of Maryland that copyrights arising from aesthetic, scholarly, or other work developed through independent efforts and not part of a directed institutional or University System assignment shall reside with the originator. Independent effort is defined as the product of inquiry, investigation, or research to advance truth, knowledge, or the arts where the specific choice, content, course, and direction of the effort is determined by the individual without assignment or supervision by the institution or System.

All rights in copyright for all other works arising from the use of institutional or System resources whether directed or commissioned or contractually determined shall belong to the Regents.

In conformity with this policy, the chancellor and chief executive officers of the System institutions are authorized to enter into agreements with respect to ownership, licensor, disposition of royalty income, resolution of disputes, and other rights related to copyrights under their respective jurisdictions. They are authorized to register copyrights, accept copyrights from third parties, and to sell or grant licenses or assignments in the name of the Regents for any rights to copyrights under their jurisdiction.

II. Ownership by Category of Work

- A. Scholarly/Aesthetic - In keeping with traditional academic practice and policy, ownership of copyrights to scholarly or aesthetic works that are prepared through independent effort and not part of a directed assignment, shall reside with the originator except as otherwise provided in this policy. The general obligation of faculty to produce scholarly works does not constitute such a directed assignment.
- B. Personal - The copyright to any work that is prepared outside the scope of employment and without the use of institutional or System resources by an employee shall be the property of the employee.
- C. Sponsored/Contracted - The Board of Regents asserts its right to copyrightable works created under sponsorship or contract. Copyright ownership of sponsored works and contracted works shall be governed by such agreements or contracts. Any sponsored work agreement which provides for ownership by other than the Board of Regents shall also provide the Board of Regents with a free-of-cost, non-exclusive, world-wide license to use and reproduce the copy-righted work for research and education purposes, except where prohibited by law or government regulation.

- D. Commissioned - When the institution or System commissions the production of a work, title normally should be with the Board of Regents. In all cases, copyright ownership shall be specified in the written contract. Any commissioned work agreement which provides for ownership by other than the Board of Regents, shall also provide the Board of Regents with a free-of-cost, non-exclusive, world-wide license to use and reproduce the copyrighted work for research and education purposes, except where prohibited by law or government regulation.
- E. Acquired by Assignment or Will - The Board of Regents may acquire copyrights by assignment or will pursuant to the terms of the written agreement or testament.

III. Revenue Sharing for Non-Contracted Work

The Board of Regents may assign or license its copyrights to others. The University System through its constituent institutions shall share with the originator(s) revenue which it receives through copyrights. Specific provisions of grants or contracts may govern rights and revenue distribution. Consequently, revenues received from such copyrights may be exclusive of payments of royalty shares to donors or contractors. Moreover, System institutions may contract with outside persons or organizations for the obtaining, managing and defending of copyrights, and any royalty share or expenses contractually committed to such persons or organizations may be deducted before revenues accrue or before the originator's share is distributed.

The revenues (net, if applicable per the preceding paragraph) which are received from a copyright will be applied first to reimburse the System or constituent institution for any specific, incremental expenses incurred by it in generating the copyright and in marketing, licensing and defending the rights. After provision for such expenses, such revenues shall be shared as follows: 1) the first \$5,000 will be paid to the originator(s); 2) thereafter the originator(s) will receive seventy-five percent of such revenues. Applicable laws, regulations or provisions of grants or contracts may, however, require that a lesser share be paid to the originator.

To the extent consistent with State and University System budget policies any net revenue received on account of a copyright, after sharing with the originator(s), will be dedicated to research and to the promotion of original works. If practicable, 85% of the System's or constituent institution's share of new revenue from each copyright will be designated for research in the originator's department or analogous unit up to \$100,000 in a fiscal year for a particular department or analogous unit.

If use of such funds for research within the originator's department or analogous unit is not practicable, the funds should usually be designated for research in a related department or unit. The remaining part of the net revenues shall be devoted to research and incentive for creative works as directed by the president or director, or designee (or, for the System Office, the chancellor or designee).

IV. Definitions

For purposes of interpretation of this policy, the following definitions shall apply:

- A. Aesthetic Work - A work that is a result of original artistic expression.
- B. Commissioned Work - A work produced for the institution or the System by others pursuant to a contract at the institution's expense.
- C. Contracted Work - Work produced by and for others at the others' expense, using institutional or System facilities pursuant to a contract.
- D. Copyright - The intangible property right granted by statute providing the owner the following exclusive rights over a work: to reproduce, to prepare derivative works, to distribute, to perform publicly, and to display publicly.
- E. Direct University Assignment - Any written or oral instruction or task assigned to an originator.

- F. License - A contract in which a copyright owner grants permission to exercise one or more of the rights under copyright.
- G. Originator - Any person who produces a work by his or her own intellectual effort, including student employees.
- H. Royalties - A payment made to an owner of a copyright for the privilege of practicing a right under the copyright.
- I. Scholarly Work - Work such as, but not limited to, books, articles, other such publications, lectures, and computer software resulting from independent effort.
- J. Software - A work comprising statements or instructions to be used directly or indirectly in a computer to bring about a certain result and any associated documentation containing operational instructions. (In cases where software is found to be patentable the Patent Policy will govern.)
- K. Sponsored Work - A work produced by or through an institution or the System pursuant to a contract, grant, or other agreement.
- L. University System Resources -All buildings, equipment, services, funds (regardless of source), and other facilities under the control of the Board of Regents.
- M. Work - Any copyrightable expression including, but not limited to writings, lectures, musical or dramatic compositions, sound recordings, films, videotapes, computer software, architectural designs, and works of art.

(BOR IV - 3.10)

IV – SU - Policy on Obtaining Permissions for Use of Copyrighted Materials

1. Purpose

The purpose of the Salisbury University Policy on Obtaining Permissions for use of Copyrighted Materials is to comply with federal copyright law. The policy applies to all documents subject to federal copyright law including books, magazines, journals, newspapers, videotapes and computer software. The complete text of the Copyright Act of 1976 may be found in **Title 17, U.S. Code, Section 101, et. seq.** and accompanying explanatory documents on reserve in Blackwell Library. All employees should familiarize themselves with this law.

2. The Policy

Permission to copy copyrighted material not covered under the limits of legitimate classroom use as defined in the attached summary excerpted from a memo from the Maryland Attorney General's Office must be obtained whether the copies are to be given away, sold, or put on reserve. Written copyright permission must be presented to Duplication Services before multiple copying will be done, to the library before material will be put on reserve; and to the book store before the materials will be sold.

The following procedures have been established for obtaining and maintaining licenses and permissions for the use of copyrighted materials.

3. Procedures for Obtaining Permissions for Use of Copyrighted Materials in Internally Produced Manuals or Packets

- a. The deadline for applying for permissions to use copyrighted materials in course manuals/packets is the same date that adoption forms for class texts are due in the university book store. (Adoption forms for the fall semester are usually due early in April and for the spring semester, early in November.) Book adoption forms sent to faculty from the book store will be accompanied by Academic Permissions Service (APS) forms.
- b. When faculty fill out adoption forms for course manuals/packets they develop, they must also complete for each, an APS form that contains all information necessary for obtaining permission to use the copyrighted material that will be included in the manual/packet. Additionally, faculty must provide a table of contents for each manual/packet that lists every item, including copyrighted materials, that will be included in the manual/packet. The Book Rack will not be responsible for obtaining permissions if these materials are not submitted by the adoption-form deadline for the semester.
- c. The Book Rack will apply to either the Copyright Clearance Center or the National Association of College Stores to obtain permissions for use of copyrighted materials and will notify applicant faculty as soon as these permissions have been secured.

4. Procedures for Printing and Selling Manuals or Packets Containing Copyright Materials Approved for Use

- a. Once permissions to use copyright materials are obtained, faculty arrange for printing through Duplication Services or Blackwell Library.
- b. Faculty decide how many copies of the packet/manual to print, bearing in mind that unsold copies will be returned and charged back to their departments.
- c. Faculty estimate the cost of producing the packet/manual including fees for permissions, printing costs and binding costs. They inform the Book Rack of this estimate and the Book Rack applies an appropriate mark up and determines the final retail price at which the packet/manual will be sold.

- d. Faculty make arrangements for production of their packets/manuals and for delivering them to the bookstore at the appropriate time at the beginning of the semester in which they are to be used.

5. **Procedures for Placing Multiple Copies of Copyrighted Materials on Reserve in the Library**

- a. Copyright permissions for library reserves are handled by the Copyright Clearance Center through its Transactional Reporting Service (TRS) which provides instant authorization for all items listed in its *Catalog of Publisher Information (COPI)*. *COPI* has more than 1.5 million titles, including scholarly journals, books, and conference proceedings.
- b. Faculty members may ask the library to check *COPI* for the copyright fees on materials they are considering for reserves by telephone, in person, or by campus mail. Faculty members should follow the procedure their departments have established for using funds from the Reserve Account. The library must have authorization to pay copyright fees from a departmental allocation before it can process photocopies for reserves.
- c. For materials listed in *COPI*, faculty members should include a departmental charge authorization with the photocopies they wish to place on reserve. The library will then process these copies immediately. (Note: when multiple copies are placed on reserve, a copyright fee is charged for each copy.)
- d. For materials not listed in *COPI*, the faculty member must obtain permission directly from the publisher. The library's Reference Department can provide sample letter requesting permission from publishers and will assist in locating other information as needed. Any fees charged by the publisher are the responsibility of individual faculty members or their departments. The library must have a copy of the publisher's permission letter before placing the photocopied item on reserve.
- e. At the end of the reserve period, the library will return all photocopies to the faculty members who placed them on reserve. Copyright fees must be paid each time a photocopy is placed on reserve.

6. **Guidelines for Determining Free and "Fair Use" of Copyrighted Materials in the Classroom**

In January 1994, the Academic Affairs Division of the Maryland Attorney General's Office provided University System of Maryland Institutions with a summary of a document entitled *Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions* which is incorporated in the legislative history of the 1976 Copyright Act. These guidelines were negotiated at the request of federal legislators, authors' representatives, publishers, and educators. Faculty should review the guidelines carefully and use them to determine when they may use copyrighted material without permission and when they must apply for permission to use such materials. The guidelines permit the making and classroom use of multiple copies of copyrighted materials under the following conditions listed on the next page:

- a. **Brevity** - The work is a complete article, story, or essay of less than 2,500 words, or is an excerpt from any prose work of not more than 1,000 words, or 10 percent of the work, whichever is less.
- b. **Spontaneity** - The copying is at the instance and inspiration of the individual teacher, and the decision to use the work and the time of its use are so close together that it would be unreasonable to expect a timely reply to a request for permission to use the copyrighted work.
- c. **Cumulative Effort** - The copying of the material is for one course and consists of not more than one short work or two excerpts from the same author, nor more than three from the same collective work and there are no more than nine instances of multiple copying for the course during one class term.

- d. **No Anthologies** - Copying is not used to create, replace or substitute for anthologies, compilations or collective works. Also, copying does not substitute for the purchase of books or reports, or is not repeated with respect to the same item by the same teacher from term to term.
- e. **No Profit** - No charge is to be made to the student beyond the actual cost of the photocopying.

IV – SU - Policy on Copyright for the Reproduction and Use of Non-Print Materials

It is the intent of Salisbury University to adhere to the provisions of copyright laws. The following is intended as a guide to the appropriate reproduction and use of copyrighted non-print materials.

The Copyright Act of 1976 protects all original works of authorship fixed in any tangible medium of expression. It does not extend to any idea, procedure, process, system, or discovery.

Under the law, the copyright owner alone has the right to reproduce, perform, display, and distribute the work, and to prepare derivative works. Only the owner may grant these rights to others and copying without owner permission is an infringement. Lack of copyright labeling on a work does not constitute permission to copy.

Fair Use

The 1976 Copyright Act also discusses fair use, the conditions under which copying of any material is allowed without permission of the copyright owner. Four factors are used to determine fair use and all four must be met before copying is allowed.

1. The purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes. If the purpose for copying does not fall into the categories of criticism, comment, teaching, scholarship, research, or news reporting, it is not a fair use.
2. The nature of the copyrighted work. Greater license to copy is allowed when the work is factual than when it is creative.
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole. Wholesale copying can never be a fair use. Copying a large portion of a work or the essence of a work is an infringement.
4. The effect of the use upon the potential market for or value of the copyrighted work. A use that deprives the copyright owner of reward for his work is more likely to be considered an infringement.
5. Written permission should be obtained from the copyright holder with any specific limitations clearly defined.

Off-Air Recording

Non-profit educational institutions may record off-air and use copyrighted broadcast programming for educational purposes within the limits of fair use.

1. Television

These guidelines reflect the consensus of the House Subcommittee on Courts, Civil Liberties, and the Administration of Justice (1979) as to application of fair use to television broadcast programs. They do not have the force of law but are widely accepted by education organizations, copyright proprietors, and creative guilds and unions.

A broadcast program, transmitted by a television station for reception by the general public without charge, may be recorded off-air simultaneously with broadcast transmission. This includes simultaneous cable retransmission.

Off-air recordings may be made by an institution only at the request of an individual teacher and not in anticipation of a teacher request. The same teacher can request the program be recorded only once, regardless of how many times the program is broadcast. If several teachers request the same program

be recorded, duplicate copies may be made. A teacher also may record a program off-air at home for use in the teacher's classroom.

Recordings may be shown to students only during the first 10 school days after the recording date and may be repeated only once for reinforcement. These uses must be in face-to-face situations in classrooms and similar places devoted to instruction. Recordings may be transmitted to one or more classrooms via closed circuit so long as the transmission is not from one building to another.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each additional copy is subject to all the provisions governing the original recording.

After the first 10 school days allowed for showing, recordings may be used only for evaluation purposes. The recordings must be erased no later than 45 calendar days after the date of recording unless rights to further use have been acquired from the copyright owner.

Off-air recordings need not be used in their entirety but the recordings may not be edited or combined with other recordings to create an anthology or a new work. All copies of a recording must contain the notice of copyright as broadcast.

2. Radio

Guidelines for off-air recording of radio broadcasts have not been developed by legislators but there is no indication that Congress intended the Copyright Act of 1976 to exclude radio. Teachers should follow the fair use guidelines above to comply with the spirit of the law.

"Home Use Only" Videotapes

Rented or purchased videotapes labeled "HOME USE ONLY" are not cleared for public performance. So long as such tapes meet an instructional goal and are not entertainment for students, it appears teachers have the right to display them in face-to-face teaching situations under the fair use conditions.

Audiovisual Materials

Copyrighted Audiovisual materials include films, videotapes, videodiscs, filmstrips, slides, audio recordings, and overhead transparencies. These materials may be used in a class under the following conditions:

Materials must be part of the instructional program, must be shown by students, teachers, or guest speakers, and must be shown in a classroom or similar place devoted to instruction.

Materials must be shown only to students or educators and in a face-to-face teaching situation.

Audiovisual materials may not be transmitted electronically from one building to another.

The copyright notice must be included and the materials must be legitimate copies.

Copying copyrighted Audiovisual materials owned by the teacher or educational institution is permitted when reproduction is not prohibited and under certain conditions:

A single copy of a portion of any non-consumable material may be copied for scholarly or research use, so long as reproduction does not exceed 10 percent of the original and does not excerpt the essence of the original. The entire material may not be copied.

No copying is permitted from works intended to be consumable in the course of study. These include workbooks, exercises, standardized tests, and like consumable material.

Music

A single copy of a recorded student performance of copyrighted music may be retained by a teacher for evaluation or rehearsal purposes.

A single copy of a sound recording of copyrighted music may be made and retained from recordings owned by the institution or teacher for the purpose of constructing aural exercises or examinations. This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.

Adopted from Policy developed in 1987 by the Heartland AEA 11 Media Center, Johnston Iowa.

IV – SU - Policy on Duplicating Classroom Presentation Materials

Videotapes

Off-Air: Instructional Media will tape off the air any program that will be used for instruction in classroom presentation. Requests will be taken only from faculty teaching the course. The following information must be provided:

1. Title of program to be taped
2. Date of program
3. Time of program
4. Channel or station
5. Program length
6. Instructor's name and department

Requests must be received by Instructional Media 48 hours prior to recording and must have labeled blank tape(s). All requests will be filled on a first come basis.

Faculty wishing to retain copied tapes beyond the legal limit will obtain written permission to do so. The following information will assist faculty in obtaining permission:

1. Letters are to be addressed to the network addresses, Permission Department
2. Title of program
3. Air date
4. Request to retain copy of program for classroom instructional use
5. Use statement "Permission to retain off-air copy on a cost free basis," include "Conditions, if any."
6. Enclose a self-addressed envelope for fast response.

Faculty Produced

Videotapes produced by faculty for use in their classes must contain visuals, audio and clips that are copyright free. Any original work that includes copyrighted material must be produced with required copyright clearances.

Photography

Slides may be made from any work as long as no more than 10% of the work is photographed and that the content does not constitute the major concept of the work. Faculty will request permission from the copyright holder in those areas that extend beyond this definition.

Audio Recordings

Audio tapes will be copied by Instructional Media when such copies are required as part of classroom presentation. Faculty will request permission to retain copies beyond the legal limits.

Video and Audio Tape Dubbing

Requests for dubbed copies of copyrighted videotape or audio tape material must be accompanied by written permission from the copyright holder. A copy of the permission will be kept on file in Television Services. No recording will be done without written permission.

Satellite-Delivered Material

Requests for recordings or dubbed copies of copyrighted satellite-delivered material must be accompanied by a program license agreement from the copyright owner which grants permission for such recording. No recording will be done without written permission.

IV – SU - Policy on Public Relations

The Salisbury University Public Relations Office is responsible for informing external audiences, through the media in most instances, of the on-going policies and operations of the University. This includes announcements of University news and upcoming events associated with the University, as well as responses to media inquiries.

It is the office's job to devise and carry out programs that will gain wide and favorable interpretation of these policies and operations.

The tools used to accomplish this task include press releases, feature stories, advertisements, press conferences, frequent contact with representatives of newspapers and magazines, radio and television stations, and the World Wide Web. Profnet, an electronic media clearinghouse, is an expertly effective communication vehicle to reach audiences beyond the Eastern Shore.

The Public Relations Office is ready to assist faculty/staff members in publicity efforts. The office can also assist in arranging interviews and other contracts with the media (news paper, radio and TV) and the Web. In general faculty/staff are encouraged to use the Public Relations Office's resources as much as possible, but going through this office is not a necessary condition for communicating with the media, so long as a faculty/staff member is speaking as a citizen and not as a spokesperson for the University. The mere identification that one is an employee of the university does not make one a spokesperson for the university. Each faculty/staff member is reminded that he/she has special obligations in communicating with the media as a citizen: to be accurate, to show respect for the opinions of others and to make every effort to indicate that he/she is not an institutional spokesperson.

When a faculty/staff member is speaking as a spokesperson for the university, all contact with the media should be routed through the Public Relations Office.

All campus publications intended for an audience outside the campus community should be routed through the Public Relations/Publications Office. The Publications Office has final approval for all of these "external" publications. This policy ensures all campus publications have a common "look" and they adhere to any university, state or referral requirements for certain publications.

All advertising (display or classified) must go through the Public Relations Office.

E. Section V: Student Affairs

V - 6.00 - Policy on Community Service

1. Salisbury University System Board recognizes the value of involvement in community service. Such service allows students to volunteer in their campus and local communities for experiences which are integrated with the academic program and provide valuable and rewarding learning experiences.
2. Consistent with its mission, the University provides administrative mechanisms for its student community services in the New Student Seminar, in courses in each school of the university and in many campus clubs and organizations. Details about these kinds of community service opportunities appear in the university catalogue.

(BOR V - 6.00)

F. Section VI: General Administration

VI – 1.00 - Policy on Affirmative Action and Equal Opportunity

A. Purposes of the Affirmative Action Plan

The purpose of this report is to provide a written plan representing Salisbury University's moral and legal commitment to insure equal opportunity for employment to all its employees and applicants for employment. This plan constitutes a revision and updating of information appearing in the University's affirmative action plans dated December 1994, December 1, 1993, July 31, 1992, December 20, 1991, July 31, 1990, July 31, 1989, July 31, 1988, June 22, 1987, July 31, 1986, June 10, 1985, and, prior to that, November 15, 1983. In accordance with federal and state guidelines, essential components of the plan include a policy statement on equal opportunity and affirmative action, pertinent legal mandates, assignment of responsibility, a utilization analysis of the University's workforce, measures to achieve plan commitments, and monitoring and record keeping procedures. Updating of information and data in the plan will occur on an annual basis.

B. Equal Employment Opportunity Policy: Equal Opportunity Statement

It is the policy of Salisbury University to provide equal employment and educational opportunities without regard to race, color, religion, national origin, sex, age, marital status or handicap as required by Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Civil Rights Act of 1991, Section 504 or the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990, and other equal opportunity regulations. It is also the policy of Salisbury University to provide equal employment and educational opportunities without regard to sexual orientation. More specifically, it is the University's policy to make all decisions regarding educational opportunities and employment, including recruitment, hiring, promotion and other terms and conditions of employment without discrimination. Notwithstanding the above, nothing herein shall give rise to a claim or complaint for alleged discrimination on the basis of sexual orientation because of any University action or omission taken in compliance with any Federal or Department of Defense Regulation prohibiting or restricting or otherwise creating disparate treatment in the participation of any Military, Defense, National Guard or Reserve training program. Nothing herein shall give rise to any claim or complaint of alleged discrimination against Salisbury University, the State of Maryland, its employees, agents or assigns because of an act of alleged discrimination committed by any third party. Inquiries should be directed to the Affirmative Action Officer, Salisbury University, 1101 Camden Avenue, Salisbury, Maryland 21801-6837 (Telephone (410) 543-6025).

Furthermore, the University commits itself to an affirmative action program, as described in this plan, to provide for equal employment opportunity. The intent of this program is to achieve the following:

1. To enjoin upon all members of the Salisbury University community the responsibility to comply with affirmative action plans and assure a work and classroom environment without discrimination.
2. To determine the extent to which blacks, women, and other minorities are underutilized in the University's workforce in relation to labor market availability and identify specific actions (including the setting of goals and a timetable) designed to rectify any underutilization.
3. To identify and eliminate any employment practices or policies which might adversely affect minorities, women and others protected by applicable law.
4. To develop monitoring procedures that will serve to ensure equal opportunity in the hiring process.

5. To expand applicant pools of minorities, women and other protected groups through identification of recruitment methods and sources.

The University hereby commits itself to the policies, objectives, and goals as stated in this plan.

(BOR VI - 1.00)

VI – 1.05 - Policy on Non-discrimination on the Basis of Sexual Orientation

In the matter of non-discrimination on the basis of sexual orientation, Salisbury University operates under **BOR VI - 1.05 UNIVERSITY SYSTEM OF MARYLAND POLICY ON NON-DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION**, which is reproduced in full below.

The commitment of the University System of Maryland to the most fundamental principles of academic freedom, equality of opportunity, and human dignity requires that treatment of students, faculty, and staff of University System of Maryland institutions, and applicants for admission and employment, be based on individual abilities and qualifications and be free from invidious discrimination.

This policy specifically prohibits discrimination against students, faculty, and staff on the basis of sexual orientation in academic admissions, financial aid, educational services, housing, student programs and activities, recruitment, hiring, employment, appointment, promotion, tenure, demotion, transfer, layoff or termination, rates of pay, selection for training and professional development, and employee services. "Sexual orientation" is defined as the identification, perception, or status of an individual as to homosexuality, heterosexuality, or bisexuality. The Board of Regents reserves the right to observe the terms of any bona fide employee benefit plan such as a retirement, pension, or insurance plan, and to enforce or comply with any federal or State law, regulation, or guideline, including conditions for the receipt of federal funding.

This policy shall be published in all appropriate University System of Maryland Headquarters and individual institutions documents, and University System of Maryland Headquarters and each System institution shall adopt procedures to implement and enforce this policy, including the designation and publication of the officials responsible for receiving, investigating and resolving complaints of discrimination prohibited by this policy.

Approved by the Board of Regents, July 11, 1997

(BOR VI - 1.05)

VI – 1.10 - Policy on Acts of Violence And Extremism

1. Salisbury University faculty and staff operate under **BOR VI - 1.10 UNIVERSITY SYSTEM OF MARYLAND POLICY ON ACTS OF VIOLENCE AND EXTREMISM**. That policy is reproduced in full below.

The essential nature of the University requires an atmosphere of tolerance and understanding of diverse groups, ideas, and opinions.

Acts of destruction or violence which are racially, ethnically, religiously, and/or otherwise motivated against the person or property of others and which infringe on the rights and freedom of others will not be tolerated at the University System's institutions or facilities.

Individuals committing such acts at any facility of the System are subject to campus judicial and personnel action, including suspension, expulsion or termination.

In addition, the Board of Regents encourages its institutions to pursue criminal prosecution of persons committing such acts under State and federal criminal laws.

2. Faculty are also responsible for supporting the University's **Student Code of Conduct** which appears in full in the *Student Handbook* published by the Student Affairs Office.

(BOR VI - 1.10)

VI – 1.20 - Policy on Sexual Harassment

A. Prohibiting Sexual Harassment

Salisbury University encourages an atmosphere of physical, psychological and social well-being which offers all members of the University community an environment that provides opportunities to work, learn and develop with the human dignity that caring individuals bestow on one another. As a result, intimidation and harassment of any kind, and, specifically, sexual harassment, are expressly prohibited. Sexual harassment is a serious issue. When it occurs between faculty and students or supervisors and subordinates, it exploits the unequal power structure inherent in these relationships. When it occurs between students or co-workers, it may create an intimidating or hostile environment in which to learn or work. It is unacceptable conduct and will not be tolerated by the University.

Salisbury University defines sexual harassment as unwelcome sexual attention, unwelcome requests for sexual favors and other verbal or physical behavior of a sexual nature when:

- submission to the conduct is either explicitly or implicitly a term or condition of an individual's employment or participation in an academic program;
- submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting that person; or
- such conduct unreasonably limits an individual's ability to fully participate in work or school, interferes with work or academic performance, or creates a hostile, offensive or intimidating work or academic environment, and has no legitimate relationship to the subject matter of the course or the demands of the workplace.

Some examples of behaviors that could be perceived as sexually harassing include, but are not limited to, sexually graphic comments, offensive e-mail transmissions, offensive or suggestive graphics visible on walls or the Internet, the display of sexually graphic objects, and persistent and unwelcome sexual advances.

Sexual harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum. This policy shall not be construed so as to abridge the right to academic freedom that is consistent with the University's mission and federal and state law.

Sexual harassment violates Salisbury University policy and may violate federal and state civil or criminal law. Persons who feel that they may have been subject to sexual harassment should immediately seek assistance and report their concerns using the Salisbury University Procedures for Pursuing Complaints of Sexual Harassment. Retaliation against a person who makes a complaint of sexual harassment or is a witness in a sexual harassment investigation is also expressly prohibited by this Policy.

In addition, due to the potential for serious harm to innocent persons, the filing of a knowingly untruthful complaint of sexual harassment is also expressly prohibited. The failure to prove to the Equal Employment Opportunity Officer or the hearing committee that sexual harassment has occurred is not, by itself, evidence that a knowingly untruthful complaint has been made.

Persons who need more information about this Policy or who desire to pursue a complaint under this Policy should contact Leon Burks, Equal Employment Opportunity Officer, at 410-543-6426.

Persons found to be in violation of this Policy may be subject to disciplinary action and/or other appropriate sanctions.

B. Procedures for Pursuing Complaints of Sexual Harassment

1. Informal Complaint Procedure

Some sexual harassment complaints may initially be handled more appropriately by informal procedures. Students, exempt, nonexempt and contingent employees, and faculty should feel free to raise a concern about sexual harassment to any person in a position to advise them and with whom they feel comfortable. For example, these persons could include a faculty advisor, deans, department chairs or directors, the director of human resources, the equal employment opportunity officer, the provost, or another University administrator. The Complainant and the recipient of the complaint should work together to decide additional steps necessary to resolve the complaint, and in many instances, they may conclude that no additional action need be taken. In all instances, however, the Equal Employment Opportunity Officer should, at a minimum, be advised of the existence and the resolution of the complaint. In some cases, it may be necessary to refer the complaint formally to the University for a resolution even if the Complainant would prefer that this not occur. All reasonable efforts will be made to resolve the matter to everyone's satisfaction.

All persons involved should treat complaints of sexual harassment as confidential unless the law requires otherwise.

2. Formal Complaint Procedures

a. Filing a Complaint

A person wishing to initiate a formal claim of sexual harassment or other behavior in violation of the sexual harassment policy shall file his or her complaint in writing with the Equal Employment Opportunity Officer within six months of the conduct at issue. The Equal Employment Opportunity Officer is Leon Burks, located in Room 267 of Holloway Hall, at 410-543-6426. The complaint shall be signed by the Complainant, and shall include the following information: a description of the allegations, with relevant dates, places, and statements made; the names of the person(s) involved; the names of any witnesses to the events in question; and the remedy requested. The Respondent, the person accused in the Complaint, shall be given a copy of the Complaint promptly and shall submit a written response within ten (10) days of receiving the Complaint.

Upon receipt of the written Complaint, the Equal Employment Opportunity Officer shall begin an investigation into the claims. The investigation ordinarily will include a discussion with the Complainant, a discussion with the Respondent, interviews of any witnesses to the events, a review of any pertinent documents, and any other actions deemed appropriate by the investigator. The Equal Employment Opportunity Officer shall make every effort to keep the investigation confidential, although this cannot be guaranteed, and shall seek assurances of confidentiality from all participants in the investigation.

The Equal Employment Opportunity Officer shall complete the investigation if possible within fifteen (15) days of receiving the Complaint. A written decision shall be prepared at the conclusion of the investigation, setting forth (1) a statement of the findings of fact concerning the alleged events; (2) a statement of the conclusion that a violation of University policy did or did not occur; and (3) a recommendation of a sanction. The possible sanctions include, but are not limited to, a letter of reprimand, a letter of apology, service to the University, counseling, demotion or suspension, termination of employment, or expulsion from the University. These sanctions may be imposed even after a first offense, under appropriate circumstances. This written decision shall be provided to the Complainant, Respondent and President when it is finalized.

b. Formal Hearing

If either the Complainant or Respondent disagrees with any conclusion reached by the Equal Employment Opportunity Officer, either may request a formal hearing by filing a written request with the President of the University within fifteen (15) days of the date of the written decision of the Equal Employment Opportunity Officer. The request shall state which conclusions are disputed.

The President then shall promptly appoint a hearing committee of three persons, and one of these shall be designated by the President as the Presiding Officer. The committee members shall be chosen from the Sexual Harassment Panel, a group of twelve (12) persons from the campus community who have received training in sexual harassment policy, law and procedures. No member of the Committee shall have been involved at any earlier stage of the process. The President shall advise the parties of the identities of the Committee members. If either party has a reason to challenge the appointment of any member to Committee hearing the case, he or she shall make the concern known to the President as soon as possible. The President shall make the final decision on the makeup of the Committee.

A hearing shall promptly be conducted. The Presiding Officer shall be in charge of organizing the hearing. He or she shall make all reasonable efforts to schedule the hearing at such a time so that the Complainant and the Respondent can both be present. The Presiding Officer shall contact potential witnesses and arrange for their appearance at the hearing. Notice of the hearing shall be given at least five (5) days in advance.

The Presiding Officer may focus the hearing so that it concerns only those aspects of the decision about which the parties disagree. The decision of the Equal Employment Opportunity Officer shall be offered into evidence at the hearing, but it is entitled to no presumption of correctness. Neither the Complainant nor the Respondent shall be entitled to have an attorney at the hearing; each may be allowed an advocate from the University community who is not an attorney. If the Committee requests legal assistance, the University's attorney may be present at the hearing to provide advice related only to the procedures to be followed during the hearing.

The Complainant, the Respondent and the Equal Employment Opportunity Officer may all fully participate in the hearing, may present opening and closing statements, may call witnesses and examine and cross-examine witnesses, and may introduce documentary evidence. The questioning of the Complainant and Respondent shall be conducted by the parties' advocates or the Committee, and not by the parties themselves. Hearing Committee members also may question witnesses. The Presiding Officer may exclude irrelevant, repetitious, or unduly prejudicial evidence. The Presiding Officer shall be in charge of gathering the documentary evidence that is presented at the hearing and transmitting it to the Equal Employment Opportunity Officer after the committee no longer needs it, so that a record is created.

Within fifteen (15) days of the conclusion of the hearing, the Hearing Committee shall issue a written report to the President containing its findings, conclusions and recommendations on the matter. The written report shall be provided to the Complainant, Respondent and the Equal Employment Opportunity Officer at that time.

Within fifteen (15) days of receiving the report, the President shall issue a final written decision. The President may accept, reject or modify the findings and proposed sanction recommended by the Hearing Committee. The President's decision shall be mailed to the Complainant, the Respondent, the Equal Employment Opportunity Officer, and the members of the Hearing Committee. There can be no appeal from this decision.

c. Alternative to Formal Hearing

Instead of opting for a hearing, either the Complainant or the Respondent can appeal the decision of the Equal Employment Opportunity Officer by filing a written statement of appeal with the President of the University within fifteen (15) days of the decision, setting forth the reasons for the appeal. The President will have full discretion to address the concerns of the appeal as he or she sees fit. The President shall promptly issue a written decision, and shall convey it to the Complainant, the Respondent and the Equal Employment Opportunity Officer. This shall be the final decision on the matter.

d. Other Options

While there is no appeal from the President's decision provided under this Policy, certain employees may have additional rights to challenge the sanctions of suspension and termination pursuant to University policy or State law. In addition, any employee or student may have other legal rights to pursue outside of the University. The Equal Employment Opportunity Officer can provide further information.

All time limitations contained within this Policy may be extended for good cause shown.

**Sexual Harassment Policy and Procedures approved by
Dr. William C. Merwin, President
April 16, 1999**

(BOR VI - 1.20)

VI – 1.30 - Policy on Sexual Assault

I. Purpose and Applicability

As a constituent institution in the University System of Maryland, Salisbury University has adopted this policy on sexual assault, consistent with the requirements of (I) Section 484 (f) of the Higher Education Act of 1965, as amended by Section 486 (c) (2) of the Higher Education Amendments of 1992, and (ii) Section 11-601 of the Education Article of the Annotated Code of Maryland. This policy applies to all students and employees, both faculty and non-faculty, of the University System of Maryland or its constituent institutions.

II. Definitions

The following policy recognizes two levels of sexual assault.

Sexual Assault I.

By stranger or acquaintance, rape, forcible sodomy, or forcible sexual penetration, however slight, of another person's anal or genital opening with any object. These acts must be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware.

Sexual Assault II.

By stranger or acquaintance, the touch of an unwilling person's intimate parts (defined as genitalia, groin, breast, or buttocks, or clothing covering them) or forcing an unwilling person to touch another's intimate parts. These acts must be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware.

III. Responsibilities of the Chief Executive Officer

Each chief executive officer of a constituent institution shall have the following responsibilities pursuant to this policy: (i) identification of the person responsible for coordinating the constituent institution's educational program to promote awareness of sexual assault; (ii) identification of the person who will serve as the initial contact after an alleged sexual assault has occurred; and (iii) adoption of procedures to be followed should a sexual assault occur, including the importance of preserving evidence as may be necessary to the proof of criminal sexual assault, and to whom the alleged offense should be reported.

IV. Educational Programs to Promote Awareness of Sexual Assault

Each institution in the University System of Maryland shall make available to its students, faculty and employees programs to promote awareness of what constitutes sexual assault, how to prevent it, and what the institution's procedures are for handling reports of alleged sexual assault. In addition to general educational programs for the campus community, each institution shall provide specialized training on the topic of sexual assault and the provisions of sexual assault procedures to those individuals who might be involved in providing services to or interacting with alleged victims so as to ensure timely, accurate and sensitive assistance to all concerned. The USM policy, together with the institution's procedures concerning sexual assault, shall be distributed to all students, faculty members and employees and shall be posted in appropriate locations at the institution and published in appropriate institution and System publications.

V. **Off-Campus Reporting of Sexual Assaults**

When a report of sexual assault is made to the institution's initial contact, that person will encourage the alleged victim to contact law enforcement and medical personnel as soon as possible following the incident to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants. Campus authorities will assist in notification of off-campus authorities at the request of the alleged victim. Additionally, campus personnel will retain the right to contact law enforcement personnel directly where an issue of campus security is involved. Campus personnel will also assist the alleged victim in obtaining medical attention, if the victim chooses, including providing transportation to the hospital or other emergency medical facility. Each institution shall designate one or more nearby hospitals which are equipped with the Maryland State Police sexual assault evidence collection kit.

VI. **Campus Disciplinary Procedures**

A. **Student Disciplinary Procedures**

1. In addition to any criminal or civil remedies available under law, any act of sexual assault is a violation of this University System of Maryland Policy on Sexual Assault and is subject to disciplinary proceedings under the institution's judicial system. The range of judicial system penalties for students shall include, but not be limited to, one or more of the following: alteration of class schedule, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.
2. The on-campus procedures shall provide that (1) the accuser and the accused are afforded the same opportunities to have others present during a campus disciplinary proceeding; (2) both the accuser and the accused are informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault; and (3) the offense must be reported according to federal reporting mandates and Maryland State law.

B. **Faculty and Employee Disciplinary Procedures**

In addition to any criminal or civil procedures available under law, any act of sexual assault is a violation of the University System of Maryland Policy on Sexual Assault and is subject to appropriate faculty and employee disciplinary procedures. The range of employment penalties for faculty and employees shall include, but not be limited to, one or more of the following: counseling, reprimand, suspension, or termination of employment.

VII. **Services for Victims**

Faculty, employees and students who are victims of sexual assault shall be offered access to counseling through mental health services available at the institution, other victim service entities in the surrounding community, or the nearest state designated rape crisis program. Each institution shall designate existing counseling, mental health and student services, both on campus and in the community, which are available to victims of sexual assault.

After a sexual assault has been reported at the institution, and upon the request of the alleged victim, the victim shall be offered an alternative academic, living or employment situation if such alternative is available, feasible, and appropriate to the facts of the sexual assault reported.

VIII. Implementation and Reporting Procedures

Each chief executive officer shall identify his/her designee(s) as appropriate for this policy; shall develop procedures as necessary to implement this policy; shall communicate this policy and applicable procedures to his/her institutional community; and shall forward a copy of such designations and procedures and any subsequent changes in such designations and procedures to the chancellor.

Institutional procedures that are part of this policy are on file in the Office of the Chancellor.

Approved by BOR December 1, 1995
Amended by BOR December 4, 1999

(BOR VI - 1.30)

VI – SU - Policy on Inclusive Language

As an institution that stands for equality of educational and employment opportunity, Salisbury University affirms its commitment to creating a campus environment free of arbitrary discrimination and bias, both subtle and overt. All personnel, when representing the university to its public, are urged to use language that indicates respect for human diversity.

In accordance with that aim, those preparing official university publications or written communications shall avoid biased language of two kinds: 1) using generic masculine words or titles to refer to all persons; and 2) using terms or expressions that reinforce demeaning attitudes or assumptions about persons or groups on the basis of race, color, religion, national origin, sex, age, marital status or handicap.

When illustrations are included in publications, they shall be chosen to reflect diversity according to guidelines suggested in style sheets of appropriate academic professional organizations. Care shall be taken to ensure that women, minorities and disabled persons are portrayed in non-stereotypical ways.

1. This policy is mandatory with respect to the public documents of the university. That is, the university is obligated to ensure that the form of the following documents reflects inclusive language.
 - a. The Faculty Handbook
 - b. The Advising Handbook
 - c. The Academic Administrators' Handbook
 - d. The Undergraduate Catalogue
 - e. The Graduate Catalogue
 - f. Recruitment and Admissions Materials
 - g. Student Financial Aid Materials
 - h. Brochures with Campus wide Distribution
 - i. Publications of Career Services
 - j. Publications of Counseling Services
 - k. Press Releases
 - l. Publications for Alumni
 - m. Fund-raising Materials

2. This policy is suggested and encouraged with respect to the content of individual documents related to instruction and collegial communication that faculty and administrators prepare and use. That is, faculty and administrators are asked to exercise their own judgment and to practice the spirit of inclusiveness in the language they use with students and their colleagues. Individual documents of instruction and collegial communication include but are not limited to:
 - a. Course Syllabi
 - b. Problems and Exercises
 - c. Cases and Case Studies
 - d. Drills and Quizzes
 - e. Tests and Examinations
 - f. Lab Manuals and Handbooks
 - g. Simulations and Games
 - h. Lectures and Speeches

3. Deans, department chairs and administrators will review their unit's contributions to the public documents of the University for the use of inclusive language and a balance of illustrations. The University Curriculum Committee will review and if necessary offer editorial suggestions for all new course titles and course descriptions which appear in public documents. It is the responsibility of the Public Relations Office to ensure that the changes decided upon by the appropriate university committees or by university authorities are integrated into the public documents of the university.

4. All those involved in making changes should follow the guidelines set forth in the following documents:
 - a. The Style Sheet of the Salisbury University Public Relations Office.
 - b. Guidelines for Nonsexist Language of the American Psychological Association (APA).
 - c. Guidelines for Nonsexist Use of Language of the National Council of Teachers of English (NCTE) (revised, 1985).

VI – 3.00 - Policy on Advertising

1. State appropriations may be used for paid advertisement in commercial media only for the purposes of faculty or staff recruitment and for the dissemination of information concerning programs, activities, events, and services.
2. School endowment funds may be used for paid advertisement in commercial media only in accordance with the stipulations or the endowments. Details of school particular endowment stipulations are available from deans of endowed schools and from the Office of Institutional Advancement.
3. Grant award funds may be used for paid advertisement in commercial media only in accord with grant stipulations.

(BOR VI - 3.00)

**VI – 4.10 -Policy on the Use of
the Physical Facilities of the University for Public Meetings**

1. The physical facilities of the university may be used for public meetings, including political meetings, if proper safeguards are observed to assure their orderly use.
2. Persons wishing to use a facility must apply to the office of the director of the university center or to the office of the director of conference planning to obtain procedures for using campus facilities.
3. These offices may make reasonable charges for the use of the facilities to cover costs including utilities, police protection, janitorial services and other necessary expenses.
4. Permission to use a facility does not imply endorsement by the university of the view or programs of the user.

(BOR VI - 4.10)

VI – SU - Policy on the Role of Alcohol at Events
Sponsored by the University and University-related Organizations

The University seeks to foster a culture of conversation where meaningful experiences are shared and bonds of community are formed. If the inclusion of alcohol is deemed appropriate at any on- or off-campus event sponsored by any university department or student organization, it should be included in a way that is compatible with the kind of culture the university strives to promote. It should not be included in a way that encourages underage drinking or inhibits the participation of either underage students or those who choose not to drink.

The members of any university department or student organization who are contemplating the inclusion of alcohol at a sponsored event should discuss the issue among themselves and, if alcohol is to be included, should discuss the concrete steps to be taken to ensure that considerations described above are addressed.

The distribution and use of alcohol must be in compliance with state law and university policy (**see SU Student Handbook**). Faculty/staff advisors and student leaders are especially encouraged to consult the *Faculty Handbook* and the *Guide to Policies and Procedures for Registered Student Organizations* for additional information on state alcohol laws and the potential for criminal or civil liability.

VI – 5.00 - Policy on Inspection of Public Records

In the matter of inspection of public records, Salisbury University operates under **BOR VI - 5.00 UNIVERSITY SYSTEM OF MARYLAND POLICY ON INSPECTION OF PUBLIC RECORDS**, which is reproduced in full below.

Public records regarding the affairs of the University System and the official acts of the Board of Regents, its officers, and employees shall be made available for inspection in accordance with the Maryland Access to Public Records Act (**Annotated Code of Maryland, Section 10-611 et seq.**) and related system or institutional procedures.

The chancellor is authorized to establish regulations for the officers of System Administration governing the inspection of public records. Each president and unit head is authorized to establish rules for the institution or unit so long as they are consistent with state law.

(BOR VI - 5.00)

VI – 8.00 - Policy on the Use of Alcoholic Beverages

In the matter of the use of alcoholic beverages by faculty and staff, Salisbury University operates under the **Executive Order 01.01.1985.05 STATE OF MARYLAND SUBSTANCE ABUSE POLICY**. That policy is reproduced in full below.

The State of Maryland Executive Department

EXECUTIVE ORDER 01.01.1991.16 State of Maryland Substance Abuse Policy

WHEREAS, Substance abuse is a serious national crisis which has had a detrimental effect on the lives of many of our citizens, and has exerted a negative impact on the operation of business and government; and

WHEREAS, Surveys indicate that nationally, 65 percent of the 18-25 year-old adult working population have used illicit drugs; and

WHEREAS, It is estimated that at least 15 percent of the American workforce works under the influence of drugs or alcohol daily; and

WHEREAS, Every employer, including the State of Maryland, experiences a loss in productivity due to drug related absenteeism, injuries on the job, decreased work quality, and wasted dollars; and

WHEREAS, Substance abusing employees function below established standards, may make impaired decisions, may have negative effects on their co-workers, and are not as alert as non-using employees; and

WHEREAS, The illegal use of the workplace as a drug market endangers the health, safety, and welfare of State employees; and

WHEREAS, In order to serve the citizens of Maryland properly, the state must maintain a work environment which is free of drugs; and

WHEREAS, The Federal Omnibus Drug Abuse Act of 1988 requires that any state which is a recipient of federal funds must establish a Drug-Free Workplace, including a policy on the use of substances, an employee drug awareness program, and a procedure for employees to report their own convictions; and

WHEREAS, A drug-free workplace is fundamental to efficient, effective, and responsible government.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.1989.05 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

1. Definitions. In this Executive Order the following words have the meanings indicated.
 - a. "Substance" means alcohol or drugs.
 - b. "Alcohol" means ethyl alcohol or ethanol.
 - c. "Drug" means:
 - 1) A controlled dangerous substance;
 - 2) Any other substance which must be dispensed by a licensed health care professional; or
 - 3) An over-the-counter drug.
 - d. "Abuse" means:
 - 1) The use of an illegal drug;

- 2) The intentional misuse of an over-the-counter drug, if the misuse impairs the job performance of the state employee or could impair the job performance of an applicant for state employment;
 - 3) The intentional use of any prescription drug in a manner inconsistent with its medically prescribed intended use, or under circumstances where its use is not permitted, if it impairs the job performance of a state employee or could impair the job performance of an applicant for state employment; or
 - 4) The use of alcohol if it impairs job performance of the state employee or could impair the job performance of an applicant for state employment.
- e. "Workplace" means any place where an employee is performing work for the State of Maryland.
- f. "Employee" means:
- 1) A classified, unclassified, contractual, key employee, or other employee or official in the Executive Branch;
 - 2) A volunteer who provides a service to or for a unit in the Executive Branch; or
 - 3) A member of a board or commission in the Executive Branch.
- g. "Sensitive Employee" means an employee whose classification or position has been designated sensitive by the employee's appointing authority or personnel system.
- h. "Conviction" means:
- 1) A judgment of conviction, whether entered upon a finding of guilt or acceptance of a plea of *nolo contendere*, and the imposition of sentence; or
 - 2) The staying of the entry of judgment and the placing of the defendant on probation after a finding of guilty or the acceptance of a plea of *nolo contendere*.
- i. "Alcohol Driving Offense" means:
- 1) Driving or attempting to drive while:
 - a) Intoxicated; or
 - b) Under the influence of alcohol; or
 - 2) Operating or attempting to operate a vessel while:
 - a) Intoxicated; or
 - b) Under the influence of alcohol.
- j. "Controlled Dangerous Substance Offense" means:
- 1) A controlled dangerous substance violation, under Article 27 of the Annotated Code of Maryland;
 - 2) An offense of the law of any other jurisdiction if the prohibited conduct would be a controlled dangerous substance violation if committed in this State;
 - 3) Driving or attempting to drive while:
 - a) Under the influence of drugs or drugs and alcohol; or
 - b) Under the influence of a controlled dangerous substance; or
 - 4) Operating or attempting to operate a vessel while:
 - a) Under the influence of drugs or drugs and alcohol; or
 - b) Under the influence of a controlled dangerous substance.
2. General Policy. The State of Maryland establishes and adopts the following substance abuse policy for the Executive Branch of State Government.
- a. The State of Maryland is committed to making good faith efforts to insure a safe, secure, and drug-free workplace for its employees consistent with the Drug-Free Workplace Act as enacted by Congress.
 - b. All employees in the workplace must be capable of performing their duties.

- c. Employees experiencing substance abuse problems are encouraged to seek assistance through:
 - 1) Their employer;
 - 2) Self referral to the employer's Employee Assistance Program; or
 - 3) Self referral to an alternative certified rehabilitation program.
 - d. An appointing authority may not hire anyone whom it knows currently abuses drugs or alcohol.
 - e. Employees are prohibited from:
 - 1) Abusing alcohol or drugs;
 - 2) Committing a controlled dangerous substance offense; or
 - 3) Committing an alcohol driving offense.
3. Alcohol Abuse Policy.
- a. Working under the influence of alcohol is a violation of this policy and shall subject the employee to disciplinary action.
 - b. An employee charged with an alcohol driving offense must report a finding of guilty, an acceptance of a plea of *nolo contendere*, or a probation before judgment to the employee's appointing authority within five (5) work days.
 - c. A sensitive employee shall be suspended for 15 days and required to successfully participate in an alcohol treatment program designated by an employee assistance program the first time the employee is:
 - 1) Convicted of an at-the-workplace alcohol driving offense; or
 - 2) Found under the influence of alcohol while at-the-workplace.
 - d. A sensitive employee convicted of an off-the-workplace alcohol driving offense, and a non-sensitive employee convicted of any alcohol driving offense shall:
 - 1) On the first conviction be referred to an employee assistance program, and in addition, be subject to any other appropriate disciplinary actions;
 - 2) On the second conviction, at a minimum, be suspended for at least five (5) days, be referred to an employee assistance program, be required to participate successfully in a treatment program, and in addition, be subject to any other appropriate disciplinary actions, up to and including termination;
 - 3) On the third conviction, be terminated.
4. Drug Abuse Policy.
- a. Working under the inappropriate influence of prescription drugs or over-the-counter drugs is a violation of this policy and shall subject the employee to disciplinary action.
 - b. Working under the influence of a controlled dangerous substance is a violation of this policy and shall subject the employee to disciplinary action.
 - c. An employee charged with a controlled dangerous substance offense shall report a finding of guilty, an acceptance of a plea of *nolo contendere*, or a probation before judgment to the appointing authority within five (5) work days.
 - d. A sensitive employee convicted of any controlled dangerous substance offense shall be terminated.
 - e. A sensitive employee who tests positive for a controlled dangerous substance as a result of a random drug test shall be suspended for 15 work days and be required to successfully participate in a drug treatment program designated by an employee assistance program, as provided for by the appointing authority's drug testing protocol.
 - f. A sensitive employee who abuses a legally prescribed drug or an over-the-counter drug shall, on the first offense:
 - 1) Be suspended for five (5) work days; and
 - 2) Be required to participate successfully in a drug treatment program designated by an employee assistance program.
5. General Sanctions. Any employee otherwise in violation of this Executive Order shall be subject to appropriate progressive disciplinary actions up to and including termination.

6. Law Enforcement.
 - a. When an appointing authority learns or, based on observation or reliable information suspects, that an employee has committed a controlled dangerous substance or alcohol offense at the workplace, the appointing authority shall refer the matter to an appropriate law enforcement authority for further investigation and prosecution.
 - b. All employees shall cooperate fully with law enforcement authorities in the investigation and prosecution of suspected criminal violations.
7. Employee Education. All appointing authorities shall educate and inform their employees about:
 - a. The dangers of drug and alcohol abuse in the workplace and the community at large;
 - b. The State of Maryland's policy of maintaining a drug-free workplace;
 - c. Any drug and alcohol abuse counseling, rehabilitation, and employee assistance program that is available; and
 - d. The penalties that may be imposed upon employees for violations of this Executive Order.
8. Implementation.
 - a. The Secretary of Personnel and the head of every other personnel system in the Executive Branch shall adopt such policies and regulations as are necessary or desirable for the implementation of this Executive Order.
 - b. All appointing authorities are responsible for implementing and enforcing and monitoring compliance with the requirements of this Executive Order.
 - c. All employees are required to acknowledge receipt of a copy of this Executive Order by returning an acknowledgment of receipt to their supervisor for insertion in their personnel file.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 1st day of April, 1991.

(BOR VI - 8.00)

VI – SU - Policy on Smoking

In accordance with Executive Order 01.01.1992.20, smoking or carrying any lighted tobacco product is prohibited in all university buildings and facilities and in all space rented or leased by the university. Further, smoking in residence halls is prohibited by law.

Policy on Smokeless Tobacco in Campus Buildings

Students, faculty, staff and campus visitors are prohibited from using or discarding smokeless tobacco products or tobacco waste in classrooms, restrooms, hallways, lounges, labs, study, and work areas, or any other common area of campus buildings.

Persons violating this policy may be asked to discontinue use or leave the facility. This request may be made by any university official, faculty or staff member. Persons not responding to requests to abide by this policy will be subject to judicial action.

VI – 11.00 - Policy on Aids

- A. In all matters relating to persons who have AIDS or who are infected with HIV, Salisbury University will observe requirements of applicable federal and state laws.
- B. Salisbury University will observe confidentiality as to information about individuals who know or suspect that they have AIDS or HIV infection unless an exception is granted by the affected person, a report of infection is required by law or a report of possible infection of others is required by law or infection control policy. However, such information will be shared among institution officials and the university's legal counsel on a need-to-know basis.
- C. The university provides AIDS and HIV education to all students through the required, general education course PHEC 106. AIDS and HIV education is also provided to all new students through the New Student Seminar. The Students Affairs Office conducts regular AIDS and HIV education programs in cooperation with academic departments and these programs are open to all. The University Health Center makes AIDS and HIV education materials available to all employees of the university upon request.
- D. The university has established the position of environmental safety specialist within the Department of Public Safety. This position has responsibility for developing and implementing infection control policies campus-wide. The university has also established an ad hoc committee on AIDS to evaluate campus needs with respect to AIDS and HIV protection and education.
- E. The Department of Nursing and Health Sciences has developed policies for the disposal of hazardous bio-medical waste. These policies are posted in the medical technology laboratory, are available on all material safety sheets in the laboratory and are distributed to every student who uses the laboratory.
- F. The University Health Center maintains a current list of agencies and organizations to which persons seeking further information about AIDS, including persons concerned that they may have AIDS or are infected with HIV, may be referred for counseling and other related services.
- G. Faculty members, employees or students with any form of HIV infection will be permitted to continue their activities at the university without change as follows:
 - 1. Regular activities can continue unchanged to the extent permitted by an individual's health status, including their risk of contraction of infectious diseases from others.
 - 2. Regular activities can continue unchanged to the extent consistent with the university's interest in preventing infection of others.
- H. Salisbury University subscribes to the current medical position that there is no health risk from living-quarter contact with persons with AIDS or HIV infection, but will consider requests to change living arrangements to minimize contact with persons with AIDS or to minimize contact of the HIV-infected with others persons who have infectious diseases.

(BOR VI - 11.00)

**VI – 12.00 - Internal Policy for Emergency Conditions:
Cancellation of Classes and Release of Employees**

I. PURPOSE AND APPLICABILITY

This policy governs work and the use of leave in the event of an emergency condition. This policy applies to all Salisbury University regular and contractual employees and to all Salisbury University students.

II. TERMS AND CONDITIONS

- A. Higher education institutions within the University System of Maryland are exempt from the State governed policy for emergency conditions. The institutions, at the discretion of the President or his/her designee(s), define the institution's policy. Additionally, declaration of states of emergency by the Governor do not dictate emergency closings for the University System of Maryland.
- B. Emergency conditions are determined by the campus President and/or designee(s) to be serious enough to warrant the cancellation of classes or the release of employees. Such conditions may arise because of inclement weather, fire, power failure, or other unusual circumstances, which may endanger students and employees.
- C. This policy supplements USM policy VI – 12.00 "Policy on Emergency conditions: Cancellation of Classes and Release of Employees."

III. DETERMINATION OF OPEN/CLOSED STATUS

- A. All University employees are expected to work as scheduled, unless employees have been notified through established campus procedures not to report.
- B. Decisions to close the University will be made by the President and/or his/her designee(s) in conjunction with local officials and any appropriate weather/traffic officials.
- C. Any employee who does not report to work as scheduled while the University remains open is considered to be on personal or annual leave. Notification and/or request for leave must be approved by employee's supervisor or designee before the start of regularly scheduled work day/shift.
- D. In the event of University closing, notification to employees and students will be made via local radio, television, the SU Gull Line and the SU website.

IV. UNIVERSITY CLOSING

- A. When the University closes prior to the start of classes and/or an employee's work day/shift, non-essential employees, except those on previously approved leave, are considered to be on administrative leave.
- B. If the University closes after the start of classes and/or an employee's work day/shift, non-essential employees, except those on previously approved leave, will be placed on administrative leave. Non-essential employees who have not reported to work and are not on previously approved paid leave must be given the option to use accrued paid leave or to be placed in a no-pay status for the full day/shift during which they did not report. (Administrative leave would not be given.)

V. ESSENTIAL EMPLOYEES

- A. Essential employees are those in positions that have been designated as vital to the operation of the facility, whose presence is required regardless of the existence of an emergency condition, and whose absence from duty could endanger the safety and well being of the campus population and/or physical plant.
- B. Employees whose positions are previously designated as “essential” are required to perform duties after an emergency condition has been declared. Only extenuating circumstances of a most serious nature will warrant the exemption of an essential employee from the requirement to report for duty in a timely manner.
- C. In addition to their regular pay, essential employees shall be compensated with compensatory leave or cash payment equivalent to the Administrative Leave granted to non-essential employees.
- D. Positions identified as “essential” should be determined in advance and must be approved by the respective University Vice President(s). While some positions are considered essential year-round, designation of additional essential employees will be determined primarily by whether or not students are in residence.
 - 1. Year-round position:
 - a. Public Safety
 - b. Physical Plant
 - 2. Essential positions – students in residence: (Note: managers for respective areas may previously designate specific employees/positions within each area instead of entire functional area)
 - a. All positions in (1)
 - b. Dining Services
 - c. Health Center
 - d. Residence Life
 - e. Library
 - f. Information Technology
 - g. Maggs Gymnasium
 - h. Guerrieri University Center

VI. LIBERAL LEAVE

The president or designee may declare a policy of liberal leave in which case non-essential employees who fail to report to work, or who report late, or choose to leave early, because of dangerous traffic or highway conditions, hazardous weather, civil disorder or other circumstance not yet declared as an emergency, shall be excused. Such excused absence must be charged to appropriate paid or unpaid leave.

University closing will be communicated via: 1) campus switchboard (410-543-6000), 2) Gull Line (410-543-6426), 3) SU website and 4) local radio and television. Decisions to close will be communicated by 6 a.m.

Approved: February 2000 by the Cabinet Committee

(BOR VI – 12.00)

VI – SU - Policy on Closing Due to Inclement Weather

1. Should inclement weather result in classes being canceled information will be given to all local radio and television stations. Students can receive information concerning cancellations by listening to local stations or by calling the Gull Line at 546-6426.
2. The institutional policy with regard to closing is that unless there are the most dire circumstances the institution will remain open for business. Students, staff and faculty members must exercise their best judgment about whether they attend class or report to work. Different conditions prevail for each individual under inclement weather situations so the decision should be essentially an independent one.
3. If you do not hear an announcement about cancellation of classes, then classes and events will be held as scheduled. Please do not call the Public Safety Office about cancellation notices so that office can assist with emergency needs.

Revisions approved on July 19, 2001

G. Section VII: Personnel

VII – 1.10 -Policy on a Drug-Free Workplace

Salisbury University, as an employer, strives to maintain a workplace free from the illegal use, possession, or distribution of controlled substances.¹⁶ Unlawful manufacture, distribution, dispensation, possession or use of controlled substances by University employees in the workplace is prohibited under university policy.

In addition to any legal penalties under federal and state law, employees found to be in violation of this policy may be subject to corrective action under applicable university personnel policies. Sanctions shall be considered and imposed on a case-by-case basis and may range from required counseling to termination of employment. It is a condition of employment at Salisbury University that all employees, including classified, contractual, faculty and administration whether full or part time, abide by the provisions of this notice and policy and notify the employer of any drug statute conviction for a workplace violation no later than five (5) days after such conviction. The university shall in the event of such conviction impose a sanction upon the employee and/or require treatment for the employee.

The university supports programs aimed at the prevention of substance abuse by university employees. Employees are encouraged to seek assistance for substance-dependency problems. Employee-assistance counseling and leaves of absence to attend rehabilitation programs are appropriate means for dealing with these problems. To determine the availability of such prevention programs including counseling, inquiries should be directed to the university's Human Resources Office or the Counseling Services Office.

Approved February 14, 1989

(BOR VII - 1.10)

VII – 4.10 - Policy on Tuition Remission for Faculty and Staff

Permanent faculty and permanent staff may enroll in academic courses to improve their skills or for personal development purposes with tuition costs associated with such courses remitted in whole or in part.

Tuition Remission at University System of Maryland Institutions

1. Tuition remission is extended to all classes of permanent faculty and permanent staff on an equitable basis. A "permanent" faculty member or staff is one who works in a position that has been approved through the budgetary and pertinent appointment classification processes and that is intended to last six months or more regardless of the nature of the source of funds, or who has retired from such a position. This definition applies to both full-time and part-time faculty and staff. For purposes of acceptance of tuition-remission requests, a "University System of Maryland retiree" must be receiving State of Maryland retirement checks and/or TIAA-CREF retirement checks, and have earned at least five years of University System of Maryland service credit inclusive of the former University of Maryland and Board of Trustees of State Universities and Colleges institutions. Verification of retiree status may be obtained by contacting the Personnel Office from which the employee has retired.
2. Tuition remission shall be subject to the individual's admissibility to the institution and to the program in which the courses are to be taken and to the other academic regulations of the institution governing student enrollment (for example, course prerequisites and registration deadlines).
3. Full-time faculty, full-time staff and retirees from full-time positions shall be permitted to register for no more than two courses not to exceed seven (7) credits per semester with remission of tuition. Permanent part-time faculty and staff who are employed at fifty percent or more time in the University System of Maryland or retirees from such positions shall be permitted tuition remission for credits proportional to their percentage of service. Tuition remission does not include mandatory fees, which remain the responsibility of the faculty member, staff or retiree. Courses taken under this policy shall not interfere with the assigned responsibilities of any faculty member or staff and shall require the approval of the chief executive officer or designee.
4. The faculty member or staff may register for the desired course(s) at any institution in the University System. Faculty and staff employed by any system institution, who otherwise meet admissibility and registration criteria, shall be granted tuition remission at any system institution on the same basis as faculty and staff who are employed by the host institution.
5. Programs of study to be exempted from this policy include the M.D. and D.D.S. programs at the University of Maryland at Baltimore and such other programs as may be recommended by the president of the institution offering the program and approved by the chancellor. Availability of tuition remission for self-support programs and courses shall be recommended by the president of the institution offering the program and approved by the chancellor. The host institution shall apply the exempted status equally to all applicants who wish to participate in the tuition remission program, whether from the host institution or other institutions.
6. This benefit shall be extended, for a period not to exceed four years from the date of approval of this policy, to the faculty and staff of Morgan State University who were enrolled in courses at institutions of the former Board of Trustees with remission of tuition during the Academic Year 1989-90, under a policy of the former Board of Trustees of the State Universities and Colleges. This provision is dependent upon reciprocity being extended by Morgan State University to faculty and staff of former Board of Trustees institutions who were enrolled at Morgan State University under the same policy.
7. The procedures for implementing this policy are detailed in **VII - 4.10 BOR: UNIVERSITY SYSTEM OF MARYLAND POLICY ON TUITION REMISSION FOR FACULTY AND STAFF.**

Tuition Remission at Salisbury University

1. Regular, full-time members of the college faculty and staff may register for six tuition-free hours each semester, and six tuition-free hours each summer session, provided that such courses do not interfere with regular college duties. This applies to both undergraduate and graduate courses.
2. Tenured faculty who are terminated because of retrenchment in the university may continue to receive tuition waivers for up to six hours per semester for one year from the date of termination as long as the terminated faculty member is not employed full-time.
3. Only tuition is waived and all other applicable fees must be paid by the individual. Admission requirements are not waived and admission to undergraduate and graduate courses will be determined by the appropriate administrators.
4. The form "*Request for Tuition Waiver*" can be obtained from the Personnel Office and must be submitted to the department chair or supervisor, the appropriate vice president or director, and finally to the president for approval, prior to registering for classes.

Tuition Remission for Full-time Contractual Faculty

Tuition waiver is available for the employee only, (not for dependents) for one course per semester at SU (Winter and Summer term not included). Category II Contingents working less than 40 hours per week will receive Tuition Waiver on a pro-rated basis.

Approved September 1996

(BOR VII - 4.10)

VII – 4.20 - Policy on Tuition Remission for Spouses and Dependent Children of Faculty and Staff

Permanent faculty and permanent staff may enroll in academic courses to improve their skills or for personal development purposes with tuition costs associated with such courses remitted in whole or in part.

A. Tuition Remission at University System of Maryland Institutions

1. Tuition remission is extended to the spouses and dependent children of all classes of permanent faculty and permanent staff. A "permanent" faculty member or staff is one who works in a position approved through the budgetary and pertinent appointment classification processes and that is intended to last six months or more regardless of the nature of the source of funds or who has retired from such a position, provided that his or her period of employment began before January 1, 1990. For purposes of acceptance of requests for tuition remission, a "University System of Maryland retiree" must be receiving State of Maryland retirement checks and/or TIAA-CREF retirement checks and have earned at least five (5) years of University System of Maryland service credit, inclusive of the former University of Maryland and the former Board of Trustees of State Universities and Colleges. Verification of retiree status may be obtained by contacting the Human Resources Office of the institution from which the employee has retired. The term "spouse" shall mean one with whom the employee has entered a legally effective marriage, provided that it shall not include an estranged spouse who maintains a separate domicile. The term "child" shall include a son, daughter, stepson, stepdaughter, legally adopted son, and legally adopted daughter. A "dependent child" is a child who is "financially dependent," as that term is defined by the Internal Revenue Service. For spouses and dependent children of permanent part-time faculty and permanent part-time staff who are employed at 50 percent or more time, the percentage of tuition remitted shall be proportional to the percentage of service of the faculty member's or staff's employment. Tuition remission does not include mandatory fees, which remain the responsibility of the individual student.
2. The exercise of the benefit of tuition remission shall be subject to the individual's admissibility to the institution and to the program in which the courses are offered and to the other academic regulations of the institution governing student enrollment.
3. Programs of study to be exempted from this benefit shall include the M.D. and D.D.S. programs at the University of Maryland at Baltimore and such other programs as are recommended by the president of the institution offering the program and approved by the chancellor. The availability of tuition remission for self-support programs and courses at each institution shall be recommended by the president and approved by the chancellor. The president of the institution offering the program shall apply the exempted status equally to all spouses and dependent children who desire tuition remission, whether from the host institution or other institutions.
4. Subject to the provisions in **paragraphs 1 through 3** above, spouses and dependent children of full-time faculty and full-time staff of the University System of Maryland or its predecessors who die in service shall be permitted to register for courses with tuition remission for a period of time determined by the duration of full-time employment of the faculty member or staff, as follows: if the length of time of employment of the deceased faculty member or staff was less than three years, the spouse or dependent is eligible for tuition remission for one academic year; if at least three but less than five years, two academic years; if at least five but less than seven years, three academic years; if at least seven but less than nine years, four academic years; and if more than nine years, five academic years. Eligibility for tuition remission for spouses will expire at the end of seven years following the death of the full-time faculty or staff, and on the twenty-second birthday for dependent children. For spouses and dependent children of deceased permanent part-time faculty members or permanent part-time staff who were employed at 50 percent time or more, the percentage of tuition remission shall be proportional to the percentage of service of the faculty member's or staff's employment, averaged for the three years immediately preceding his or her death. The length of time for which tuition remission

will be available for such surviving spouses and dependent children shall follow the formula described in this paragraph.

5. This benefit shall be extended, for a period not to exceed four years from the date of approval of this policy, to the spouses and dependent children of faculty and staff of Morgan State University who are currently enrolled in courses at institutions of the former Board of Trustees with remission of tuition, under policies of the former Board of Trustees of the State Universities and Colleges. This provision is dependent upon reciprocity being extended by Morgan State University to spouses and dependent children of faculty and staff at such institutions who are enrolled at that institution under the same policies.
6. The procedures for implementing this policy are detailed in **VII - 4.20 BOR: UNIVERSITY SYSTEM OF MARYLAND POLICY ON TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF FACULTY AND STAFF**. These procedures require that tuition remission benefits for spouses and dependent children of permanent faculty and permanent staff whose period of employment began on or after July 1, 1992 shall, in addition to restrictions outlined in BOR VII - 4.20, be available only after the faculty or staff employee has been in the university service for two years prior to the anticipated date of registration for course work.

B. Tuition Remission at Salisbury University for Spouses and Dependent Children of Faculty and Staff

1. Spouses and children of regular, full-time faculty and staff may enroll either as part-time or full-time students and receive tuition waivers on a space available basis.
2. Dependent children of retrenchment-terminated, full-time faculty who are enrolled full-time in the undergraduate program of a State University at the time of the parent's termination may continue to receive a tuition waiver for one year from the date of the termination.
3. Spouses and dependent children of full-time faculty who have been employed full-time by the university for at least seven of the previous ten (10) years may take courses at Salisbury University without payment of tuition, during an eight-year period after the death of the faculty member if there is space available in the courses and the president of the university approves. Spouses of full-time faculty members who die, are not eligible for tuition waivers if they remarry after the death.
4. Only tuition is waived and all other applicable fees must be paid by the individual. Admission requirements are not waived and admission to undergraduate and graduate courses will be determined by the appropriate administrators.
5. The form "*Request for Tuition Waiver*" can be obtained from the Human Resources Office and must be submitted to the department chair or supervisor, the provost, the appropriate vice president or director, and finally to the president for approval, prior to registering for classes.

(BOR VII - 4.20)

VII – 4.30 - Policy on Salary Advances

1. Where appropriate, the president of Salisbury University may authorize salary against unearned income to faculty.
2. Authorized salary advances shall not exceed 90% of the expected bi-weekly salary. **(For procedures see Appendix M).**

(BOR VII - 4.30)

VII – 4.40 - Policy on Reimbursement of Moving Expenses for New Employees

1. The president of the university may authorized the payment of moving expenses of normal household goods including reasonable packing and unpacking charges when it's deemed to be in the interest of the university. Moving expenses are authorized only when the distances between the former residence and the university exceeds 35 miles one way. Exceptions to the 35-mile limitation may be made for payment of relocation expenses when the relocation is for the convenience of the institution or component. Nothing in this policy requires the payment of moving expenses.
2. It is the policy of Salisbury University that moving expenses may be reimbursed to a new employee if the following criteria are met:
 - a. The payment of moving expenses follows the general guidelines as approved by the Board of Regents under policy **VII-4.40**;
 - b. Reimbursement has been approved by both the dean and vice president's office in advance of employment;
 - c. Moving expenses become a part of the initial faculty employment contract or letter of offering for administrative staff and;
 - d. A designated fund source is available, indicated and approved (i.e....department account code).

3. Procedures for Reimbursement are as follows:

The new employee should submit to the Accounts Payable office:

- a. A **completed, signed, and authorized** expense account form;
- b. A copy of the faculty contract or the letter of offering and;
- c. **Original** moving receipts.

Please note: The Accounts Payable office will forward a copy of the expense account to the Salisbury University Payroll office, which will complete an *Employee Moving Expenses Report*. This report indicates any qualified Moving Expense reimbursement paid directly to the employee and/or all non-qualified Moving Expense reimbursements. Upon completion, the *Employee Moving Expense Report* will be sent to the State of Maryland, Comptroller of the Treasury's Central Payroll Bureau. Qualified moving expense reimbursements will be shown on the employee's W-2 in Box 13 with a Code "P". Non-qualified moving expense reimbursements will increase Federal, State and FICA wages and are subject to tax withholding.

Internal Revenue Service *Publication 521* categorizes moving expenses as follows:

Deductible (Qualified) Moving Expenses

Moving your household goods and personal effects (including in-transit storage expenses), and Traveling (including lodging) to your new home.

Nondeductible (Nonqualified) Moving Expenses

Meal expenses,
Car tags,
Pre-move house-hunting expenses,
Temporary living expenses,
Expenses of buying or selling a home,
Expenses of getting or breaking a lease,
Security deposits (including any given up due to the move),

Home improvements to help sell your house,
Loss on the sale of your home,
Mortgage penalties,
Losses from disposing of memberships in clubs,
Any part of the purchase price of your new home,
Real estate taxes,
Driver's license,
Storage charges (except those incurred in transit).

For more information obtain *Publication 521, Moving Expenses*, by phoning 1-800-829-3676 or by downloading from www.irs.gov.

Approved July 2000 by SU Administration and Finance Office

(BOR VII - 4.40)

VII – 4.50 - Policy, Procedures and Regulations on Graduate Assistantships and Fellowships

1. Applications Forms

Salisbury University offers each year a limited number of graduate assistantships and fellowships on a competitive basis. Application forms may be obtained from either the Admissions Office, Registrar's Office, deans or graduate program directors. Completed forms, including required supporting documents, should be returned to the appropriate dean(s) or graduate program director(s) as early as possible preceding the academic year or semester for which the appointment is sought.

2. Eligibility

To be eligible for appointment as a graduate assistant or fellow, the student must be formally admitted to the university for graduate study. Students receiving appointments must have the recommendation of the appropriate dean, department chair or graduate program director and show evidence of academic ability and promise based on their previous academic records and recommendations submitted in their behalf. It is the responsibility of the student to see that at least two recommendation forms are completed and returned to the appropriate dean(s) or graduate program director(s).

3. Appointment of Assistantships and Fellowships

Appointments are made by the appropriate dean(s) or graduate program director(s) based on recommendations and in accordance with funds available. Upon written notification from the appropriate dean(s) or graduate program director(s), letters of appointment to successful applications are mailed from the Office of the Registrar immediately after the selections are made.

4. Terms of Appointment

Graduate assistantships and fellowships are generally awarded for one semester commencing with the fall semester and may be continued--based on the recommendation of the appropriate dean, department chair or graduate program director--through the succeeding spring semester. In special cases, an appointment may be awarded for longer or shorter periods.

The usual stipend is \$2,200 per semester, paid in bi-weekly installments. Each graduate assistant or fellow is assigned a work load within a department or division of the university for approximately 20 clock-hours per week. Such work loads include a list of specified duties carried out under direction of a designed supervisor to whom the graduate student is responsible. Graduate students are prohibited from unsupervised teaching. Normally, a graduate assistant or fellow is expected to register for a course load, approved by the faculty advisor, of six to nine hours of credit toward degree requirements each semester, and to maintain a cumulative average of B or better, with no grade below C, during the period of the assistantship or fellowship. In cases where the stipend offered is less than \$2,200 per semester, the course load for which tuition waiver is available may be similarly reduced. Upon completion of *Tuition Waiver Forms* by the appropriate deadlines, a waiver of tuition for the course loads, as indicated above, will be granted. The total tuition waived, however, shall be for no more than 30 credit hours during any twelve-month period, or 24 credit hours during any combined fall and spring semester period, and that no tuition waiver shall be granted for private lessons. The *Tuition Waiver* forms may be obtained from the Human Resources Office. These forms should be completed and submitted to the appropriate dean(s) or graduate program director(s) not later than the day on which the course registration form, indicating courses for which the waiver of tuition is requested, is submitted to the Office of the Registrar. Tuition will be waived only for courses applicable toward master's degree requirements.

A graduate assistant or fellow shall not be considered as a "faculty member," "administrative officer," or "employee" of the university.

5. Termination of Appointments

The student may terminate the assistantship or fellowship at any time by giving 30 days notice in writing to the appropriate dean(s) or graduate program director(s). All salary earned to the date of termination will be paid to the graduate student.

The dean, chair of the department or graduate program director to which a graduate student is assigned may terminate the appointment for cause after warning has been issued in writing to the student. Cause for terminating an appointment arises typically from reasons such as excessive absenteeism, inferior quality of work in performance of assigned duties, extended illness, or the like.

In all cases where an appointment is terminated prior to the end of a term in which the student is registered, whether termination is by the student or by the supervisor, the waiver of tuition for that term shall be canceled. The student will be duly notified and will be charged tuition for courses registered for in that term. The amount of the tuition will be pro-rated to cover that part of the semester remaining after the student has resigned or has been dismissed.

(BOR VII - 4.50)

VII – 7.45 - Policy on Sick Leave

Salisbury University will utilize the following procedures in implementing this policy.

1. The University will no longer tabulate each occurrence of the use of sick leave, or routinely require sick slips for the medical provider for absences due to illness, injury doctor's appointments, etc. This does not, however, relieve employees of the responsibility to notify their supervisor at regular and reasonable intervals in the event of a prolonged absence. The Human Resources Office will be reviewing the usage of sick leave on a periodic basis and following up with the supervisor and the employee if it appears that the arrangement is being abused. There may be then be situations where, in order to assure medical attention for an employee or to prevent the abuse of sick leave, the University may require certification from a medical provider authenticating the need for the employee to use accrued sick leave. Such certification may be required in accordance with the Sick Leave Monitoring Program.

NOTE: In the interest of maintaining good health, the University highly recommends that employees seek medical attention if the illness persists for more than three (3) days and subsequently provide documentation of the visit upon their return to work.

2. Employees will be permitted to use up to fifteen (15) days of accrued sick leave during any one calendar year for medical care of a family member. The University may require an employee to provide certification authenticating the need for the employee to use sick leave to care for the ill family member.
3. Employees may use up to 30 days of accrued sick leave to care for a child immediately following birth or placement of the child with the employee for adoption. It is expected that the employee would provide written notification to the department as soon as the expected delivery date or adoption date becomes known.
4. Employees who sustain temporary, recoverable illnesses but are unable to return to work after using up all other types of accrued leave may continue to request, subject to the conditions outlined in the policy, both Advance and Extended sick Leave. Forms for this purpose may be obtained from the Human Resources Office.
5. In the vent that Advanced Sick Leave is borrowed by the employee, both sick leave and annual leave will be used to pay it back. This will be done by taking back 50% of the amount of sick and annual leave that would otherwise be available to the employee each pay period, and applying it to the outstanding balance.

If you have any questions about the above procedures, please contact the Human Resources Office. A complete copy of the sick leave policy is listed below for your convenience.

Policy on Sick Leave

I. Purpose and Applicability

This policy governs the accrual and use of sick leave, and applies to all regular Nonexempt and Exempt employees of the University System of Maryland.

II. General

- A. Sick leave is paid leave granted to employees in an effort to provide some protection against the loss of earnings due to absences for health and allied reasons.
- B. A full-time employee shall earn sick leave at the rate of 15 workdays per year. Employees who are appointed at least 50% time shall earn sick leave on a pro rata basis. Sick leave is accumulated and carried forward from year to year without limit.
- C. An employee may use on a continuous basis earned leave (sick, annual and personal leave), advanced sick leave, extended sick leave, leave granted through the leave reserve fund, or unpaid family medical leave, as needed for personal illness.
- D. An employee may request that his/her illness, injury, or disability occurring during a period of annual or personal leave be charged to sick leave. Verification of such illness, injury, or disability may be required by the Chief Executive Officer or designee as provided in Section IV. of this policy.
- E. Sick leave shall be granted by the Chief Executive Officer or designee when an employee is absent because of:
 - 1. Illness, injury, or disability of the employee.
 - 2. A pre-scheduled and approved, or emergency medical appointment, examination, or treatment for the employee with an accredited, licensed or certified medical provider listed in Section IV.C of this policy that cannot be scheduled during non-work hours.
 - 3. Illness or injury in the employee's immediate family and medical appointments, examinations or treatments for the immediate family member with an accredited, licensed or certified medical provider listed in Section IV.C of this policy that cannot be scheduled during non-work hours.
 - a. Immediate family as used in this section of the policy shall mean a spouse, child, step-child, grandchild, mother, father, mother-in-law, father-in-law, brother, sister, grandparent, brother-in-law, sister-in-law, or legal dependent of the employee irrespective of residence. Use of sick leave shall also be granted to care for any other relative who permanently resides in the employee's household for whom the employee has an obligation to provide care. The Chief Executive Officer or designee may require an employee to provide certification by a medical provider listed in Section IV.C of this policy to demonstrate this obligation or to authenticate the need for the employee to care for the ill family member.
 - b. Up to fifteen (15) days of accrued sick leave shall be granted by the Chief Executive Officer or designee during any one (1) calendar year for medical care of a family member.
 - 4. Death of a relative
 - a. For the death of a close relative, the Chief Executive Officer or designee shall grant the use of up to three (3) days of accrued sick leave. If the death of a close relative requires an employee to travel requiring staying away from home overnight, upon request the Chief Executive Officer or designee shall grant the use of up to a maximum of five (5) days of accrued sick leave for this purpose.
 - b. Close relative as used in this section of this policy shall mean a spouse, child, step-child, mother, father (or someone who took the place of a parent), mother-in-law, father-in-law, grandparent of the employee or spouse, grandchild,

son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, or other relative who permanently resided in the employee's household.

- c. The Chief Executive Officer or designee shall grant the use of up to a maximum of one (1) day of sick leave for reasons related to the death of the employee's or his/her spouse's aunt, uncle, niece, nephew.

5. Pregnancy-related disabilities, childbirth, and immediate recovery therefrom

- a. A female employee may request the use of accrued sick leave for any period of time related to temporary disability during pregnancy or related to childbirth and immediate physical recovery therefrom.
- b. A female employee planning to request the use of sick leave for the purposes listed in this subsection shall be governed by the provisions of this policy.
- c. The employee shall keep the Chief Executive Officer or designee informed of any changes to her condition, which affect the length of time, that she will need to be away from work.

6. Birth of a child or placement of a child with the employee for adoption

- a. Up to a maximum of 30 days of accrued sick leave may be used to care for a child immediately following the birth of a child or placement of the child with the employee for adoption. In the case of an adopted child, sick leave is only available in connection with a formal adoption and shall be granted only if the employee making the request is the person having primary responsibility for furnishing the care and nurture of the adoptee. In the event that both parents are USM employees, sick leave to care for the child, as provided under this section, is available to only one parent.
- b. The Chief Executive Officer or designee shall grant the employee's request if the employee has furnished satisfactory documentation of the birth of the employee's child or an agreement of placement for adoption.

- F. An employee who returns to regular USM service within two years of separation shall have the unused sick leave earned during the prior service restored, provided the employee returns to a position eligible to earn sick leave.

III. Directed Use of Sick Leave/Medical Examinations

- A. The Chief Executive Officer or designee, in accordance with the institution's policy on Family and Medical Leave, may direct an employee to use accrued sick leave if he/she determines that an employee is unable to perform the responsibilities of his/her position due to illness, injury or disability.
- B. While in either active work status or on any type of employee-related sick leave, an employee may be required to undergo a medical examination(s) and evaluation(s), and may be required to provide verification of fitness for duty, as directed by the Chief Executive Officer or designee to ascertain whether the employee is able to regularly and routinely perform the responsibilities of his/her position.
 - 1. If the examination is conducted by a physician selected by the USM institution, the institution shall bear the costs of such medical examination. The employee may, however, see his/her own physician at the employee's own cost.

2. If the examination(s) reveal that an employee is unable to regularly and routinely perform the responsibilities of his/her position, action may be taken by the Chief Executive Officer or designee in accordance with policies on voluntary separation, termination, reasonable accommodation, modified duty or disability retirement, if applicable.
3. In cases where there is a conflict between the evaluation, prognosis, diagnosis or recommendation of the employee's personal health care provider and the physician selected by the USM institution, the Chief Executive Officer or designee may choose which health care provider's report to follow; or may require subsequent medical examinations and evaluations in deciding what steps should be taken regarding the employee's sick leave status or continued employment. If subsequent medical examinations and evaluations are required, the expense of such shall be borne by the USM institution. The decision of the CEO or designee is final.

IV. Verification of Absences Charged to Sick Leave

- A. In order to assure medical attention for an employee or to prevent the abuse of sick leave usage, the Chief Executive Officer or designee may require an employee to submit verification of the use of accrued sick leave, advanced or extended sick leave.
- B. Verification may include but may not be limited to:
 1. A written statement from the medical provider (as listed in Section IV.C of this Policy) indicating that the employee is required to be absent from work due to illness;
 2. The duration of absence from work;
 3. Prognosis of employee's ability to return to work;
 4. Title and original signature of an accredited, licensed or certified medical provider; and
 5. Any other information necessary to verify that the employee's use of sick leave is in accordance with this policy;
- C. Medical verification as outlined in this Policy may be obtained by an accredited Christian Sciences practitioner, or by the appropriate of any of the following licensed or certified medical providers:
 1. Physician;
 2. Physical Therapist;
 3. Clinical Psychologist;
 4. Dentist;
 5. Oral Surgeon;
 6. Chiropractor;

7. Podiatrist;
8. Certified Nurse Practitioner;
9. Certified Nurse-Midwife; or
10. Licensed Certified Social Worker-Clinical

V. Advanced Sick Leave

- A. An employee who sustains a temporary, recoverable illness, injury or serious disability may request advance use of sick leave subject to the following four conditions:

The employee shall:

1. have completed six months of continuous USM service;
 2. have completed an original probation period, if applicable;
 3. have exhausted all other types of accrued leave; and
 4. have a satisfactory record of sick leave usage and work performance.
- B. Advanced sick leave is not an entitlement. The granting of requests for advanced sick leave shall be at the discretion of the Chief Executive Officer or designee.
- C. Advanced sick leave shall not be granted in instances where the illness or injury or disability occurred on the job, and the employee has been granted accident leave or temporary total disability benefits by the Workers' Compensation Commission.
- D. Written requests for advanced sick leave shall be submitted to the Chief Executive Officer or designee and shall be supported by written verification by an accredited, licensed, or certified medical provider as outlined in Sections IV.B and IV.C of this policy.
- E. Sick leave may be advanced at the rate of fifteen (15) working days per year of service to a maximum of sixty (60) working days in any one calendar year.
- F. The use of advanced sick leave constitutes a debt for which payment shall be enforceable upon the employee's return to work or upon the employee's separation from employment, whichever is earlier. Upon return to work the minimum rate of payback for advanced sick leave shall be at one-half the rate that sick leave and annual leave is earned. An employee may elect to pay back advanced sick leave by applying any earned leave or by reimbursing the USM with cash.
- G. Annual, sick and holiday leave earned, and personal leave credited while on advanced sick leave shall be applied as earned/credited.
- H. Additional requests for advanced sick leave will not be granted until all previously granted advanced sick leave has been repaid. The only exception to this provision is in cases where the maximum amount of advanced sick leave had not been requested originally and additional advanced sick leave, consecutive to that already granted, is needed to cover the employee's continued absence arising from the original illness, injury or disability.

- I. The CEO or designee may refer an employee who is on advanced sick leave as follows:
 1. The employee may be referred to an USM institution-named physician for periodic examinations to determine the nature and extent of the illness, the employee's progress toward recovery, the length of time necessary for recovery, and an estimated date of return to work.
 2. If there is a conflict between the employee's physician and the USM institution-named physician, the provisions of Section III.B.3 shall apply.

VI. Extended Sick Leave

- A. An employee who sustains a temporary, recoverable illness, injury or serious disability may request extended sick leave, subject to the three following conditions:

The employee shall:

1. have been in USM and/or State service for at least five years;
 2. have exhausted all types of accrued leave and advanced sick leave; and
 3. have a satisfactory record of sick leave usage and work performance.
- B. Extended sick leave is not an entitlement. The granting of requests for extended sick leave shall be at the discretion of the Chief Executive Officer or designee.
 - C. The maximum cumulative total of extended sick leave available to an employee while in USM or State service is 12 work months (52 work weeks).
 - D. Annual, sick and holiday leave earned, and personal leave credited while on extended sick leave shall be applied as earned/credited.
 - E. Written requests for extended leave shall be submitted to the Chief Executive Officer or designee and shall be supported by written verification by an accredited, licensed or certified medical provider as outlined in Sections IV.B. and IV.C. of this Policy.
 - F. The CEO or designee may refer an employee who is on extended sick leave as follows:
 1. The employee may be referred to an institution-named physician for periodic examinations to determine the nature and extent of the illness, the employee's progress toward recovery, the length of time necessary for recovery, and an estimated date of return to work.
 2. If there is a conflict between the employee's physician and the institution-named physician, the provisions of Section III.B.3 shall apply.

VII. Other

For other related policies, please see Policy on Leave Without Pay, Policy on Leave Reserve Fund, Policy on Family and Medical Leave, and Policy on Accident Leave.

Implementation Procedures

Each Chief Executive Officer shall identify his/her designee(s) as appropriate for this policy; shall develop procedures as necessary to implement this policy; shall communicate this policy and applicable procedures to his/her institutional community; and shall forward a copy of such designations and procedures to the chancellor.

Replacement for:

UM-BOR III - 11.00, Sick Leave Policy for Full-Time Faculty Members and for Administrators of Academic Programs.
(Note: USM II - 2.30 approved by BOR to cover faculty only.)

Approved December 5, 1997

(BOR VII - 7.45)

H. Section VIII: Fiscal and Business Affairs

VIII – 2.30 - Policy on Waiver of Tuition and Granting of Other Privileges for Senior Citizens of the State of Maryland

Salisbury University extends special privileges, where practicable, to senior citizens who are residents of the State of Maryland. The term "senior citizen" includes any individual who is 60 years of age or older, who is retired and whose chief income is derived from retirement benefits, and who is not employed full time. Privileges include, subject to certain conditions, waiver of tuition for undergraduate and graduate courses and use of the library.

I. Waiver of Tuition

- A. Tuition waivers are available at Salisbury on a space available basis, and the university determines space availability. A senior citizen shall not be entitled to a waiver of tuition for more than three courses in a single academic semester or term.
- B. Tuition is defined as the basic instructional charge for courses and does not include fees, such as those for application, registration, or other mandatory fees.
- C. Senior citizens may enroll in a degree granting program under this policy only if they are admissible to that program.
- D. The Human Resources Office, administers the senior citizen tuition waiver program and distributes and authorizes the necessary forms.

II. Golden Identification Card Program

- A. Eligible senior citizens may apply for a Golden Identification Card from any institution in the University System, which shall be honored throughout the System. This card shall serve to identify the individual as eligible for any privileges (for example, use of the libraries) that an institution determines to be available to senior citizens. Holders of the Golden Identification Card may be entitled to admission to student events, as determined by the institution.
- B. Except for emergencies, the health care facilities at institutions where they exist shall not be available to holders of the Golden Identification Card unless they are enrolled as regular full-time students and have paid the health fee.

(BOR VIII - 2.30)

VIII – 2.60 - Policy on Tuition Fellowships for Graduate Students

1. The Office of Financial Aid distributes Other Race Grant Funds as fellowships to black graduate students.
2. These fellowships are provided for meeting graduate student's University expenses and students who receive them are not require to perform graduate assistantship services.

(BOR VIII - 2.60)

VIII – 2.61 - Policy on Off-Campus Programs

In the matters of off-campus programs, Salisbury University operates under **BOR VIII - 2.61 UNIVERSITY SYSTEM OF MARYLAND POLICY ON OFF-CAMPUS PROGRAMS**, which is reproduced in full below.

I. Preamble

The University System of Maryland is committed to providing access for all citizens to high-quality undergraduate and graduate programs. This entails extending its academic programs, as need and demand require and as resources permit, to serve students in all regions of the State. In many instances, program offerings will be extended beyond the bounds of what is traditionally thought of as the campus.

The following principles will guide the decision of an institution to offer both an off-campus program and/or individual courses for credit.

- A. Off-campus programs will be consistent with the approved mission of the institution.
- B. An institution may only offer off campus a program leading to a degree or certificate that is authorized for that campus.
- C. Standards of program quality and student performance will be comparable to those of the on-campus program.
- D. The institution will determine the method of program delivery that is best suited to the educational backgrounds, experience, and learning styles of the students.

II. Institutional Responsibilities

Institutions that offer off-campus programs have the following responsibilities:

- A. To provide necessary services at the off-campus site at times convenient to students.
- B. For degree/certificate seeking students, to schedule courses to permit completion of the degree or certificate in a reasonable amount of time.
- C. To keep students fully informed of program requirements and/or changes, program costs, and financial aid information.
- D. To provide learning resources for off-campus students that are comparable to those provided to on-campus students.
- E. To ensure that guidelines for the selection and assignment for faculty teaching at the off-campus site are comparable to those used on campus.

III. Definitions

Program: A sequence of courses that leads to the awarding of an approved degree or certificate.

On-Campus Program: Any program offered in any format by a USM institution at its own main campus.

Off-Campus Program: Any program delivered in any format to a site other than that of the main campus of the institution offering the program.

Closed Site: A program offered for a particular organization or constituency that is not open to the general public, e.g. military base, hospital, or business organization.

Open Site: A program site that is open to the general public, i.e. access to program offered at an open site is not restricted to members of any particular group or organization.

Tuition: The price students pay for their education, including those mandatory fees that do not fund auxiliary enterprises or other self-funded activities.

IV. **Tuition and Fees for Off-Campus Programs**

- A. **Applicability:** This policy applies to all degree-granting institutions of the University System of Maryland. It applies to all courses and programs offered at open sites only. It does not apply to non-credit courses or to credit courses or programs offered under a contract for which there may be a different negotiated tuition.
- B. **Tuition Levels**
 - 1. Tuition for both in-state and out-of-state UNDERGRADUATE students who are enrolled either full- or part-time in an off-campus program will be the same as that for the on-campus program (see **BOR Policy VIII - 2.01, A**).
 - 2. Tuition for both in-state and out-of-state GRADUATE students who are enrolled either full- or part-time in an off-campus program will be the same as that for the on-campus program as defined by **BOR Policy VIII - 2.01, B**.
 - 3. The total cost (tuition and mandatory fees) to the student enrolled in an off-campus program will not exceed that for the student enrolled in the on-campus program, unless a waiver is granted. Where an institution can demonstrate that to deliver a quality off-campus program necessitates an additional delivery or specific program fee, such a fee may be requested. Off-campus programs for which a differential fee is requested will be approved by the chancellor and reported to the Regents in the annual report on tuition.

V. **Policy Implementation**

- A. Each president will submit tuition and fee recommendations for off-campus programs and related data in accordance with the schedule and format set by the chancellor. Supporting documentation will be provided for policy exceptions requested under **section IV (Tuition and Fees for Off-Campus Programs)** above.
- B. The chancellor will recommend to the Board of Regents a tuition and fee schedule for off-campus programs offered by each institution as part of the annual operating budget request. Should the chancellor's recommendation differ from that of the presidents, the chancellor will make both recommendations available to the Committee on Finance of the Board of Regents.

(BOR VIII - 2.61)

VIII – SU - Policy on Reimbursement of Expenses for Work-Related Travel

1. Out-State and Out-of-Country Travel Requests must be submitted to the President's Office for approval at least 30 days in advance of scheduled travel. An expense account must be filed within three (3) working days after travel has been completed. All forms related to out-of-state and out-of-country travel are available in the Financial Services Office.
2. Faculty who have had out-of-state or out-of-country travel requests approved may request advance funds for conference registration and fees, lodging and food, and travel. If a faculty member receives an advance and does not spend the entire advance, must return any remaining funds upon filing a travel expense account three (3) working days after travel has been completed.
3. The university's reimbursement rates for meals, mileage, porter fees and tips are detailed in the USM/SU Travel Regulations and Pertinent Information Regarding Personal Reimbursements, published by the Financial Services Office and available from deans and chairs.
4. Faculty are encouraged to apply for the personal "American Express Corporate Card," and to use the card for charging travel-related expenses and applying for reimbursement upon return from a trip. Use of the card reduces the risk of carrying cash. The card may be used for business and any other expenses as well. Each card holder is billed monthly by American Express, and there is no yearly membership fee for holding the card. Applications for the card are available in the Financial Services office Monday through Friday from 8:00 a.m. - 5:00 p.m.

VIII – 11.10 - Policy on Schedule of Reimbursement Rates

Rates for Hotels

Cost of hotel accommodations are reimbursed on the basis of receipts for single-room rate, in accordance with institution policy to establish that the room rate is appropriate.

Rates for Meal Expenses

The standard per diem rate for domestic travel is \$38 (breakfast, \$7.50; lunch, \$9.50; dinner, \$21.00) per day; the high-cost diem rate is \$43 per day. In the absence of receipts, travelers will be reimbursed for domestic travel at the standard per diem rate, as appropriate. Foreign travel is reimbursed at actual cost with receipts or at the applicable U.S. Department of State Meal and Incidental Rate (M&IE) without receipts.

Mileage Rate for Use of Personal Vehicle

Personal vehicle usage will be reimbursed at the rate of \$.32 per mile if a state vehicle is not available for use; reimbursement of \$.16 per mile will be paid if a state car is available and you choose not to use it (this reimbursement will require your department head's budget approval).

Designation of High-cost Locations for Travel

Check the *Financial Services Policies and Procedures Handbook* for travel to find out which metropolitan areas are designated as "high-cost" for domestic travel.

Note: Cost for meals and mileage for the use of a personal vehicle may change. Contact the Financial Services Office for correct rates.

Approved by the USM's BOR, July 1, 2001

(BOR VIII - 11.10)

VIII – SU - Policy on Use of State Owned Vehicles

1. The University Motor Pool provides a fleet of vehicles for travel by university employees. Faculty who wish to use university vehicle must call the Motor Pool to be assigned a vehicle if one is available.
2. Faculty are responsible for picking up and returning assigned university vehicles from the Motor Pool lot located next to the University Center and for completing and submitting a mileage log.
3. In most circumstances, faculty should request use of university vehicles for short, day or overnight trips and should avoid extended, out-of-state use which reduces the availability of vehicles to other personnel.
4. For further rules and procedures on the use of state owned vehicles, see **Appendix N**.

