Greetings,

It’s our pleasure to welcome you to the University of Indianapolis! These are exciting times at UIndy and we are so pleased that you are now a part of our tradition of excellence.

You will find our employees to be both energetic and creative, dedicated to high standards of excellence and quality. We value each one of our employees and we hope that you will find working here rewarding and satisfying.

The Adjunct Faculty Handbook has been designed as a guide to assist you to learn about your work environment, your responsibilities, and the outstanding benefits that you have as an employee of the University of Indianapolis.

Please read the handbook carefully so that you can better understand who we are and what we do. We believe UIndy is a very special place – made all the more so by the hard work and dedication of our employees.

We are glad that you are here to help to make us better.

Welcome Aboard!

Sincerely,

[Signature]

Robert L. Manuel President
Introduction

Policies and procedures contained in University Handbooks and Guidebooks, located at [www.uindy.edu/policies](http://www.uindy.edu/policies), supersede any and all prior practices, written documents, representations, or statements on the same subject matter. The University of Indianapolis expressly revokes any and all previous policies and procedures that are inconsistent with those contained in its Handbooks and Guidebooks. The University of Indianapolis reserves the right to change the content set forth in its Handbooks and Guidebooks, and any and all policies stated in them are subject to change at any time at the sole discretion of the University. In addition to the policies contained in these handbooks and guidebooks, students, faculty and staff are subject to applicable university-wide policies found on the policies website at [www.uindy.edu/policies](http://www.uindy.edu/policies).
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I. The University

Vision
The University of Indianapolis will be recognized regionally and internationally for its high quality of student engagement in learning, leadership, and service.

Motto
The official motto for the University of Indianapolis is “Education for Service.”

Identity
The University of Indianapolis is a private, residential, metropolitan institution of higher learning that provides a transformational educational experience through strong programs in the liberal arts and sciences, selective professional and doctoral programs, collaborative partnerships throughout the city and the world, and a Christian tradition that emphasizes character formation and embraces diversity.

History & Mission
See History & Mission for this information.

Values
The University imparts much more to its students than knowledge or practical skills. As an institution of higher learning, the University values:

A. an emphasis on student learning in all aspects of University life;
B. faculty and student interaction that provides individual attention, engagement, and opportunities for mentoring;
C. international experiences for students, Faculty, and staff;
D. engagement with religious traditions in an environment of hospitality, informed by the United Methodist Church and enriched by other traditions, religious and secular;
E. purposeful engagement with the city of Indianapolis and the State of Indiana;
F. ethical, responsible, and professional behavior with respect expressed among all members of the University community;
G. individual contributions of all members of the University community toward advancing our mission.

II. Special Appointment Faculty

1. Adjunct Faculty
Adjuncts are unranked employees of the University who teach on a part-time basis and may teach no more than 14 hours during Semesters I, II, and Spring Term in any University program or unit. They are appointed on a semester or term basis. Adjuncts should have at least a master’s degree and several years of teaching and/or work experience. Adjuncts do not assume other responsibilities of full-time faculty except as an associate adjunct faculty member or by designation of the unit director.
Associate adjuncts may teach 15-21 credit hours during Semesters I, II, and Spring Term. These limits are the maximum allowed even if you teach in more than one department or school of the University.

2. **Adjunct Faculty Assignments**

Deans, Department Chairpersons or designees assign adjunct and associate adjunct faculty members. Teaching assignments are issued on an as-needed basis and may be cancelled due to insufficient enrollment. There is no guarantee that an offer to teach will be issued in subsequent semesters or sessions.

3. **Reporting Structure**

Adjunct faculty members report to the Dean or Department Chairperson of the academic area in which they are employed.

4. **Adjunct Faculty Orientation**

Each Dean, Department Chairperson or a designee is responsible for conducting orientation for new adjuncts hired in his or her academic unit.

5. **Adjunct Faculty Personnel File**

The University maintains a personnel file on each employee. This file includes the application for employment, resume, offer of employment, and other employment records. It is the responsibility of each employee to promptly notify Human Resources of any changes in personal data such as names and number of dependents, marital status and educational accomplishments. It is the responsibility of each employees to update personal information such as mailing addresses, telephone numbers, and individuals to contact in the event of emergency through the Employee Self-Service portal in MyUIndy. Information must be accurate and current at all times.

All new Adjuncts must provide official transcripts from the college or university that awarded their highest degree prior to beginning their initial course assignment.

6. **Adjunct Faculty Evaluations**

Student evaluations are part of the required assessment process. The results of student evaluations are provided to the Deans and Department Chairpersons for review. Feedback is at the discretion of the appropriate Dean or Department Chairperson.

7. **Adjunct Faculty Training**

As a condition of employment, the Adjunct Faculty member shall, from time to time and at the direction and discretion of the University, participate in mandatory training offered and provided by the University. Training may include, but shall not be limited to, Title IX, sexual harassment, ethics and compliance, FERPA, HIPAA, active shooter and emergency preparedness, OSHA safety, Material Safety Data Sheets, and human research protection. Failure by the Adjunct Faculty member to complete training as directed by the University will result in discipline up to in and including termination without prior notice. In the event of termination, the University shall have no further obligations to the Adjunct Faculty Member.
III. Personnel Policies
See additional University policies at Policies.

1. Equal Employment Opportunity Policy
The University of Indianapolis, as required by law, makes equal employment opportunities available to all persons without regard to race, sex, age, color, religion, national origin, disability, citizenship status, military status, marital status, or any other category protected under Federal, State, or local law. This policy applies to applicants and employees and to all aspects of employment including recruitment, hiring, promotion, training, transfer, demotion, rates of pay, or other forms of compensation, and termination of employment. Further, irrespective of whether sexual orientation is a legally-protected status, the University of Indianapolis does not tolerate discrimination on the basis of an employee’s sexual orientation. Questions regarding Equal Employment Opportunity should be directed to your supervisor or the Director of Human Resources.

2. Notice of Non-Discrimination
The University of Indianapolis does not discriminate on the basis of race, color, national origin, sex, disability, sexual orientation (or gender identity or expression) or age in its programs and activities. The University complies with the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

The following person has been designated to handle inquiries regarding the non-discrimination policies. For questions, please contact the Human Resources Director at 317-788-6132.

For further information on notice of non-discrimination, contact U.S. Department of Education Office for Civil Rights, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661.

3. Anti-Harassment and Discrimination Policy
The University of Indianapolis is committed to providing a work environment in which individuals are treated with fairness, respect and civility. University employees and students have a right to work and learn in a place that is free from discrimination and harassment, sexual or otherwise. Through this policy, the University explains its intolerance of verbal, visual and physical conduct that demeans another, unreasonably interferes with an individual’s job, or creates an intimidating, hostile or offensive working environment.

The University encourages and expects the prompt reporting of perceived incidents of discriminatory or harassing conduct, regardless of the offender’s identity or position. The University will respond to every complaint in violation of this policy. Complaints will be handled promptly and confidentially to the extent possible while conducting a thorough investigation and administering disciplinary action. This policy prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Conduct prohibited by this policy is unacceptable in the workplace or in work settings and is subject to disciplinary action up to and including termination. Additionally, off-duty conduct that violates this policy and affects the work environment is subject to disciplinary action up to and including termination.
Policy Definitions and Examples of Unacceptable Behavior

**Discrimination** – The act of treating people differently based on their actual or perceived membership in a certain group or category based on race, color, national origin, age, religion, disability status, sex, sexual orientation, gender identity, genetic information, marital status, or any other characteristic protected by law.

**Harassment** – Any verbal, written, physical, electronic or other conduct based upon an individual’s protected status that creates a hostile environment or becomes a term of employment.

**Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- An employment decision affecting an individual is made because the individual submitted to or rejected the unwelcome conduct; or,
- The unwelcome conduct interferes with an individual’s work performance; or,
- The unwelcome conduct creates an intimidating, hostile or offensive work environment.

**Hostile Work Environment** – Unwelcome conduct that is so severe, persistent or pervasive that a reasonable person would consider it intimidating, hostile or abusive.

**Quid Pro Quo** (this for that) – Submission to unwelcome conduct is made a term or condition of employment or it forms a basis for employment decisions affecting an individual. Examples include:
- Decreasing hours or assigning an unfavorable shift after an employee has declined a sexual advance of a supervisor
- Promising a raise or promotion to someone who accepts a requests for a sexual favor
- Denying development opportunities or membership to an organization to an individual who has declined a manager’s request for a date

**Types of Harassment**
- Verbal – comments that are offensive or unwelcome including epithets, slurs and negative stereotyping
- Visual – written or graphic material that is offensive or derogatory including posters, emails, text messages, social media posts
- Physical – blocking an individual’s path, invading one’s personal space, assault, stalking

**Examples of Inappropriate Sexual Conduct**
- Verbal abuse of a sexual nature
- Commentary about an individual’s body, sexual prowess or sexual deficiencies
- Touching or grabbing of a sexual nature
- Repeatedly standing too close to or brushing up against a person
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or indicated that he or she is not interested
- Giving gifts or leaving objects that are sexually suggestive
- Leering or whistling
• Obscene comments or gestures
• Display of sexually suggestive objects or pictures
• Off-duty, unwelcome conduct of a sexual nature that affects the work environment
• Other unwelcome physical, verbal or visual conduct of a sexual nature

Retaliation

Any adverse action taken against an individual because he or she filed a complaint of discrimination or harassment or participated in the investigation of complaint or violation of this policy. Retaliation may include adverse employment actions, threats, coercion or intimidation.

Reporting a Complaint

Employees who believe they have experienced or witnessed discriminatory, harassing or retaliatory conduct should promptly report their concerns to:
• Employee’s immediate supervisor or manager; or
• Director of Human Resources; or
• University Vice President

Employees who believe they are being subjected to discriminatory or harassing behavior should “speak up”, inform the offender that his or her conduct is unwelcome and request that the conduct stop. The employee should document the incident and his or her request for the conduct to stop. An employee who witnesses this type of conduct is also encouraged to “speak up” and document the incident. This action often resolves the issue by putting the offender on notice that the conduct is unwelcomed and inappropriate. The act of “speaking up” does not exclude an employee from filing a complaint if the behavior continues or ceases and begins again. The University, however, does understand that some individuals prefer to resolve the issue through the complaint procedure without addressing the offender.

Supervisors and/or vice presidents who receive a complaint should promptly notify the Director of Human Resources. Any complaints involving students should be directed to the Dean of Students.

The Investigation

Any reported allegation of harassing, discriminatory or retaliatory conduct will be investigated promptly. The Director of Human Resources, or designee, will begin the investigation process. The ensuing investigation may include individual interviews with the complainant, the accused violator of this policy and other individuals who may have observed the conduct or have other information relevant to the investigation. Confidentiality will be maintained throughout the investigation to the extent possible consistent with a thorough investigation and disciplinary action.

Upon completion of the investigation, if it is found that the conduct violated this policy, the Director of Human Resources will recommend appropriate disciplinary action. Disciplinary action will be dependent upon the following factors: the severity, frequency and pervasiveness of the conduct; prior complaints made against the accuser; and, the quality of the evidence. The University may take actions that include, but are not limited to, training, written warning, reassignment, temporary suspension without pay, or termination, as it believes is appropriate.

The Director of Human Resources may recommend appropriate preventive action if the
investigation is inconclusive or if no violation is found but the conduct is deemed problematic.

Employees found to have made false and malicious complaints of discrimination, harassment or retaliation (as opposed to those made in good faith) will be subject to disciplinary action up to and including termination.

Complaints that do not involve discrimination, harassment, sexual harassment, or intimidation are to be resolved through the Staff Grievance Procedure, which is detailed in the Personal Conduct section of this Staff Handbook.

4. **Reasonable Accommodation**
The University of Indianapolis will take appropriate steps to provide reasonable accommodation upon request to qualified individuals with disabilities so long as doing so does not cause an undue hardship. If you need disability accommodation, please submit the ADA Reasonable Accommodation Request Form found in the Employee section of myUIndy under Human Resources – Health & Safety.

The University also will take appropriate steps to provide reasonable accommodation upon request to employees whose religious beliefs or restrictions create a conflict with institutional policies, practices, or procedures so long as doing so does not cause an undue hardship. If you need accommodation, please provide a written description of your situation and your needs to the Director of Human Resources, and someone will contact you to discuss your request.

5. **Drug-Free Workplace Act**
The University of Indianapolis is committed to providing a workplace which is free from the unlawful manufacture, distribution, dispensation, possession or use of controlled substances. Please read the Drug-Free policies at Drug-Free and Notification Policy.

6. **On-the-Job Injuries**
   A. All work-related injuries or illnesses must be reported to Human Resources immediately. Additionally, any hazardous working conditions that may have contributed to the accident must be reported immediately to the Facilities Department so that arrangements for investigation and correction can be made. The supervisor or employee must contact Human Resources immediately so that a “First Report of Injury” may be filed with the University's insurance company. See the procedure at On The Job Injury.

   B. **Procedure Appropriate Medical Attention**
   Students are required to seek treatment for work-related injuries from the University's approved medical providers. Human Resources should arrange appropriate medical attention as indicated below. Students who refuse medical treatment should sign a statement acknowledging that medical treatment was offered and refused.

   C. **Life or Limb Threatening/ Serious Injury**
   Call 911.
D. **Non-Life-Threatening Injury**

Employee should be taken to the MedCheck Greenwood, 1664 West Smith Valley Road, Greenwood, IN 46142, telephone (317) 887-7642, between the hours of 9:00 am -9:00 pm, Monday - Sunday. If medical treatment is required after 9:00 pm please visit: Community Hospital South, Emergency Department, 1402 E. County Line Road, Indianapolis, IN 46227. Open 24 hours daily.

7. **No Smoking Policy**

The University is a smoke free campus. The University expects the instructor to set the example.

IV. **Compensation and University-Sponsored Benefits**

A. **Compensation**

1. **Adjunct Faculty Compensation**

Adjunct Faculty members are paid per credit hour according to a salary schedule that recognizes and rewards academic qualifications. Compensation for the semester is based upon the highest degree you have earned on the first day of the semester or session in which you teach. If you are awarded a new academic degree that might qualify you for additional compensation, it is your responsibility to provide an official transcript to Human Resources to verify completion of your academic work. The University does not pay mileage to adjunct faculty members.

2. **Payroll Deductions**

Deductions for federal income tax, social security and Medicare tax, state and county income tax are made in accordance with the laws of the United States and the state of residence.

3. **Direct Deposit and Payment Schedule**

Adjunct Faculty members must have current tax withholding forms on file with Human Resources before compensation will be processed and directly deposited into your account on the 25th of each month. If the 25th falls on a weekend, deposits are made on the previous Friday.

4. **Small Class Formula**

Pay may be reduced based on the Small Class Formula, which is applied according to department guidelines for classes not meeting the minimum student enrollment. Please contact your Dean or Department Chair for information on the Small Class Formula.

B. **University-Sponsored Benefits**

1. **Tuition Remission**

For those who qualify, 25% tuition remission is provided to part-time employees and spouses and to their children. See Tuition for more information.

2. **Campus Parking**

There is no charge for vehicle parking or registration; however, adjunct faculty members operating motorized vehicles on campus must register the vehicles and properly display a valid parking permit. University Police issue traffic citations, and fines are assessed for failure to
properly register a vehicle, improper parking, improper operation of a vehicle, etc. Parking permits are available online through the UIndy Parking Portal.

3. Discounts and Service
See Discounts for information on current discounts and services.

4. Campus Activities
Adjunct Faculty members are admitted free of charge to regularly scheduled home athletic events, as well as certain musical and theatrical presentations.

5. Ruth Lilly Center for Health and Fitness
Adjunct Faculty members may use the Ruth Lilly Center facilities by presenting their faculty I.D. card to the attendant at the main entrance. Use of the fitness center is restricted to individual use and does not include family participation.

V. Campus Security

University Police provide round-the-clock safety and protection service for Faculty, employees, and students and protects University property. Officers are charged with enforcing city-county ordinances, Indiana statutes and University rules and regulations on campus.

The record for personal safety on our campus is excellent and has been so for many years. An injury to even one person is one too many and, as in every setting, could happen anywhere, anytime, to anyone. Thus, we must assume responsibility for our own safety.

Stealing, vandalism, and other misuse of University facilities and property from both on- and off-campus sources are costly. The University insurance does not cover personal losses due to theft, vandalism, etc.

Each member of the University community is obligated to protect the campus by keeping offices, rooms and laboratories locked when not occupied, keeping windows closed and secured, and maintaining awareness of potential security problems. This responsibility is related to being assigned University keys. Also, each employee has an obligation to refrain from entering locked rooms, offices, desks, and files of other persons and departments. Without exception, unauthorized persons are not allowed in University vehicles or non-public areas of the campus. This includes employees not on duty and family members of employees on duty.
For assistance or to report problems, call the University Police Department at 317-788-3386.

Watchdog Alert System
When UIndy is threatened by severe weather or other dangers, the University alerts the campus community with its electronic notification system, Watchdog. Named for the school's greyhound mascot, Watchdog sends warning and instructions to identified phone numbers and email addresses.
UIndy encourages employees to register multiple points of contact for messages, including work, home and cell phone numbers and email addresses. The more options Watchdog has for contacting employees, the more likely he or she will receive an alert.
For information on the Watchdog Alert System and other safety resources, go to Public Safety & Awareness.

Employees should register for Watchdog at Watchdog. Phone messages originate from 317-788-3559.

Clergy Act
In Compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, the campus police provide information on crime statistics, crime prevention, law enforcement, crime reporting, and other related issues. The UIndy Clery report is found at Clery Act.

VI. Academic Policies

A. Classroom Policies and Procedures

1. Adjunct Faculty Schedules
The Dean or Chair of your department maintains records of the times and dates of your class assignments.

2. Syllabus Preparation
The Adjunct Faculty member shall prepare a syllabus for each course being taught. The exact form will vary with the nature of the course, but, as a rule, a syllabus should describe the instructor’s objectives, expectations, teaching methods, testing procedures, and grading system and include a schedule of assignments, due dates for papers, laboratory exercises, or other projects, and test dates. Syllabi should be distributed to students during the first class session; soon thereafter one electronic copy shall be filed with the Chair or Dean and another with the Office of the Registrar.

3. Class Sessions
Classes shall begin promptly and be dismissed at the scheduled time. Late beginning and early dismissal deprive students of instruction for which they have paid and that they have a right to expect. Early dismissal causes confusion in the halls and disturbs other classes. Late dismissal delays the availability of the room for another class and causes Faculty members and students to be late to their next classes.

4. Course Evaluation
It is customary for students to evaluate the course. Your Chair or Dean will explain the process.

5. Adjunct Faculty Office Hours
Instructors should make themselves available to students on a regular basis. Each instructor should plan to devote at least 15 minutes before or after class for this purpose. In addition, the expectation is that Adjunct Faculty will respond to student e-mails and phone calls promptly.
6. Room Assignments
Classrooms are assigned on an overall master plan. You can find out the room in which you are meeting the class by looking on Self-Service Banner. Changes in a class meeting time or place may NOT be made without prior approval from the Registrar's Office. Once the Registrar's Office assigns a classroom, it is yours. You have “absolute domain” over the room assigned for your class. This means that you are within your rights to ask anyone occupying the room to leave during the assigned hours for your class. If individuals occupying the room refuse to leave, call the Campus Police at 788-3386 or 788-3333.

7. Classroom Maintenance
The lights in the classroom are to be turned off when the room is not in use. If light bulbs are burned out, if the heating or air conditioning is not working, or if the condition of the classroom is not satisfactory, notify your Department Chair or designee. Blackboards and whiteboards should be erased at the end of each class. This procedure is a courtesy to the next instructor who uses the room. Instructors who rearrange chairs (or tables) should put them back before leaving the classroom. No food or drinks are allowed in computer labs.

8. Adjunct Attendance and Tardiness
We expect all classes to begin promptly at the appointed hour. Adjunct Faculty members do not have the authority to cancel classes. If an instructor unexpectedly finds it necessary to be absent or tardy, the Chair or Dean shall be notified so that the class can be covered or an appropriate notice posted.

9. Student Attendance
No instructor is required to take attendance in his or her courses. However, in order for the University to comply with Federal and State regulations regarding Title IV funds and other financial aid benefits, instructors may be contacted by the Office of the Registrar or Financial Aid to determine if a student attended a particular course and his or her last day of attendance.

A. Last Day of Attendance
Federal regulations require documentation of a student’s attendance in order to be in compliance with Title IV programs. If the University of Indianapolis is unable to verify any attendance, all aid must be returned to the aid programs. In order to follow up and maintain compliance with Federal policies, instructors should be prepared to submit information concerning the last date of attendance, when a grade of F, FN (failing, never attended), IN (incomplete), or WN (administrative withdrawal) is submitted to the Registrar. The determination of the student’s last day of attendance can be based on an event that the University routinely monitors and must be confirmed by an employee of the school, typically an instructor. Acceptable forms of such documentation are exams and other assessments, records of attendance, tutorials, class assignments, computer-assisted instruction, online participation in a class discussion or forum, or other course-related activity. Spaces for recording last dates of attendance are provided on class grade rosters or on other forms available in the Office of the Registrar or on the University of Indianapolis website.

B. Class Attendance Policy
Class attendance is an important part of the academic process. Students are expected to attend classes regularly and to manage their schedules in order to meet the demands of their courses and other activities. In addition to jeopardizing course grades, failure to attend classes may
adversely affect a student’s financial aid, eligibility for athletic competition, or other co-curricular programs. An instructor establishes, publishes, and enforces attendance policies for each course. An instructor may request reasonable documentation or verification of claims regarding absences and may initiate an administrative withdrawal of a student from a course because of excessive absences.

Sometimes students will miss classes due to their involvement in University-sanctioned activities such as athletic or speech contests, theatre or musical performances, or academic field trips. Students engaged in such activities are responsible for alerting their instructors in advance of their absences. Students are likewise responsible for arranging makeup work, assignments, and tests to be completed prior to the absence or immediately upon return to class, at the discretion of the instructor. An instructor is expected to make reasonable accommodations for makeup work for students engaged in such activities. It is expected that coaches, the Athletic Department, or the supervisor of the extracurricular activity will provide course instructors with information about the student’s availability and commitments before the student engages in the approved activity.

Students should report absences due to illness directly to the instructor and arrange to make up work and tests. The UIndy Health and Wellness Center does not issue “sick notes” nor does it verify the extent of an illness or the appropriateness of a student’s absences. However, the Center can provide verification of an office visit or other appointments.

Funerals, jury duty, and military duty, while not University-sponsored activities, are nonetheless reasonable absences, and students should be afforded the same consideration given to those involved in sanctioned activities. It is the student’s responsibility to manage his or her own schedule and to meet the requirements of the course while minimizing the impact of absences required by participation in these activities.

C. Student Withdrawal

A student may officially withdraw with a W up to the Friday before the last week of a semester. A grade will be assigned to any student who remains in a class after the withdrawal deadline. If a student intends to drop your course, please remind the student to contact the Registrar’s Office to complete the appropriate paperwork. Discontinuing attendance does not constitute withdrawal.

B. Grades

The University uses a 4.0 grading system. In addition to the grades A, B, C, D, and F (including pluses and minuses), there are FN (failing—never attended class), S (satisfactory), P (passing), CR (credit), MP (math proficiency) and MN (math proficiency not met) designations. The point values of plus and minus grades are used in calculating grade point averages. A variety of other designations are used to record students’ status regarding audits, withdrawals, proficiencies, and deficiencies, as follows:

A. A “DE” (deferred) grade is submitted in courses having requirements that normally extend beyond the end of the semester (e.g., research/thesis projects and some internships, practica, or student teaching assignments);

B. An “IN” (incomplete) grade may be submitted when a student has not completed all work required for a course. The remaining work must be completed within six (6)
months of the time the incomplete grade was submitted or within a time frame established by the instructor. If the work is not completed in the prescribed time, the University Registrar will record a grade of “F” for the course;

C. The “IP” (in progress) grade is to be used only for graduate students working on theses or dissertations.

Any Adjunct Faculty member who gives a DE or IN grade must submit an “Incomplete/Deferred Grade Form” outlining any requirements for completion of the course and stating the expected completion date. A section at the bottom of the form will be used at a later date for submission of the final grade for the course. One copy of this form will be retained by the Adjunct Faculty member, another copy will be sent to the student, and a final copy will be placed in the student’s folder in the Office of the Registrar or the appropriate graduate office.

Class lists and a mechanism for submitting midterm and final grades are provided on the University’s website. Midterm grades are required for all full-term undergraduate courses. Term grades that have been reported will be changed only if an error has been made by the instructor. The change must be requested by the instructor and approved by the appropriate Dean using a form that is available on the Registrar’s website.

C. Final Examinations

The University Registrar issues a final examination schedule for all undergraduate full-term courses. For classes meeting in the traditional semester, an instructor is expected to use the final examination time slot, if not for testing then for other instruction. Faculty may make reasonable requests of the Registrar’s Office to adjust the final exam schedule to meet the needs of the course.

D. Academic Misconduct

The students, faculty, and administration of the University of Indianapolis commit themselves to the highest level of ethical conduct in academic affairs. The University of Indianapolis, therefore, adopts the following regulations concerning Academic Misconduct to safeguard the academic integrity of the institution.

Types of Academic Misconduct

Academic Misconduct includes, but is not limited to, the following circumstances:

A. Cheating. A student must not cheat in an academic exercise. The University of Indianapolis defines “cheating” generally as obtaining or creating an unfair advantage in any assignment or examination through the use of unauthorized aid, whether given or received. Cheating includes, but is not limited to, the following examples:

1. use of external assistance on any “in-class” or “take-home” examination without the instructor’s specific authorization. This prohibition includes, but is not limited to, the unauthorized use of tutors, books, notes, calculators, databases, software, or computers;

2. use of another person as a substitute or surrogate in the taking of an
examination or quiz;
3. theft of examinations or other course materials;
4. use or allowance of others to conduct research or to prepare any work for a student without advance authorization from the instructor to whom the work is being submitted. Under this prohibition, a student must not make any unauthorized use of materials obtained from commercial term paper companies or from files of papers prepared by other persons.
5. Submission of a written report or project which is represented explicitly or implicitly as the student’s individual work when such work was produced in collaboration with one or more other persons;
6. use of any unauthorized assistance in a laboratory, at a computer terminal, or on field work;
7. work on an examination other than during the time or at a location authorized by the examiner;
8. submission of work for credit, when the same work has been or will be used for credit in another course, without the consent of both instructors;
9. alteration of a grade or score in any way.

B. **Fabrication.** A student must not falsify or invent any information or data in an academic exercise including, but not limited to, records or reports, laboratory results, and citations to the sources of information.

C. **Plagiarism.** A student must not adopt or reproduce ideas, words, or statements of another person without giving an appropriate acknowledgment to the source. A student must give due credit to the originality of others and acknowledge indebtedness whenever he or she does any of the following:
   1. quotes another person’s actual words, either oral or written;
   2. paraphrases another person’s words, either oral or written;
   3. uses another person’s ideas, opinions, or theories;
   4. cites facts, statistics, or other illustrative material, unless the information is common knowledge.

D. **Interference.** A student must not interfere with any other student’s opportunity or ability to produce or submit his or her best work on any assignments or examinations. Examples of interference include, but are not limited to, the following:
   1. theft, destruction, alteration, defacement, or mutilation of University or public resources so as to deprive others of information;
   2. giving or offering bribes, promising favors, or making threats with the intention of affecting a grade or the evaluation of academic performance.

E. **Violation of Course Rules.** A student must not violate rules as contained in a course syllabus, a professional code of ethics, or other information provided to the student by the course instructor or the University.

F. **Facilitating Academic Dishonesty.** A student must not intentionally or knowingly help
or attempt to help another student to commit or conceal an act of Academic Misconduct.

G. Abuse of Confidentiality. A student must not use data or unpublished materials belonging to another student or a faculty member without first obtaining written permission. Students using archival or personal research materials must provide for adequate protection of the privacy of living or recently living subjects. A student must not violate the confidentiality of a patient’s or client’s records.

Categories of Academic Misconduct

Academic misconduct may be categorized as follows:

A. academic misconduct by a student who is enrolled in a particular course and commits an act of misconduct related to that course;
B. academic misconduct by a student that is not related to a particular course in which the student is enrolled.

Authority

When a student is suspected of academic misconduct related to a particular course, the Faculty member or instructor who teaches the course shall have authority to initiate academic misconduct proceedings against the student.

Disciplinary Action

Disciplinary action for a suspected or alleged act of academic misconduct that is unrelated to a particular course in which the student is enrolled shall be governed by the same procedures described below except that (1) the proceedings shall be initiated by the Dean or Director of the student’s school or program, and (2) the Dean or Director of the student’s school or program shall assume the procedural responsibilities of the faculty member or instructor, as described in this Academic Misconduct Policy and Procedure.

Initiating Actions

When a student is suspected or alleged to have committed an act of academic misconduct, the Adjunct Faculty member or instructor who teaches the course or, where applicable, the Dean or Director of the student’s school or program (collectively, the “University Representative”) shall have authority to initiate academic misconduct proceedings against the student. The Report of Academic Misconduct Form should be completed in conjunction with the Dean or Director of the student’s school or program.

A. The University representative who has information that a student committed an act of academic misconduct related to that course, assignment, examination, or other work that is submitted for a grade or an evaluation shall hold a conference with the student to discuss the matter:
   1. The University representative shall advise the student of the alleged act of misconduct and the information upon which the allegation is based.
   2. The student shall be given an opportunity to respond to the allegation of
misconduct.

B. If, following the conference, the University representative concludes that the student committed the suspected or alleged act of academic misconduct, the University representative shall impose an appropriate academic sanction related to the particular course involved.

1. An appropriate academic sanction imposed by the University representative for academic misconduct shall include, but not be limited to, any one (1) or a combination of the following:
   a. The student may be given a lower grade or score for the assignment, course work, or examination, including a failing grade for the course.
   b. The student may be required to repeat or resubmit any assignment, course work, examination, or paper involved in the act of misconduct.
   c. The student may be required to complete additional assignments, course work, examination, or papers as a substitute for any assignment, course work, or examination implicated in the act of misconduct.
   d. The student may be required to withdraw from the course with an appropriate grade of W or F at the University representative’s discretion.
   e. The student may be sanctioned in a manner other than that set forth above, if deemed appropriate by the University representative, in his or her reasonable discretion.
   f. An incomplete may be given in the course in the event that a disciplinary matter cannot be resolved before final grades are due in the Office of the Registrar.
   g. If a student accused of academic misconduct by a University Representative withdraws from the applicable course before completing the academic misconduct disciplinary process (including any appeal of decisions made with respect to the accusation, if initiated), the University will consider the issue of academic misconduct not to have been resolved and, the University Representative’s accusation of academic misconduct will stand unchallenged. In this event, the University Representative may notify and direct the Registrar to change the W (withdrawal) on the student’s record to an F (fail), and the student will have no right to appeal such a change in grade.

2. Where an academic sanction results in the recording of a failing grade for the course, the Registrar shall be notified that the grade was given for academic misconduct. The Registrar shall record the grade of “F” on the student’s permanent academic transcript without any notation concerning the reason for the grade. The Registrar shall, however, establish procedures to ensure that the grade of “F” is not thereafter removed from the transcript in accordance with other academic policies or procedures. A grade resulting from academic misconduct shall be calculated in a determination of the student’s grade point average, but the grade alone shall not prevent the student from repeating the same course for credit.

C. After meeting with the student, imposing an academic sanction and completing the Report of Academic Misconduct from, the University representative will provide the student with
a copy of the completed, signed form and retain a copy as well. The University representative will provide the registrar with a copy of the completed, signed form and the registrar will distribute it to the appropriate offices (program/college/school Dean, Dean of students or designee, Provost or designee). The University representative will also inform the immediate supervisor of the incident.

D. The University representative also shall report the matter promptly to the Dean of Students who may commence disciplinary procedures under the University’s Student Social Misconduct Policy if the commencement of such procedures is warranted when the student’s academic misconduct is considered in light of the student’s social behavior record at the University.

E. When the University representative completes the Report of Academic Misconduct Form to be distributed to individuals identified in paragraph C above, the following information will be included:

1. student information (name, ID, email address, phone number);
2. course information (subject, number, section, semester, year);
3. the terms of the academic sanction being imposed;
4. a statement that the student may submit an appeal of the academic sanction, in writing setting forth the reasons for the appeal, to the Provost within five (5) days after receiving notice of the University representative’s decision;
5. a statement that the report is being distributed to the student, the Dean or Director of the student’s school or program, the Registrar, the Dean of Students, and the Provost;
6. a statement that the Dean or Director of the student’s school or program has the authority to impose an additional disciplinary sanction if that person believes that such a sanction is warranted when the student’s academic misconduct is considered in the context of the student’s prior academic record at the University;
7. a statement that the Dean of Students may commence disciplinary proceedings under the University’s Social Misconduct Policy if the commencement of such proceedings is warranted when the student’s academic misconduct is considered in light of the student’s prior social behavior record at the University.

This policy applies to all incidents of academic dishonesty, including those that occur before a student graduates but are not discovered until after the degree is conferred. In such cases, it is possible that the application of this policy will lead to failure to meet degree completion requirements and therefore the revocation of a student’s degree.

Right to Appeal

A student may appeal the academic sanction of the University representative if:

• the student claims innocence of the act of which he or she is accused;
• the student claims extenuating circumstances; or
• the student claims unfair treatment by the University representative.
Protocol for Student Appeals

A student’s appeal with respect to an academic decision or sanction concerning an alleged act of academic misconduct shall be filed as follows:

A. A student shall initiate his or her appeal of a decision made, or sanction imposed, by submitting to the Adjunct Faculty member’s (Chair, Director or Dean as appropriate; referred to subsequently as the University Representative), within five (5) business days after receiving notice of the academic sanction, a written statement that sets forth all grounds for the appeal.

B. Generally, a student may appeal (1) the decision that the student committed the act of misconduct, or (2) the sanction imposed.

C. The University Representative will discuss the matter with the student and the Adjunct Faculty member as part of the process of investigation of the incident/allegation.

D. In addressing cases of a student’s alleged academic misconduct, the University Representative, in imposing sanctions, may take into consideration (1) all past documented accusations and/or findings of academic misconduct and/or dishonesty against that student, whether or not an appeal was initiated or completed by the student, and (2) the conclusions of appeals initiated by the student, if any, of such past findings of academic misconduct and/or dishonesty.

E. The University Representative will have the authority to sustain, amend, or reverse any decision concerning the student’s act of academic misconduct:

   1. If the University Representative concludes that the student did not commit the alleged act of academic misconduct, they shall set aside the academic sanction(s) imposed.

   2. If the University Representative concludes that the student committed the alleged act of academic misconduct, they may confirm the academic sanction(s) or impose a lesser or greater sanction.

   3. The University Representative will act in a timely manner in deciding an appeal.

   4. The University Representative will notify the student, the Adjunct Faculty member and the Dean in writing of their decision with respect to the appeal.

   5. If the University Representative concludes that the student committed the alleged act of academic misconduct, the student may appeal to the next supervisory level (Dean or Provost/designee as appropriate).

   6. The final appeal level is with the Provost. The decisions of the Provost (or designee) will be final.

E. Grade Appeal Policy and Procedure

The Grade Appeal Policy is designed to create an orderly and effective means of dealing with disputes between a student and an Adjunct Faculty member regarding a grade. Grade disputes involving academic dishonesty are addressed in the previous section.

Course grades assigned by instructors are presumed to be correct. The Faculty member is accountable for any and all grades assigned to students; therefore, each Faculty member shall maintain records to support student evaluations and grades. Records on grades, examination papers not returned, etc., should be retained on file for a minimum of six months. It is the responsibility of the student who appeals an assigned grade to demonstrate that an inappropriate
grade was assigned as a result of prejudice, caprice, or other improper conditions such as mechanical error, or the assignment of a grade inconsistent with those assigned other students, or that a reasonable accommodation for a documented disability was requested and not appropriately provided. Otherwise, the judgment of the instructor is final. It is important to remember that the burden of proof is on the student.

In cases where a student is appealing a grade, the grade appealed shall remain in effect until the appeal procedure is completed, or the problem resolved.

If a University of Indianapolis Graduate Program has specific published policies on grade and appeals processes, the graduate program handbook takes precedence over the general Student Handbook.

**Appeal Process**

Students who believe that a course grade has been assigned inappropriately must follow the proper steps in the appeal process, observing the time limits for completion of various steps in the process as follows:

A. Communicate with the instructor during the first three weeks following the assignment of the grade, either directly, by phone, e-mail, or fax. If a grade has been assigned in error, the instructor can quickly correct the error by submitting a change of grade form to the Registrar’s Office.

B. Should the issue not be resolved at the instructor level, the student may appeal in writing within thirty (30) calendar days of meeting with the instructor to the instructor’s immediate supervisor. This will typically be a Department Chair, Director, or in some instances, the Dean of the instructor’s school or college. The written statement must clearly state the basis of the appeal. The instructor’s immediate supervisor will attempt to achieve a mutually satisfactory resolution. The Dean of the college in which the student is enrolled (if not the same as the immediate supervisor) shall be notified of the appeal. If the Dean is the instructor’s immediate supervisor, the Dean will determine whether or not the grounds for the appeal are appropriate. If appropriate, the Dean shall conduct a thorough investigation before making a recommendation to the Provost.

C. Should the issue not be resolved by the instructor’s immediate supervisor, the student may initiate a formal written appeal to the Dean of the instructor’s school or college (if not the same as the immediate supervisor) within ten (10) calendar days of the decision of the immediate supervisor. The written statement must clearly state the basis of the appeal. The Dean will determine whether or not the grounds for the appeal are appropriate. If appropriate, the Dean shall conduct a thorough investigation before making a recommendation to the Provost.

D. The Dean will send the recommendation to the Provost, who will make the final decision.
F. Unreasonable, Disruptive, or Dangerous Behavior

A student must not engage in behavior that disrupts or disturbs the ability of other members of the campus community from performing normal activities or that makes unreasonable demands on others. Disruptive behavior may take the form of acts of violence, outbursts, threats, intimidation, criminal activity, or breaking of University rules. It may also take the form of a pattern of activity having an adverse impact on the smooth and efficient operation of University offices, classroom activity, residence hall life, or academic progress. Dangerous behavior is that which places the person or others at risk of harm.

More detailed information on student social misconduct can be found in the Student Handbook.

G. Academic Support Services

1. The Krannert Memorial Library
The Krannert Memorial Library is located on the west side of the campus, and its facilities are readily accessible to adjunct faculty and University students. Please go to library to access online databases, to reserve materials, to find personal tour information, to borrow and return materials, and to find out the operational hours.

2. Media Services
Media Services is located off the main lobby of Krannert Memorial Library. The facility serves the media needs of the students, faculty, and staff. To request media equipment for your classroom, please go to equipment request.

3. Writing Laboratory
A Writing Lab is available for all students, at any level, who need assistance with writing skills. The lab provides individualized instruction from professionals and trained peer tutors. Students may use the lab on their own initiative or may be referred by faculty (referral forms are available in the Registrar’s Office). Hours of operation are posted at the entrance to the Writing Lab, which is located on the west end of the second floor of Krannert Memorial Library.

4. Math Laboratory
The math lab is staffed by qualified student assistants. There is additional coverage during the day. Instructors should encourage students to use this resource.

5. Duplicating Services
Under the employee tab of MyUIndy, you will find the Copy Center/Digital Storefront, where you have the ability to create an order to duplicate materials. You will need to have your department’s account number. See Appendix A for university policy on reproducing copyrighted material.

6. Tutoring
An instructor is not permitted to tutor University students for compensation. All requests for special tutoring assistance should be directed to the appropriate Dean or Department Chairperson.
H. Administrative Information

1. University Bookstore
The bookstore is located on the main floor of Schwitzer Center inside the east entrance to the building. Check with the bookstore for hours of operation. The bookstore is closed on Sunday.

2. Textbooks
Deans and Department Chairpersons will order all textbooks and teaching materials. If you do not have a copy of the textbook for your course, contact your chair/Dean immediately. Part-time instructors will be supplied copies of all books and manuals for use in their classes. All test materials and supplies are to be ordered by the university and sold through the bookstore. The Dean or Department Chairperson must authorize all orders.

3. Blue Books and Supplies
Deans and Department Chairpersons will provide adjunct instructors with blue books, white board markers and erasers, chalk, pencils, glue, scotch tape, grade books, etc. These items are available at no cost to you.

4. Field Trips
Occasionally it may be desirable to have a class visit a local business or professional institution. The value of field trips should be considered very carefully. Field trips can be an excellent addition to many courses and should serve as a supplement to, not a substitution for, classroom instruction. There are no funds to subsidize field trips.

5. Closing for Inclement Weather or Emergencies
Adjunct faculty members do not have the authority to cancel classes. The decision to cancel classes is made only by executive administration of the University and done so only under extreme conditions. Radio and TV stations will announce the decision. A decision to cancel evening classes will not be made until late afternoon. See Weather

6. Access to Educational Records
The Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the “Buckley Amendment,” is a Federal law that gives protection to student educational records. Please read this policy at FERPA

7. FERPA-Complaint Use of a Web-Based Plagiarism Detection Service
The Family Educational Rights and Privacy Act (FERPA) was enacted to protect the privacy of student education records. This act and the related Federal laws affect the use of web-based plagiarism detection services at the University of Indianapolis. Specifically, for use of such a service to be compliant with FERPA, the following policy has been established:

A. Faculty may require that their students submit their work to a web-based plagiarism detection service;
B. Faculty who intend to require the use of anti-plagiarism software in their courses should issue each student a random 4-digit ID number at the start
of each semester.

C. Any student work submitted to the University of Indianapolis designated web-based plagiarism detection service must use this random 4-digit ID number as the sole identifier.

D. Faculty must inform their students if a web-based plagiarism detection service is going to be utilized. It is, therefore, essential that Faculty put the following statement in their syllabi under the section in which they put the plagiarism policy:

“The University of Indianapolis maintains a university license agreement for an online text matching service called *****. At my discretion, I will use this web-based plagiarism detection service and/or require students to submit work to this service to determine the originality of student papers. A random 4-digit ID number will be assigned to each student prior to submission to this web-based plagiarism detection service.”

8. Adjunct Faculty Expectations for Teaching Online Courses

All online coursework should meet UIIndy’s standard of quality and excellence. Faculty teaching online courses must follow the standards outlined below:

A. Successful completion of the University of Indianapolis “Teaching with ACE” course.

B. Assurance of 40-50 hours of student work per credit hour, including any synchronous and asynchronous online or offline course activities.

C. Provide timely response (generally within 24 and no more than 48 hours) to student initiated communication.

D. Log on to the course site and participate with the students at least 5 days of each course week. Faculty Handbook (November 2018) -- p. 80

E. Provide substantive feedback to each student during each week of the course offering such that students can apply feedback received to increase their knowledge and/or improve their performance throughout the course.

F. Provide written/verbal feedback to students about assignments within 7 days of submission. Grades should also be posted within this timeframe.

G. Enforce current University attendance policies and comply with administrative procedures for grades and attendance documentation.

VII. Separation of Employment

- Resignation is a voluntary act initiated by the employee to terminate employment with the University. In the event you will not be available for teaching assignments in subsequent semesters, please notify Human Resources in writing of your last available date of work.

- The University may decline to rehire or terminate a faculty member for reasons such as, but not limited to: (a) failure to comply with class schedules, including class dismissal prior
to the full amount of scheduled time each week; (b) failure to submit online midterm and
final grade reports on time; (c) failure to submit course syllabi or faculty evaluations as
requested; or (d) unsatisfactory performance in the classroom (as reflected by student
evaluations).

All University property, including identification card, parking permit, and key(s), must be
returned to your supervisor on or prior to the last day of employment. The University retains the
right to seek legal action to recover the value of its property.
APPENDIX

The University of Indianapolis Policy Concerning Photocopying for Classroom Research and Library Reserve Use (in consultation with recommendations prepared by the American Library Association, March 1982)

I. The Copyright Act and Photocopying

From time to time, the faculty and staff of the University of Indianapolis may use photocopied materials to supplement research and teaching. In many cases, photocopying can facilitate the University’s mission; i.e., the development and transmission of information. However, the photocopying of copyrighted materials is a right granted under the copyright law’s doctrine of “fair use” which must not be abused. The following will explain the University’s policy concerning the photocopying of copyrighted materials by faculty and library staff. Please note that this policy does not address other library photocopying which may be permitted under other sections of the copyright law, e.g. 17 U.S.C. (108).

Copyright is a constitutionally conceived property right designed to promote the progress of science and the useful arts by securing for an author the benefits of his or her original work of authorship for a limited time (U.S. Constitution, Art. I, Sec. 8). The Copyright statute, 17 U.S.C. (101 et seq.), implements this policy by balancing the author’s interest against the public interest in the dissemination of information affecting areas of universal concern, such as art, science, history and business. The grand design of this delicate balance is to foster the creation and dissemination of intellectual works for the general public.

The Copyright Act defines the rights of a copyright holder and how they may be enforced against an infringer. Included within the Copyright Act is the “fair use” doctrine that allows, under certain conditions, the copying of copyrighted material. While the Act lists general factors under the heading of “fair use,” it provides little in the way of specific directions for what constitutes fair use. The law states:

Notwithstanding the provisions of section 106, the fair use of a copyrighted work, including such use by reproduction in copies or phonograph records or by another means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of work in any particular case is a fair use the factors to be considered shall include:

(1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
(2) the nature of the copyrighted work.
(3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
(4) the effect of the use upon the potential market for or value of the copyrighted work.
(emphasis added.)
The purpose of this report is to provide you, the faculty and staff at the university, with an explanation of when the photocopying of copyrighted material, in our opinion, is permitted under the fair use doctrine. Where possible, common examples of research, classroom, and library reserve photocopying have been included to illustrate what we believe to be the reach and limits of fair use.

Please note that the copyright laws applies to all forms of photocopying, whether it is undertaken at a commercial copying center, at the university’s copying facilities, or at a self-service machine. While you are free to use the services of a commercial establishment, you should be prepared to provide documentation of permission from the publisher (if such permission is necessary under this policy), since many commercial copiers will require such proof.

We hope this report will give you an appreciation of the factors that weigh in favor of fair use and those factors that weigh against fair use, but faculty members must determine for themselves which works will be photocopied. This university does not condone a policy of photocopying instead of purchasing copyrighted works where such photocopying would constitute an infringement under the copyright law, but it does encourage faculty members to exercise good judgment in serving the best interests of students in an efficient manner. This university and its faculty and staff will make a conscientious effort to comply with these guidelines.

Instructions for securing permission to photocopy copyrighted works when such copying is beyond the limits of fair use appear at the end of this report. It is the policy of this university that the user (faculty, staff or librarian) secures such permission whenever it is legally necessary.

II. Unrestricted Photocopying

A. Uncopyrighted Published Works

Writings published before January 1, 1978, that have never been copyrighted may be photocopied without restriction. Copies or works protected by copyright must bear a copyright notice, which consists of the letter—c in a circle (©) or the word—Copyright or the abbreviation “Copr.” plus the year of first publication, plus the name of the copyright owner. 17 U.S.C. (401). As to works published before January 1, 1978, in the case of a book, the notice must be placed on the title page or the reverse side of the title page. In the case of a periodical, the notice must be placed either on the title page, the first page of text, or in the masthead. A pre-1978 failure to comply with the notice requirements results in the work being injected into the public domain, i.e., unprotected.

Copyright notice requirements have been relaxed since 1978, so that the absence of notice on copies of a work published after January 1978 does not necessarily mean that the work is in the public domain. 17 U.S.C. (405, a, c). However, you will not be liable for damage for copyright infringement of works published after that date, if, after normal inspection, you photocopy a work on which you cannot find a copyright symbol and you have not received actual notice of the fact the work is copyrighted. 17 U.S.C. (405,b). However, a copyright owner who found out about your photocopying would have the right to prevent further distribution of the copies if in fact the work was copyrighted and the copies are infringing. 17 U.S.C. (405, b).
B. Published Works with Expired Copyrights

Writings with expired copyrights may be photocopied without restriction. All copyrights prior to 1906 have expired. 17 U.S.C. (304, b). Copyrights granted after 1906 may have been renewed; however, the writing will probably not contain notice of the renewal. Therefore, it should be assumed that all writings dated 1906 or later are covered by a valid copyright, unless information to the contrary is obtained from the owner or the U.S. Copyright Office (see Copyright Office Circular 15t).

Copyright Office Circular R22 explains how to investigate the copyright status of a work. One way is to use the Catalog of Copyright Entries published by the Copyright Office. The Copyright handbook (N.Y.; R. R. Bowker & Co., 1978), containing summaries of the law, is available in Krannert Memorial Library. Or, you may request the Copyright Office to conduct a search of its registration and/or assignment records. The Office charges an hourly fee for this service. You will need to submit as much information as you have concerning the work in which you are interested, such as the title, author, approximate date of publication, the type of work of any available copyright data. The Copyright Office does caution that its searches are not conclusive; for instance, if a work obtained copyright less than 28 years ago, it may be fully protected although there has been no registration or deposit.

C. Unpublished Works

Unpublished works, such as theses and dissertations, may be protected by copyright. If such a work was created before January 1, 1978, and has not been copyrighted or published without copyright notice, the work is protected under the new Act for the life of the author plus 50 years—17 U.S.C. (303)—but in no case earlier than December 31, 2002. If such a work is published on or before that date, the copyright will not expire before December 31, 2027. Works created after January 1, 1978, and not published, enjoy copyright protection for the life of the author plus 50 years. 17 U.S.C. (302).

D. U.S. Government Publications

All U.S. government publications, with the possible exception of some National Technical Information Service Publications less than five years old, may be photocopied without restrictions, except to the extent they contain copyrighted materials from other sources. 17 U.S.C. (105). U.S. government publications are documents prepared by an official or employee of the government in an official capacity. 17 U.S.C. (101). Government publications include the opinions of courts in legal cases, congressional reports on proposed bills, testimony offered at congressional hearings and the works of government employees in their official capacities. Works prepared by outside authors on contract to the government may or may not be protected by copyright, depending upon the specifics of the contract. In the absence of copyright notice of such works, it would be reasonable to assume they are government works in the public domain. It should be noted that state government works may be protected by copyright. 17 U.S.C. (105). However, the opinions of state courts are not protected.
III. Permissible Photocopying of Copyrighted Works

The Copyright Act allows anyone to photocopy copyrighted works without securing permission from the copyright owner when the photocopying amounts to a—fair use of the material. 17 U.S.C. (107). The guidelines in this report discuss the boundaries for fair use of photocopied material used in research of the classroom or in a library reserve operation. Fair use cannot always be expressed in numbers—either the number of pages copied or the number of copies distributed. Therefore, you should weigh the various factors listed in the Act and judge whether the intended use of photocopied, copyrighted material is within the spirit of the Fair Use doctrine. Any serious questions concerning whether a particular photocopying constitutes fair use should be directed to the Provost and Vice President for Academic Affairs at 317-788-3212 or via e-mail at: dbalogh@uindy.edu.

A. Research Uses
At the very least, instructors may make a single copy of any of the following for scholarly research or use in teaching or preparing to teach a class:
1. a chapter from a book.
2. an article from a periodical or newspaper.
3. a short story, short essay, or short poem, whether or not from a collective work.
4. a chart, diagram, drawing, graph, cartoon, or picture from a book, periodical, or newspaper.

These examples reflect the most conservative guidelines for fair use. They do not represent inviolate ceilings for the amount of copyrighted material that can be photocopied within the boundaries of fair use. When exceeding these minimum levels, however, you again should consider the four factors listed in Section 107 of the Copyright Act to make sure that any additional photocopying is justified. The following demonstrates situations where increased levels of photocopying would continue to remain with the realm of fair use.
1. The inability to obtain another copy of the work because it is not available from another library or source or cannot be obtained within your time constraints.
2. The intention to photocopy the material only once and not to distribute the material to others.
3. The ability to keep the amount of material photocopied within a reasonable proportion to the entire work (the larger the work, the greater amount of material that may be photocopied). Most single-copy photocopying for your personal use in research—even when it involves a substantial portion of a work—may well constitute fair use.

B. Classroom Uses
Primary secondary school educators have, with publishers, developed the following guidelines that allow a teacher to distribute photocopied material to students in a class without the publisher’s prior permission, under the following conditions:
1. The distribution of the same photocopied material does not occur every semester.
2. Only one copy is distributed for each student, and the copy must become the student’s property.
3. The material includes a copyright notice on the first page of the portion of a material photocopied.
4. The students are not assessed any fee beyond the actual cost of the photocopying.

In addition, the educators agreed that the amount of material distributed should not exceed certain brevity standards. Under those guidelines, a prose work may be reproduced in its entirety if it is less than 2,500 words in length. If the work exceeds such length, the excerpt reproduced may not exceed 1,000 words, or 10% of the work, whichever is less. In the case of poetry, 250 words is the maximum permitted.

These minimum standards normally would not be realistic in the university setting. Faculty members needing to exceed these limits for college education should not feel hampered by these guidelines, although they should attempt a—selective and sparing use of photocopied, copyrighted material.

The photocopying practices of an instructor should not have a significant detrimental impact on the market for the copyrighted work. 17 U.S.C. (107,4). To guard against this effect, you usually should restrict use of an item of photocopied material to one course and you should not repeatedly photocopy excerpts from one periodical or author without the permission of the copyright owner.

C. Library Reserve Uses
At the request of a faculty member, a library may photocopy and place on reserve excerpts from copyrighted works in its collection in accordance with guidelines similar to those governing formal classroom distribution for face-to-face teaching, as discussed above. This university believes that these guidelines apply to the library reserve shelf to the extent it functions as an extension of classroom readings or reflects an individual student’s right to photocopy for personal scholastic use under the doctrine of fair use. In general, librarians may photocopy materials for reserve room use for the convenience of students both in preparing class assignments and pursuing informal educational activities that higher education requires, such as advanced independent study and research.

If the request calls for only one copy to be placed on reserve, the library may photocopy an entire article, or an entire chapter from a book, or an entire poem. Requests for multiple copies on reserve should meet the following guidelines:

1. The amount of material should be reasonable in relation to the total amount of material assigned for one term of a course taking into account the nature of the course, its subject matter and level. 17 U.S.C. (107,1,3).
2. The number of copies should be reasonable in light of the number of students enrolled, the difficulty and timing of assignments, and the number of other courses that may assign the same material. 17 U.S.C. (401).
3. The material should contain a notice of copyright. 17 U.S.C. (401).
4. The effect of photocopying the material should not be detrimental to the market for the work. In general, the library should own at least one copy of the work. 17 U.S.C. (107,4).

For example, a professor may place on reserve as supplement to the course textbook a reasonable number of copies of articles from academic journals or chapters from trade books. A reasonable number of copies will in most instances be less than six, but factors such as the length or difficulty of the assignment, the number of enrolled students and the length of time allowed for completion of the assignment may permit more in unusual circumstances.

In addition, a faculty member may also request that multiple copies of photocopied, copyrighted material be placed on the reserve shelf if there is insufficient time to obtain permission from the copyright owner. For example, a professor may place on reserve several photocopies of an entire article from a recent issue of Time Magazine or The New York Times in lieu of distributing a copy to each member of the class. If you doubt whether a particular instance of photocopying is fair use in the reserve reading room, you should seek the publisher’s permission. Most publishers will be cooperative and will waive any fee for such a use.

D. Uses of Photocopied Material Requiring Permission
   1. Repetitive copying: The classroom or reserve use of photocopied materials in multiple courses or successive years will normally require advance permission from the owner of the copyright. 17 U.S.C. (107,3).
   2. Copying for profit: Faculty should not charge students more than the actual cost of photocopying the material. 17 U.S.C. (107,1).
   3. Consumable works: The duplication of works that are consumed in the classroom, such as standardized tests, exercises, and workbooks, normally requires permission from the copyright owner. 17 U.S.C. (107,4).
   4. Creation of anthologies as basic text material for a course: Creation of a collective work or anthology by photocopying a number of copyrighted articles and excerpts to be purchased and used together as the basic text for a course will in most instances require the permission of the copyright owners. Such photocopying is more likely to be considered as a substitute for purchase of a book and thus less likely to be deemed fair use. 17 U.S.C. (107,4).

E. How to Obtain Permission
When a use of photocopied material requires that you request permission, you should communicate complete and accurate information to the copyright owner. The American Association of Publishers suggests that the following information be included in a permission request letter in order to expedite the process.
   1. Title, author and/or editor, and edition of materials to be duplicated.
   2. Exact material to be used, giving amount, page numbers, chapters and, if possible, a photocopy of the material.
   3. Number of copies to be made.
   4. Use to be made of duplicated materials.
5. Form of distribution (classroom, newsletter, etc.).
6. Whether or not the material is to be sold.
7. Type of reprint (ditto, photography, offset, typeset).

The request should be sent, together with a self-addressed return envelope, to the Permissions Department of the publisher. If the address of the publisher does not appear at the front of the material, it may be readily obtained in Books in Print, available in Krannert Memorial Library on campus.

The process of granting permission requires times for the publisher to check the status of the copyright and to evaluate the nature of the request. It is advisable, therefore, to allow enough lead-time to obtain permission before the materials are needed. In some instances, the publisher may assess a fee for the permission. It is not inappropriate to pass this fee on to the students who receive copies of the photocopied material.

The Copyright Clearance Center also has the right to grant permission and collect fees for photocopying rights for certain publications. Libraries may copy from any journal that is registered with the CCC and report the copying beyond fair use to CCC and pay the set fee. A list of publications for which the CCC handles fees and permissions is available from the CCC, 310 Madison Avenue, New York, NY 10017.

Sample letter to Copyright Owner (publisher) requesting permission to copy:

March 1, 2003
Material Permissions Department
Hypothetical Book Company
500 East Avenue
Chicago IL 60601

Dear Sir or Madam,

I would like permission to copy the following for continued use in my classes in future semesters:

    Title: Learning is Good, 2nd edition.
    Copyright: Hypothetical Book Company, 1993
    Author: Frank Jones
    Material to be duplicated: Chapters 10, 11, and 14 (photocopy enclosed).
    Number of copies: 500
    Distribution: The material will be distributed to students in my classes and they will pay only the cost of the photocopying.
    Type of reprint: Photocopy.
    Use: The chapter will be used as supplementary teaching materials.

I have enclosed a self-addressed envelope for your convenience in replying to this request.

Sincerely,
Faculty Member
F. Infringement
Courts and legal scholars alike have commented that the fair use provisions in the Copyright Act are among the most vague and difficult that can be found anywhere in the law. In amending the Copyright Act in 1976, Congress anticipated the problem this would pose for users of copyrighted materials who wish to stay under the umbrella of protection offered by fair use. For this reason, the Copyright Act contains specific provisions that grant additional rights to libraries and insulate employees or a non-profit educational institution, library, or archives from statutory damages for infringement where the infringer believed or had reasonable grounds to believe the photocopying was a fair use of the material. 17 U.S.C. (502,c,2).

Normally, an infringer is liable to the copyright owner for the actual losses sustained as a result of the photocopying and any additional profits of the infringer. 17 U.S.C. (504,a,1 and b). Where the monetary losses are nominal, the copyright owner usually will claim statutory damages instead of the actual losses. 17 U.S.C. (504, a, 2 and c). The statutory damages may reach as high as $10,000 (or up to $50,000 if the infringement is willful). In addition to suing for monetary damages, a copyright owner can usually prevent future infringement through a court injunction. 17 U.S.C. (502).

The Copyright Act specifically exempts from statutory damages any employee of a nonprofit educational institution, library, or archives, who —believed and had reasonable grounds for believing that his or her use of the copyrighted work constituted a fair use under Section 107. 17 U.S.C. (504, c, 2). While the fair use provisions are admittedly ambiguous, any employee who attempts to stay within the guidelines outlined above should have an adequate good faith defense in the case of an innocently committed infringement.