

Living University

Legislative Handbook for 2015-2016

2301 Crown Centre Drive; Charlotte, NC 28227-7705



www.livinguniv.com

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Campus Business Hours

Living University administrative offices are open daily from 8:30 a.m. to 12:00 noon and 1:00 to 5:00 p.m. Monday through Thursday and from 8:30 a.m. to 12:00 noon and 1:00 to 4:00 p.m. Friday. The offices are closed on Saturdays and other times as set forth on the University calendar.

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Living University admits students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the University.

The University does not discriminate on the basis of race, color, national, or ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other college-administered programs. The University does not discriminate in employment matters against an individual because of race, color, disability, national origin, or age except as exempted or permitted by law.

Inquiries concerning all other nondiscrimination laws may be referred to the Dean of Faculty; the campus officer assigned the administrative responsibility for reviewing such matters.

Changes in Articles, Bylaws, Statutes, and Administrative Regulations

This publication is not a contract or offer to contract. The Board of Regents, University executive officers, and their agents, reserve the right to change information herein without notice when circumstances warrant such action.

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Board and Administration

Board of Regents

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Class of 2016

Richard F. Ames, Mint Hill, North Carolina

Douglas S. Winnail, Ph.D., Matthews, North Carolina

Stuart Wachowicz, Edmonton, Alberta, Canada

Class of 2017

Dexter B. Wakefield, Charlotte, North Carolina

Gerald Weston (Mississauga, Canada)

Bruce Tyler, Clarendon, Australia

Class of 2018

Martin L. Fannin, Knoxville, Tennessee

Jonathan W. McNair, Schodack Landing, New York

James P. Meredith, Matthews, North Carolina

Ex-Officio

Roderick C. Meredith, Th.D., Charlotte, North Carolina

Officers of the Board

Roderick C. Meredith, Th.D., Chair

Douglas S. Winnail, Ph.D., Vice Chair

Michael P. Germano, Ed.D., J.D., Secretary and President of the University

F. Thomas Turner II, Assistant Secretary

Executive Committee of the Board

Roderick C. Meredith, Th.D., Chair

Douglas S. Winnail, Ph.D., Vice Chair

Richard F. Ames

Dexter B. Wakefield

University Administration

Michael P. Germano, Ed.D., J.D., *President of the University*

Scott D. Winnail, Ph.D., *Executive Vice President and Dean of Faculty*

Kenneth L. Frank, Jr., *Registrar and Director of Admissions*

Michelle R. Broussard, *Assistant Registrar*

Douglas D. Lindly, *University Librarian*

Suzanne Pyle, *Director of Human Resources*

D. Jerry Ruddlesden, *Financial Controller*

Lori Morgan, *Coordinator, Budget and Financial Planning*

F. Thomas Turner, II, *Director of Legal Affairs and Risk Management*

User's Guide

This handbook contains the legislation of the Board of Regents of Living University and the Administrative Regulation issued by the President of the University as part of the President's rule making authority. Also included, as the first chapter, are the Articles of Incorporation of Living University. Amendments and revisions of these documents are indicated by the date of the amendment or revision by means of footnotes. For the Articles of Incorporation and Board legislation their original language is permanently preserved in the official minutes of the Board of Regents. This handbook reflects the status of these documents as of the date of publication.

Board legislation consists of Bylaws and Statutes. Legislation concerning the organization, procedures and functions of the Board of Regents is classified as Bylaws. Legislation concerning the broad structure, policies and procedures of the internal operating organization of the University is classified as Statutes of the Board. Administrative rules and procedures governing the internal operations of the University are classified as Administrative Regulations.

Chapter 1 Articles of Incorporation

We, the undersigned, natural persons of the age of eighteen (18) years or more, do hereby amend and restate a nonprofit corporation under the laws of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina, entitled "Nonprofit Corporation Act", and the several amendments thereto, and to that end do hereby set forth:

Article 1-Corporate Name

The name of this corporation is Living University.

Article 2-Principal Office

The street address and county of the registered office of the corporation is:

2.1 2301 Crown Centre Drive

Charlotte, NC 28227-7705

2.2 County of Mecklenburg

Article 3-Corporate Status

This corporation is a nonprofit corporation within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986.

3.1 This corporation is not authorized to issue stock.

3.2 The period of this corporation's duration is perpetual.

3.3 This corporation shall not have members.

Article 4-Purposes

The purposes for formation of this corporation are educational and religious within the meaning of Internal Revenue Code Section 501(c)(3) and *N.C. Gen. Stat. § 55A-2-02(a)(2)*. Specifically, the primary purpose of this corporation is to create, establish, and carry on a church-related educational institution of higher learning within the state of North Carolina, wherein graduates of accredited high schools, private secondary schools, and other persons of equivalent academic attainment, may pursue their education.

The further purposes of this corporation, without limitation on the generality of the foregoing, are the following:

4.1 To provide programs of formal instruction and other learning opportunities as well as to engage in research and public service, all of sufficient diversity to be relevant to the changing needs of individuals, the Church, and society.

4.2 To establish colleges, schools, divisions, and departments for the study of any and all the learned and liberal professions and technical disciplines.

4.3 To confer such academic degrees, both for undergraduate and for graduate studies, as may be merited on the recommendation and advice of the faculty.

Article 5-Powers

This corporation shall have all the powers of a natural person, subject to any limitations of law, in order to carry out this corporation's purposes, including, without limitation on the generality of the foregoing, the following powers:

5.1 All the powers presently set forth in *N.C. Gen. Stat. § 55A-3-02* and any other powers subsequently added thereto. This provision shall include any amended or reenacted corresponding provision.

5.2 The power to issue all degrees or diplomas evidencing the completion of courses of instruction authorized by law and consistent with generally accepted standards in recognized colleges and universities; to confer appropriate academic honors; and to print and publish materials appropriate for an institution of higher learning.

5.3 The power to liaise with local and international organizations, maintain and participate in a network here and abroad to assist in the pursuit of its purposes.

5.4 Any and all other powers necessary and convenient to carry out the purposes of this corporation as set forth in Article 4 hereof.

Article 6-Directors

All power and authority of this corporation shall be exercised by or under the direction of the board of directors which shall be known as the Board of Regents.

The number of directors constituting the initial Board of Regents of this corporation is seven (7) and the names and addresses of the persons who are to serve as the initial regents are:

Roderick C. Meredith	2301 Crown Centre Drive; Charlotte, NC 28227-7705
Richard F. Ames	2301 Crown Centre Drive; Charlotte, NC 28227-7705
Douglas S. Winnail	2301 Crown Centre Drive; Charlotte, NC 28227-7705
Dibar K. Apartian	2301 Crown Centre Drive; Charlotte, NC 28227-7705
J. Davy Crockett, III	2301 Crown Centre Drive; Charlotte, NC 28227-7705

Article 7-Restrictions and Requirements

This corporation shall not pay dividends or other corporate income to its directors or officers or otherwise accrue distributable profits or permit the realization of private gain. This corporation shall have no power to take any action prohibited by the North Carolina Nonprofit Corporation Act.

This corporation shall have no power to take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3) and related regulations, rulings, and procedures. This corporation shall have no power to take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under *Internal Revenue Code Section 170(c)(2)* and related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation or state law, this corporation shall have no power to:

7.1 Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.

7.2 Serve a private interest other than one that is clearly incidental to an overriding public interest.

7.3 Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.

7.4 Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for elective public office. The prohibited activities include the publishing or distributing of statements and any other direct or indirect campaign activities.

7.5 Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.

7.6 Distribute its assets on dissolution other than for one or more exempt purposes.

7.7 Permit any part of the net earnings of this corporation to inure to the benefit of any private individual.

7.8 Carry on an unrelated trade or business except as a secondary purpose related to this corporation's primary, exempt purposes.

Article 8-Fiscal Year

The fiscal year of this corporation shall begin on July 1 each year and conclude on the following June 30.

Article 9-Dissolution¹

Dissolution of the corporation shall be accomplished in the following manner:

9.1 Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debt and obligations of this corporation, and after compliance with the applicable provisions of N.C. Gen. Stat. § 55A-14-03, the remaining assets of this corporation shall be distributed to the Living Church of God (International), Inc., a North Carolina nonprofit religious corporation (NC SOSID: 0783290), with its principal offices located at 2301 Crown Centre Drive, Charlotte, NC 28227-7705, provided it is tax exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, or any successor statutes, for one (1) or more purposes that are exempt under North Carolina statutes pursuant to franchise and income taxes.

9.2 In the event the Living Church of God (International), Inc., a North Carolina nonprofit religious corporation (NC SOSID: 0783290), is not so exempt at the time it is to take title to such assets, then such assets shall be vested in a nonprofit fund, foundation, corporation, or organization, with beliefs, goals, aims and purposes similar to and compatible with those of the Church, and tax-exempt under Section 501(c)(3) of the United States Internal Revenue Code of 1986 and of which the Presiding Evangelist of the Church, or his successor pursuant to the *Canons of*

¹ The Articles of incorporation were filed February 27, 2007. On February 25, 2008, Articles of Restatement were filed to correct language in Article 9 on dissolution.

Evangelistic Discipline of the Living Church of God (the "Canons"), is the principal, or leading principal.

9.3 Any such assets not so disposed of shall be disposed of by the Superior Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organizations, such as the court shall determine, which are organized and operated exclusively for such purposes.

Article 10-Agent for Service of Process

The name and address in the State of North Carolina of this corporation's agent for service of process is:

F. Thomas Turner, II
2301 Crown Centre Drive
Charlotte, NC 28227-7705.

Article 11-Limitation on Liability of Directors

To the extent consistent with the requirements for qualification as a tax-exempt corporation described in Section 501(c)(3) of the Internal Revenue Code, and except as otherwise provided herein, to the fullest extent permitted by applicable law no director of the Corporation shall have any personal liability for monetary damages arising out of any action whether by or in the right of the Corporation or otherwise for breach of any duty as a director. This Article shall not impair any right to indemnity from the Corporation or any other immunity from civil liability that any director may now or hereafter have. Any repeal or modification of this Article shall be prospective only and shall not adversely affect any limitation hereunder on the personal liability of a director with respect to acts or omissions occurring prior to such repeal or modification.

Article 12-Indemnification

This corporation may indemnify a person who was, is, or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to this corporation regardless of the provisions in the Act governing indemnification. As subsequently provided in the Bylaws of the Board of Regents of Living University, the Board of Regents shall have the power to define the requirements and limitations for this corporation to indemnify directors, officers, or others related to this corporation.

Article 13-Construction

All references in these Articles of Incorporation to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time.

Article 14-Incorporators

The names and street address of the incorporator is:

J. Davy Crockett III, 2301 Crown Centre Drive; Charlotte, NC 28227-7705

Article 15-Amendments to Articles

The Articles of Incorporation of this corporation may be changed or amended and additional Articles may be adopted at any regular or special meeting of the Board of Regents by not less than a two-thirds (2/3) vote of those present subject to the approval and consent thereto by the Board of Directors of Living Church of God (International), Inc., a North Carolina nonprofit religious corporation (NC SOSID: 0783290), with its principal office located at 2301 Crown Centre Drive; Charlotte, NC 28227-7705, as expressed by not less than a two-thirds (2/3) vote of the members of said Board of Directors present at any meeting, provided that in the case of each of these boards:

15.1 A notice of the intention to change, amend, or add to the Articles of Incorporation in whole or in part (which notice may be included in the call for the meeting) shall have been duly given to the members of the Board of Regents by mail, postmarked not less than one (1) week prior to a meeting.

15.2 Such notice shall be in writing and shall include the exact wording of the proposed changes or amended and additional Articles.

Chapter 2 Bylaws of the Board

Article 1–Identification

1.1 Name

This educational institution, a nonprofit North Carolina corporation, shall be known as Living University.

1.2 Location

Living University shall be and remain located in the county of Mecklenburg, state of North Carolina, and may establish and conduct branches, and have offices, at such other places as the Board of Regents may from time to time designate, or as the business of the institution may require.

1.2.1 The principal office of Living University, a non-profit corporation, in the state of North Carolina shall be located in the county of Mecklenburg.

1.2.2 The registered office of the Corporation maintained in the state of North Carolina, may be, but need not be, identical with the principal business office of Living University in the state of North Carolina, and the address of the registered office may be changed from time to time by the Board of Regents.

Article 2–Board of Regents

2.1 General Powers

All power and authority of this Corporation shall be exercised by or under the direction of the Board of Directors, known as and referred to herein as the “Board of Regents” or the “Board,” with each member of said Board being referred to herein as a “Regent.”

2.2 Specific Powers

Without prejudice to the general powers of the Board of Regents, and in accordance with and subject to the further provisions of these Bylaws, it is hereby expressly declared that the Board of Regents shall have and exercise the following specific powers:

2.2.1 To approve the mission and scope of the University.

2.2.2 To be the policy-making body of the University ultimately responsible for ensuring that the financial resources of the institution are adequate to provide a sound educational program.

2.2.3 To employ and appoint a President of the Corporation and the University, as chief executive and administrative officer, other officers of the Corporation and the University, members of the faculty, and all such employees as may be necessary; to define their powers, duties, and terms of employment; and to adopt and apply rules of tenure. And further shall have the power to displace any or such of them as the interests of the institution may require, and to fill vacancies which may happen by death, resignation, or otherwise, among such officers and personnel.

2.2.4 To establish colleges, schools, divisions, and departments for the study of any and all the learned and liberal professions and disciplines and to confer such academic degrees, both for

undergraduate and for graduate studies, as may be merited on the recommendation and advice of the faculty.

2.2.5 To confer such honorary degrees on distinguished persons as may, in the judgment of the Board, be merited.

2.2.6 To approve the course of studies and other programs to be pursued in the University, and to establish the necessary broad principles and policies for the governance and direction of the officers, faculty, employees, and students of the University.

2.2.7 To authorize and direct all expenditures involved in the operation of the University.

2.3 Number of Members

There shall be not more than sixteen (16), nor less than five (5), members of the Board of Regents of which not more than fifteen (15), nor less than four (4), shall be appointed members and one (1) member shall serve ex officio. Two (2) members of the Board of Regents may be appointed as public members.

2.3.1 Ex Officio Member

The President of the Living Church of God (International), Inc., hereinafter Living Church of God, who shall at all times fill the office of Chair of the Board of Regents, shall be an ex officio member of the Board of Regents.

2.3.2 Appointed Members

2.3.2.1 Qualification. Each appointed member of the Board of Regents shall be of good reputation and above reproach in his or her community.

2.3.2.1.1 Except for public members, each appointed member shall be and remain a member in good standing of the Living Church of God at the time of and during his or her term of appointment.

2.3.2.1.2 Except for public members, if for any reason an appointed member of the Board of Regents does not remain a member of the Living Church of God in good standing during his or her term of appointment, then such Regent shall be disqualified from serving which shall constitute his or her removal from the Board without the necessity of further action.

2.3.2.1.3 During their term of office public members shall be and remain in harmony with the philosophy and principles of the University and those of its principal sponsor, the Living Church of God. A public member shall not attempt to subvert that philosophy or those principles, nor shall he or she advocate or encourage the acceptance of a contrary philosophy or contrary principles, nor otherwise intentionally undermine or seek to disparage the Statement of Fundamental Beliefs or the Canons of Evangelistic Discipline of the Living Church of God.

2.3.2.2 Appointments. Appointed members to the Board of Regents shall be made by nomination and recommendation of the Executive Committee, consent of two-thirds (2/3) of the members of the Board of Regents present at any meeting, and formal ratification of the proposed appointed member by the Board of Directors of the Living Church of God.

2.3.2.3 Term of Appointment. Each appointed member of the Board of Regents shall serve for a term of three (3) years except as otherwise herein provided.

2.3.2.3.1 In order to provide for staggered tenures, of this Board as first constituted by designation in the Articles of Incorporation two (2) members shall serve for three (3) years, two (2) members for two (2) years as the Board shall determine. For purposes of these Bylaws these four (4) individuals shall be deemed appointed members.

2.3.2.3.2 Each new member thereafter appointed shall be designated for and shall serve such initial term as the Board of Regents shall determine, but not more than three (3) years, such that the term of appointment for about one-third (1/3) of the appointed members shall expire annually.

2.3.2.3.3 A term of appointment shall expire on June 30 in the year of expiration but he or she shall continue to serve until a successor

Regent has been ratified by the Board of Directors of the Living Church of God.

2.3.2.3.4 There shall be no limit on the number of terms that any appointed member may serve.

2.3.2.4 Removal of Appointed Members

2.3.2.4.1 The Board of Regents is empowered to remove any appointed member of the Board prior to the expiration of his or her current term for good cause. A Regent may be removed but only at a meeting called for that purpose, and the notice of the meeting must state that the purpose, or one of the purposes, of the meeting is the removal of the Regent. The removal of a Regent shall be effective when, in the judgment of the Board as expressed by a two-thirds (2/3) consent of the members present at any meeting at which a quorum is present. Good cause shall include, but shall not be limited to: (a) the failure or unwillingness of a Regent to abide by the Bylaws, Statutes, Administrative Regulations of the University; (b) the failure or unwillingness of a Regent to carry out his or her duties in accordance with applicable law or the policies and procedures of the University, including attending half or more of regularly scheduled meetings of the Board of Regents over a two-year period (absent a showing of reasons acceptable to the Board); (c) the failure to maintain confidentiality with respect to any confidential knowledge or any knowledge or information, other than that which is public information, of or relating to board matters; or (d) any action by a Regent that may negatively reflect on the University.²

2.3.2.4.2 Further, any public member may be removed when, in the judgment of the Board as expressed by a two-thirds (2/3) consent of the members present at any meeting, such Regent has attempted to subvert the underlying philosophy and principles of the University or those of its principal sponsor, the Living Church of God, or has advocated or encouraged the acceptance of a contrary philosophy or contrary principles, or otherwise intentionally undermined or sought to disparage the Statement of Fundamental Beliefs or the Canons of Evangelistic Discipline of the Living Church of God.

2.3.2.5 Vacancy of an Appointed Member

A vacancy on the Board of Regents, including a vacancy resulting from the removal of a Regent, shall be filled pursuant to the section on appointments as set forth above. A Regent may resign at any time by providing notice in writing to the Chair. In the case of a resignation that will become effective at a specified later date, the vacancy may be filled before the vacancy occurs, but the new Regent may not take office until the vacancy occurs. Any such appointment to fill a vacancy shall be for the unexpired term of such Regent.

² Article 2.3.2.4.1 amended 11/9/2012.

Article 3—Meetings of the Board

3.1 Regular Meetings³

Regular meetings of the Board shall be held at least three times each calendar year, at 10:30 a.m. at the principal office of the corporation, on the first Wednesday of each month, or on the next succeeding business day if the first Wednesday is a holiday.

3.1.1 Regular meetings shall be held in August, January, and June, but additional regular meetings may be scheduled by the Board.

3.1.3 The Annual Meeting shall be the regular meeting scheduled in August of each academic year or such other meeting as shall be annually directed by the Board.

3.2 Special Meetings

A special meeting of the Board of Regents for any lawful purpose may be called at any time by the Chair of the Board or by at least two (2) of its members.

3.2.1 A special meeting called by any person entitled to call a meeting shall be called by written request. The request shall specify the general nature of the business proposed to be transacted, and shall be submitted to the Chair of the Board.

3.2.2 Once received, the Chair shall cause notice to be given promptly to the entire Board. Such notice shall state that a meeting will be held at a specified time and date fixed by the Board. The meeting date shall be at least thirty (30) days, three (3) in the case of an emergency, but no more than ninety (90) days, seven (7) in the case of an emergency, after receipt of the request. If the notice is not given within twenty (20) days after the request is received, the person or persons requesting the meeting may give the notice.

3.2.3 No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

3.3 Meeting by Teleconference

The Board of Regents, and any committee thereof, may hold a meeting by conference telephone or by similar communications equipment, hereinafter teleconference, in which one or more Regents participating in the meeting, whether in person or by electronic means, can hear each other.

3.3.1 The notice of a meeting where Regents may participate by means of a teleconference shall state the fact that the meeting can be so attended.

3.3.2 Nevertheless, participation of a Regent in any meeting by teleconference shall constitute the personal presence of that Regent at the meeting.

3.3.3 With respect to all other rules of the Board regarding meetings, these remain the same for meetings utilizing a teleconference.

³ Article 3.1 amended 6/03/2009.

3.4 Decision Without Meeting

Any decision required or permitted to be made at a meeting of the Board of Regents, or any committee thereof, may be made without a meeting.

3.4.1 A decision without a meeting may be made if a written consent to the decision is signed by all of the persons entitled to deliberate on the matter.

3.4.2 The original signed consents shall be placed in the Corporation minute book and kept with Corporation's records.

3.4.3 Such action by written consent shall have the same force and effect as the unanimous vote of such Regents.

3.5 Notices

Written notice of all meetings shall be sent to each member at his or her last known address at least one (1) week in advance of any meeting.

3.5.1 The Secretary or Assistant Secretary shall serve all notices required by law or by the Bylaws of the Board of Regents and, in case of their absence, inability, refusal or neglect to do so, by the Chair or Vice Chair of the Board, or any five (5) members of the Board.

3.5.2 Notices shall include an agenda for the meeting.

3.5.3 Any new business that is not held over from a previous meeting or not listed on the agenda shall require the affirmation of not less than a two-thirds (2/3) majority of those in attendance for passage.

3.5.4 Any notice required or permitted by these Bylaws to be given to a member, officer, or member of a committee may be given by first class mail, postage prepaid, or by e-mail, telephone, or telegram.

3.5.4.1 If mailed, a notice shall be deemed to be delivered when deposited in the United States mail addressed to the person at his or her address as it appears on the records of the Corporation, with postage prepaid.

3.5.4.2 If said notice is sent by e-mail, addressed to the person at his or her e-mail address as it appears on the records of the corporation. A notice shall be deemed to be delivered upon the electronic return of a read receipt.

3.5.4.3 If given by telegram, a notice shall be deemed to be delivered when accepted by the telegraph company and addressed to the person at his or her address appears on the records of the corporation.

3.5.4.4 If given by telephone, a notice shall be deemed to be delivered when actual notice is verbally given to said individual personally. A voice mail message does not fulfill this provision.

3.5.4.5 A person may change his or her address, e-mail address, and telephone number by giving written notice to the Secretary or Assistant Secretary.

3.5.5 Whenever any notice is required to be given under the provisions of the North Carolina Nonprofit Corporation Act or under the provisions of the Articles of Incorporation or the Bylaws of the Corporation, a waiver in writing signed by a person entitled to receive a notice shall be deemed equivalent to the giving of the notice. A waiver of notice shall be effective whether signed before or after the time stated in the notice being waived.

3.5.6 The attendance of a person at a meeting shall constitute a waiver of notice of the meeting unless the person attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

3.6 Quorum

3.6.1 The Quorum for all Board meetings will be a majority of the members of the Board, provided that either the Chair, or Vice-Chair is present, otherwise the quorum will be no less than seventy-five percent (75%) of the remaining Board members and all decisions must then be by unanimous consent of all members present except as otherwise provided for in these Bylaws.

3.6.2 Any number less than a quorum present at a meeting, duly called, may adjourn from time to time until a quorum shall be in attendance.

3.7 Place of Meeting

Regular and special meetings of the Board shall be held at the principal office of Living University unless otherwise ordered by the Board.

Article 4—Officers of the Board

4.1 Officers

The officers of the Board shall consist of the Chair, Vice Chair, Secretary, Assistant Secretary, and such other officers as the Board may determine. The offices of Chair and Vice Chair shall be held by members of the Board. Other officers appointed by the Board need not be appointed from its members.

4.2 Selection and Tenure of Officers

The President of the Living Church of God shall serve as Chair of the Board of Regents. Other officers of the Board shall be chosen by and serve at the pleasure of the Board except, as heretofore provided in these Bylaws.

4.3 Determination of Duties

The officers of the Board shall perform the duties expressly enjoined upon them by the laws of this state and by the Bylaws and Statutes of the Board and such other incidental duties as pertain to their respective offices.

4.4 Duties of the Chair and Vice Chair

All meetings of the Board shall be presided over by the Chair of the Board.

4.4.1 In addition the Chair shall:

4.4.1.1 Appoint, except as otherwise provided for, all committees of the Board including the designation of the chairs of such committees.

4.4.1.2 Execute all deeds, mortgages, leases, bonds, contracts and other documents duly authorized by the Board, except where other provision is made by the Board.

4.4.1.3 Perform such other duties as the office may require.

4.4.1.4 Bear the honorary designation Chancellor of the University and shall exercise such ceremonial acts as would thereunto pertain.

4.4.2 The Vice Chair shall preside in the absence of the Chair, assume the powers and authority of the Chair in the Chair's absence or disability, and discharge any other functions delegated to the Vice Chair by the Chair or the Board.

4.5 Duties of the Secretary

A true and full record of all meetings of the Board shall be kept by the Secretary of the Board who shall promptly furnish a copy of the minutes of each regular or special meeting of the Board and of the Executive Committee to all members of the Board and to the President.

4.5.1 In addition the Secretary shall:

4.5.1.1 Notify all committees of the Board of their appointment and furnish to them a copy of all resolutions or orders assigning functions to such committees.

4.5.1.2 Record all calls for meetings of the Board and shall notify all members of such meetings; keep in a separate book a current and complete record and text of the Bylaws and Statutes of the Board; and attest the same by his or her signature whenever required.

4.5.1.3 File in such book all written consents of members of the Board to any action taken without a meeting.

4.5.1.4 Be custodian of the corporate seal and shall affix it to attest to the authenticity of the signature of any officer of the Board, or to the contractual authority of the President and the authenticity of the President's signature for the prosecution of routine activities of that Office and approved programs and projects, or in other cases as provided by law or as authorized by the Board.

4.5.1.5 Such officer shall not affix the corporate seal to any document attesting to his or her own signature.

4.5.2 An Assistant Secretary shall have such powers and duties as may be assigned to him or her by the Secretary or by the Board.

4.5.2.1 If the Secretary is absent, disqualified from acting, unable to act or refuses to act, the Assistant Secretary shall have the powers of, and perform the duties of, the Secretary. The performance of any such duties shall, in respect of any other person dealing with the Corporation, be conclusive evidence of his or her power to act.

4.5.2.2 He or she shall have all such further powers and duties as generally are incident to the position of Assistant Secretary.

Article 5—Committees of the Board

The Board of Regents may establish such standing committees and such ad hoc committees as it deems necessary to secure and protect the institution's welfare. The Chair of the Board shall appoint the members of all committees.

5.1 The Executive Committee

5.1.1 The Executive Committee shall consist of four (4) members of the Board.

5.1.2 The Chair of the Board of Regents shall appoint such members to the Executive Committee at the annual meeting of the Board, and an appointed member shall hold office for one (1) year

and until a successor is appointed. In addition, the Chair of the Board shall designate one (1) member to act as chair of the Executive Committee. The Chair of the Board may elect to serve as a member and chair of the Executive Committee.

5.1.3 The President of the University shall be an ex-officio member of the Executive Committee with only advisory privileges.

5.1.4 The Executive Committee, during intervals between meetings of the Board, shall have and exercise all powers, privileges, and prerogatives of the Board, except with respect to matters of delegation not authorized by law, to act on matters of such emergency that they should not be postponed until a called or a regular meeting.

5.1.5 The Executive Committee shall have authority to transact such routine business as may arise during the recess of the Board and to act for the Board in all matters of an emergency nature upon which immediate decisions are necessary for the present welfare of the Corporation. The chair of the Executive Committee shall act as an immediate advisor to the President on interim affairs.

5.1.6 The Executive Committee shall normally meet at least once a month and special meetings may be called at any time by its chair. Regular meetings may be dispensed with by the Committee or by its chair. Two (2) members must be in attendance to constitute a quorum.

5.1.7 The Executive Committee shall keep minutes of its meetings which shall be provided to the Board of Regents at or before the next meeting of the Board.

5.2 Special Committees

5.2.1 Special committees may be appointed from time to time as the Board may deem desirable.

5.2.2 Such committees are subordinate to the Board and subject to the instruction and direction of the Board.

5.2.3 Regular meetings of special committees may be dispensed with by the committee or by its chair. Two (2) members must be in attendance to constitute a quorum.

5.2.4 Each committee shall be discharged automatically at the annual meeting unless the Board takes specific action to continue it beyond that period.

Article 6—The Board and the Chief Executive Officer

6.1 The President

The President, as chief executive and administrative officer of the Corporation and the University, shall be appointed by the Board of Regents and shall serve at its pleasure. Moreover,

6.1.1 The President shall execute and enforce the Statutes adopted by the Board and shall perform such other duties as may be assigned by the Board of Regents;

6.1.2 The consent of at least one-half (1/2) of the total membership of the Board shall be required for the initial appointment of the President or the termination of the President's services as such; and

6.1.3 From time to time, the Board shall fix the President's salary;

6.1.4 In the President's absence an Executive Vice President shall serve as the chief executive and administrative officer of the Corporation;⁴ and

6.1.5 The University shall provide both the President and the Executive Vice President with fleet vehicles for official business and personal use.⁵

6.2 Powers and Duties

The President shall be empowered to execute all documents and exercise all executive and administrative powers necessary to such office except those powers as are reserved to the Board. The President shall:

6.2.1 Be responsible for the internal self-governance structure of the University including, but not limited to, the administration of academic affairs, institutional advancement, institutional research, business and financial affairs, and student services;

6.2.2 Monitor educational and financial performance, consulting with the Board in a timely manner on matters appropriate to its policy-making and fiduciary functions;

6.2.3 Lead the University to accomplish its mission and goals;

6.2.4 Serve as the Corporation's and the University's key spokesperson;

6.2.5 Participate in the drafting of agendas for meetings of the Board in consultation with the Chair;

6.2.6 Control the institution's fund-raising activities exclusive of institution-related foundations that are independent and separately incorporated;

6.2.7 Have ultimate responsibility for, and exercises appropriate administrative and fiscal control over, the institution's intercollegiate athletics program;

6.2.8 Assign to University executive officers, administrative officers, faculty, and staff of the University powers, duties and responsibilities, and they shall be responsible to the President and the Board of Regents for the performance thereof, as well as for those powers, duties and responsibilities specifically vested in them by Statutes of the Board;

6.2.9 Exercise such other powers, duties and responsibilities as are delegated or assigned by the Board of Regents; and

6.2.10 Serve as an ex-officio, non-voting member of the Board and all Board Committees with only advisory privileges.

6.3 Board Communications

The President shall serve as the principal liaison officer and official channel of communication between the Board and all subordinate executive and administrative officers, faculty, staff, and students of the University; and, in this connection, they each shall have direct access to the Board, consistent with such procedures as the Board shall from time to time declare. The President shall attend all Board meetings unless instructed to the contrary by the Board, and shall inform and advise the Board with respect to the internal operations of the University and its relationships.

⁴ Amended 03/19/2014.

⁵ Amended 03/19/2014.

6.4 Employment

All personnel appointments shall be subject to the approval of the President or designee thereof; however, the appointment or any dean, but not assistant or associate deans, and any administrator reporting directly to the President, shall be subject to approval of the Board of Regents.

6.5 President's Annual Report

On or before the annual meeting each year, the President shall make an annual report to the Board of Regents concerning the previous year, pertaining to the affairs of the University and including recommendations with respect thereto.

6.6 Emergency Powers

In emergencies involving situations beyond the normal condition of the University, the President shall, within the limits of available funds or unappropriated surplus, have the power to act with dispatch in matters involving the University. Any such actions, together with reasons thereof, shall be reported promptly to the Board.

Article 7—Conflict of Interest

All Regents shall disclose to the Board any possible conflict of interest. A Regent shall not participate in the decision making process with regard to any matter in which said Regent has a conflict of interest and the minutes of Board meetings shall report the disclosure and the abstention of said Regent from participation.

Article 8—Indemnification

8.1 Power to Indemnify

Subject to, and to the extent consistent with, the requirements for qualification of the Corporation as a tax-exempt organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), the Board is authorized to indemnify its Regents and officers to the full extent permitted by the laws of the State of North Carolina.

8.1.1 Any person who at any time after the adoption of these Bylaws serves or has served as a Regent of the Corporation shall be deemed to be doing or to have done so in reliance upon, and as consideration for, the right of indemnification provided herein, and any modification or repeal of these provisions for indemnification shall be prospective only and shall not affect any rights or obligations existing at the time of such modification or repeal.

8.1.2 Such right shall inure to the benefit of the legal representatives of any such person, shall not be exclusive of any other rights to which such person may be entitled apart from the provisions of this Bylaw, and shall not be limited by the provisions for indemnification in

Sections 55A-8-51 through 55A-8-56 of the North Carolina Nonprofit Act or any successor statutory provisions.

8.2 Insurance

The Board shall have power to secure or purchase and maintain insurance on behalf of any Regent, officer, employee, or agent of the corporation, its affiliated or subordinate organizations, or their predecessors or successors, against any liability asserted against or incurred by them in such capacity or arising out of their status as such whether or not the Corporation would have the power to indemnify them against such liability.

Article 9–Dissolution

Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debt and obligations of this corporation, and after compliance with the applicable provisions of N.C. Gen. Stat. § 55A-14-03, the remaining assets of this corporation shall be distributed to the Living Church of God, provided it is tax exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, or any successor statutes, for one (1) or more purposes that are exempt under North Carolina statutes pursuant to franchise and income taxes.

In the event the Living Church of God is not so exempt at the time it is to take title to such assets, then such assets shall be vested in one of the following organizations, corporations, or other entities, provided the same are described within, and shall use said assets for religious purposes within the meaning of, Section 501(c)(3) of the Internal Revenue Code of 1986, or any successor statutes:

9.1 The Council of Elders of the religious denomination known as “Living Church of God (an international religious group)”, an unincorporated association, of which Roderick C. Meredith, Presiding Evangelist (or his successor Presiding Evangelist in terms of the Canons of Evangelistic Discipline of the Living Church of God), is the principal or leading principal, or in the event it is unable to take title for any reason, then to:

9.2 The organization, corporation or other entity appointed by the Chair of the Board of Regents of Living University, a North Carolina non-profit corporation.

Article 10–Disclosures⁶

10.1 Annual Financial Report

Not later than one hundred twenty (120) days after the close of the Corporation’s fiscal year the President or designee thereof shall provide the Board of Regents a report of independent accountants, or if there is no such report, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the books and records of the Corporation. The President or designee thereof shall furnish a copy to all Regents, the Board of Directors of Living Church of God, and otherwise make it public.

10.2 Disclosure of Certain Transactions and Indemnifications

The President shall furnish to the Board of Regents a statement of any transaction or indemnification described in NC § 55A-16-21 of the North Carolina Nonprofit Corporation Act (NCGS §55A), if such a transaction or indemnification took place.

⁶ Article 10 amended 12/18/2008.

Article 11–Board Legislation

11.1 Classification of Board Legislation

Legislation by the Board of Regents shall be classified as (1) Bylaws and (2) Statutes. The Board shall adopt, alter, revise, or repeal such Bylaws and Statutes, for the conduct of the business of the Corporation and the general governance of the University.

11.1.1 Bylaws

Legislation concerning the organization, procedures, and functions of the Corporation and the Board of Regents shall be classified as Bylaws. These Bylaws, and amendments thereto, shall become effective immediately on their adoption unless the Board, in adopting them as hereinafter provided, provides that they are to become effective at a later date.

11.1.2 Statutes

Board legislation concerning the broad structure, operational principles, broad over-arching policies, and guidelines for the internal organization of the University shall be classified as Statutes.

11.1.2.1 The board intends the Statutes to provide the broad principles, wide-ranging policies, required courses of action, and guidelines for institutional operations and activities to be carried out by the University.

11.1.2.2 These Statutes, and amendments thereto, shall become effective immediately on their adoption unless the Board, in adopting them as hereinafter provided, determines that they are to become effective at a later date.

11.2 Amendment of Board Legislation

The Bylaws and Statutes of the Board may be changed or amended and additional Bylaws and Statutes may be adopted at any regular or special meeting or the Board by the affirmation of at least two-thirds (2/3) of those present, provided that:

11.1.2 A notice of the intention to change, amend, or add to the Bylaws and Statutes in whole or in part (which notice may be included in the call for the meeting) shall have been given to the members of the Board of Regents by mail, postmarked not less than one (1) week prior to a meeting.

11.1.2 Such notice shall be in writing and shall include the exact wording of legislation proposed.

11.3 Consultation

It will be the practice of the Board whenever practicable, to submit to appropriate subordinate University authority for comment and recommendation, prior to final action by the Board, any proposed Statutes with respect to the internal operation of the University. The Board's freedom of action with respect to matters thus submitted shall not, however, be restricted by the recommendations made. Provided, however, that the failure to consult as provided in this shall not invalidate any action by the Board or be a violation of these Bylaws.

11.4 Judicial Authority

The Board retains its final judicial authority with respect to the interpretation and enforcement of the Bylaws and Statutes and with respect to any controversy that may arise thereunder.

15.4.1 The Board also retains its freedom to refuse jurisdiction, when in its opinion the judgment of subordinate authority should be determinative.

15.4.2 The Board also retains its power to withdraw any specific case from the jurisdiction of the President or of any other agency of the University when, in the opinion of the Board, such action will best serve the purposes of justice.

Chapter 3 Statutes of the Board

Article 1 Internal Operating Organization

1.1 Intent of the Statutes

The Board of Regents, acknowledging its ultimate accountability to the Living Church of God (International), Inc., hereinafter referred to as Living Church of God or occasionally as Church, shall adopt Statutes that enables the University as a church-related institution to formulate and carry out its mission in a manner consonant with the best interests of the Church while relevant to the changing needs of individuals, the Church, and society. It is the intent of the Board of Regents to adopt Statutes to provide broad principles and policies of institutional operations to be carried out by the University.

1.2 Delegation to the President

The relationship between the Board of Regents and the President of the University shall be such that having once been selected by the Board of Regents, with the assistance and involvement of appropriate advisory groups, the President shall function with full autonomy in all spheres excepting those reserved to the Board of Regents.

1.3 Matters Reserved to the Board of Regents

The Board of Regents shall:

- 1.3.1** Approve and support a mission and scope for the University which recognizes its uniqueness as a church-related institution;
- 1.3.2** Set institutional policy with regard to support;
- 1.3.3** Set institutional policy concerning custody, obligation, and expenditure of funds;
- 1.3.4** Approve new programs and substantial changes in existing programs;
- 1.3.5** Deal with land holdings;
- 1.3.6** Award major contracts and approve employment contracts;
- 1.3.7** Serve as final recourse for internal grievances;
- 1.3.8** Approve major alterations of internal organization, academic programs, capital facilities, and personnel policies;
- 1.3.9** Encourage coordination of all administrative and organizational levels of the University; and
- 1.3.10** Involve itself in any matter which is of exceptional concern.

Article 2 Educational Philosophy, Mission, and Core Values

2.1 Educational Philosophy

2.1.1 We believe that the mission of Living University, a church-related institution sponsored by the Living Church of God, is that of teaching with a focus on facilitating the development of the whole person for Christian leadership and service. To this end:⁷

2.1.1.1 We hold that it is the primary purpose of the University to provide programs of formal instruction, research, public service, and other learning opportunities, with sufficient diversity to be relevant to the changing needs of the individual, the Church, and society; and

2.1.1.2 We hold that the University, as it endeavors to realize excellence in instruction and other learning opportunities, should seek to provide meritorious programs of research and public service adequate to support this underlying purpose.

2.1.2 We also believe that fundamental to the accomplishment of its mission the University must foster a profound dedication to the search for and dissemination of truth. To this end:⁸

2.1.2.1 We hold that the University should provide a learning environment that stimulates and promotes intellectual curiosity, supplies the tools to transform information into knowledge and understanding, arouses the social and moral conscience of its students and cultivates in them a willingness to respond to the global needs of mankind;⁹

2.1.2.2 We hold that faculty members, staff, students, administrators, and regents should be committed to and supported in their pursuit of knowledge, evidence, and truth;

2.1.2.3 We hold that the University, like numerous other church-related institutions of higher learning, should consider and forthrightly teach that the Bible presents the essence of spiritual truth;

2.1.3 We believe, in harmony with the long-standing practice of church-related institutions of higher learning, that the University should carry on its educational work in terms of our belief in the validity of the biblical message; and

2.1.4 We believe that these principles impose a special trust upon the faculty, individually and collectively, as educational officers of the University.

2.1.5 We further believe that Living University, as it endeavors to fulfill its underlying mission of instruction with efficiency and accountability, should seek to achieve the following ends:

2.1.5.1 To pursue excellence in instruction and other learning opportunities in an environment of scholarship, innovation, culture, academic freedom, and devotion to true values;

2.1.5.2 To enhance the individual development of character, personality, and true values by fostering and maintaining an academic community emphasizing moral, social, ethical, cultural, and spiritual standards;

⁷ Amended 12/18/2008; 03/19/2014; 09/03/2015.

⁸ Amended 09/03/2015.

⁹ Amended 03/19/2014.

2.1.5.3 To provide undergraduate curricula as the University has competency and resources;¹⁰

2.1.5.4 To make available academic advisement and counseling that will aid individuals, according to their personal needs and motivation, in identifying and achieving their educational goals;

2.1.5.5 To extend equal educational and related opportunities to a diversity of qualified individuals, regardless of race, sex or ethnic background, from local, national, and international communities; and

2.1.5.6 To provide ministerial education for those called for service as ordained or full-time ministers of the Living Church of God and relevant learning opportunities for all called to be spiritual pillars in the Church and community.

2.2 Mission

The mission of Living University as a Christian institution of higher learning is to provide programs of formal instruction and other learning opportunities, as well as meritorious programs of research and public service adequate to support its underlying charge of delivering instruction, of sufficient diversity to be relevant to the changing needs of the individual, the Church, and society.¹¹

Living University seeks to provide primary and support programs which effectively and efficiently fulfill and promote the fulfillment of its mission.

2.2.1 Primary Programs

Specific objectives for institutional primary programs are:

2.2.1.1 The University shall provide instruction at the associate and baccalaureate level in general education as well as in the arts and sciences, selected business and professional disciplines, and theology within the capacity of the institution's resources;¹²

2.2.1.2 The University shall extend opportunity for course work in a distance learning format to the growing Living population of nontraditional learners;

2.2.1.3 The University shall encourage those forms of research which promote the University's commitment to excellence in instruction and which support the current needs of the students and faculty; and

2.2.1.4 The University shall engage in public service activities that makes accessible its resources and capabilities for the specific purpose of meeting the needs of the Church as well as responding to a local need or assisting in resolving a local challenge in a manner consistent with the mission and purpose of the institution and furthering the growth and development of its students.

2.2.2 Support Programs

Specific objectives for institutional support programs are:

2.2.2.1 The University shall provide academic support through academic computing services, media services, graphics services, and ancillary services to assist faculty and students in instruction, research, and public service programs;

¹⁰ Amended 01/05/2011.

¹¹ Article 2.2 amended 09/04/2008; 11/09/2012; 03/19/2014.

¹² Article 2.2.1 amended 01/05/2011; 03/19/2014.

2.2.2.2 The University shall provide library services to help meet the information needs of its students, faculty and staff and the Living Church of God international headquarters workforce by acquiring and providing access to materials in appropriate formats and in sufficient quantity, depth and diversity to support teaching, learning and basic research, and by preserving the textual tradition of the Living Church of God and its antecedent fellowships both in print and in electronic forms in an Archive and Special Collections Repository;¹³

2.2.2.3 The University shall provide student services emphasizing the individual development of true values in character, personality and leadership within the moral, social, ethical, cultural and spiritual standards of our academic community, including as needed, but not limited to, student activities, cultural events, student publications, athletics, student organizations, counseling and career guidance, student financial aid administration, student housing and food services, student health services, enrollment services and commencement exercises;¹⁴

2.2.2.4 The University shall provide institutional governance and support through the Board of Regents, executive management, fiscal operations, institutional effectiveness and planning, administrative computer support, institutional advancement, and other services which coordinate to effectively promote and fulfill its mission;¹⁵

2.2.2.5 The University shall provide a physical plant operations program related to maintaining existing grounds and facilities, providing for utility services, and planning and designing future plant expansion and modification;

2.2.2.6 The University shall provide funds for scholarships and grants-in-aid without unlawful discrimination to those students who demonstrate need, scholastic achievement, or meritorious achievement;¹⁶ and

2.2.2.7 The University shall provide auxiliary enterprises as needed.

2.2.3 Basis of Planning and Assessment

As part of the planning process, the aforementioned primary and support program objectives shall be further delineated and set forth in operational terms in the Strategic Long-Range Plan. This shall occur annually. To set forth these objectives in operational terms means that:

2.2.3.1 For each primary and support program objective a set of statements, with suitable comprehensiveness and depth, shall be developed to furnish further meaning related to the accomplishment of that objective.

2.2.3.2 Statements shall be developed for each objective with such detail and specificity that persons reading the statements will interpret them the same way.

2.2.3.3 Statements shall be expressed in a way that they can be assessed and evaluated quantitatively and qualitatively.

2.2.3 Review and Revision

¹³ Amended 03/19/2014

¹⁴ Amended 12/17/2004

¹⁵ Amended 12/17/2004

¹⁶ Amended 12/17/2004

Triennially the President shall initiate a comprehensive review of the Mission and Scope for the University. The President shall report to the board the results of the triennial review together with any proposed revision.¹⁷

2.3 Core Values

The motto of the University shall be “Recapture True Values.” University core values shall be Leadership, Service, Commitment, Integrity, Excellence, Culture, and Creativity.¹⁸

Article 3 Organization of the University

3.1 Administrative Organization

3.1.1 The President of the University.

The President, as the chief executive officer of the University is hereby empowered to execute all documents and to exercise all executive and administrative powers necessary for the discharge of the office except such powers as are reserved to the Board of Regents. The President of the University shall:

3.1.1.1 Assist in formulating Statutes for adoption by the Board of Regents;

3.1.1.2 Carry out approved Statutes governing the management of academic, business, student affairs, and other operations of the University delegating execution to administrative aides and heads of appropriate functional areas;

3.1.1.3 Direct the development, improvement, and evaluation of the statement of mission and scope for the University and recommend changes to the Board of Regents;

3.1.1.4 Develop and recommend budgets to the Board of Regents and control the allocation of university expenditures within the framework of budgets approved by the Board of Regents;

3.1.1.5 Devise and assume primary responsibility for the internal organization of the University administration, including but not limited to academic, business, and student affairs, and the development and management of the physical plant and auxiliary services;

3.1.1.6 Provide necessary leadership in educational development, such leadership to be consistent with appropriate internal delegation of policy responsibility to the faculty and other advisory groups, with encouragement of advice from these groups whenever delegation is not appropriate;

3.1.1.7 Appoint all academic and nonacademic (staff) personnel pursuant to, and within the, limitation of powers delegated by the Board of Regents;

3.1.1.8 Inform the Board of Regents of all matters important to operation, management, control, and maintenance;

3.1.1.9 Cooperate with the Board of Regents in the periodic evaluation of the President’s own effectiveness;

¹⁷ Article 2.2.3 amended 06/03/2009.

¹⁸ Article 2.3 amended 08/09/2008.

3.1.1.10 Represent the University in its relationship to external agencies in local, state and federal government;

3.1.1.11 Assume primary responsibility for the external relations activities of institutional advancement including but not limited to fund raising and alumni relations; and

3.1.1.12 Provide initial and continuing support and leadership in the planning process and in the development of the Strategic Long-Range Plan and assessment processes.

3.1.2 The Role of the President in Academic Matters

3.1.2.1 The President shall be a member of the University Faculty and shall be its presiding officer, and an ex officio member of all the standing committees, divisions, and all university-wide councils within the President's jurisdiction.

3.1.2.2 It shall be the responsibility of the President to keep the instruction, public service, and research programs and the organization of the University under critical scrutiny and review and, if demonstrable need for change in any area arises, initiate, after consultation with appropriate advisory bodies, such revisions, additions, or reorganizations as the situation calls for, subject to securing any necessary authority from the Board of Regents.

3.1.3 Internal Administrative Structure¹⁹

Except as reserved to the Board of Regents in its legislation, the President as the chief executive officer of the Corporation has overall responsibility for the internal administrative structure of the University.

3.1.3.1 The officers of the Corporation, and thereby the University, are the President of the University, the Executive Vice President, other Vice Presidents, Associate Vice Presidents and Assistant Vice Presidents. While the President is responsible directly to the Board all other officers shall be responsible to the President.

3.1.3.2 The President shall cause a clear line of administrative responsibility and authority in the absence of the President to be published and distributed to the University community.

3.2 Educational Organization

3.2.1 Definition

The term educational organization refers to the units and organizations of the University immediately engaged in performing educational functions and to various bodies directly associated with the conduct of these activities.

3.2.2 Educational Units

Within the framework of the University, action upon faculty and administrative proposals for the establishment, allocation, and abolition of schools, divisions, departments, bureaus, and other educational units, and of curricula and degrees is a function of the Board of Regents, except as authority for action on such proposals is expressly delegated to the President of the University.

3.2.3 The University Faculty

3.2.3.1 Membership

¹⁹ Article 3.1.3 amended on 03/19/2014.

The University Faculty shall consist of the President, all vice presidents, deans (including associate and assistant), all individuals holding a professorial rank as a professor (assistant, associate, or full), adjunct professor (assistant, associate or full), visiting professor (assistant, associate or full), or professor emeritus, as well as all instructors, lecturers, graduate assistants, designated librarians, and designated administrators. Such designation shall be made by the President.

3.2.3.2 The Presiding Officer

The Presiding Officer of the University Faculty shall be the President of the University or the President's delegated representative.

3.2.3.3 Responsibilities

The University Faculty is the agency designated by the Board of Regents to formulate policies of university-wide application concerning the educational functions of the University, subject to the approval of the President of the University.

Article 4 Faculty Professional and Ethical Relationships

4.1 Purpose

The University shall operate under the following principles defining professional and ethical relationships including loyalty to the University and academic freedom and responsibility. The purpose of this statement is to provide for mutual understanding concerning the special obligations and charge relating to principles of academic freedom and responsibility in a church-related institution.

4.2 Overview

A central purpose of an institution of higher learning is to facilitate the development of the whole person. To that end, it is a primary purpose of Living University, as a church-related institution, to provide formal programs of instruction and other learning opportunities that stimulate and foster intellectual curiosity, that supply the tools to transform information into knowledge and understanding, that arouse the social and moral conscience of its students, and that cultivates, in its students, a willingness to respond to the global needs of mankind. Fundamental to the accomplishment of these purposes is a profound dedication to the search for, and dissemination of, truth. Therefore, the faculty, students, administrators, regents, and staff shall be committed to, and supported in, their pursuit of knowledge, evidence, and truth.

4.3 Spiritual Truth

The University, like numerous other church-related institutions of higher learning, considers and forthrightly teaches that the Bible presents the essence of spiritual truth. In harmony with the long-standing practice of church-related institutions, the University carries on its educational work in terms of this belief in the validity of the biblical message.

4.4 Conduct

These principles impose a special trust upon the faculty, individually and collectively, as educational officers of the University. Thus, faculty members shall conduct themselves in a prudent, responsible, and ethical manner as members of the University community. Moreover they shall act in good faith and shall exhibit honesty, integrity, and exemplary conduct.

4.5 Loyalty to the University

Members of the faculty shall be selected and retained from those who voluntarily are in harmony with the philosophy and principles of the University and its principal sponsor the Living Church of God.

4.5.1 All who are appointed to the faculty shall reflect the character of the University and Church by their conduct, speech, and appearance, either on or off campus, to students, their families, the alumni, and to the public.

4.5.2 By accepting a faculty appointment, and by continuing in such employment, members of the faculty indicate their agreement to abide by the following standards:

4.5.2.1 To be in harmony with the philosophies and principles of Living University and its principal sponsor, the Living Church of God, with the understanding that faculty members shall not be required to adopt such philosophies or principles as their personal religious convictions.

4.5.2.2 To be honest in all behavior. Therefore, a faculty member shall not do, or cause another to do, any act which is dishonest or unethical. This includes but is not limited to cheating, plagiarizing, knowingly giving false information.

4.5.2.3 To respect the personal rights of others. Therefore, a faculty member shall not physically or verbally abuse any person, engage in any conduct which threatens or endangers the health or safety of others, obstruct or disrupt the study of others, interfere without proper authority with the performance of official duties by university officers or employees such as instruction, research, disciplinary, administrative, or other functions of the University, or interfere without proper authority with other authorized activities on university premises.

4.5.2.4 To respect the property rights of others. Therefore, a faculty member shall not do, or cause another to do, any act which diminishes the property rights of another or interferes with use, possession or enjoyment of, or title to the property of another. This includes but is not limited to theft, concealment, damage or misuse of the property of others, wrongful appropriation or reproduction of the published material of another.

4.5.2.5 To obey, honor, and sustain the law of the land.

4.5.2.6 To avoid substance abuse of any kind or type which shall include, but not be limited to, the possession, use, or distribution of any illegal substance (as defined by applicable law), except as prescribed by a licensed medical practitioner, or the possession, use, or distribution of any lawful substance in any manner that is socially irresponsible.

4.5.2.7 To comply with the Statutes of the Board, university policies, procedures, rules, and regulations as they presently exist or shall from time to time be amended or adopted promulgated by the University through its Board of Regents, University executive officers, and their agents.

4.5.2.8 To live a moral life which includes, but is not limited to, abstinence from all sexual relations outside the bonds of heterosexual marriage.

4.5.2.9 To observe high standards of taste and decency which includes, but is not limited to, refraining from disorderly, lewd, indecent or obscene conduct or expression.

4.5.2.10 To observe all university standards pertaining to dress and grooming.

4.6 Academic Freedom and Responsibility

4.6.1 Definition

Academic freedom shall be understood to mean that a trust of full responsible freedom is placed in members of the faculty. Therefore, as educational officers of an institution of higher learning and members of learned professions, faculty members are free, except as otherwise provided in these statutes, to carry out their academic responsibilities of research, learning, instruction, publication, and oral presentation.

4.6.2 Purpose

The central purpose of the University assumes a profound dedication to truth and faculty members must be free to seek and teach truth. Academic freedom is critical to the search for truth. Truth once discovered and understood only has value to the extent it is communicated truthfully to others both by example and instruction. The purpose of academic freedom, therefore, is to provide opportunity for faculty and students to examine all pertinent data, to question assumptions, to challenge conclusions, to be guided by the evidence of scholarly research, and to teach and study the substance of a given field. Academic freedom is a privilege that carries with it duties and responsibilities correlative with the rights and privileges of free educated men and women.

4.6.3 Privileges

4.6.3.1 Pursuit of Knowledge. Faculty members are encouraged in their pursuit of knowledge and truth within their subject and are expected to inform their students of different viewpoints about secular knowledge.

4.6.3.1 Freedom in Research. Faculty shall be entitled to full responsible freedom in research and in the publication of the results subject to adequate performance of their other academic duties.

4.6.3.1 Freedom from Censorship. When faculty members speak or write as citizens, they shall be free from institutional censorship or discipline, subject to their obligation to uphold the ethical and professional standards imposed on them as a result of their position of trust in the University and in the community.

4.6.4 Responsibilities

4.6.4.1 Although faculty members are entitled to such freedom in the classroom they should avoid persistently presenting material which has no relation to the subject.

4.6.4.2 Faculty shall encourage students to sift, to question, and to become involved as learners. Therefore, the faculty shall distinguish between personal convictions, opinions, or theories and facts, proven conclusions, and present relevant data. Opinions, convictions, or theories must be labeled as such. Facts, proven conclusions, and relevant data must be fairly and objectively presented. Above all, the faculty has an affirmative duty to act with integrity in the presentation of material for the purpose of protecting the rights of the students and the virtue in the learning process.

As faculty members are granted respect in personal belief as their private concern, and are equally respected in the constitutional rights of the citizen, it shall likewise be expected that as men and women of learning, and as educational officers, faculty members shall respect, and not exploit, their position of trust. The faculty should remember that the public may judge their profession and the University by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate they are not institutional spokespersons.

4.6.5 Limitations

As students have elected to attend Living University based upon its fundamental philosophy and principles, the University considers it a matter of integrity and supreme trust that faculty members be in harmony with the philosophy and principles of the University and those of its principal sponsor, the Living Church of God. Further, a faculty member shall not attempt to subvert that philosophy or those principles, nor shall he or she advocate or encourage the acceptance of a contrary philosophy or contrary principles, nor otherwise intentionally undermine or seek to disparage the *Statement of Fundamental Beliefs* or the *Canons of Evangelistic Discipline* of the Living Church of God.

Article 5 Human Resources

5.1 Definitions

5.1.1 Academic Year

The forty-one (41) week period, commonly referred to as the Spring and Fall Semesters, referenced in employment contracts for academic year appointees the specific dates of which are determined by the President.

5.1.2 Board

The Board of Regents of Living University.

5.1.3 Employee

Any person whose name appears on a university payroll, except student appointees.

5.1.4 Employment Administration

The appointment, employment, work load, reassignment, promotion, demotion, salary adjustment, space assignment, termination, and all other terms and conditions of employment for employees.

5.1.5 Faculty Member

All persons holding academic rank.

5.1.6 Fiscal Year

July 1 through June 30.

5.1.7 Student Appointees

Student workers and graduate assistants. Student appointees, that is student workers and graduate assistants, are not employees except in the limited cases where they are considered such by law.

5.1.8 Student Worker

A person appointed part-time and duly registered as a student for sufficient course work.

5.2 University Faculty

5.2.1 Delegation

The President is hereby authorized to develop regulations for the University dealing with academic personnel matters. Final action on employment administration for the faculty is delegated to the President except as otherwise provided by the Board of Regents in its Statutes.

5.2.2 Academic Rank

Academic rank shall consist of the professorial ranks as a professor (assistant, associate or full) and instructor.

5.2.2.1 Minimum Qualifications for Academic Rank. The established minimum qualifications of scholarly preparation and experience for the several academic ranks are set forth below.

5.2.2.1.1 Professor. Faculty designated by the rank of professor shall hold an earned doctorate in his or her teaching field and have at least ten (10) years of teaching experience of which a minimum of seven (7) have been at the collegiate level. The condition of an earned doctorate may be waived for an individual who has unusual prestige or outstanding qualifications.

5.2.2.1.2 Associate Professor. Faculty designated by the rank of associate professor shall hold an earned doctorate in his or her teaching field and have at least five (5) years of teaching experience of which a minimum of two (2) shall have been at the collegiate level. In lieu of the earned doctorate either of the following is allowable:

5.2.2.1.2.1 Doctoral Study. All coursework except the dissertation completed toward the doctorate in his or her teaching field; or

5.2.2.1.2.2 Other Advanced Study. The master's degree plus an additional two (2) years of advanced study in his or her teaching field beyond the master's degree.

5.2.2.1.3 Assistant Professor. A faculty member designated by the rank of assistant professor shall hold an earned doctorate in his or her teaching field. No previous teaching experience is required. In lieu of the earned doctorate any of the following is allowable:

5.2.2.1.3.1 Doctoral Study. The master's degree, with not more than one (1) full year of graduate course work remaining in a doctoral program in his or her teaching field, and at least three (3) years of teaching experience; or

5.2.2.1.3.2 Other Advanced Study. The master's degree plus an additional one (1) year of advanced study in his or her teaching field and at least five (5) years of teaching experience; or

5.2.2.1.3.3 Extensive and Exceptional Service. An extensive record of exemplary and exceptional service at the University.

5.2.2.1.4 Instructor. A faculty member designated by the rank of instructor shall hold not less than the master's degree nor less than eighteen (18) semester units of graduate coursework in his or her teaching field. No previous teaching experience is required.

5.2.2.2 Other Faculty Designations

5.2.2.2.1 Adjunct and Visiting Faculty. Occasionally a faculty member may be designated to one (1) of the professorial ranks as an adjunct professor (assistant, associate or full), visiting professor (assistant, associate or full). Such appointments are limited academic appointments to meet exceptional institutional needs, special assignments or other unusual circumstances. They are temporary appointments.

5.2.2.2.2 Lecturer. A faculty member designated by the rank of lecturer is an individual who, because of special competence in the field he or she teaches, is named to a temporary academic appointment. The rank of lecturer was conceived to deal with exceptional needs, special assignments or other unusual circumstances such as giving a series of lectures or courses in a given professional field. Special competence shall be attested to by advanced study, culminating in appropriate graduate degrees, or by extensive work experience in the teaching fields or in a professional practice which is demonstrably of highest quality.

5.2.2.2.3 Graduate Assistant. A faculty member designated by the title graduate assistant, which is a temporary academic appointment, shall be and remain continuously enrolled at a regionally accredited institution and engaged in approved graduate study seeking an advanced degree in his or her field, or a field directly related to the services he or she renders to the University.

5.2.2.2.3.1 Approval of the course of study consists of written authorization from the chief academic officer of Living University.

5.2.2.2.3.2 A graduate assistant must be enrolled for not less than twelve (12) semester hours at the University or, with the authorization of the chief academic officer at Living University, enrolled at a regionally accredited institution and engaged in approved graduate study seeking an advanced degree in his or her field, or a field directly related to the services he or she renders to the University.

5.2.2.2.4 Professor Emeritus. The designation of professor emeritus is purely honorary.

5.2.2.3 Promotions in Academic Rank. Attainment of minimum qualifications of experience and education shall not imply automatic advancement in academic rank. Teaching shall be given primary consideration in the appraisal of faculty performance. Nevertheless, a faculty member designated by the rank of instructor shall be advanced to the rank of assistant professor, not later than the following academic year, upon suitable confirmation of that faculty member being conferred with an earned doctorate in his or her teaching field by a regionally accredited college or university.

5.2.2.3.1 General Considerations. For this purpose, teaching shall be considered broadly as the total influence exercised by a faculty member on the intellectual, personal, and spiritual growth of students. However, while the University shall ascribe highest priority to effective teaching it shall also recognize the other worthwhile activities of faculty members.

5.2.2.3.2 Promotion Criteria. The following criteria shall be considered in recommendations and evaluative procedures for promotion in addition to meeting the foregoing minimum scholarly qualifications of preparation and experience:

5.2.2.3.2.1 Primary Responsibilities. Effective performance in any of the following: teaching, research, supervision, administration or publication.

5.2.2.3.2.2 Support Responsibilities. Effective performance in assigned co-curricular activities and/or other assigned university responsibilities.

5.2.2.3.2.3 Professional and Community Endeavors. Evidence of significant contributions to professional societies, to local faculty activities or to community service.

5.2.2.3.2.4 Competency Enhancement. Evidence of continuing personal, professional, and spiritual growth.

5.2.3 Appointment to Faculty Positions

The University shall follow a system whereby the appointment of faculty member is based upon a written employment contract.

5.2.3.1 Categories of Appointment. There shall be two (2) categories of faculty appointment: (1) regular appointment and (2) special appointment.

5.2.3.1.1 Regular Appointment. A regular appointment shall be granted for one (1) year periods to a full-time faculty member of the rank of professor, associate professor, assistant professor or instructor; to a designated librarian; or to a designated administrator.

5.2.3.1.2 Special Appointment. A special appointment shall be for a duration of one (1) year or less. Such an appointment shall be given when service is part-time, voluntary, or limited to a brief association with the University, or other similar type appointment such as a graduate assistant. Such appointments may be renewed.

5.2.3.2 Term of Appointment. The term of service in a faculty employment contract for a regular or special appointment shall consist of not more than one (1) fiscal year. During the term of his or her employment agreement a faculty member may be terminated for cause.

5.2.3.2.1 There is no implication or commitment of continuation of employment beyond the ending date specified in a faculty member's employment agreement.

5.2.3.2.2 A decision by the University not to renew a faculty employment contract is final and not subject to the Statute entitled Grievance Procedure.

5.2.3.3 Renewal of Appointment. Normally annual contracts should be issued to faculty members with regular appointments not later than March 1 of each year. Faculty members with a regular appointment who do not wish to be considered for renewal of their employment agreements should notify the President of the University in writing at least thirty (30) days prior to the expiration of the current employment agreement.

5.2.3.4 Non-Renewal of Appointment. A faculty employment agreement may not be renewed by the University as stated in the terms of the formal written agreement. There is no implication or commitment of continuation of the employment of a faculty member beyond the ending date specified in his or her employment agreement. A decision by the University not to renew a faculty employment agreement is not subject to the provisions in these Statutes entitled Basic Grievance Procedure. Additionally, the University may terminate a faculty member for reasons described in his or her employment contract and/or as described in the Statute entitled Involuntary Termination.

5.2.3.4.1 Under Regular Appointment. A *Notice of Nonreappointment* shall be given in writing to full-time faculty members with a full-time regular appointment when their faculty employment contracts are not to be renewed, as follows:

5.2.3.4.1.1 Notice of Nonreappointment. The chief academic officer shall give, or cause to be given, a *Notice of Nonreappointment* to a full-time faculty member not later than March 1 of the academic year of service or if the appointment expires during an academic year at least three (3) months in advance of its termination. Such a *Notice of Nonreappointment* shall be in writing or it may be given orally followed by a letter of confirmation.

5.2.3.4.1.2 Delay of Notice. The failure to serve such notice shall not result in a renewal of the appointment, but rather in the right to additional compensation equal to the period that notice was late. If the Notice of Nonreappointment is not given in writing at least thirty (30) days prior to the expiration date of a full-time contract, the employment relationship shall continue without a contract on a month-by-month basis until the University and the faculty member either enter into a new employment agreement or the University notifies the employee of his or her non-reappointment.

5.2.3.4.2 Under Special Appointment. As a Special Appointment is for service which is part-time, voluntary, or limited to a brief association with the University, or other similar type appointment, the University shall not issue a formal *Notice of Nonreappointment* for such positions. For faculty members with a Special Appointment there is no implication or commitment of continuation of employment beyond the ending date specified in the faculty member's employment agreement.

5.2.4 Academic Salary Schedules

Salary progression for full, associate, and assistant professors shall consist of nine (9) salary steps including eight (8) increment increases. All increments shall be permissive except for the first five (5) steps in the instructor range.

5.2.4.1 Basic Faculty Salary Schedule. The Basic Faculty Salary Schedule shall be adopted each academic year by the Board of Regents.

5.2.4.2 Salary Schedule for Administrative Faculty. Salary for administrative faculty, also termed designated administrators, shall be set at the rank to which the appointment is made plus as warranted a discretionary adjustment for the increased responsibility. Administrative faculty normally shall be given twelve (12) month appointments.

5.2.4.3 Salary Schedule for Designated Librarians. Salary for a designated librarian shall be at the rank to which the appointment is made. Designated librarians are normally given twelve (12) month appointments. A full librarian shall be designated at the professor rank, an associate librarian at the associate professor rank, an assistant librarian at the assistant professor rank, and an affiliate librarian at the instructor rank. Media professionals shall be considered designated librarians and their title may vary from this nomenclature as authorized by the President.

5.2.4.4 Salary Schedule for Visiting Faculty. Salary for visiting faculty shall be set at the rank to which the appointment is made.

5.2.4.5 Salary Schedule for Adjunct Faculty. Salary for adjunct faculty shall be fixed on the basis of the number of semester hours taught. Salary for a three (3) semester hour course shall be not more than one eighth (1/8) of the academic year salary for the appointed rank at the assigned salary step in the Basic Faculty Salary Schedule. For a two (2) semester hour course salary shall be fixed at not more than one twelfth (1/12) of the academic year salary at the appointed rank and assigned step.²⁰

5.2.4.6 Salary Schedule for Lecturers. The salary for a lecturer shall be fixed on the basis of the number of semester hours taught. Salary for each semester hour taught shall be not less than one fortieth (1/40) of the academic year initial salary step at the instructor rank on the Basic Faculty Salary Schedule. The President may fix this rate higher but the per semester hour rate shall not exceed one twenty-fourth (1/24) of the initial step at the professor rank.²¹

5.2.4.7 Graduate Assistant Salary Schedule. The salary schedule for full-time graduate assistants shall consist of the first three steps on the Basic Faculty Salary Schedule. Assistantships shall normally be awarded on a half-time, three-quarter time, or full-time basis.

5.2.5 Benefits

5.2.5.1 Annual Leave. During the academic year all faculty members shall have annual leave time as set forth in the academic calendar as periods of academic recess or vacation. All annual leave is noncumulative and may only be taken during the appointment period. During the period of the annual academic year appointment the University reserves the right to assign reasonable duties to faculty during these periods, without commensurate time off, as required by their dean, an executive officer of the University, or by the President.

²⁰ Article 5.2.4.5 amended 11/16/2007.

²¹ Article 5.2.4.6 amended 11/16/2007.

5.2.5.1.1 Faculty With Academic Year Appointments. Faculty members holding 41-week appointments shall have annual leave time as stated above. Nevertheless, the University reserves the right to assign reasonable duties to faculty during these periods, without commensurate time off, as required by their dean, an executive officer of the institution, or by the President.

5.2.5.1.2 Faculty With Calendar year Appointments. Faculty holding 52-week appointments, but not including executive officers and deans, shall be allowed two additional weeks of leave during the summer of the term of the appointment. After five years of service, completed prior to the effective date of the term in which the leave is granted, this shall consist of three weeks.

5.2.5.1.3 Faculty Ministers. Faculty members who perform assigned duties as ordained ministers, including elders, for the Living Church of God during periods of academic recess or vacation, or on all-campus holidays, may request commensurate time off during the summer months of the same appointment period through the chief academic officer. This commensurate time is noncumulative. Non-required duties performed by all other faculty members for the Living Church of God during these periods are deemed voluntary and are not commensurate. Any special circumstances suggesting an exception be made to this procedure shall be made through the office of the chief academic officer.

5.2.5.1.4 Executive Officers and Deans. Executive officers and deans, including associates and assistants, shall have such reasonable annual leave time, on a noncumulative basis, as approved in each case by the President of the University.

5.2.5.1.5 Requesting and Reporting Annual Leave. The President is hereby authorized to develop regulations for the University dealing with the requesting and reporting of annual leave.

5.2.5.1.6 Limitations. The foregoing annual leave is not a form of deferred wages or compensation and the dollar value of any unused annual leave is not payable when a faculty member terminates. Annual leave is only available for uses described in this Statute during the current term of a faculty member's appointment.

5.2.5.2 Holidays. The President is hereby authorized to designate a reasonable number of all-campus holidays appropriate to an institution of higher learning, including various legal holidays when the University is closed, which shall be set forth in the academic calendar.

5.2.5.3 Leave of Absence

5.2.5.3.1 Sabbatical Leave

5.2.5.3.1.1 Purpose. The purpose of sabbatical leave is to provide opportunity for continued professional growth and new or renewed achievement through study, research, writing, and travel. By means of a sabbatical leave a faculty member's teaching effectiveness may be enhanced, his or her scholarly usefulness enlarged, and the University's academic program strengthened and developed.

5.2.5.3.1.2 Length. A sabbatical year consists of a leave of one (1) semester or an academic year. In the case of calendar year appointments such leave may consist of two (2) contiguous summers.

5.2.5.3.1.3 Who Qualifies. A faculty member must have been in continuous full-time employment for at least seven (7) years at the University to be eligible for a sabbatical leave.

5.2.5.3.1.4 Extent of Remuneration. A leave of one (1) semester at full salary, an academic year at half (1/2) salary, or in the case of calendar year appointees two (2) summers at full salary. The

University shall pay full salary for any sabbatical leave which the University requires a faculty member to take.

5.2.5.3.1.5 Other Conditions. If a faculty member has less than a terminal degree in his or her teaching field the sabbatical leave must be used for study toward that degree unless the case is truly exceptional. Sabbatical leaves can be granted at any particular time only when there is reasonable assurance that arrangements can be made to insure that there will be a smooth operation of the department involved. Since only limited sabbatical leave funds can be budgeted for in any single year, various factors have to be considered in selecting the recipients of sabbatical leaves, such as, length of service and the most obvious benefits to the University in faculty improvement. A faculty member receiving a sabbatical leave is expected to return to the University for a period of not less than two (2) academic years following the leave.

5.2.5.3.1.6 When Requested. An application for sabbatical leave should be submitted to the chief academic officer at least one (1) full calendar year in advance of the proposed beginning date for the leave.

5.2.5.3.1.7 How Requested. An Application for Sabbatical Leave shall outline a program of study, travel, writing, or research that would benefit both the faculty member and the University in his or her future service at the University.

5.2.5.3.1.8 Approval Required. Sabbatical leave shall require the approval of the chief academic officer. Final authorization may only be given by the President.

5.2.5.3.2 Sick Leave

5.2.5.3.2.1 Circumstances. The following are circumstances which allow valid use of necessary sick leave:

5.2.5.3.2.1.1 Illness and Injury to Faculty. Personal injury to or illness of the faculty member rendering him or her unable to satisfactorily perform assigned duties.

5.2.5.3.2.1.2 Illness or Injury to Family Member. Injury to or illness of a member of the faculty member's or spouse's immediate family which requires his or her presence.

5.2.5.3.2.1.3 Death. A death in the faculty member's or spouse's immediate family.

5.2.5.3.2.1.4 Birth of Child. Upon the faculty member's wife giving birth.

5.2.5.3.2.1.5 Medical and Dental Needs. Personal medical examinations or treatments such as dental or eye.

5.2.5.3.2.2 Rate at Which Sick Leave is Earned. Full-time faculty members holding a 52-week (annual) appointment shall be granted eight and one-half (8 1/2) days of noncumulative sick leave each appointment period. Full-time faculty members holding a 41-week (academic year) appointment shall be granted six and one-half (6 1/2) calendar days of noncumulative sick leave each appointment period. Sick leave may not be accumulated beyond the appointment period and cannot be carried over into another appointment period. Sick leave for part-time faculty members shall be determined proportionally based upon the full-time equivalent of their appointment as set forth in their letter of appointment.

5.2.5.3.2.3 Number of Days with Pay. If additional sick leave is required and the duties of a faculty member can be absorbed by other members of his or her department at no additional expense, it may be granted upon recommendation of his or her departmental chair and the chief academic officer upon the approval of the President.

5.2.5.3.2.4 Reporting Sick Leave. All sick leave taken shall be reported in writing to the office of the chief academic officer.

5.2.5.3.2.5 Rule on Extended Illness. In the event of personal illness or disability which totally exhausts available sick leave, a faculty member may then become eligible for either Workers Compensation or Disability Insurance payments. The President is authorized to grant reasonable additional sick leave for a limited period, if circumstances so warrant, and shall inform and confer with the Executive Committee of the Board for further consideration.

5.2.5.3.2.6 Doctor's Certification. A faculty member on an extended sick leave must provide a doctor's certification establishing the medical disability and stating the expected return date. If the faculty member is unable to return at the designated time, another physician's statement with expected return date is required. Before returning to work, a faculty member on an extended absence must furnish a physician's statement certifying that the faculty member is medically capable of resuming normal working duties. The department chair may at any time require the employee to submit proof that the absence was due to illness or injury and/or proof, before returning to work, that the faculty member is physically fit to resume full duties.

5.2.5.3.2.7 Limitations. The foregoing sick leave is not a form of deferred wages or compensation and the dollar value of any unused sick leave is not payable when a faculty member terminates. Sick leave is only available for uses described in this Statute during the current term of a faculty member's appointment.

5.2.5.3.3 Maternity Leave. Childbearing is adequate cause for a leave of absence for a reasonable length of time. Faculty members classified as regular full-time are eligible for faculty maternity leave. Application for such leave will be made to the chief academic officer, supported by a letter from a physician stating his or her opinion regarding the employee's ability to continue normal duties, and the estimated date of delivery.

5.2.5.3.3.1 Basic Guideline. As long as she is working, the pregnant faculty member is expected to fulfill her normal obligations to the University and is entitled to the same benefits as other faculty members. After giving birth, she may return to the University within ninety (90) days, and she will be reinstated in her previous position.

5.2.5.3.3.2 Conclusion of Leave. Maternity leave in excess of three (3) months will result in the termination of all rights and benefits except she will be reinstated in either her previous position or in one as closely resembling it as possible. If the faculty member does not return or ask for an extension, she will be terminated, which shall be treated in accordance with voluntary termination procedures, on the first day after the six (6) month leave period ends. In any case her benefits will only accrue for the first ninety (90) days of the leave period. Should there be complications in pregnancy, such benefits would be extended beyond the ninety (90) days to the end of the disability with a physician's statement of disability.

5.2.5.3.4 Personal Leave Without Pay. When unusual or unavoidable circumstances require a faculty member's absence for a prolonged period such a leave may be granted upon approval by the chief academic officer and the President. Leave in excess of three (3) months will result in the termination of all rights and benefits except he or she will be reinstated in either his or her previous position or in one as closely resembling it as possible. If the faculty member does not return or ask for an extension, he or she will be terminated, which shall be treated in accordance with voluntary termination procedures, on the first day after the six (6) month leave period ends. In any case his or her benefits will only continue for the first ninety (90) days of the leave period unless specifically provided otherwise in these Statutes.

5.2.5.3.5 Other Absences

(reserved)

5.2.5.4 Insurance Benefits

(reserved)

5.2.5.5 Education and Tuition Assistance

5.2.5.5.1 Graduate School Tuition Reimbursement. The University shall provide tuition assistance, in the form of reimbursement, for full-time regular faculty members who take graduate courses toward a master's degree or doctorate to improve their skills and competence in their present responsibilities, or to progress toward their career goals.

5.2.5.5.1.1 Approval Required. All graduate school tuition assistance shall require the approval of the chief academic officer. Final authorization may only be given by the President.

5.2.5.5.1.2 Faculty Development Program. Graduate school tuition assistance is part of the faculty development program. Charges for tuition shall be made to the Faculty Development budget. All other approved charges shall be made against the faculty member's departmental budget.

5.2.5.5.1.3 Voluntary Graduate Study.

5.2.5.5.1.3.1 Program of Study. The course work must bear a definite relationship to a faculty member's current responsibilities, or written career goals, and be a part of a program leading to a master's or doctoral degree in his or her teaching field, or are business skill advancement courses including M.B.A., C.P.A., and similar programs, and must meet the needs of the University.

5.2.5.5.1.3.2 Nontraditional Programs. The University shall not reimburse a faculty member for any nontraditional course or degree program unless the nontraditional course or degree program is requested by the administration with approval of the chief academic officer and the President.

5.2.5.5.1.3.3 Extent of Reimbursement. For an approved program the University will reimburse the full cost of tuition and administrative and laboratory fees provided the faculty member gives evidence of at least a "B" or "Pass" in the course and receipts for expenses.

5.2.5.5.1.3.4 Textbooks. The University may provide the cost of textbooks and training aids.

5.2.5.5.1.3.5 Excluded Expenses. The University shall not reimburse the faculty for deposits, graduation fees, meals, lodging, athletic or similar fees without advance written authorization of the President.

5.2.5.5.1.3.6 Accreditation. To be eligible all course work shall be completed at a regionally accredited college or university.

5.2.5.5.1.3.7 Noninterference With Responsibilities. The course load should not interfere with the faculty member's ability to perform his or her current responsibilities.

5.2.5.5.1.3.8 Impact of Adverse Effects. The department chair may limit the faculty member's course load if adverse effects are discerned.

5.2.5.5.1.3.9 Failure to Complete Course. The University will not provide reimbursement for any course which a faculty member fails to complete except in extraordinary circumstances.

5.2.5.5.1.4 Mandatory Courses and Degree Programs. The University shall pay all costs of any course or degree program, including reasonable expenses related thereto such as necessary travel, meals, and lodging, which the University compels a faculty member to take at an accredited institution as part of his or her employment as approved in writing by the chief academic officer and the President.

5.2.5.5.2 University Tuition Benefits Program. Tuition benefits shall be made in the form of grants-in-aid for the payment of tuition and associated course fees charged to a faculty member's unit of employment. These benefits apply to regular academic courses offered by the University

either on campus or other courses and programs which may be approved by the chief academic officer. An individual qualifying for one or more of these benefits may choose the one which is most advantageous to him or her.

5.2.5.5.2.1 Tuition Benefits. Tuition benefits during the academic year and summer session are as follows:

5.2.5.5.2.1.1 Full-time Faculty. A one hundred percent (100%) grant-in-aid is made to full-time faculty members, their spouses, and their dependent children.

5.2.5.5.2.1.2 Faculty Emeriti. A one hundred percent (100%) grant-in-aid is made to full-time faculty members emeriti and their spouses.

5.2.5.5.2.1.3 Part-time Faculty. A one hundred percent (100%) grant-in-aid is made to part-time faculty members and their spouses.

5.2.5.5.2.2 Impact of Death or Disability. Should a full-time faculty member (including emeriti) of at least three (3) years service become disabled or die while in the service of the University, tuition benefits for his or her spouse shall be the same as those provided for active members of the faculty.

5.2.5.5.2.3 Impact of Leave. Faculty members on leave of absence from the University, and members of their family, shall not be eligible for tuition benefits except under one of the following conditions:

5.2.5.5.2.3.1 Annual Leave. During Annual Leave.

5.2.5.5.2.3.2 Sabbatical Leave. During Sabbatical Leave that has been approved by the President.

5.2.5.5.2.3.3 Maternity Leave. During Maternity Leave.

5.2.5.5.2.3.4 When Approved in Writing. When specifically approved in writing by the chief academic officer.

5.2.5.5.2.4 Limitations

If benefits are so granted, they shall not exceed those for which the faculty members and spouses were eligible during the last term of active service and employment with the University. Tuition benefits shall not be deemed an earned benefit, or become a vested right or interest, nor shall this provision for tuition benefits be, or become an implied provision of any contract; and the right shall remain in the university administration to amend, alter, rescind, or abolish said tuition benefits at any time.

5.2.6 Termination of Service.

A faculty member shall be deemed terminated at the end of any appointed term when there is a failure to renew faculty contract at the end of that term by either the University or the faculty member, on retirement, by the acceptance of his or her voluntary resignation during the term of an existing faculty contract, or upon dismissal.

5.2.6.1 Voluntary Termination. A voluntary termination occurs when a faculty member resigns or is separated from the University at his or her request.

5.2.6.1.1 Reasons. Generally the University shall make every effort to retain faculty members who resign voluntarily. When a faculty member gives notice of intent to resign, the department chair, or immediate supervisor, shall immediately take all necessary steps to discover the cause. The department chair, or immediate supervisor, shall then make recommendations to the relevant dean aimed at keeping the faculty member.

5.2.6.1.1.1 Personal. If personal reasons-such as physical, emotional, or mental well-being-are a factor, or institutional policies, practices, or operations are in question, the department chair, or immediate supervisor, shall take all necessary steps to provide counseling and help the faculty member remain with the University. This might include arranging a leave of absence, or taking steps to correct improper or inadequate institutional policies, rules and practices.

5.2.6.1.1.2 Professional. When a faculty member tenders his or her resignation for reasons of professional advancement, the department chair, or immediate supervisor shall not discourage the faculty member from taking another position but shall be sure the faculty member is aware of his or her opportunity for professional advancement at the University.

5.2.6.1.2 Advanced Notice Required. During the term of a faculty contract a faculty member shall not be released from his or her faculty contract except by the President of the University.

5.2.6.1.3 Acceptance by Proper Authority. Resignations should be directed to the President of the University.

5.2.6.1.4 References. As a matter of course, the University shall provide letters of reference to all faculty members except those discharged or terminated by immediate dismissal.

5.2.6.1.4.1 All inquiries by prospective employers, their investigators, or personnel employment agencies about a former faculty member and any aspect of his or her employment shall be referred to the chief academic officer or the Human Resources Director. This procedure is designed to protect the privacy of all former faculty members and shall be strictly enforced.

5.2.6.1.4.2 Before the chief academic officer or the Human Resources Director may release any information, he or she shall obtain the former employee's consent in writing.

5.2.6.2 Involuntary Termination. During the term of a faculty contract the University may discharge a faculty member for cause, and thereby terminate their appointment; provided, that the faculty member shall be notified of the cause or causes for discharge and provided due process pursuant to Section 6.1 of the University's Grievance Procedure prior to any final action.

5.2.6.2.1 Cause. A faculty member may have his or her appointment terminated by the University for the following reasons:

5.2.6.2.1.1 Breach of Professional or Ethical Standards. Willful breach or habitual neglect of the duties and responsibilities he or she is required to perform under the terms of the Statement of Professional and Ethical Relationships.

5.2.6.2.1.2 Breach of Duty. Breach of any limitation of academic freedom and responsibility as set forth in the Statement of Professional and Ethical Relationships.

5.2.6.2.1.3 Financial Exigency and Reductions. Financial exigency or the elimination of any course or department.

5.2.6.2.1.4 Other. Incompetency, insubordination, physical or mental incapacity, violation of a law involving moral turpitude, unprofessional conduct reflecting discredit on the faculty member or the University, or impairing seriously the continued usefulness or ability of the faculty member to perform assigned duties and responsibilities.

5.2.6.2.2 Suspension. The President of the University may suspend any member of the faculty pending investigation, hearing, and determination of charges against such faculty member, not to exceed ninety (90) days or until hearing by the Appeals Committee as set forth in Section 6.1 Basic Grievance Procedure, whichever shall occur sooner. Such suspension may include suspension of salary, but in such case wherein the salary is suspended and the charges against

such member are not substantiated and the faculty member is not discharged, the salary that would normally have accrued had not the suspension occurred shall be paid.

5.2.6.3 Retirement. The University shall seek to continue to retain the services of long-term, full-time faculty members as long as they are willing and able to satisfactorily fulfill the duties of their positions or any other duties mutually agreed upon.

5.2.6.3.1 General Provisions. Voluntary retirements are considered voluntary terminations and shall be treated as such.

5.2.6.3.1.1 Non-Discrimination. The University complies with the provisions of the Age Discrimination Act of 1975 [29 U.S.C. § 623, 42 U.S.C. §§ 6101-61003], as amended, and the rules promulgated pursuant thereto, as applicable and not exempted therefrom, and accordingly no faculty member shall be forced to retire before age seventy (70) unless he or she becomes physically incapable of performing his or her responsibilities.

5.2.6.3.1.2 Reservation of the Right to Counsel. The University reserves the right to counsel faculty members of any age, but particularly over age sixty-five (65), when it has been clearly determined that they are medically unable to fulfill any duties which the University can offer.

5.2.6.3.1.3 Reservation of the Right to Terminate. The University further reserves the right to exercise its responsibility and terminate, through involuntary retirement, faculty members over sixty-five (65) years of age who are physically unable to fulfill their duties and responsibilities in a satisfactory manner. If an agreement on voluntary retirement cannot be reached the University regrettably reserves the right to terminate the faculty member involuntarily.

5.2.6.3.2 Privileges of Retired Faculty Members. Privileges of retired faculty members shall consist of the following:

5.2.6.3.2.1 Emeritus Title. Upon approval of the President a retiring faculty member may be honored by the designation professor emeritus.

5.2.6.3.2.2 Continued Access to Institutional Facilities. An individual designated as a professor emeritus may continue to have access to institutional facilities, such as the library, computer laboratories and recreational facilities, as accorded full-time faculty members.

5.2.6.3.2.3 Attendance at Faculty Meetings. An individual designated as a professor emeritus is free to attend general faculty meetings as an observer.

5.2.6.3.2.4 Attendance at Social Functions. An individual designated as a professor emeritus is invited to various social functions open to full-time members of the faculty.

5.2.6.3.2.5 Other Privileges. An individual designated as a professor emeritus is so listed in the University Catalog and he or she may attend faculty dining, may maintain mail privileges, and may march with the faculty at the annual spring commencement exercises.

5.3 University Staff

Final action on employment administration for the University's staff employees is delegated to the President except as otherwise provided by the Board of Regents in its Statutes. The President is authorized to develop personnel regulations and to formulate compensation plans for the administration of the University classified and professional staff personnel program. It shall remain the authority of the Board of Regents to authorize overall compensation plans for classified and professional personnel.

5.4 Tax-Deferred Annuities

(reserved)

5.5 Ministerial Faculty²²

As a church-related institution it is critical to the spiritual and theological underpinnings of the University to retain several ordained ministers of the Living Church of God (hereinafter “Ministerial Faculty”) as full-time faculty members, or for other responsibilities, to perform substantial ministerial duties in their assigned responsibilities. Their duties include, but are not limited to, regular attendance and participation in Church festivals, conventions, and Sabbath Services; counseling, speaking to outlying church congregations, visiting brethren and anointing the sick.

5.5.1 Ministerial Housing Allowance

Since under federal tax law ministers are entitled to receive tax exemption for housing costs, Ministerial Faculty shall be provided a housing allowance consistent with Internal Revenue Service regulations.

5.5.1.1 Such housing allowance, which may include the rental value of a home supplied to the minister rent-free, shall be paid to a minister as part of the minister’s compensation which is not subject to Federal income tax to the extent used by a minister to rent or provide a home.

5.5.1.2 As Internal Revenue Rules require the University to designate such housing allowance before payment each year, in order to qualify the housing allowance for tax exclusion, the Board delegates to the Human Resources Director the responsibility of housing allowance coordinator.

5.5.1.3 The Human Resources Director shall have the authority to consider and to make such designations each year, in advance, in accordance with such guidelines as may be approved by the President.

5.5.1.4 The Human Resources Director shall cause to be distributed to each qualifying minister written approval of said minister’s designation of housing allowance in advance of any payments made under such designation.

5.5.3 Ministerial Festival Allowance

The University requires attendance of its Ministerial Faculty at the Biblical festivals and holydays as celebrated by the Living Church of God. The University shall provide an annual festival allowance allocated for travel expenses and/or compensation consistent with Internal Revenue Service regulations. The basic amount of the festival allowance shall be the same as that the Living Church of God provides to its full-time ministers. The President may authorize additional festival allowance as he deems necessary such as for, but not limited to, international travel.

5.5.3 Ministerial Fleet Vehicles

Ministerial Faculty shall be provided a fleet vehicle to carry out the above and other ministerial duties consistent with Internal Revenue Service regulations.

5.5.4 Delegation

The President is authorized to develop, publish and enforce regulations for the University consistent with this policy that will ensure its effective and consistent application.

²² Amended 03/19/2014.

5.6 Indemnification Policy

5.6.1 Basic Policy

Each Regent, officer, employee, and student appointee of Living University, whether or not in office, and the heirs, executors, administrators, and assigns thereof shall be indemnified by the Board of Regents against all costs and expenses reasonably incurred by or imposed upon such person or such person's estate in connection with or resulting from an action, suit, proceeding, claim, or investigation, civil or criminal, to which such person or such person's estate shall or may be made a party, or with which such person or person's estate shall or may be threatened, by reason, directly or indirectly, of any action or omission to act in the scope of such person's appointment as a Regent, officer, employee, or student appointee of the University, provided, however that:

5.6.1.1 Willful Misconduct. No such Regent, officer, employee, or student appointee shall be indemnified against or be reimbursed for any cost or expense arising out of such person's own willful misconduct;

5.6.1.2 Timely Notice Required. The Regent, officer, employee, or student appointee shall have given prompt notice to the President's Office of the action, suit, proceeding, claim, or investigation or threat of same;

5.6.1.3 Representation by Counsel. The Regent, officer, employee, or student appointee has agreed to legal representation by counsel acting on the matter for the Board of Regents, or in the event of conflict of interest on the part of such counsel by individual counsel acceptable to the Board and its counsel, which acceptance shall not be reasonably withheld;

5.6.1.4 Recoverable Expenses. The cost or expense is not reasonably recoverable from any other source.

5.6.2 Actual Costs

The costs and expenses against which any Regent, officer, employee, or student appointee of the University shall be so indemnified shall be those actually paid or for which liability is actually incurred, including sums paid in settlement of any such action, suit, proceedings or claim on advice of competent counsel and with the concurrence of the Board of Regents, and irrespective of whether such costs or expenses are taxable costs as defined or allowed by statute or rule of court.

5.6.3 Supplementary Rights

Said rights of indemnification shall be supplementary to any other rights with respect to any such costs and expenses to which said Regent, officer, employee, or student appointee may otherwise be entitled against the Board of Regents or any other persons.

5.6.4 Good Faith Provision

A Regent, officer, employee, or student appointee shall not be deemed to have been guilty of willful misconduct in the performance of duty as a Regent, officer, employee or student appointee, as to any matter wherein such person relied upon the opinion or advice of legal counsel employed or retained by or for the Board of Regents, or relied upon erroneous information or advice furnished by an officer, or an employee of the University, and which was accepted in good faith from such persons. "Willful misconduct" as the term is used herein includes but is not limited to the intentional violation of a law or of a regulation having the force of law or of the directive of a superior university authority.

Article 6 University Grievance Procedures

6.1 Basic Grievance Procedure

6.1.1 Due Process

In accordance with the principles on which the University is founded and its obligation to its principal sponsor the Living Church of God, the following procedure shall be followed in all cases of grievance. The purpose of this procedure is to guarantee all parties to a grievance an equitable, just, and prompt resolution of their grievance. The principles of substantive and procedural due process shall apply as set forth below.

6.1.2 Informal Procedure

In the case of any grievance, regardless of whether the grievant is the University or an employee, grievants must first exhaust all informal means of resolving an alleged grievance before they are entitled to avail themselves of an Administrative Appeal.

6.1.2.1 Direct Appeal. If the grievant is an employee, the grievant shall first take the complaint directly to his or her immediate supervisor, in the case of a faculty member the immediate supervisor ordinarily would be the department chair. If the grievant is the University, the President shall authorize an appropriate representative to take their complaint directly to the employee. A complaint by an employee may be made verbally or by written memorandum. When the grievant is the University the complaint shall be made verbally and supported by a contemporaneous written memorandum, a copy of which shall be sent to the employee.

6.1.2.2 Administrative Appeal. If a complaint is not resolved, or reasonable steps to resolve a complaint are not agreed upon at Direct Appeal, or if following written determination by the Title IX coordinator or the Section 504 Coordinator, then the grievant must, within seven (7) working days of a decision, take his or her complaint to a senior administrative officer. In the case of a member of the faculty the senior administrative officer is the chief academic officer. In all other cases, the senior administrative officer is the chief student affairs officer. An administrative appeal must be made to the senior administrative officer verbally and must be followed by a written memorandum which particularly describes the basis for the complaint and the action taken by the grievant to resolve the complaint. If the grievant is the University, there is no administrative appeal. If an employee does not resolve the University's complaint within a reasonable time the University may initiate formal grievance proceedings.

6.1.2.3 Presidential Appeal. If the complaint is not resolved, or reasonable steps to resolve the complaint are not agreed upon at Administrative Appeal, the grievant must, within seven (7) working days of a decision, take his or her complaint to the President. The complaint shall be presented in writing. The President shall then make a determination of whether reasonable and appropriate action has been taken to resolve a grievant's complaint within the time prescribed. The President shall communicate the President's findings to the grievant in writing within ten (10) working days of receiving the complaint. That communication shall state the President's conclusion with regard to each point raised in the complaint and the President's rationale for upholding or denying a grievant's request.

6.1.3 Formal Proceedings

If a grievance is not resolved through informal proceedings, then the grievant may initiate formal proceedings by filing with the President of the University a request for a formal hearing. The grievant's request must be filed within ten (10) working days of receiving a decision on an Administrative or Presidential Appeal, whichever is applicable.

6.1.3.1 Appeals Committee. The President shall within ten (10) working days of receiving notification from the grievant of his or her request for a formal, do the following: impanel an ad hoc appeals committee consisting of three (5) members of the faculty, one of whom shall be designated by the President as the executive officer of the committee. The committee shall hear the complaint, evaluate the evidence, and, render a written report including their findings of fact, decision, and recommendations for resolving the grievance. A copy of this written report shall be sent by the committee to the affected parties.

6.1.3.2 Conflict of Interest. A faculty member with any significant involvement in any informal proceedings of the grievance under consideration must decline from being impaneled to serve on the committee. In addition, relatives within the third degree of consanguinity or spouses of a grievant must likewise reclude themselves from being impaneled.

6.1.3.3 Venue. The executive officer shall set the date, time, and place for a hearing. The date for the hearing shall not be less than twenty (20) working days from the receipt by the President of the request for a formal hearing.

6.1.3.4 Nature of Proceedings. Except as provided expressly herein and in relevant sections of the *Faculty Handbook*, the conduct of the hearing shall be determined on a case by case basis. The executive officer shall preside over the hearing and may at his or her discretion adjourn and continue the hearing from time to time.

6.1.3.5 Burden of Proof. The grievant in any formal proceeding shall bear the burden of proof. The burden of proof shall have been met if the grievant convinces a majority of the committee of the correctness of his or her contentions.

6.1.3.6 Representation. Neither party shall be entitled to representation by an attorney or other counselor except in unusual circumstances. Exceptions may only be authorized by the executive officer upon a written showing of cause.

6.1.3.7 Witnesses. The parties to the hearing may call such witnesses as needed.

6.1.3.8 Final Appeal. Either party to a formal grievance proceeding shall have the right to appeal the decision of the committee to the full Board of Regents within ten (10) days of the mailing of the report to the parties. The Board of Regents may decline to hear the matter or may consider the matter and issue its decision and recommendations within thirty (30) days of the filing of the appeal. All decisions rendered by the Board of Regents are final and binding upon the parties. Pending review of the appeals committee's findings, its decision is deemed to be in full force and effect.

6.2 Sexual Harassment and Related Grievances

The University does not discriminate on the basis of sex in the admission or access to, or treatment or employment in, its programs or activities. Due to the sensitive nature of sexual harassment the following process has been developed to supplement Section 6.1 Basic Grievance Procedure to specifically address sexual harassment as it relates to students, faculty, and staff. In matters relating to employment a grievant who is an employee of the University may elect not to follow this process and proceed directly to his or her rights under Section 6.1 Basic Grievance Procedure. This process is an internal grievance procedure providing for prompt and equitable resolution of complaints alleging sexual harassment and meets institutional obligations pursuant to Title IX of the Education Amendments of 1972, and the rules promulgated pursuant thereto, as applicable and not therefrom exempted.

6.2.1 What is Sexual Harassment?

There are two basic types of sexual harassment which violate institutional standards and federal law.

6.2.1.1 Sexual Harassment by Imposition. The first type is characterized by the imposition of unwelcome sexual activity in a relationship of unequal power. Examples of this type of harassment include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in an educational activity or (2) submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting an individual.

6.2.1.2 Sexual Harassment by Failure to Act. The second type of harassment occurs where harassment creates a hostile, intimidating, or offensive academic or work environment and those in a position of authority do not redress the problem. This type of harassment overlaps with the first type of sexual harassment and could potentially also include harassment of colleagues by colleagues, students by students, and faculty members by students.

6.2.1.3 Examples. Examples of actions which may constitute sexual harassment under either analysis include:

6.2.1.3.1 Unnecessary Touching. Unnecessary patting, pinching, or brushing against a person's body.

6.2.1.3.2 Intentional Touching. Deliberate assaults or molestations.

6.2.1.3.3 Threats and Bribes. Demanding or suggesting sexual favors accompanied either by implied threats or by promise of preferential treatment.

6.2.1.3.4 Improper Verbal Behavior. A pattern of behavior which includes comments of a sexual nature, sexual jokes, or sexually explicit statements which are not legitimately related to the subject matter of an academic course or activity.

6.2.2 Procedure

Complaints should be addressed to: the Title IX Coordinator who has been designated to coordinate Title IX compliance efforts and matters of sexual harassment.

6.2.2.1 State the Complaint. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

6.2.2.2 Ten Day Requirement. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation. Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.

6.2.2.3 Investigation. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the Title IX Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

6.2.2.4 Written Determination. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Title IX Coordinator and a copy forwarded to the complainant no later than ten (10) days after its filing.

6.2.3 Files and Records

The Title IX Coordinator shall maintain the files and records of the University relating to the complaints filed.

6.2.4 Requesting Administrative Appeal

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration, which is by administrative appeal as set forth in Section 6.1.2.2 Administrative Appeal, should be made within seven (7) working days to the chief academic officer in the case of faculty members and to the chief student affairs officer in all other cases.

6.2.5 Construing of Rules

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the University complies with Title IX of the Education Amendments of 1972 as applicable and not therefrom exempted.

6.3 Handicapped Status and Related Grievances

The University does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its programs or activities. The University has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and the rules promulgated pursuant thereto, as applicable and not therefrom exempted. The following process has been developed to supplement Section 6.1 Basic Grievance Procedure to specifically address matters pertaining to any exclusion of handicapped students, faculty, and staff from participation in, be denied the benefits of, or be subjected to discrimination solely by reason of their handicap in institutional programs and activities. In matters relating to employment a grievant who is an employee of the University may elect not to follow this process and proceed directly to his or her rights under Section 6.1 Basic Grievance Procedure.

6.3.1 What Constitutes Discrimination Against the Handicapped?

There are two basic types of discrimination related to handicapped status. The first type is characterized by lack of reasonable facility access. The second relates to denial of reasonable access based upon handicapped status in employment or in the provision of services.

6.3.2 Procedure

Complaints should be addressed to the Section 504 Coordinator who has been designated to coordinate Section 504 compliance efforts.

6.3.2.1 State the Complaint. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

6.3.2.2 Ten Day Requirement. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation. Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.

6.3.2.3 Investigation. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the Section 504 Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under the rules promulgated pursuant to Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), as applicable and not therefrom exempted the University need not process complaints from applicants for employment or from applicants for admission to post-secondary educational institutions.

6.3.2.4 Written Determination. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Section 504 Coordinator and a copy forwarded to the complainant no later than ten (10) days after its filing.

6.3.3 Files and Records

The Section 504 Coordinator shall maintain the files and records of the University relating to the complaints filed.

6.3.4 Requesting Administrative Appeal

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration, which is by administrative appeal as set forth in Section 6.1.2.2 Administrative Appeal, should be made within seven (7) working days to the Chief academic officer in the case of faculty members and to the Dean of Student Affairs in all other cases.

6.3.5 Construing of Rules

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the University complies with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and the rules promulgated pursuant thereto, as applicable and not therefrom exempted.

Article 7 Equal Opportunity and Statutory Compliance

7.1 Policy on Equal Opportunity

In accordance with the laws of the state of North Carolina and the United States, the Board of Regents is committed to a policy of nondiscrimination and the University shall admit students of any race, color, national and ethnic origin. In addition, all students, regardless of race, color, national or ethnic origin are entitled to all of the rights, privileges, programs, and activities generally accorded or made available to all students at Living University.

7.2 Statutory Compliance

The University shall comply with the Drug-Free Workplace Act of 1988 [PL 100-690, Title V, § 5153; 102 Stat. 4306], 41 U.S.C. § 702, amendments and the rules promulgated pursuant thereto, as applicable and not exempted therefrom.

Article 8 Educational Units, Curricula, and Degrees

8.1 Educational Units

Authority is delegated to the President of the University to approve the changes in the titles of programs, units, academic departments, and degrees; the addition or elimination of specializations, options, or concentrations within existing academic majors; administrative reorganizations which do not unreasonably increase the number of units of instruction, research, or public service; and of off-campus program locations.

8.2 Degrees, Certificates, and Awards

8.2.1 Earned Degrees and Certificates

8.2.1.1 Certificates, Diplomas, and Degrees. Earned certificates, diplomas, and degrees shall be awarded by the authority of the Board of Regents upon completion of requirements for the particular credential to be awarded and upon recommendation to the President by the University Faculty.

8.2.1.2 Posthumous Awarding of Degrees. Degrees may be awarded posthumously to any student who, at the time of death, has substantially completed the work for a degree, upon due recommendation of the University Faculty and President.

8.2.1.3 Certificates of Completion. Certificates of completion for programs of study that do not lead to academic degrees shall be awarded, upon recommendation of the educational unit concerned, by the President under general authority of the Board of Regents implied by its authorization of such programs.

8.2.2 Honorary Degrees and Other Awards

8.2.2.1 Honorary Degrees. Honorary degrees shall be awarded after approval by the Board of Regents of recommendations from the University Faculty and the President. A candidate may be any person who has achieved eminence in a field of endeavor or who has made significant contributions to cultural, scientific, economic, or humanitarian activity.

8.2.2.2 Distinguished Service Awards. Distinguished Service Awards shall be awarded after approval by the Board of Regents of recommendations from the University Faculty and the President. These awards shall be made for outstanding or unusual service to the University, the Church, the region, or the State.

8.2.2.3 Other Special Awards. Other special awards shall be made upon approval by the Board of Regents, upon its own motion, or upon approval of recommendations from the President, who may receive nominations from faculty or alumni groups.

8.3 Admission Policies

Relying upon the original jurisdiction of the faculty in such matters, the President is authorized to approve regulations for the University dealing with admission of students. Such regulations shall be aimed at establishing and preserving the academic validity and integrity of the University and shall establish the conditions and requirements which must be met for academic and other reasons to constitute admission to the University or to special programs within the University; shall provide for the enrollment process; shall provide in the interest of effective academic practice for closing admissions to programs and ceasing the processing of applications; shall establish academic and program standards for admission of students to the University and to baccalaureate and associate degree programs, and for readmission of former students; and shall provide specific means for recognizing exceptional students or the special needs represented by admission requirements of special programs.

8.4 Graduation Requirements

Relying on the original jurisdiction of the faculty in such matters, the President is authorized to approve regulations for the University stating the requirements for graduation. Such regulations shall be aimed at establishing and preserving the academic validity and integrity of the University, and shall establish the conditions and requirements which must be met for graduation from an academic program.

Article 9 Institutional Advancement

9.1 University Relations

The President shall establish procedures for a comprehensive university relations program.

9.2 Development

The President shall establish procedures which result in an annual preparation of short-range and long-range fund-raising goals and priorities for the University. The President shall present such goals and priorities to the Board of Regents for information and discussion and shall incorporate such goals and priorities into the Strategic Long-Range Plan.

9.3 Alumni Affairs

9.3.1 Alumni Association

The alumni association of the University shall be the Living University Alumni Association.

9.3.1.1 Name. The Alumni Association shall be the official agency designated to represent alumni in matters pertaining to alumni activities, alumni participation in university affairs, alumni participation in university planning and administration, and alumni opinion.

9.3.1.2 Purpose. The purpose of the Living University Alumni Association shall be to provide a means of encouraging a continuing relationship between the University and its former students. To help achieve this purpose, the Association shall sponsor programs meant to stimulate social and intellectual participation of all members of the Association, and to enable them to share in the growth and development of the University. The Association shall also endeavor to enlist the assistance of its members to strengthen the bond between the University and the community, to encourage gifts, to attract outstanding students and faculty and to contribute toward maintaining the ideals and purposes of the University.

9.3.1.3 Governance. The governance of the Alumni Association shall be vested in an Executive Director and an Alumni Advisory Council subject to the legislation of the Board of Regents and the administrative rules and regulations established by the President of the University.

9.3.1.3.1 Membership. Membership in the Association shall be either Participating or Honorary.

9.3.1.3.1.1 Participating Members. Individuals who have completed at least twenty-four (24) semester hours of credit at Living University, excluding current undergraduate students, and who are in harmony with the principles and philosophies of Living University and its principal sponsor, the Living Church of God, shall be eligible for membership in the Association as participating members. Reasonable annual dues shall be required for participating membership.

9.3.1.3.1.2 Honorary Members. Individuals who have rendered distinguished service to Living University, upon approval of the Executive Director and the President of the University, may be named honorary members of the Association. No annual dues shall be required of honorary members.

9.3.1.3.1.3 Disqualification from Membership

Upon any Living Church of God member, who is an alumnus, becoming disfellowshipped from the Church; or any nonmember of the Church, who is an alumnus, being judged by the Executive Director, with the advice and consent of the President of the University, to be active in opposing

the work of the Church, said individual's membership in the Association and eligibility for the same shall terminate.

9.3.1.3.2 Delegation. The President is authorized to develop regulations for the University dealing with the Alumni Association and alumni constituencies.

9.4 Publications, Broadcasting, and Media Advertising

9.4.1 Publications Policy

The President is hereby authorized to develop regulations for the University dealing with the operation of all university publications including student publications supported in whole or in part by university monies provided for the express purpose of publication.

9.4.1.1 Such regulations shall establish necessary management elements for the conduct of such publications, including specifying the line of authority and responsibility from the President to the staff of each publication; establishing the mode of funding and the procedures of budget approval; providing for the establishment of a publications staff organization, of fiscal authority and responsibility, and of guidelines for the conduct of operations.

9.4.1.2 In addition, for student publications, and for institutional publications deemed by the President to be analogous to student publications, such regulations shall provide for a faculty adviser and for selection in a prudent manner of competent principal editors and advisers; shall provide for the establishment of appropriate ethical and professional standards; and shall provide for procedures for accepting and acting on complaints against the publication and its staff.

9.4.2 Broadcasting Services Policy

9.4.2.1 The President is hereby authorized to develop regulations for the University dealing with the conduct of broadcast activity by university affiliated facilities under Federal Communications Commission licenses.

9.4.2.2 Such regulations shall provide for proper adherence to all applicable laws and for preparation and submission of all necessary reports, etc.; shall define the geographical service area and the audience of the broadcast facility; shall specify the educational and service objectives of the broadcast facility; shall characterize the unique educational and service contribution of the facility programming to its audiences; shall relate the facility and its programming to the university goals of service, teaching, and research; shall characterize the educational and service programming elements in the broadcast practices of the facility; shall provide for instructional programming as appropriate with the academic mission of the University; and shall support the academic mission of the University by providing for learning opportunities for students within the operational activities of the facility.

Article 10 Student Services, Regulations, and Policies

10.1 Housing Policies and Regulations

10.1.1 The President is hereby authorized to develop regulations for the University dealing with student housing.

10.1.2 Such regulations shall prescribe the scrupulous adherence to all applicable laws and regulations; shall provide for due consideration in housing facilities of health, safety, supervision, and creation of an environment conducive to academic achievement and personal growth; shall establish eligibility or requirements for assignment of housing and fair and equitable procedures

for leasing of housing; shall specify services related to provision of housing information and operation of housing facilities; and shall establish procedures for relating to non-college housing authorities, local officials, and local landlords which preserve the necessary standards of fairness, equity of treatment, and consistency of action which must mark university relations with such agencies, officers, and interested persons.

10.2 Student Rights and Conduct

10.2.1 The President is hereby authorized to develop regulations for the University dealing with student rights and conduct.

10.2.2 Such regulations shall provide specific recognition of basic student rights in the university context; shall for the protection of students clarify the distinction between university conduct standards and those established by civil and criminal statutes; shall specify non-acceptable activities for students aimed at preserving the welfare of the university community and the protection of its population and the sanctions which may be imposed in the name of the University for commission of such non-acceptable activities; shall provide for the bringing of complaints regarding activities; for procedures for assessing such complaints, and for due process in determining whether violations of any standards have occurred; and shall provide for an appeal procedure to be available to those who wish to challenge the judgment arrived at by such established procedures.

10.2.2.3 Separation of a student from the University for academic or nonacademic reasons is the responsibility of the President.

10.3 Student Constituencies and Recognized Student Organizations

10.3.1 The Associated Student Body of the University shall be comprised of all students of the University who are matriculated students. The government of the Associated Student Body shall be vested in a Student Council consisting of a student body president, a student body vice-president, a student body secretary and a student body treasurer, as executive officers, and representatives of recognized student organizations. The President of the University may authorize additional members of the Student Council.

10.3.2 The President is authorized to develop regulations for the University dealing with the Associated Student Body and for recognized student organizations.

10.3.3 The Associated Student Body shall be the official agency designated to represent students in matters pertaining to student welfare, student activities, student participation in university affairs, student participation in university planning and administration, and student opinion. The Associated Student Body shall make recommendations in writing to the chief student affairs officer concerning the distribution each fiscal year of student welfare and activity funds.

10.3.4 The regulations shall establish the procedures by which the President or that officer's designee authorizes an organization as a recognized student organization.

10.3.5 No student organization shall be authorized unless it adheres to all appropriate federal or state laws concerning nondiscrimination and equal opportunity; membership shall be limited to students officially affiliated with the University.

Article 11 Business, Fiscal, and Related Matters

11.1 Tuition, Fees, and Charges²³

11.1.1 Definition of Tuition, Fees, and Charges

The categories of student tuition, fees, and charges are as follows:

11.1.1.1 Tuition is a charge collected in payment for instruction.

11.1.1.2 General student fees are mandatory fees assessed by term as a condition of enrollment in the University and for a special purpose.

11.1.1.3 Specific student fees are those fees which are necessary to the pursuit or completion of a specific instructional program and to the overall instructional costs of a student attending the University.

11.1.1.4 Charges for special non-instructional services and privileges. These charges are special purpose, incidental charges assessed for non-instructional services or privileges provided through the University. These charges are not of general application nor may they be assessed as a condition of enrollment. These charges are designed to cover the operating costs of the service being provided.

11.1.1.5 Funding for student programs developed to serve special student interests and activities such as a general student fee (student activity fee) to support a collection of such programs and voluntary dues which are individually and voluntarily assessed and collected by the personal efforts of students or the members of student groups.

11.1.2 Authority to Set Tuition, Fees, and Charges

Tuition and general student fees, except as delegated, shall be regulated and prescribed by the Board of Regents. The President shall establish specific student fees, charges for special non-instructional services and privileges, and funding for student programs.

11.1.3 Delegation

The President is authorized to adjust tuition rates and general student fees for limited promotional purposes, delivery of instruction to countries outside the United States and Canada, and in other circumstances as the president feels warranted. The President shall report such adjustments to the Board of Regents in a timely manner and seek board authorization for adjustments that would exceed one calendar year. The President is further authorized to develop regulations concerning the funding for student programs developed to serve special student interests and activities and for the collection of dues which are individually and voluntarily assessed and collected by the personal efforts of students or the members of student groups.

11.1.4 Notice in Publications

Tuition, fees, and charges shall be published periodically in official university publications. Those students affected by changes in fees and charges shall be given notice through publication prior to the implementation of such changes.

11.1.5 Fiscal Control

²³ Article 11.1 amended 03/04/2009.

Tuition and each fee or charge shall have adequate fiscal controls; shall be separately accounted for and budgeted for; and shall be susceptible to post audit, and shall be handled in accordance with established Board Statutes.

11.2 Budgetary Policy

11.2.1 Budget Development

The President is responsible for development an annual budget for the University which shall be presented to the Board of Regents for approval and shall annually present to the Board a five (5) year projected budgetary plan as part of the Strategic Long-Range Plan.

11.2.2 Internal Budget for Operation

Subsequent to approval of the budget for the University, the President and/or designee is authorized to make budget adjustments as warranted.

11.3 Cash Management²⁴

The President of the University or designee is responsible for the development and implementation of cash management procedures but not limited to requesting funds, disbursement, credit balances, maintaining funds, refunds and repayments, tuition, fees, returned checks, non-payment, etc., in accordance with Federal regulations governing the federal financial assistance programs, university, and state regulations. Cash Management procedures are recommended by the Controller and chief student affairs officer (when applicable), and approved by the President.

11.3.1 Authority

The President of the University or the President's designee shall be responsible for the development and implementation of cash management procedures but not limited to requesting funds, disbursement, credit balances, maintaining funds, refunds and repayments, tuition, fees, returned checks, non-payment, etc., in accordance with Federal regulations governing the federal financial assistance programs, university, and state regulations. Cash Management procedures normally are to be recommended to the President by the chief financial officer and chief student affairs officer (when applicable).

11.3.2 Authorizations

Delegated to the Chair, Vice Chair and Secretary of the Board of Regents and the University's President and chief financial officer is the authority to approve opening an account and depositing University funds in a commercial bank or any other financial organization.

11.3.2.1 Levels of authority shall include:

- Opening or closing any deposit account in the name of the University.
- Entering into written agreements on behalf and in the name of the University for Merchant Services Agreements, Remote Check Capture Agreements, or e-Banking services.
- Entering into written agreements for renting, maintaining, accessing, and terminating a Safe Deposit Box or Night Drop Depository Box.

²⁴ Article 11.3 amended 6/6/2012.

- Signing a Corporate Authorization Resolution on behalf of the University and Board.
- Determining authority levels to endorse checks and orders for payment of money, approve business credit/debit card access devices, or otherwise withdraw or transfer funds on deposit with a bank.

11.3.2.2 One signature shall be required for each transaction of \$3,000 or less. Two signatures shall be required for each transaction over \$3,000.

11.3.2.3 No other organizational unit, department, or administrative office has authority to open an account or deposit University funds in a bank or other financial organization or to establish a petty cash fund except when specifically authorized in writing by the chief financial officer.

11.3.2.4 All accounts names must begin with “Living University.” All changes subsequent to the original authorization (i.e., increase or decrease in amount, change of bank) must be requested through the chief financial officer.

11.3.3 Delegations

11.3.3.1 The chief financial officer shall:

1. Obtain signature cards and other documents required by the bank to open the account.
2. Obtain signatures of the individuals authorized to disburse funds.
3. Be or designate the individual on-campus responsible for account (account custodian), as applicable.

11.3.3.2 Copies of signature cards shall be maintained by the chief financial officer.

11.3.3.3 The chief financial officer shall not have authority, without a written resolution approved by the Board, to:

- Sign, execute, or deliver promissory or other evidences of indebtedness to borrow money on behalf of or in the name of the University.
- Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the University as security for sums borrowed, or to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.

11.4 Investments Policy

11.4.1 Investment Philosophy

The purpose of this Statute is to establish and communicate guidelines for the establishment of investment goals and strategies for the University. This policy statement is intended to be specific enough to be meaningful, yet flexible enough to be practical, given changing economic, business, and financial market conditions. A further purpose is to provide direction to investment advisors and a framework within which they are expected to work and be evaluated.

11.4.1.1 Endowment Portfolio

The Endowment Portfolio shall be managed with the intention of obtaining the highest possible “total return,” i.e., current income plus net realized and unrealized appreciation, of the investment portfolio, balancing reasonable growth with maintenance of prudently acceptable risk and maximizing income to satisfy the needs of the various endowment funds. To mitigate the potential

risk of loss while recognizing it will minimize potential gain, the University shall have what may be described as a moderate tolerance for risk with respect to its endowment portfolio.

11.4.1.2 University Portfolio

The University Portfolio shall be managed with the intention of obtaining the highest possible “current income” for the investment portfolio while adhering to a prudent level of risk, which may be described as a moderate tolerance for risk.

11.4.2 Definitions

11.4.2.1 Endowment Investments Portfolio. The Endowment Investments Portfolio, hereinafter the “Endowment Portfolio,” shall include all principal of the endowment.

11.4.2.2 University Investments Portfolio. The University Investments Portfolio, hereinafter the “University Portfolio,” shall include all non-endowment investments of university funds.

11.4.3 Investment Goals

11.4.3.1 Endowment Portfolio. At Living University the practice shall be to manage the investment portfolios of the University and the endowment for the use and benefit of the institution in a manner such that:

11.4.3.1.1 The investment advisor shall make reasonable efforts to preserve the principal of the Endowment Portfolio’s asset’s under his or her management based on the specific objectives of the University as outlined in quarterly written instructions from the Investment Committee.

11.4.3.1.2 A total return shall be produced that equals or exceeds the inflation rate over a full market cycle and a return that includes income and capital appreciation.

11.4.3.1.3 The Endowment Portfolio results shall be compared to the annual rate of return of five percent (5%) above the C.P.I.-U. over a five (5) to seven (7) year period. Portfolio results shall also be evaluated relative to returns available from low-risk investments as represented by the T-Bill rate.

11.4.3.2 University Portfolio. The practice at Living University shall be to manage the University Portfolio for the use and benefit of the institution in a manner such that:

11.4.3.2.1 Liquidity of the University Portfolio shall be maximized, given the moderate level of risk the University will assume.

11.4.3.2.2 University Portfolio results shall be compared to the annual rate of return of the C.P.I.-U. Portfolio results shall also be evaluated relative to returns available from low-risk investments as represented by the T-Bill rate.

11.4.4 Gains and Losses

The Director of Business Affairs is authorized to realize losses in any of the portfolios if such action would be consistent with the University’s investment goals. Losses and gains realized on the University Portfolio shall be charged or credited against current income. Losses and gains realized on the Endowment Portfolio shall be debited or credited against the Endowment Gain and Loss Account and are not to be distributed on a current basis.

11.4.5 Advisors

The services of external investment advisors shall be to utilized to assist in the management of the University and Endowment Portfolios. The number of advisors and the amount of funds under their aegis shall be determined by the Board of Regents. The services to be provided by investment advisors shall be specified in written agreements.

11.4.6 Limitations

11.4.6.1 Not more than ten percent (10%) of the University Portfolio nor more than ten percent (10%) of the Endowment Portfolio shall be concentrated in any particular industry. Certificates of deposit in banks and savings and loans shall not be deemed as an investment in the banking or savings and loan industry. Since the total amount of funds held in the University and Endowment Portfolios fluctuates on a day-to-day basis, the percentage concentration test shall not be monitored daily on existing investments. Rather, the test of any industry shall be made as of the date that an investment is made.

11.4.6.2 Not more than twenty (20%) of Endowment Portfolio investments shall be made directly in any foreign country and only when approved in advance by the Investments Committee.

11.4.6.3 Not less than ten percent (10%) nor more than forty percent (40%) of the Endowment Portfolio shall be invested in common stocks. Additionally, not less than thirty percent (30%) nor more than seventy percent (70%) of the Endowment Portfolio shall be invested in fixed-income securities. For purposes of this limitation, the amounts recommended to be maintained in short-term investments by the equity advisors shall be considered as invested in common stocks or fixed-income securities, respectively, as long as those funds are committed to be invested in common stocks or fixed-income securities.

11.4.6.4 The stock held by the mutual funds owned by the Endowment Portfolio shall not be considered in computing the industry concentration limitations.

11.4.6.5 The directors, trustees, and administrators of the various funds of the University and Endowment Portfolios may specify terms and conditions that are more restrictive than those of this Statute, but shall not permit a less restrictive policy without specific authorization from the Board of Regents.

11.4.6.6 The quality rating guidelines which are to be used shall be the ratings as of the date of the purchase of the security. If a rating change occurs which disqualifies a security that is already present in one of the University's portfolios, the following procedures are to be implemented.

11.4.6.6.1 If the security is a short-term investment, to mature within one (1) year from the date of the rating change, no action is required and the security may be held to maturity.

11.4.6.6.2 If the security is a long-term investment, maturity exceeds one (1) year from the date of the rating change, the security must be sold within sixty (60) days from the discovery of the rating change.

11.4.6.7 Marketability. Securities purchased by the University and Endowment Portfolios may be listed on the New York, American, or other exchange or may be unlisted and traded over-the-counter provided that all securities purchased shall be readily marketable and meet the quality guidelines of this Statute.

11.4.6.8 Gifts and Bequests of Securities. Securities in the form of gifts and bequests to the University that have no ready market shall be accepted if, as determined by the Executive Committee, after review by a securities specialist and recommended by either the Investment Committee or the University's investment advisors. Moreover, gifts and bequests of common stock shall be reviewed pursuant to the principles set forth, at Section 8.15 Gifts to the University, in these Statutes designed to minimize liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of real property by the existence of hazardous waste or other environmental hazards.

11.4.6.9 Authorized Investments. The following categories of investments shall be authorized for the Endowment and/or the University Portfolios as indicated.

11.4.6.9.1 Commercial Paper. Investments in commercial paper shall be restricted to Endowment Portfolio only.

11.4.6.9.1.1 If the maturity of the paper does not exceed sixty (60) days from the date of purchase, the following quality and amount limitations shall apply:

Rated A-1 [Standard and Poor's] and P-1 [Moody's], not more than three million dollars (\$3 million).

Rated A-1 not rated by Moody's not more than three million dollars (\$3 million).

Not rated by Standard and Poor's and rated P-1, not more than three million dollars (\$3 million).

Rated A-1 and P-2, not more than one million dollars (\$1 million).

Rated A-2 and P-1, not more than one million dollars (\$1 million).

11.4.6.9.1.2 If the term is greater than sixty (60) days, but less than two hundred seventy (270) days, the following limitations shall apply:

An amount not to exceed three million dollars (\$3 million) in any corporation rated either A-1 and P-1 and whose long-term debt is rated AA (Moody's) or better, or whose parent company guarantees one hundred percent (100%) of the commercial paper of its subsidiary.

An amount not to exceed three million dollars (\$3 million) in any corporation rated either A-1 and not rated by Moody's, or P-1 and not rated by Standard and Poor's, and whose long-term debt is rated AA or better or whose parent company debt rating is AA or better, if that parent company guarantees one hundred percent (100%) of the commercial paper of its subsidiary.

An amount not to exceed one million dollars (\$1 million) in any corporation rated A-1 and P-2, or A-2 and P-1, and whose long-term debt is rated A (Moody's) or better or whose parent company debt rating is A or better, if that parent company guarantees one hundred percent (100%) of the commercial paper of its subsidiary.

11.4.6.9.1.3 No commercial paper may be purchased with a term greater than two hundred seventy (270) days.

11.4.6.9.1.4 The total of commercial paper, certificates of deposit, and banker's acceptances in one institution may not exceed three million dollars (\$3 million), but up to nine million dollars (\$9 million) if the amount exceeding three million dollars (\$3 million) is in certificates of deposit that are one hundred percent (100%) collateralized at their market value. Demand accounts shall not be included in this calculation.

11.4.6.9.1.5 The total investment in commercial paper shall not exceed fifty million dollars (\$50 million).

11.4.6.9.1.6 See Section **11.4.6.1** and **11.4.6.2** for industry concentration and foreign corporation limitations.

11.4.6.9.2 Bankers Acceptances. Investments in bankers acceptances shall be restricted to Endowment Portfolio only.

11.4.6.9.2.1 An amount not to exceed three million dollars (\$3 million) in any bank that is rated C or better by Keefe.

11.4.6.9.2.2 The total of commercial paper, certificates of deposit, and banker's acceptances in one institution shall not exceed three million dollars (\$3 million) but up to nine million dollars (\$9 million) if the amount exceeding three million dollars (\$3 million) is in certificates of deposit that

are one hundred percent (100%) collateralized at their market value. Demand accounts shall not be included in this calculation.

11.4.6.9.2.3 No banker's acceptances shall be purchased with a term greater than two hundred seventy (270) days.

11.4.6.9.3 Eurodollars. Investments in Eurodollars shall be restricted to Endowment Portfolio only.

11.4.6.9.3.1 An amount not to exceed three million dollars (\$3 million) in banks or subsidiaries of banks rated C or better by Keefe.

11.4.6.9.3.2 No Eurodollars shall be purchased with a term greater than one (1) year.

11.4.6.9.4 Corporate Bonds. Investments in corporate bonds shall be restricted to Endowment Portfolio only.

11.4.6.9.4.1 An amount not to exceed one million dollars (\$1 million) may be invested in the long-term debt instruments of any one company. Not more than 10% of the Endowment Portfolio shall be invested in any particular industry.

11.4.6.9.4.2 Bonds shall be A-rated or better.

11.4.6.9.4.3 No corporate bonds shall be purchased with a term greater than 40 years.

11.4.6.9.5 Common Stock and Preferred Stock. Investments in common stock and preferred stock shall be restricted to Endowment Portfolio only. An amount not to exceed three percent (3%) of the outstanding shares of a company may be purchased. Not more than ten percent (10%) of the Endowment Portfolio shall be invested in any particular industry. All stock shall be of investment grade and should be limited to those companies that are socially responsible.

11.4.6.9.6 Mutual Funds. Investments in mutual funds shall be restricted to Endowment Portfolio only. The investment in any particular fund shall not exceed five percent (5%) of the total Endowment Portfolio. Investment in any fund shall not exceed five percent (5%) of the total funds of the mutual fund. All mutual funds shall be of investment grade.

11.4.6.9.7 Real Estate. Investments in real estate shall be restricted to Endowment Portfolio only. Investments in real estate shall be made only upon specific authorization of the Board of Regents. Moreover, prior to the investment in any real estate the acquisition shall be reviewed pursuant to the principles set forth, at Section 8.13 University Property and Facilities, in these Statutes designed to minimize liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of real property by the existence of hazardous waste or other environmental hazards.

11.4.6.9.8 Municipal or State Bonds. Investments in municipal or state bonds may be for University or Endowment Portfolios. Such investments are not restricted to either University or Endowment Portfolios.

11.4.6.9.8.1 An amount not to exceed one million dollars (\$1 million) in any one municipality or state.

11.4.6.9.8.2 Bonds shall be A-rated or better.

11.4.6.9.8.3 No bonds shall be purchased with a term greater than thirty (30) years.

11.4.6.9.9 Certificates of Deposit. Investments in certificates of deposit may be for University or Endowment Portfolios.

11.4.6.9.9.1 Collateralized at Market Value. Not to exceed six million dollars (\$6 million) in any North Carolina bank. Such investments are not restricted to either University or Endowment Portfolios.

11.4.6.9.9.2 Uncollateralized. Not to exceed three million dollars (\$3 million) in any bank or savings and loan located in the United States if uncollateralized and the bank is rated C or better by Keefe, or unless the savings and loan's return on average net assets according to Kaplan and Smith's publication of savings and loans and net worth as a percentage of assets according to Sheshunoff's publication of all savings and loans rank in the top two-thirds of the savings and loans in the United States. Such investments shall be restricted to Endowment Portfolio only.

11.4.6.9.9.3 Single Institution Limit. The total of commercial paper, certificates of deposit, and banker's acceptances in a single institution may not exceed three million dollars (\$3 million) but up to nine million dollars (\$9 million) if the amount exceeding three million dollars (\$3 million) is in certificates of deposit that are one hundred percent (100%) collateralized at their market value. Demand accounts shall not be included in this calculation.

11.4.6.9.9.4 Term Limit. No certificate of deposit shall have a term exceeding one (1) year unless approved by the Controller and the President.

11.4.6.9.10 U.S. Treasury Bills, Notes, and Bonds. Investments in U.S. Treasury Bills, Notes, and Bonds are not restricted to either University or Endowment Portfolios. There are no limitations on amount invested or term.

11.4.6.9.11 U.S. Government Agencies. There are no limitations on amount invested or term. Such investments are not restricted to either University or Endowment Portfolios.

11.4.6.9.12 Repurchase Agreements

11.4.6.9.12.1 Uncollateralized. For the Endowment Portfolio only there shall be no limitations on the amount invested in this vehicle provided the term of the agreement shall not exceed thirty (30) days.

11.4.6.9.12.2 Collateralized at Market Value. For either University or Endowment Portfolios there shall be no limitations on the amount invested in this vehicle provided the term of the agreement shall not exceed thirty (30) days and is one hundred percent (100%) collateralized at market value by U.S. Government securities.

11.4.6.9.13 Reverse Repurchase Agreements and Forward Commitments. Limitations for the University and Endowment Portfolios are:

11.4.6.9.13.1 An amount not to exceed three million dollars (\$3 million) may be committed under any reverse repurchase agreement or any commitment to buy U.S. Treasury Bills or U.S. Government Agency instruments at any one time.

11.4.6.9.13.2 The length of the commitment may not exceed ninety (90) days.

11.4.6.9.14 Other Investments. Between meetings of the Board of Regents, if deemed advisable, other investments of the University and Endowment Portfolios not specifically authorized by this statute may be made if approved by the President and the Executive Committee of the Board of Regents. Any such action shall be taken to the Board of Regents at its next meeting for approval.

11.4.6.10 Social Responsibility. All investments of the University and the Endowment Portfolios shall be limited to those companies that are socially responsible. Proxies shall be voted accordingly.

11.4.6.11 Management of Investments. Except as provided herein, the Controller under the direction of the President shall be authorized to implement and administer this Statute and manage the University and Endowment Portfolios in accordance with this Statute.

11.4.6.11.1 The Controller is granted continuing authority to purchase, to sell, or to transfer between university accounts those securities held as investments.

11.4.6.11.2 The Controller shall prepare cash flow projections and shall recommend to the President the amount of investments to be procured.

11.4.6.12 Effective Date. It is understood that some of the current holdings may not meet the terms of this Statute on the date it becomes effective. Those holdings not in compliance may be maintained until the President, as advised by the Controller, determines that sale would be in the best interests of the University or Endowment Portfolio. Any such current investments not in compliance with this Statute still held by the University or Endowment Portfolio six (6) months after the effective date of this Statute shall be referred to the Board of Regents for a final decision as to disposition.

11.4.6.13 Exceptions. Modifications and exceptions to this Statute shall be authorized only by resolution of the Board of Regents or as provided herein. The terms and conditions of this Statute as to the Endowment Portfolio may be waived if specified by the terms of a gift and approved by the Board of Regents.

11.4.6.14 Reporting and Accountability. The President shall be accountable to the Board of Regents for implementing this Statute. The President shall cause a written report to be made to the Board of Regents at each regular meeting on the status of the University and Endowment Portfolios.

11.5 Procurement Policy

11.5.1 Competitive Acquisition

The practice of the University shall be to buy on a competitive basis, when practicable, from responsible suppliers irrespective of the amount to be expended.

11.5.2 Procedure

The President shall develop regulations for procurement matters and shall seek the authorization of the Board for the contractual authority and commitment limits for persons delegated contractual authority.

11.6 Internal Audit Policy

The President of the University, or his delegate, shall be responsible for the development and implementation of a program of internal audit.

11.7 Records Management Program

11.7.1 The University shall have a records management program which shall provide for the maintenance of records in an efficient and orderly manner and for the discharging of records no longer needed. The program shall comply with all state and federal regulations.

11.7.2 The details of the program established shall include those general guidelines herein established, and the program shall become effective when submitted in writing to and approved by the President.

11.7.3 The program shall include consideration of the following:

11.7.3.1 Retention Schedules with consideration in regard to legal constraints, operational needs, and archival value.

11.7.3.2 Storage and Retrieval with consideration in regard to filing systems, medium (paper, microfilm, computer storage, microfiche).

11.7.3.3 Designation of individual responsible for the program.

11.7.3.4 Provisions for appropriate confidentiality of records.

11.7.3.5 Provision for identification of and special care of records vital to the continuation of operations in the event of disaster.

11.8 Travel Regulations

The President is hereby authorized to develop travel regulations.

11.9 Risk Management Program

The University shall participate in self-insurance and risk management programs with the Living Church of God that are mutually advantageous. Any program of self-insurance shall include:

11.9.1 Retention of Risks

Retention of risks by the University within its financial capabilities through the establishment of self-insurance limits to be determined by normal loss levels.

11.9.2 Risk Management Program

Initiation of internal risk management programs intended to reduce the University's exposure to potential liabilities.

11.10 University Property and Physical Facilities

11.10.1 Real Property (Land)

The Board of Regents shall approve matters relating to the acquisition and disposal of real property.

11.10.1.1 Acquisition. Prior to the purchase of any real property, the President shall cause appropriate inquiry to be made into the previous ownership and uses of such property to minimize liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of the property by the existence of hazardous waste or other environmental hazards. The President shall undertake all appropriate inquiry, including physical inspection by persons with appropriate qualifications, consistent with good commercial or customary practices and may contract for such services by specialists in such matters. The President shall report the findings and make appropriate recommendations to the Board.

11.10.1.2 Disposal. Real property may only be disposed of upon authorization of the Board of Regents.

11.10.2 Physical Facilities

11.10.2.1 Master Plan for Capital Improvements. The President shall develop a Master Plan for Capital Improvements. The President shall present this plan and its annual update to the Board of Regents and shall incorporate such plan into the Strategic Long-Range Plan.

11.10.2.2 Uniform Building Code. To insure safety all new construction, including but not limited to buildings, structures and facilities, streets, drives and all other areas belonging to the University, shall meet the requirements of the current edition of the Uniform Building Code. If the President determines that a variance from the Uniform Building Code is warranted then the President shall seek authorization for the variance from the Board of Regents.

11.10.2.3 Naming Physical Components of the University. The Board of Regents reserves the right to name, or rename, all buildings, structures and facilities, streets, drives and all other areas belonging to the University.

11.10.3 Use of University Property

The President is hereby authorized to develop regulations for the use of university premises.

11.11 Gifts to the University

11.11.1 Cash and Securities

The President and President's designees are authorized to accept gifts of cash and securities in the name of the University.

11.11.2 Real Property (Land)

11.11.2.1 Duty to Investigate. Prior to the acceptance of any real property as a gift or bequest to the University, the President shall cause appropriate inquiry to be made into the previous ownership and uses of such property to minimize liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of the property by the existence of hazardous waste or other environmental hazards. This shall include gifts of common stock, partnership or other interests, which could result in liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of real property by the existence of hazardous waste or other environmental hazards.

11.11.2.2 Reporting Findings. The President, or the President's delegate, shall undertake all appropriate inquiry, including physical inspection by persons with appropriate qualifications, consistent with good commercial or customary practices and may contract for such services by specialists in such matters and shall report the findings to the Executive Committee of the Board.

11.11.2.2 Contaminated Property

11.11.2.2.1 Unreasonable Risk. If the Executive Committee concludes that a gift or bequest would result in unreasonable liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of the property by the existence of hazardous waste or other environmental hazards then the Executive Committee may decline the gift or bequest. The Executive Committee shall instruct the President, or the President's delegate, to formally and legally reject such gift or bequest within the time restraints for the declination of such gifts or bequests as required by law.

11.11.2.2.2 Reasonable Risk. If the Executive Committee concludes that the gift or bequest would result in reasonable liability under 101(35)(B) of CERCLA, 42 U.S.C. § 9601 (35)(B), or other laws, for contamination of real property by the existence of hazardous waste or other

environmental hazards then the Executive Committee shall refer the matter together with its recommendations to full the Board of Regents. The Board of Regents shall instruct the President, or the President's delegate, to formally and legally accept or reject such gift or bequest within the time restraints for the declination of such gifts or bequests as required by law.

11.11.2.3 Non-contaminated Property

If the Executive Committee of the Board of Regents finds that such gift or bequest will not result in such liability then they may authorize the President, or the President's delegate, to accept the gift or bequest.

Article 12 Institutional Effectiveness and Planning

12.1 Institutional Effectiveness

(reserved)

12.2 Long-Range Strategic Planning

12.2.1 Five-Year Strategic Long-Range Plan

The University shall develop and maintain a five-year Strategic Long-Range Plan, as well as a planning and evaluation process, which addresses its educational, physical, and financial growth. The Strategic Long-Range Plan shall be revised annually.

12.2.2 Planning Objectives

The primary objectives to be realized in the planning process shall be the following:

12.2.2.1 To enhance the probability that the mission of the University will be fulfilled.

12.2.2.2 To increase dialogue between the administration, faculty, staff, and students.

12.2.2.3 To foster improvement of the conceptualizing and understanding of program planning, resource allocation, and managing processes.

12.2.2.4 To improve planning and management processes at all levels at the University.

12.2.2.5 To demonstrate the effectiveness of the University in achieving its institutional mission and scope.

12.2.3 Delegation

The President is hereby authorized to issue regulations for the development and maintenance a five-year Strategic Long-Range Plan, as well as a planning and evaluation process, which addresses the University's educational, physical, and financial growth. The President shall set the annual planning and evaluation cycle for the University such that the Board may annually review and approve amendments to the Strategic Long-Range Plan at the annual meeting.

Article 13 Policy on Drug-Free Campus

13.1 Drug-Free Campus

The use or possession of drugs in a college and university environment is inconsistent with the goals of an educational institution and cannot be permitted to exist unchecked. The Board of Regents is committed to maintaining a drug-free campus and seeks to promote drug and alcohol

abuse prevention. Consequently Living University seeks to maintain a drug-free campus and prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled substances in the workplace (which refers to any property owned or controlled by the University).

13.2 Notification and Awareness

13.2.1 Annual Statement

The University shall annually publish a statement notifying the University community that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on campus and specifying the actions that shall be taken against violators for infraction of such prohibition. The annual distribution to each student and employee shall consist of the following:

13.2.1.1 Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;

13.2.1.2 A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;

13.2.1.3 A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;

13.2.1.4 A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and

13.2.1.5 A clear statement that the University will impose sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, ranging from completion of an appropriate rehabilitation program up to and including expulsion or termination of employment or academic status and referral for prosecution, for violations of the standards of conduct required of students and employees.

13.2.2 Drug-Free Awareness Program

The University shall establish and maintain a drug-free awareness program.

Article 14 Intellectual Property

The University acknowledges the ownership rights associated with intellectual property and requires students and employees to adhere to all applicable state and federal laws. Intellectual property is property protected by copyright, trademark, or patent law.

14.1 Works Made for Hire

The University recognizes that the works made for hire doctrine applies to University employees. Under this doctrine, a work made for hire is defined as a work prepared by any employee within the scope of his or her employment. Other works created under the terms of an agreement between the University and a creator may also be deemed works made for hire under that agreement. Works include any material that may receive protection under federal patent, copyright, or trademark law. The University retains its ownership of works made for hire and all rights incidental to that ownership except as stated below. This policy does not include independent works by employees that were not created within the scope of employment.

14.2 Academic Exception

The University recognizes an academic exception to the works made for hire doctrine. It is the University's policy that employees own copyright to traditional works that they create for traditional academic purposes. The employee grants and the University retains a "shop right" in these works. A "shop right" includes the right of perpetual, royalty-free, non-exclusive use of the works within the institution for educational and research purposes. Regardless of any use of institutional resources or the work made for hire doctrine, the ownership of textbooks, scholarly monographs, trade publications, maps, charts, articles, novels, nonfiction works, supporting materials, artistic works, syllabi, lecture notes, educational software and multimedia, and like works will reside with the creator(s) and all rights incidental to that ownership will belong to the creator(s). Employees, however, may not use University resources to commercialize or publish a work without written approval from University administration.

14.3 Student Works

The University recognizes that students retain ownership of intellectual property submitted in fulfillment of academic requirements. By enrolling in the institution, the student gives the institution a "shop right" in any work created in fulfillment of academic requirements. This "shop right" includes a perpetual, non-exclusive, royalty-free license to mark, modify, and retain the work as may be required by the process of instruction. Moreover, as lectures, presentations, and distance learning materials are the intellectual property of the University, and often other third parties, such works are proprietary protected by copyright law. Therefore notes taken by students from such activities may only be used for personal educational purposes. Publication of class notes may be unlawful copyright infringement.

14.4 Other Agreements

14.4.1 In support of its mission, the University, an employee or a student may voluntarily enter into other agreements for ownership or sharing of royalties. In these instances, the written agreement is controlling, not this policy.

14.4.2 In the case of a work created under the provisions of a grant, the terms of the grant will determine the ownership and all rights incidental to the ownership of the property created, not this policy.

14.4.3 All revenue derived by the University from the creation and production of intellectual property, shall be used for educational and research purposes that directly support the University's mission.

14.5 Dispute Resolution

14.5.1 Questions

Prior to creating works using University resources, employees and students should direct intellectual property ownership questions to the chief academic officer.

14.5.2 Employee Issues

If issues related to ownership of intellectual property arise and cannot be resolved informally, University employees may seek resolution through the Basic Grievance Procedure (6.1). Prior to initiating litigation, both parties will participate in mediation of the dispute before a neutral third party mediator and will equally share the cost of such mediation.

14.5.3 Student Issues

If issues related to ownership of intellectual property arise and cannot be resolved informally, University students may seek resolution through the Student Grievance Procedure for Academic Matters as outlined in the Student Handbook.

Article 15 Reduction in Force

If the Board of Regents determines that there is a necessity for a reduction in force of two or more persons because of financial exigency, decline or change in student composition or enrollment, or program change, or other valid reasons which will result in termination of any employee(s), the following guideline shall be followed:

15.1 Definitions

The following terms have the meanings indicated:

15.1.1 Day

Day means the University working days, except where calendar days are specified.

15.1.2 Degrees Held

Degrees held means the achievement of educational degree(s) from a recognized college or university which is(are) directly related to the needs of the college.

15.1.3 Employee

Employee means any person employed by the University, full-time or part-time, except student employees.

15.1.4 Financial Exigency

Financial Exigency means any significant decline in the University's financial resources that compels a reduction in the University's current operations budget.

15.1.5 Length of Service

Length of Service means years of employment with the University for those with a teaching assignment, a nine month contract will constitute one year of service.

15.1.6 Performance

Performance means the appraisal of work quality and effectiveness by the employee's appropriate superiors.

15.1.7 Productivity

Productivity means the numbers of students served and/or student credit hours generated or the quantity/volume of services produced by an employee.

15.1.8 Program Change

Program Change means any elimination, curtailment, or reorganization of a curriculum offering, program, or University operation.

15.1.9 Services Performed

Services Performed means the scope and magnitude of activities performed and/or directed by an employee, but not limited to classroom teaching, which are utilized by the college.

15.1.10 Skills

Skills means the areas of expertise in which they have been trained and the degree to which they have been developed by an employee and which are of benefit to the college.

15.1.11 Termination

Termination means the cessation of employment before the end of a contract period. The non-reappointment of an employee on a specified term appointment is not a termination, and no objection to the non-reappointment may be filed with this procedure.

15.1.12 Training

Training means instruction, not normally leading to an academic degree, which is related to needs of the University.

15.1.13 Years of Experience

Years of Experience means total years of work experience related to an employee's current position, regardless of location, and for those employed with a teaching assignment, academic year month contracts will constitute one year of service.

15.2 Determination

If the President determines that circumstances are present and the termination of employment of two or more employees is a necessary or advisable consequence of that circumstance, then the President shall prepare a written Determination Statement for the Board of Trustees or its designated committee. Once the Board of Regents has concluded that there is a necessity for a reduction in force, the President shall determine the employment categories in which reductions shall take place, the numbers of reductions within affected categories, and the particular employees to be terminated.

15.3 Selection

In selecting which employees within particular employment categories are to be terminated, the President shall give primary consideration to the maintenance of a sound and balanced educational program that is consistent with the mission of the University. Secondary consideration will be given to the following and will only be taken into account in the event a decision cannot be made based on the primary considerations: Performance, Degrees held, Productivity, Training, Skills, Years of Experience, Services Performed, and Length of Service.

15.4 Notice

Notice of reduction in force termination shall be by certified mail, return receipt requested, to the employee to be terminated. The notice shall include a statement of condition requiring termination of employment, date of the termination, and other pertinent data. The employee's address, as it appears on the college's records, shall be deemed to be the correct address. It shall be the employee's responsibility to see that the college has his/her current address on file.

15.5 Timeliness

An employee shall be given not less than 30 calendar days notice before the termination becomes effective, unless the reason is financial exigency. When termination is based on financial exigency, the college shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limit of available resources, to give as much notice as is possible under the circumstances of the financial exigency.

15.6 Appeal

Within ten (10) days after receiving a notice of termination, an employee may appeal the action to the Board of Regents. Appeals may be made solely to determine whether the decision to terminate was arbitrary or capricious with respect to that individual. Appeals under this policy shall be limited to matters involving termination of employment and shall not apply to reductions in contract length. An appeal of a reduction in force decision must be in writing and addressed to the Chair of the Board of Regents, with a copy to the University President. The appeal must specify the grounds on which it is contended that the decision was arbitrary or capricious and must include a short, simple statement of facts that the employee believes supports the contention.

15.7 Conduct of the Hearing

The hearing shall, if possible, be conducted prior to termination of employment. The Board of Regents may hear the case or direct a committee designated by the Board to conduct a hearing of the facts and issues. The hearing shall include only members of the Board of Regents, the employee, President, and such witnesses as may be called in attendance, except that the employee and the President may each be accompanied by a person who may give counsel. The cost of a transcript, if desired, shall be done by the party making the request. The burden is on the employee to prove to the Board by a preponderance of the evidence that the decision to terminate was arbitrary or capricious. A board member who has a significant conflict of interest shall disqualify himself/herself or be excused by the Board's adoption of a motion to disqualify himself/herself. The committee shall report its findings to the Board with recommendations. The Board at its next meeting, or as soon as possible thereafter, shall consider the report and modify, alter, set aside or affirm said report and certify its findings to the President, which shall be binding. Such a determination finally concludes the appeal. If the Board determines that the employee's contention has been established, it shall direct the President to so notify him by a written notice and to state what correction action will be taken.

15.8 Obligation with Respect to Re-employment or Other Employment

15.8.1 For one year after the effective date of a termination pursuant to this procedure's provisions, the Board shall not fill the position of an employee whose employment has been terminated without first offering the position to the employee who has been terminated. The offer shall be made by certified mail, return receipt requested, and the employee shall be notified that he/she must submit written acceptance within five calendar days. Failure to accept within five calendar days, or rejection of the position, eliminates all re-employment rights of the employee.

15.8.2 An employee who is re-employed within three years, shall have restored to him all of the sick leave he had accrued on the effective date of the termination.

15.8.3 When requested by the person whose employment has been terminated, the University shall give him reasonable assistance in finding other employment.

15.9 Exclusive Reduction in Force Procedure

This reduction in force procedure is the only procedure that may be used in a reduction in force. Any existing grievance or appeal procedure for reconsidering or examining an employee discharge, non-reappointment, or grievance is not available for considering an issue that arises from a reduction in force and shall not be used. Similarly, no other personnel action other than a reduction in force may be considered under this reduction in force procedure.

Article 16 Succession Plan

Succession planning is an effort designed to ensure the continued effective performance of the University by making provisions for the development and replacement of key positions and work activities over time.²⁵

16.1 Presidential Succession

This is a plan for contingencies due to the disability, death or departure of the President.

16.1.1 Temporary Absences

The Vice President of Academic and Student Affairs shall perform all duties of the President, as acting President, during the President's temporary absence(s).

16.1.2 Presidential Vacancy

If the University is faced with a presidential vacancy, Living University shall follow the plan set forth below to facilitate the transition to both interim and longer-term leadership.

16.1.2.1 The Vice President of Academic and Student Affairs shall serve as the Interim President upon resignation or death of the President.

16.1.2.2 If the Vice President of Academic and Student Affairs is unable or unwilling to serve, the appointee for the position of Interim President shall be in the following order:

Executive Director of Business Services

Executive Director of University Relations

Person named by the Executive Committee

16.1.2.3 The individual appointed Interim President shall have the full authority for decision-making and independent action as the regular President.

16.1.2.4 The Interim President may be offered compensation to be determined by the Executive Committee.

16.1.2.5 The Executive Committee will be responsible for monitoring the work of the Interim President. The committee will be sensitive to the special support needs of the Interim President in this temporary leadership role.

16.1.3 New President Selection Process

16.1.3.1 Appointment of a Search Committee

The Board of Regents will appoint a Search Committee in a timely manner to plan and carry out a transition to a new permanent President. The Board will also consider the need for outside consulting assistance depending on the circumstances of the transition and the Board's capacity to plan and manage the transition and search. The Search Committee shall plan for the recruitment and selection of the permanent President according to the procedures set forth below.

16.1.3.2 Identification of Potential Successors

²⁵ Article 16 adopted 9/4/2008.

Before initiating the search for candidates to succeed the University President, the Search Committee should review the mission and scope of the University to determine the type of individual who would best lead it toward such accomplishments.

16.1.3.3 Candidate Qualifications

The Search Committee should objectively assess the merits of potential successors using the following guidelines. The candidate should possess:

1. an earned doctorate and relevant experience in higher education; knowledge of issues concerning higher education;
2. the ability to establish an effective rapport with personnel in the University;
3. knowledge of higher education administration and the ability to administer objectives and goals set by the Board of Regents;
4. ability to effectively communicate, both orally and in written form; and problem-solving skills and demonstrate the ability to reach conclusions logically and that will best benefit the University; and
5. spiritual qualities befitting the position of President of Living University.

16.1.3.4 Candidate Selection and Compensation

The Search Committee should recommend to the Board of Regents the three most qualified candidates for the office of President of the University. The Board of Regents should, in a special meeting of the Board, interview the three candidates recommended by the Search Committee and determine the final selection for the new University President. Compensation for the new President shall be negotiated between the new President and the Board of Regents and detailed in a contract prior to the commencement of employment.

16.2 For Academic and Nonacademic Leadership/Management Positions

16.2.1 Delegation

The President is hereby authorized to develop regulations for the University dealing with succession planning for academic and nonacademic leadership positions.

16.2.2 Guidelines

Such regulations shall set forth a list of key positions for succession planning at two levels, that of (a) University executive officers, and (b) directors, departmental managers, and chairs. Regulations shall also address a succession planning process purposed to helping and encouraging employees in becoming potential candidates for succession planning positions in the academic or non-academic stream or both.

16.3 Review and Revision²⁶

The board desires that the succession plan be kept timely. At the Annual meeting the President shall report to the Board of Regents regarding this provision for succession planning and the state of the succession planning process for academic and nonacademic leadership positions. The President shall report to the board any suggestions for revision in this statute.

²⁶ Article 16.3 amended 6/6/2012.

Article 17 Information Systems Policy

This policy shall be adhered to by all University units as well as all individuals who operate or use the information technology resources of the University. In addition, this policy applies to use of information technology resources that are entrusted to the institution by other organizations. In case of conflict, local, state, or federal laws supersede this policy.²⁷

17.1 Access to Information Technology Resources

Access to the University's information technology resources is a privilege, not a right, granted to University students, faculty, and staff. The University reserves the rights to extend, limit, restrict, or deny privileges and access to its information resources. Individuals other than University faculty, staff, and students may be permitted access to information technology in a manner consistent with the University's mission and vision, policy, and guidelines.

17.2 Scope

All users of the technology systems are bound by applicable local, state, and federal laws and regulations. All people must act ethically, appropriately, and responsibly while using the University's information technology resources. All users of University information systems must respect the rights of other users, maintain the integrity of the resources, and comply with all pertinent licenses and contractual agreements.

17.3 Privacy

Information technology provides important means of communication, both public and private. Users will respect the privacy of person-to-person communication in all forms including, but not limited to, voice (telephone), text (electronic mail and file transfer), and image (graphics and television). Authorized personnel are permitted to view and/or modify any electronic files, including electronic mail messages, as required by law, for any legitimate business reasons, or in the course of diagnosing and resolving system problems and maintaining information integrity.

17.4 Use of Resources and Accounts

University resources and accounts are to be used for the activities or purposes for which they are assigned. University computing resources are not to be used for commercial purposes.

17.5 Warranties and Damages

The University makes no warranties of any kind, expressed or implied, for the technology services it is providing. The University will not be responsible for any actual or perceived damages suffered from the use of its information technology resources.

17.6 Policy Violations

Violations of this policy shall be cause for discipline. Alleged violations of this policy shall be subject users to the University's disciplinary procedures. Illegal activities by users of University

²⁷ Article 17 adopted 1/6/2010.

technology resources, including but not limited to illegal downloading and file sharing, are prohibited.

17.7 Delegation

This policy provides general guidance and may be supplemented by additional regulations governing particular sub-systems of the University information technology resources. The President is hereby authorized to develop appropriate guidelines, regulations, and procedures to implement the policy.

Article 18 Privacy Policy²⁸

18.1 Definitions

The following terms have the meanings indicated:

18.1.1 Personal Information

Personal Information means information about an identifiable individual, such as name, age, home address and phone number, marital status, financial information and details of one's involvement with the University. Personal Information does not include Contact Information (described below).

18.1.2 Contact Information

Contact Information means information that would enable an individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number, to the extent that such information is collected, used or disclosed, as the case may be, for the purposes of contacting an individual in that individual's capacity as a University worker or official of an organization and for no other purposes. Contact Information is not covered by this policy.

18.1.3 University Website

The University creates and maintains a number of official websites for students, employees, and the general public. These are collectively referred to as the University Website.

18.2 Personal Information

18.2.1 Why the University Collects Personal Information

The University may collect information provided in writing (including via electronic media) or verbally about its students, faculty, alumni, donors, and others who access its products and services and does so for the following purposes, depending upon the specific circumstances:

- fulfillment of requests for literature;
- to respond to requests for information, counselling and guidance;
- to provide instruction, mentoring, counselling and follow-up activities for students;
- communicating with and understanding the needs of students, faculty, staff, alumni, and their families;
- to deliver requested products and services;

²⁸ Article 18 adopted 6/3/2010.

- maintaining a record of one's involvement with the University;
- fundraising and institutional advancement activities;
- recording and processing donations and gifts;
- to provide receipts for income tax purposes ;
- managing the University's relationship with students, faculty, staff, alumni, and donors;
- meeting any legal, licensure, accreditation or regulatory requirements;
- analysis for management purposes; and
- other purposes consistent with the foregoing in order to fulfill the University's mission.

18.2.2 Consent

The University shall obtain the consent of its students, faculty, alumni and others accessing its products and services to collect, use or disclose Personal Information (except where, as noted below, the University is authorized to do so without consent). Consent can be provided orally, in writing, electronically or through an authorized representative, or it can be implied where the purpose for collecting, using or disclosing the Personal Information would be considered obvious and the individual voluntarily provides Personal Information for that purpose. Consent may be implied where the individual concerned is given notice and a reasonable opportunity to opt out of his or her Personal Information being used for mail-outs or fundraising and the individual does not opt out.

Subject to certain exceptions (e.g., the Personal Information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), individuals can withhold or withdraw their consent for the University to use their Personal Information in certain ways. An individual's decision to withhold or withdraw consent to certain uses of Personal Information may restrict the University's ability to provide particular services or products. If so, the University should explain the situation to assist the individual in making the decision.

The University may collect, use or disclose Personal Information without an individual's knowledge or consent when permitted by law including, by way of example:

- When the collection, use or disclosure is required or authorized by law (e.g., Directory Information permitted by FERPA);
- In an emergency that threatens an individual's life, health or personal security;
- When the Personal Information is available from a public source (e.g., a telephone directory); and
- When the University seeks or otherwise requires legal advice from an attorney.

18.2.3 Use of Personal Information

The University shall limit its collection, use and disclosure of Personal Information for purposes that would be considered reasonable in the circumstances and only such information as is required for the purposes of providing services, products or information to students, faculty, staff, supporters, and others who access its products and services. The University shall use only fair and lawful methods to collect Personal Information. The University's use of Personal Information shall be limited to the purposes described in this policy. The University should not use or disclose an individual's Personal Information for any additional purpose without consent.

18.2.4 Disclosure of Personal Information

As a general rule, all information concerning students, faculty, alumni, donors, and others who access University products and services should be held in strict confidence and, except in limited circumstances, not revealed to anyone else unless expressly or implicitly authorized by such individuals. Where the University is obliged or permitted to disclose Personal Information without consent, the University shall not disclose more information than necessary.

Personal Information collected by the University shall be collected for its own requirements and the University shall not sell, loan or share such Personal Information with outside entities; however, the University may publish or otherwise release certain Personal information as Directory Information as authorized pursuant to the Family Educational Rights and Privacy Act (FERPA) and various University policies, rules, and procedures related thereto. Moreover, there are a few exceptions including but not limited to the following:

- The University may, with consent, provide Personal Information to another entity affiliated with it if it has no local presence where the person is located or if the entity's activities are more closely matched to his or her needs and requirements.
- The University may provide Personal Information to third party agencies or ministries (e.g., a Living Church of God entity Living) with which we have a joint venture or affiliation.
- The University may provide Personal Information to outside suppliers or contractors from whom it obtains services.
- The University may disclose Personal Information to meet regulatory requirements or otherwise without consent, as required or permitted by law in fulfillment of its mission.

18.2.5 Retention of Personal Information

Should the University use an individual's Personal Information to make a decision that directly affects the individual, it shall retain that Personal Information for at least one year so that the individual has a reasonable opportunity to request access to it. Subject to the foregoing, the University should retain Personal Information only as long as necessary to fulfill the identified purpose or a legal or business purpose. In that the University endeavours to maintain a life-long relationship with its students, faculty, alumni, donors, and others, it therefore may retain any Personal Information provided until a period of seven years from the last contact with said person, unless otherwise instructed and/or subject to legal requirements. When a person's Personal Information is no longer required by Living University for business, legal, accreditation, licensure, archival, or other normal business purposes, the University shall maintain procedures to destroy, delete, erase or convert it into anonymous form. Currently, the principal place in which the University holds Personal Information is Charlotte, North Carolina, U.S.A. Such information may also reside in such other University locations as its business operations may require.

18.2.6 Ensuring Accuracy of Personal Information

The University should endeavour to ensure that any Personal Information provided by its students, faculty, staff, alumni and others, and in its possession, is as accurate, current and complete as necessary for the purposes for which it uses that information. The University should make reasonable efforts to ensure such Personal Information is accurate and complete where it may be used to make a decision about the individual or disclosed to another entity. Individuals may request correction to their Personal Information in order to ensure its accuracy and completeness. A request to correct Personal Information should be made in writing and provide sufficient detail to identify the Personal Information and the correction being sought. If Personal Information is demonstrated to be inaccurate or incomplete, the University should correct the information as required and send the corrected information to any organization to which it disclosed the Personal Information in the previous year or if it is otherwise reasonable to do so. If the correction is not made, the University should note the correction request in the appropriate file.

18.2.7 Protection of Personal Information

The University shall be committed to ensuring the security of Personal Information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risk. The University should endeavour to maintain appropriate physical, procedural and

technical security with respect to their offices and information storage facilities so as to ensure that Personal Information is appropriately protected. This also applies to the disposal or destruction of Personal Information. The University shall further protect Personal Information by restricting access to it to those University workers that the management of the University has determined a need to know that information in order that the University may provide its products and services. If a University worker misuses Personal Information, this should be considered as a serious offence for which disciplinary action may be taken, up to and including termination with cause. If any individual or organization misuses Personal Information provided to them for the purpose of providing services to or for the University, this will be considered a serious issue for which action may be taken up to and including termination of any agreement between the University and that individual or organization. The University should review its procedures and security measures from time to time to ensure that they remain effective and appropriate.

18.2.8 Access to Personal Information

Students, faculty, staff, alumni, donors, and others who access University literature and services have a right to access their Personal Information, subject to certain exceptions. In certain exceptional situations, Living University may not be able to provide access to certain Personal Information that it holds about an individual. For example, the information may be protected by a solicitor-client (or “attorney-client”) privilege. By way of further example, Living University may not provide access to Personal Information if doing so would reveal Personal Information about another individual. If access cannot be provided, the University shall notify the individual of the reasons for refusal. A request to access one’s own Personal Information must be made in writing and provide sufficient detail to identify the Personal Information being sought. A request to access Personal Information should be forwarded to the Registrar who shall serve as the University’s Privacy Officer. Upon request, the University should also advise as to how an individual’s Personal Information has been used and is being used and to whom it has been disclosed, if applicable.

18.3 Online Privacy Statement

Privacy on the Internet is extremely important. As online users provide the University with personal information, they shall be provided with the terms and conditions surrounding the nature of and what the university does with that information. As Living University creates and maintains a number of official websites for students, employees, and the general public, the President shall establish procedures for protecting and safeguarding privacy. Further, the President of the University shall develop and issue an Online Privacy Statement, consistent in content and format with general good practice in colleges and universities and with this policy, and publish it on the University Website.

18.4 Delegation

The President is authorized to develop, publish, and enforce regulations for the University consistent with this policy that will ensure its effective and consistent implementation.

Article 19 Social Media Policy²⁹

Social media are powerful communications tools that have a significant impact on organizational and professional reputations. Because they blur the lines between personal voice and institutional voice Living University has crafted this policy statement to help clarify how best to enhance and protect personal and professional reputations when participating in social media.

19.1 Definitions

19.1.1 Social Media

Social media is defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include but are not limited to LinkedIn, Twitter, Facebook, YouTube, and MySpace.

19.1.2 Employee

Employee means any person whose name appears on a university payroll, except student appointees.

5.1.3 Staff

Staff refers to all employees of the University, other than faculty members, employed as classified (hourly) or professional (salaried) personnel.

19.2 Overview

The regents, University officers, faculty and staff are ambassadors of the University and should present themselves accordingly. Both in professional and institutional roles, as members of the University community they need to follow the same behavioral standards online as they would in the real life by conducting themselves in a prudent, responsible, and ethical manner. The same laws, professional expectations, and guidelines for interacting with students, parents, alumni, donors, media, and other university constituents apply online as in the real world. Be mindful that what is published will be public indefinitely and regents, officers, and employees are personally liable for anything they post to social media sites.

19.3 Guidelines for All Social Media Sites Including Personal Websites

The University expects its regents, officers, faculty and staff to act in good faith exhibiting honesty, integrity, and exemplary conduct including their participation and activities in social media and personal websites. Article 4 (Faculty Professional and Ethical Relationships) places particular responsibility on members of the faculty in these matters but all including regents, officers, faculty and staff, shall held to the following standard of care with respect to social media and personal websites:

19.3.1 Protect Confidential, Proprietary and Time-Sensitive Information

They shall not post confidential, proprietary or time-sensitive information about Living University or its regents, officers, employees, students, alumni, or donors. Even when using social media employees must still follow the applicable federal requirements such as FERPA and all university

²⁹ Article 19 adopted 11/09/2012.

privacy and confidentiality policies and regulations. Remember that social media are viewed by various audiences including students, parents, alumni, colleagues, and affiliates. Anyone who shares confidential, proprietary or time-sensitive information does so at the risk of disciplinary action or termination.

19.3.2 Identify Your Views as Your Own

They should include a disclaimer noting that their personal opinion is not the opinion of the University when referencing their role or employment at the University on personal media venues. Posts on social media sites should protect the University's institutional voice by remaining professional in tone and in good taste.

19.3.3 Respect Copyright and Fair Use Laws

They should be mindful of the copyright and intellectual property rights of others and of the University when posting comments or material acknowledging sources and adhering to copyright and fair use laws.

19.3.4 Demonstrate Respect and Professionalism

They shall avoid making derogatory comments about students, coworkers, regents, or the University. The University expects them to handle disagreements tactfully, professionally, and respectfully. They should be truthful, accurate, and transparent. Posts should be professional in tone and in good taste.

19.3.5 Don't Use Living University Logos for Endorsements

They are not to use the Living University logo or any other university images or iconography on personal social media sites. They are not to use Living University's name to promote a product, cause, or political party or candidate.

19.3.6 Respect University Time and Property

They should respect University time and property as University computers and time on the job are reserved for institution-related business as approved by supervisors and in accordance with Article 17 (Information Systems Policy), Article 18 (Privacy Policy), and University rules and administrative regulations issued pursuant thereto.

19.3.7 Respect Terms of Service

They should conform to the Terms of Service of any social media platform employed.

19.3.8 Respect Official Communications

They should avoid making statements that infer official communication by the University. They should refer their audience to official University sources such as designated University spokesmen, the University website, *General Catalog* and other official University publications. Normally official communications originate from the Office of the President.

19.4 Delegation

This policy provides general guidance and may be supplemented by additional rules and regulations. The President is authorized to develop, publish, and enforce regulations for the University consistent with this policy that will ensure its effective and consistent implementation.

Article 20 Software Piracy Policy Statement³⁰

Respect for the intellectual work and property of others is vital to the mission of higher education. This principle applies to works of all authors and publishers in all the media, including the labor and creativity resulting in computer software. It encompasses respect for the right to acknowledgement and the right to determine the form, manner, and terms of publication and distribution.

20.1 Unauthorized Copying of Software

Unauthorized copying of software is illegal and may force the University as well as individuals to incur legal liability. The United States Copyright Law protects software authors and publishers in much the same manner as patent law protects inventors. Unauthorized copying of software, including programs, applications, data bases, and code, deprives developers of fair return for their work, may result in increased prices, may reduce the level of future support and enhancement available to the University, and may inhibit the development of software products.

20.2 Licensed Software

Unless software has been placed in the public domain, the owner of a copyright holds exclusive right to the reproduction and distribution of his or her work. The purchaser of software generally purchases only a license to use the software on one machine. Most licenses do not permit copying although a licensee may generally make a backup or archival copy. Some institutional licenses permit copying for use on local area networks or on multiple machines, but such uses must be authorized in a license agreement commonly called a site license, which might include a network license or a limited-use license.

20.3 Unauthorized Use Prohibited

It is the policy of Living University that unauthorized copying of computer software will not be tolerated. Such copying is both unethical and illegal. University employees and students making, acquiring, or using unauthorized copies of computer software may be subject to University disciplinary sanctions as well as legal action by the copyright owner. The University will not provide legal indemnification or defense for employees or students whose violation arises out of such willful misconduct.

20.4 Delegation

This policy is intended to be an addition to existing University rules and regulations and does not alter or modify any existing University rule or regulation. It provides general guidance and may be supplemented by additional rules and regulations. The President is authorized to develop, publish, and enforce procedures and regulations for the University consistent with this policy that will ensure its effective and consistent implementation.

³⁰ Article 20 adopted 11/09/2012.

Article 21 Information Security Policy³¹

It is the policy Living University to protect the security and privacy of its information resources and to make information accessible as required by law and pursuant to all matters set forth in Article 18 (Privacy Policy) above. The University shall maintain the confidentiality, integrity and availability of information resources; ensure continuity of operations; prevent, control and minimize the impact of security incidents; and manage risks to those resources regardless of the storage medium, transmission or disposal methods.

21.1 Individual Responsibility

All users of University information resources are responsible for the privacy, security, and appropriate use of those resources over which they have authority, access or control, and for compliance with applicable laws, regulations, policies, procedures, and other standards.

21.2 Security Awareness

The University shall provide appropriate information security awareness training and resources for its users.

21.3 Delegation

This policy provides general guidance and may be supplemented by additional rules and regulations. The President is authorized to develop, publish, and enforce privacy and security policies, rules, regulations and procedures for the University consistent with this policy that will ensure its effective and consistent implementation consistent with good professional practice and state and federal law.

Article 22 Incidence Response Plan³²

Living University shall have a plan prescribes procedures to effect a timely and appropriate response in the event of an information security breach.

22.1 Plan Provisions

This incident response plan shall define what constitutes a security incident, outline the incident response phases and set forth specific actions to be taken. This incident response plan document shall discuss how information is to be passed to appropriate personnel, assessment of the incident, minimizing damage and response strategy, documentation, and preservation of evidence. The incident response plan shall define areas of responsibility and establish procedures for handling various security incidents.

22.2 Delegation

The President is authorized and directed to develop, publish, and enforce an incident response plan addressing the foregoing principles and to issue such policies, rules, regulations and

³¹ Article 21 adopted 11/09/2012.

³² Article 22 adopted 11/09/2012.

procedures that will ensure the effective and consistent implementation of the incident response plan consistent with good professional practice and state and federal law.

Article 23 Teach Out Policy³³

It shall be the policy of Living University to ensure the viability of each and every one of its program offerings by committing sufficient resources dedicated to start and sustain approved programs. It shall also be the policy of Living University to ensure that no program is terminated or closed without proper and timely notice to students, faculty and staff. Decisions on continuation or termination of a program shall be made only after formal review and careful consideration of findings. The final decision to close academic programs, instructional sites, or the institution shall rest solely with the Board of Regents of the University.

23.1 Definitions

23.1.1 Teach Out Plan

A written plan developed by an institution that provides for the equitable treatment of students if an institution, or an institutional location that provides fifty percent or more of at least one program, ceases to operate before all students have completed their programs of study, and may include, if required by the institution's accrediting agency, a teach-out agreement between institutions.

23.1.2 Teach-Out Agreement

A written agreement between or among institutions that are accredited or pre-accredited by a nationally recognized accrediting agency that provides for the equitable treatment of students if one of those institutions stops offering an educational program before all students enrolled in that program have completed the program.

23.1 Commitment

The University recognizes that accreditation from the Accrediting Commission of the Distance Education and Training Council applies to every distance education course, division, and activity, including the residential component of any combination distance study-resident courses, and duly commits to the following:

23.1.2 Right to Training

All students who enroll in this University's program offerings shall receive all of the training under the terms of their enrollment contracts, including receiving all learning materials on a timely basis, any subsequent change in the University's accredited status or any other circumstances notwithstanding.

23.1.3 Intent of this Policy

This policy acknowledges and incorporates the understanding that the intent of this Commitment is to assure that all students enrolled by this institution before and during its period of accreditation shall have the opportunity to complete their programs of study regardless of future circumstances, it is firmly resolved that the letter and spirit of this of this Commitment will be fulfilled.

³³ Article 23 adopted 11/09/2012.

23.2 Termination of a Program

In the event a decision is made to terminate a program, Living University shall ensure the equitable treatment of students and will make every good faith effort to assist students in completing their respective programs by offering courses until each existing student enrolled in a program completes the program. No new students will be admitted to the program.

23.3 Formal Teach-Out Plan

23.3.1 Triggering Events

Upon the occurrence of any of the following events, Living University shall submit to agencies by which it has accreditation for its prior approval, a teach-out *plan* or appropriate *agreement*:

1. The University receives notification by the Secretary of Education that the Secretary has initiated an emergency action against it, or an action to limit, suspend, or terminate the University participating in any Title IV program of the Higher Education Act;
2. An accrediting agency acts to withdraw, terminate, or suspend the accreditation or candidacy of the University;
3. The University determines to cease operations or close a location that provides one hundred percent of at least one program; and
4. A state licensing or authorizing agency notifies the University that its license or legal authorization to provide an educational program has been or will be revoked.

23.3.2 Written Plan Required

The Teach-Out Plan shall be a written plan developed by the President Living University, and/or the President's designees, that shall include among others:

1. Last date of classes;
2. Date of closure;
3. Arrangements for disposition of all student records through conveyance by the Registrar to, and in accordance with regulations of, the Division of Archives and History of the State of North Carolina, Raleigh, including educational, accounting and financial aid records;³⁴
4. An explanation, accompanied by appropriate supporting documentation and timelines of how Living University will notify students of closure and/or the teach-out;
5. Procedures to ensure that the education and services provided to students will not be materially disrupted and that obligations are timely met;
6. Faculty members and educational advisors shall work individually with each student to ascertain that all students can graduate according to their original program plan and within their average course load per semester at the time of decision to close an academic program, instructional site, or the institution;
7. Allowance of a reasonable time for all students enrolled in the program at the time of discontinuation to complete the requirements for the certificate, diploma or degree;
8. A teach-out schedule that reflects the estimated timeline for graduation of enrolled students;
9. When appropriate, Living University shall submit to an accrediting agency a teach-out agreement with another institution accredited by a nationally recognized accrediting agency.

23.4 Teach-Out Agreement

Any teach-out agreement shall:

³⁴ Amended 03/19/2014.

1. Be consistent with applicable standards of the accrediting agency;
2. Provide for the equitable treatment of students by ensuring that the teach-out institution has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by Living University, to remain stable, carry out its mission, and to meet all obligations to its existing students;
3. Ensure that the teach-out institution can provide students access to the program and services without requiring them to move or travel substantial distances;
4. Provide for notification of another accrediting agency if the teach-out institution holds accreditation from that agency; and
5. Specify additional charges, if any, levied by the teach-out institution and provide for notification to the students of any additional charges.

23.5 Delegation

The President is authorized to develop, publish, and enforce procedures and regulations for the University consistent with this policy that will ensure its effective and consistent implementation.

Article 24 Safety, Health and Environmental Policy³⁵

It shall be the policy Living University to pursue excellence in the management of health, safety and environmental matters.

24.1 Commitment

The University shall maintain a commitment to achieving high standards of health, safety and environmental practice. It expects faculty, staff, students, visitors, contractors and other employers who work at the University to share this commitment by complying with institutional policies and procedures, and to understand that they too have legal and moral obligations to themselves and to one another.

24.2 Scope

The University intends to ensure the health and safety of all persons who may be affected by its activities by:

1. Consulting with and involving faculty, staff and students in matters relating to their own health and safety;
2. Providing, managing and maintaining University buildings, grounds and equipment so that they are, so far as reasonably practicable, safe and that risks to health are controlled;
3. Providing adequate and appropriate facilities and arrangements for welfare at work;
4. Identifying hazards and conducting formal risk assessments when appropriate in order to minimize the risk for all activities undertaken by the University;
5. Ensuring that control measures and emergency procedures are in place, effective; properly used; monitored; and maintained;
6. Implementing systems of work that are safe and where risks to health are controlled;
7. Providing the information, instruction, training and supervision at all levels necessary to ensure that faculty, staff and students are competent to supervise or undertake their work activities and are aware of any related hazards and the measures to be taken to protect against them, and giving

³⁵ Article 24 adopted 03/19/2014.

adequate information on relevant hazards to any persons whose health and safety might be affected by them;

8. Keeping up to date with best practice in relation to health and safety and complying with all relevant legislation and authoritative guidance; and
9. Monitoring the safety performance of contractors who do work for the University.

24.3 Minimization of Risk

Where no University policies or procedures exist, we expect faculty, staff, students and contractors to implement the highest relevant standards and to comply with relevant legislation. Where no standards or legislation exist, University officers shall work with faculty, staff, students and contractors to develop systems which comply with best practice and eliminate or minimize the risks so far as reasonably practicable.

24.4 Education in Health and Safety

Faculty and staff shall promote a positive health and safety culture at the University, and educate our campus community in health and safety.

24.5 Continuous Review

The University shall undertake to continually review and develop institutional safety management systems, with the overarching aim of conducting its activities in a manner which does not adversely affect the health and safety of any faculty, staff, students, contractors, visitors or members of the public, or the environment.

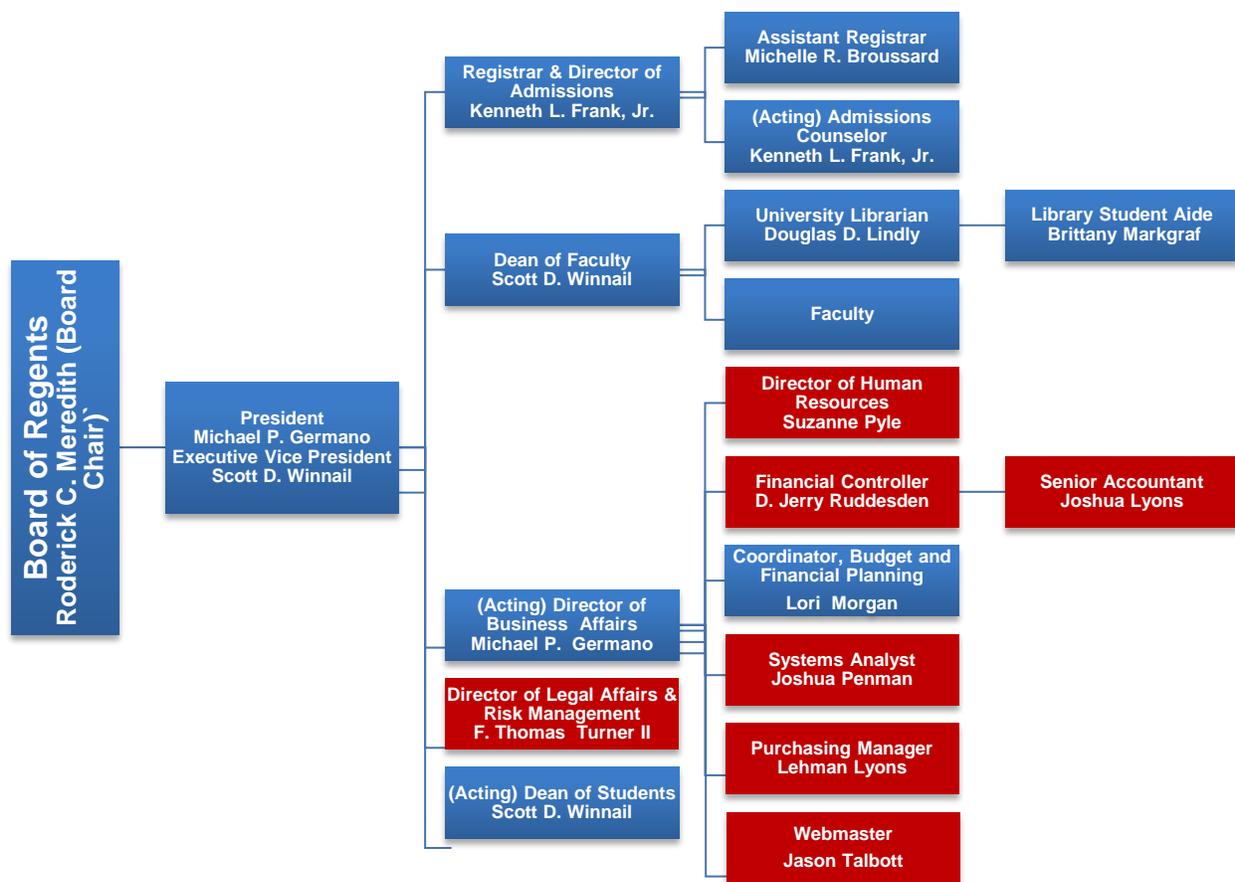
24.6 Delegation

The President is authorized to develop, publish and enforce regulations for the University consistent with this policy that will ensure its effective and consistent application.

Chapter 5 Administrative Regulations

Article 1 Administrative Organization

Below is the authorized Organization Chart for Living University. This chart is maintained by the President's Office.³⁶



³⁶ Authorized 7/25/2014.

Article 2 Delegation of Procurement Contractual Authority

1.1 Preamble

Pursuant to Board Statute §11.5.2, the Board of Regents authorized procurement contractual authority and commitment limits for persons delegated contractual authority in procurement matters as follows:

1. Procurement expenditures above \$100,000 shall require authorization of the Board of Regents.
2. Procurement expenditures above \$50,000 shall require the authorization of the Executive Committee of the Board of Regents.
3. The President may authorize procurement expenditures up to \$50,000.
4. A Vice President or Dean may authorize procurement expenditures in his or her budgetary unit up to \$25,000. Said Vice President or Dean must execute a Signature Authorization Form for any lower level signing authority (less than \$10,000 only) to any Director, Departmental Chair and/or other Budget Manager reporting to him or her.
5. A Director, Department Chair or Other Budget Manager may authorize procurement expenditures in his or her budgetary unit up to \$10,000.
6. Other Selected Individuals, as authorized by appropriate Dean or Vice President, may authorize procurement expenditures up to \$2,500.
7. Any capital item to be purchased in excess of \$25,000 per item will be brought to the Executive Committee of the Board of Regents for information and/or approval.
8. Purchasing Services will implement ordering upon the receipt of approved requisitions, subject to the following guidelines, except in the case of Special Local Purchase Orders. All purchase levels are subject to budget funds being available in approving authority's budget.
9. Situations of a specialized nature may occur. The best interests of the University may be restricted for reasons of compatibility, decorum, preferred brands, standardization, or urgency. Such cases will require the initiator to provide written qualification which must accompany the requisition plus, except for the President or any Vice President, the next higher authority depending on the value as described in the Authorization levels above.
10. The Purchasing Coordinator and Buyer is authorized to purchase upon receipt of the proper authorizations as set forth above and verification from the Business Office that the expenditure is within the limits of the approved budget.
11. Students are not authorized to sign contracts.

1.2 Signing Authority³⁷

Department Managers have signing authority for their departments as delegated by the President within the limits of that department's budget allocation. The Purchasing Manager shall maintain authorization forms with sample signatures. All purchase requisitions must have the proper authorization before purchase commitments can be made or the competition process can begin. Within approved budgets, signing authorities will be as follows:

Expenditure Amount	Requirements	Authorizing Signatures	Alternate Signature
Over \$100,000		Approval of the President, the Executive Committee, and the Board of Regents.	None
\$50,000 - 100,000	PURCHASE ORDER REQUIRED Must be accompanied by three written quotes	Approval of the President and the Executive Committee of the Board of Regents.	None
\$25,000 - 49,999	PURCHASE ORDER REQUIRED Must be accompanied by three verbal quotes	Approval of the President and, as appropriate, the individuals listed below.	In the President's absence or disability the Executive Vice President may sign on behalf of the President.
\$10,000 - 24,999	PURCHASE ORDER REQUIRED Must be accompanied by three verbal quotes.	Approvals listed below, where appropriate, plus the appropriate Dean or Vice President.	Other Selected Individual named by said Dean or Vice President either permanently or in their absence.
\$ 2500 - 9,999	PURCHASE ORDER REQUIRED Verbal or written inquiries to two or more vendors, with	Dean or Vice President must execute a Signature Authorization Form for any <u>lower level signing authority</u> (less than \$10,000 only) to	The President or Other Selected Individual named by said Dean or Vice President either permanently or in their

³⁷ Administrative Regulation Approved 11/19/07; 10/29/15

	results being documented.	selected Director, Division Chair, Departmental Chair, and/or other Budget Manager.	absence.
Up to \$2499	NO PURCHASE ORDER NECESSARY for <u>most</u> purchases unless required by Vendor	Limited Written Authorization to Selected Individual	

Article 2 Faculty Salaries³⁸

For the 2015-2016 Fiscal Year the salary schedule for faculty members is below. The University normally does not appoint fulltime faculty members below the assistant professor level.

Professor

Step	1	2	3	4	5	6	7	8	9
Academic Year	\$66,000	66,500	67,000	67,500	68,000	68,500	69,000	69,500	70,000
Annualized	72,600	73,150	73,700	74,250	74,800	75,350	75,900	76,450	77,000

Associate Professor

Step	1	2	3	4	5	6	7	8	9
Academic Year	\$55,667	56,117	56,567	57,017	57,467	57,917	58,367	58,817	59,267
Annualized	61,234	61,729	62,224	62,719	63,214	63,709	64,204	64,699	65,194

Assistant Professor

Step	1	2	3	4	5	6	7	8	9
Academic Year	\$45,333	45,733	46,133	46,533	46,933	47,333	47,733	48,133	48,533
Annualized	49,866	50,306	50,746	51,186	51,626	52,066	52,506	52,946	53,386

Part-time faculty members are normally employed as lecturers or adjuncts at a per credit hour rate. New faculty members should expect their appointment to be as a lecturer. The adjunct associate professor or adjunct professor ranks are reserved for those holding the doctorate or

³⁸ Administrative Regulation Approved 6/3/09; 12/31/10/5/13.

MFA with requisite professional experience in their teaching field. The University limits adjuncts and lecturers to no more than a 6 semester credit hour teaching load (usually two online courses),

Semester Credit Hours:	1	2	3	4	5	6
Lecturer	\$ 875	\$ 1,750	\$ 2,625	\$ 3,500	\$ 4,375	\$ 5,250
Adjunct Assistant Professor	\$ 1,075	\$ 2,150	\$ 3,225	\$ 4,300	\$ 5,375	\$ 6,450
Adjunct Associate Professor	\$ 1,275	\$ 2,550	\$ 3,825	\$ 5,100	\$ 6,375	\$ 7,650
Adjunct Professor	\$ 1,475	\$ 2,950	\$ 4,425	\$ 5,900	\$ 7,375	\$ 8,850

Article 3 Publications

3.1 Definitions

3.1.1 Institutional Publications

The term institutional publications means those formal publications published by the University such as magazines, newsletters, bulletins, catalogs, view books, brochures, videos (whether in the form of CD, DVD, videotape or other electronic media) and the university website. The term does not include the following: materials designed to be consumed in the classroom, forms, advertising, concert programs, advisement notes, e-mail, university records, and the like.

3.1.2 Broadcasting

The term broadcasting refers to the conduct of broadcast activity by university-affiliated facilities under Federal Communications Commission licenses such as university radio and television stations.

3.1.3 Distance Learning

Distance learning, or online learning is an educational process that occurs when instruction is delivered to students physically remote from the location or campus of program origin, the main campus, or the primary resources that support instruction. In this process, the requirements for a course or program may be completed through remote communications with instructional and support staff including either one-way or two-way written, electronic or other media forms.

3.2 Print Media Operational Policies and Procedures³⁹

Certain print publications, such as magazines, newsletters, bulletins, catalogs, view books, brochures, and the like, are essential to the orderly operation of the University. These include those needed to attract students and to conduct student affairs on campus and to inform the University's many publics of what the institution is accomplishing and how adequate support may

³⁹ Administrative Regulation Revised 10/14/2015.

enable it to do a better job. There are also those that are nice and proper, but their utility must be gauged against the total institutional program and available institutional resources.

3.2.1 New or Proposed Publications

New or proposed institutional publications, by university departments, or other operating units, require formal approval. Proposals should be initially directed to the President, or his designee, for suggestions and recommendations. Final approval for a new institutional publication is by the President of the University.

3.2.2 Accuracy and Originality

Accuracy and originality of printed content shall be checked throughout the publication process by University editorial staff, the risk manager and, if deemed necessary, outside legal counsel. Such material shall conform to university editorial standards and be free from the following:

- Copyright Infringement
- Libel or Slander
- Trademark or Service Mark Infringement
- Privacy Violations
- Domain Name Infringement
- Violation of Rights of Publicity

3.2.3 Staff Review

University editorial staff shall review content for factual accuracy as well as accuracy in style, structure, and conformity to standard editorial reference works (such as the Associated Press Style Book and Libel Manual and the Chicago Manual of Style), and also for conformity to University standards on cultural, national, racial, and gender sensitivity. Further review and fact-checking may be undertaken by University editorial staff or the University President or Executive Vice President, depending on the affected area.

3.2.4 Questions Regarding Originality of Content

Questions regarding originality of content should normally be resolved at the first-line editorial level by University editorial staff. If the content requires extensive editing, the edited copy shall be returned to the author whose work is being questioned for review and approval before proceeding to layout; though, as with disputes regarding accuracy or sensitivity, questions of content originality may also be resolved by the President of the University when standard review of a publication is performed.

3.2.5.1 Risk Manager Review

The risk manager assists by reviewing all materials slated for actual publication with an eye towards risk avoidance and/or reduction, as well as conformity with the University's insuring agreements. The University President, or the risk manager on his behalf, may then consult with outside counsel regarding any particularly complex or controversial issues.

3.2.5.2 Human Resources Review

When content is created for internal distribution to employees, the Human Resources Director shall also be a party to content review.

3.3 University Website Operational Policies and Procedures⁴⁰

3.3.1 The University URL

The university website hosted at <http://www.livinguniv.com> is the official online publication of Living University and it shall be published pursuant to the following guidelines:

- As an official university publication the university website must be maintained as such.
- All website content shall comply with applicable state and federal law.
- The university website shall not include chat rooms, bulletin boards or otherwise allow users to post or upload content.
- Primary responsibility for review of website content rests with the Webmaster and the Information Technology Oversight Committee. The committee shall consist of the Dean of Faculty, Director of Human Resources, Registrar and Director of Admissions, and other individuals appointed by the President of the University.
- Departments and entities wishing to add or update content on the website may submit that content in electronic format to the Webmaster. Such content should be proofread before submission. The Webmaster assists the department or entity to ensure that the material reflects that content within the framework described above. In addition, the Webmaster should work to make certain all major campus entities have at least minimal, accurate representation on the website. While the Webmaster is a key resource for the department, it is the department which bears ultimate responsibility for the accuracy and currency of its content.

3.3.2 Webmaster Oversight

The Webmaster shall monitor and review all content to be published on the University website to ensure that such material conforms to any University editorial standards and is free from the following:

- Copyright Infringement
- Libel or Slander
- Trademark or Service Mark Infringement
- Privacy Violations

⁴⁰ Administrative Regulation Approved 4/16/07; Rev. 11/19/07; 07/22/09.

- Domain Name Infringement
- Violation of Rights of Publicity

3.3.3 Offending Content

If the Webmaster finds offending content, he or she shall bring it to the attention of its author for further editing and review. The webmaster shall seek to resolve any dispute with the author. If a dispute is not resolved to the author's satisfaction the author shall have the right of appeal to the Information Technology Oversight Committee.

3.3.3.1 Committee Review

The committee shall review the matter and make a determination. If the author dissents with the decision of the committee then the author may appeal to the President of the University. In such case, the risk manager shall make an independent assessment and make a recommendation to the President. The President's decision shall be final. The President, or with the President's authorization the risk manager, may seek the advice and review of independent legal counsel.

3.3.2.3 Review of Proposed Content.

Any proposed content recommended for publishing by the Webmaster or by the Information Systems Oversight Committee, following its review on appeal, shall go to the risk manager for his or her independent assessment. The risk manager shall review all materials slated for actual website publication, prior to any such publication, with an eye towards risk avoidance and/or reduction, as well as conformity with the University's insuring agreements. The risk manager shall make any recommendations to the President.

3.3.2.3 Use of Directory Information

Living University has designated, as part of its directory information, photographs and video of students for use in its distance learning courses and publications that promote the University and its programs. Such photographs and video of students may be included on web pages without additional written consent, as the formal enrollment contract with the student includes a permission clause, unless the student has notified the Office of the Registrar in writing during the first ten (10) days of registration in any semester or summer session of his or her objection to the release of directory information. It is expected that any photos or video will be appropriate for viewing by visitors to the site. The university reserves the right to remove a photograph or video judged to be inappropriate by the Information Systems Oversight Committee.

3.3.3 Student Organizations

Official academic and university-recognized student organizations may request to publish content on the University website.

3.3.3.1 Basic Guideline

Such content may not exceed ten (10) MB (megabytes) in size. The organization's faculty advisor must authorize any request and she or she shall serve as the official contact person to be clearly identified on all content. Each page must include a required link to a standardized disclaimer making it clear that the page does not represent official University policy or content as follows:

This is a student organization page and in no way represents the opinions or ideas of the site on which it is located. All information on this page was written or compiled by a member of the student organization, which bears full responsibility

for its content. Questions concerning the content of this page should be sent to the group's WWW liaison, (email address of faculty advisor). Last Update: (update date) by (author's name).

3.3.3.2 Annual Review

The website content analyst shall conduct an annual review of all links and organization pages. These must be accurate as of September 30 each calendar year or they shall be removed. Any content submitted by such organizations is subject to the same review and approval process as content submitted by University departments and entities. Student organization pages will be subject to the following disclaimer:

Complaints concerning website content shall be addressed by the Information Systems Oversight Committee and any offending content shall be removed.

3.3.4 University E-Learning Website Operational Policies and Procedures

Through the Internet the University provides online instructional delivery through distance learning. The following guidelines apply:

3.3.4.1 Application of Academic Freedom

The principles of academic freedom apply in full to all distance learning electronic communications and information environment.

3.3.4.2 Compliance with Laws

All website content, and any supporting electronic media published by the University in the form of a CD, audiotape, videotape, or DVD, shall comply with applicable state and federal law including copyright, service mark, trademark law, civil rights law, FERPA, and tort law.

3.3.4.3 Course Content

Instructors are responsible for course content published on the E-Learning Website. They shall take action to be sure their content is free from the following:

- Copyright Infringement
- Libel or Slander
- Trademark or Service Mark Infringement
- Privacy Violations
- Domain Name Infringement
- Violation of Rights of Publicity

3.3.5 DMCA Compliance

All website content shall comply with the Digital Millennium Copyright Act (DMCA) as set forth in U.S.C. Title 17 §512, and the rules promulgated thereto. Accordingly a faculty member's or graduate student's knowledge or awareness of his or her copyright infringing activities shall **not be** attributed to the University. To ensure compliance the risk manager shall have institutional compliance with the DMCA regularly reviewed by an attorney.

3.3.6 Other Guidelines

3.3.6.1 Webmaster Responsibility

The Webmaster does not approve course content published on the Distance Learning Website, or any supporting electronic media published by the University in the form of a CD, audiotape, videotape, or DVD, but the Webmaster shall in an internal auditing function review and report to an instructor, his or her department chair, the Information Systems Oversight Committee, and the President of the University any offending content. The Webmaster may make recommendations for improvement.

3.3.6.2 Risk Manager Responsibility

The Risk Manager may make independent reviews of all materials published on the website publication, or any supporting electronic media published by the University in the form of a CD, audiotape, videotape, or DVD, with an eye towards risk avoidance and/or reduction, as well as conformity with the University's insuring agreements. The risk manager shall report his or her assessment and recommendations to the President of the University.

3.3.6.3 Materials Distribution

The above-referenced supporting electronic media published by the University in the form of a CD, audiotape, videotape, or DVD, should normally be distributed through the University Bookstore as would any textbook or course pack.

3.3.6.4 Availability of Online Courses

Online courses shall be available only to students, university personnel, and accrediting agencies and their agents, state licensing officials pursuing their official duties, and others so authorized by the chief academic officer or the President of the University. An exception shall be limited guest access to some course content intended for informational and enrollment enhancement purposes.

3.3.6.5 Course Access and Passwords

Access to all courses shall require passwords and students shall not share their password with others. Violation of this procedure shall result in disciplinary action.

3.3.6.6 Other Limitations

Online courses may include chat rooms, bulletin boards and may allow students to post or upload content. However, any postings to a chat room or bulletin board shall disclose to other participants and the University the identities of individuals making comments. The instructor of an online course shall review any online content posted by his or her students and shall remove infringing, libelous, or otherwise controversial materials. Students who persist in such behavior shall face disciplinary action. Broadcasting Services

3.4 Broadcasting

Neither the University nor student groups affiliated with the University shall engage in the operation of radio or television stations.

3.5 Limit of liability

The University makes no representations concerning the availability of service of its information systems and the integrity or irretrievability of material placed on such services. The University is not responsible for any damages resulting from the receipt and/or transmission of any electronic information. The University reserves the right to collect, process, and retain appropriate information pertaining to the users and use of its information systems.

3.6 Reservation of Rights

The University reserves the right to change or amend this publication policy and procedure at any time.

Article 4 Program Approval⁴¹

4.1 Preamble

New program proposals must be approved first at the level of the academic division, and then by the Curriculum Review Committee (CRC). Proposals must be submitted using the designated program change forms and must be accompanied by degree plans for each new program or emphasis submitted. If new courses are included as part of the proposal, a course change form for each new course should also accompany the proposal (see New Course Approval policy). A rationale addressing how the new program aligns with the mission and scope of the University should accompany the change forms.

Proposals for new programs should be submitted to the CRC by November 1 for an effective date the subsequent fall semester. Any submissions made after this date requires the approval of the Dean of Faculty. After approval of a proposal by the CRC, the Dean of Faculty, and the President of the University, the Board of Regents must approve new programs. New areas of emphasis within an existing major do not need Board of Regents approval.

4.2 Purpose

The purpose of this regulation is to outline the procedures for the proposal and approval of new programs, including areas of emphasis.

4.3 Procedures

The academic division will determine if new programs should be added to their offerings. The division chair will coordinate the development of proposals and ensure that the appropriate procedures are followed. A program change request should be submitted for each new program (degree, major, minor, emphasis) to be added to the curriculum. The program change request should minimally identify the following:

1. Name of degree track,
2. Responsible division,

⁴¹ Administrative Regulation Approved 7/14/2008; Rev. 10/15/2015.

3. Summary of proposed action (indicating the programs' degree requirement), justification of proposed action, and
4. Term in which the proposed program change will take effect.
5. The program change form should be accompanied by a degree plan.
6. Program change forms are to be submitted to the Dean of Faculty, by whom they will be forwarded to the members of the CRC.
7. The CRC should meet on a regularly to review program proposals. The committee should ensure that program proposal includes all necessary components, addresses the University mission and scope, and that the rationale justifies the need for the new program.
8. The CRC should coordinate with division chairs if clarification of modification of proposals is required in order for the committee's approval.
9. After approval by the CRC, the Dean of Faculty should review all actions and endorse the CRC's recommendations or recommend changes to the President.
10. The Dean of Faculty should submit the proposal, and if necessary, his or her recommendations, to the President.
11. The President, who will take such action on the proposal as the President deems necessary, bears the responsibility for presenting the final proposal to the Board of Regents for approval.
12. Upon approval by the Board of Regents the President or the President's designee will notify the division of their action.

4.4 Responsibilities

1. The faculty within an academic division is responsible for determining curricular changes required in regards to new programs or areas of emphasis.
2. The division chair is responsible for ensuring proposals are completed and submitted according to the guidelines of this policy.
3. The Dean of Faculty is responsible for providing the CRC with all proposals and for approving and recommending the proposal to the President.
4. The President is responsible for taking such action on the proposal as the President deems necessary and bears the responsibility for presenting the final proposal to the Board of Regents for approval.
5. The President is responsible for presenting the proposal to the Board of Regents and for notifying the division chair of the actions of this body.

Article 5 Institutional Syllabi⁴²

5.1 Overview

5.1.1 Syllabus Format

All courses offered by Living University must be set forth in institutional syllabus format. The institutional syllabus provides information regarding the basic content and learning outcomes of the course. Instructors should base their personal course syllabus on the institutional syllabus for each course they teach. All institutional syllabi are to be kept on file in the Office of the Dean of Faculty and posted in the Xitracs System. All new courses should include an institutional syllabus with the proposal for a new course (see New Course Approval regulation).

5.1.2 Syllabus Content

The institutional syllabus should include the following headings:

- Course Title.
- Course Prefix Number.
- Credit Hours.
- Prerequisites/Corequisites: List all that apply.
- Catalog Description (Use the description that is or will be printed in the University catalog. Describe the basic topic and content of the course).
- Curricular Relationships (Describe any curricular relationships such as whether the course meets requirements for general education, or a major or minor, can be used as elective credit, etc.).
- Student Learning Outcomes (These should list what the student is expected to learn in the class and should be measurable and assessable). Use verbs such as those given in “Verb Conversion Chart” set forth in the University’s *Course Development Guide*.
- Content Outline (Describe the basic ideas or topics covered during the class).
- Course Procedures/Policies (Describe the instructional methods to be used in the class, expectations for students, types of assignments, and extra or co-curricular activities required any course specific policies such as attendance, academic integrity, etc. A description of grading criteria MUST be included in this section).
- Required/Recommended Reading (Include any textbooks or readings required for the class).

⁴² Administrative Regulation Approved 7/14/2008.

- Any Issues Unique to this Course (Include any information in requirements that may not be typical of a university course such as requirements outside of class, warnings regarding controversial content, additional course fees, etc.).
- Additional Issues of the Division's choosing (Add any issues not covered in previous sections of which students should be aware).

5.2 Purpose

The purpose of this procedure is to identify when institutional syllabi are required and what they must include.

5.3 Procedures

5.3.1 Responsibility of Division Chair

The division chair for each academic division will ensure that all new courses and course changes include an institutional syllabus in the approved format, as described above. These will be submitted to the Office of the Dean of Faculty.

5.3.2 CRC Review

The CRC will review all course change forms and institutional syllabi as they are received from the Dean of Faculty. The CRC chair will coordinate with the division chair to address any concerns regarding the formatting or content of institutional syllabi.

5.3.3 Approved Course Syllabi

Approved course syllabi shall be kept on file in the Office of the Dean of Faculty and posted in the Xitrac System.

5.4 Responsibilities

Division chairs are responsible for ensuring that current institutional syllabi for the course in their academic area are on file. They are responsible for ensuring that changes to existing courses and new course proposals include an institutional syllabus.

Article 6 New Course Approval Process⁴³

6.1 Overview

6.1.1 New Course Proposals

New course proposals must be approved first at the level of the academic division, and then by the Curriculum Review Committee (CRC). Proposals must be submitted using the designated course change forms and must be accompanied by an institutional syllabus for each course submitted.

⁴³ Administrative Regulation Approved 7/14/2008.

6.1.2 Significant Change

If significant changes are to be made to existing courses offered by an academic division, such as change in course name, number of credits, or substantial changes to content, the approval process for new courses is followed.

6.1.3 Submission Date

Courses should be submitted by November 1 for an effective date the subsequent fall semester. Submissions after this date must be approved by the Dean of Faculty.

6.2 Purpose

The purpose of this regulation is to specify the procedures for the addition of new courses to the curriculum, and for significant changes to existing courses.

6.3 Procedure

The following steps should be followed:

1. The academic division will determine if new courses should be added to their list of course offerings.
2. The academic division will determine if significant changes are to be made to existing courses.
3. The division chair will coordinate these efforts and ensure that the appropriate procedures are followed.
4. A course change form should be submitted for each course to be added to the curriculum, and for each course in which significant changes will be made as described in section 6.1 above. The course change form will minimally identify the following: course prefix and number, course title, credit hours, pre/co-requisites, grade mode, course description, effective term, unique issues (if any), degree plans affected, and a justification of why the course should be added or changed.
5. The course change form will be accompanied by an institutional syllabus. Requirements for the institutional syllabus are described in the policy 'Institutional Syllabi'.
6. Course change forms are to be submitted to the Office of the Dean of Faculty, by which they will be forwarded to the members of the CRC.
7. The CRC will meet on a regular basis throughout the fall semester to review course change submissions.
8. The committee will ensure that courses follow the required institutional syllabus format, indicate appropriate student learning outcomes, indicate grading criteria, and are accompanied by a justification or rationale that indicates the addition of, or changes to, the course(s) clearly benefits student learning.
9. The CRC will coordinate with division chairs if clarification of modification of proposals is required in order for the committee's approval.

10. After approval by the CRC, the Dean of Faculty shall review all actions, attach his or her recommendation and submit the proposal to the President for a final decision.

6.4 Responsibilities

Personnel responsibilities are as follows:

1. The faculty members within an academic division are responsible for determining and curricular changes required in regards to new courses or changes to existing courses.
2. The division chair is responsible for ensuring proposals are completed and submitted according to the guidelines of this regulation.
3. The Office of the Dean of Faculty is responsible for providing the CRC with all proposals and for recommending final action to the President.

Article 7 Course Enrollment Guidelines⁴⁴

7.1 Lower Division and Survey Courses

7.1.1 General Enrollment Cap

The general course section enrollment cap of for lower division online courses shall be 20-25 students.

7.1.2 Biblical Survey Course Cap

For introductory biblical survey courses (presently THL 110ab and 135) the enrollment cap shall be 30-45 students. The rationale for this is that the design of THL 110ab is to introduce working adult students to studying the Bible and theology online and it assumes that a student is new to online coursework.

7.1.3 Other Guidelines

7.1.3.1 Writing Assignments

Writing is to be held to a minimum to allow the student to progress in other skill sets (including interacting easily with faculty and staff using the Populi course delivery system, using the Internet, listening, study habits, proctored exam preparation and taking, and college level reading) necessary for successful online learning.

7.1.3.2 Critical Analysis

THL 135 (Life, Ministry and Teachings of Jesus) shall continue as an introduction but is to expose the student to critical analysis writing through written assignments and discussion forums.

7.1.3.3 Exceptions

Other similar courses may be authorized for this enrollment cap as approved by the Dean of Faculty.

⁴⁴ Administrative Regulation Approved 2/5/2013.

7.2 Upper Division and Highly Interactive Courses

7.2.1 Highly Interactive Courses

If a faculty member intends for an online course to be highly interactive (the general presumption in upper division courses) the cap is 15-19 students.

7.2.2 Neophytes to Teaching Online

In any case, neophytes to teaching online are to be assigned smaller classes of not more than 12 enrolled students.

7.3 Exceptions

These guidelines do not include auditors as they have limited access to courses and do not participate in written assignments and tests. The Dean of Faculty is empowered to make exceptions. As all courses offered by the University are online no guideline has been established for enrollment caps in traditional courses and the matter is left to the discretion of the Dean of Faculty.

Article 8 Regents Scholarships Procedure⁴⁵

8.1 Certification

Before award of a Regents Scholarship based on any of the criteria listed herein, the registration staff shall establish the eligibility of the student for the award. A record of the verification of eligibility shall be kept by the Office of the Registrar for auditing purposes. The awarding of Regents Scholarships requires establishing the eligibility of the recipients as follows:

1. Eligibility of Living Church of God elders, deacons and deaconesses, including their spouses and their dependent children under the age 22, requires written verification by the Church Administration division of the Living Church of God.
2. Eligibility of Living Church of God employees and their qualifying dependents requires written verification by the headquarters Human Resources Manager for the Living Church of God.
3. Eligibility based on verification of contributions to the Living Church of God Assistance Fund is obtained directly by the University from the Living Church of God.

8.2 Intent

The award of a 50% tuition scholarship for persons contributing to the LCG Assistance Fund is to help keep their tuition charges affordable during the periods they are making such contributions. The “contributing to the LCG Assistance Fund” is understood to mean that the period of giving is intended to be not less than one year.

⁴⁵ Administrative Regulation Approved 7/20/2009.

8.3 Applicable Periods

Tuition payment due points, technically, are the workdays immediately preceding the first day of instruction. For simplicity on awarding the Regents Scholarship the first day of instruction shall be the benchmark date. This provides a consistent standard. So, if a student or his or her parents are contributing to the LCG Assistance Fund on August 17, 2009 then the scholarship would apply for the full fall semester. If they are contributing to the Assistance Fund on January 19, 2010, then the scholarship would apply for the full spring semester. It is a semester by semester award. Some people begin paying into the Assistance Fund in the spring and others in the fall. If a person begins the contribution year in September or October, they are not eligible for the scholarship until the following spring semester. If they begin their contributions at the at Passover then they are eligible for the scholarship for the summer session, the fall semester, and the spring semester provided they continue to pay the tithe the entire 12 months.

Article 9 Online Privacy Statement⁴⁶

The following statement is authorized as procedure in website privacy matters pursuant to Board Statute 18.3 and it is to be published on the University website in an appropriate format.

Online Privacy Statement

Your privacy on the Internet is extremely important to us. Because you give us personal information, we believe you should fully understand the terms and conditions surrounding what we do with that information. This Online Privacy Statement applies to the University's primary domain name livinguniv.com and all its sub domains. Each of these separate domains is referred to, collectively, as the LU Website. The University strives to protect user's privacy to the fullest extent allowed by law. LU will make efforts to ensure that changes to this Online Privacy Statement are reflected on the LU website, however, the failure of LU to post changes to this Online Privacy Statement shall not prevent any changes to it from becoming effective in any instance, whether retroactively or prospectively. This Online Privacy Statement is in effect as of July 1, 2010.

The University does not gather personal information such as your name, phone number, postal address or e-mail address unless you supply it voluntarily, usually through contacting us via telephone, e-mail, fax, regular mail or through the LU Website.

1. General Internet Information

LU cannot guarantee the privacy of any data while in transit to or from the LU website. Users of wireless Internet access are at greater risk of personal information being revealed, and the use of wireless technologies to access or submit personal information to the LU Website is discouraged.

2. Information Collected

LU collects data from users to help fulfill the mission of the University. The majority of information collected by LU is voluntarily provided by the user in connection with the

⁴⁶ Administrative Regulation Approved 6/28/2010.

completion of online forms or by the user's web browser to facilitate communication with the LU Website. Collected information is not sold, loaned or shared with outside entities except where required by law or to fulfill the mission of the University. Additionally, the University may publish or otherwise release certain personal information as Directory Information as authorized pursuant to the Family Educational Rights & Privacy Act (FERPA) and various University policies, rules, and procedures related thereto.

2.1 Non-identifying Information

Like many other organizations' websites, the University's automatically collects certain non-identifying information regarding website users, such as the Internet Protocol (IP) address of your computer, the IP address of your Internet Service Provider, the date and time you access the LU Website, the Internet address of the website from which you linked directly to the LU Website, the operating system you are using, the sections of the LU Website you visit, the Website pages read and images viewed, and the materials you post to or download from the Website. This non-identifying information is used for the LU Website and system administration purposes and to improve the Website. Your non-identifying information may be disclosed to others and permanently archived for future use in order to facilitate your online experience and to gather broad demographic information. The University makes no attempt to link this information with the identity of individuals visiting the LU Website.

2.2 Cookies

The LU website uses cookies, a technology that installs information on a website user's computer to permit the website to recognize future visits using that computer and otherwise enhance the convenience and use of the website. You may choose to decline cookies if your browser permits, but doing so may affect your use of the LU website and your ability to access certain of its features.

3. What LU Does With Personal Information

When you contact the University or order services or products through the LU Website, LU collects and uses your Personal Information for the following purposes:

- To ship the order or provide the services you requested
- To contact you with customer service related questions
- To provide you with information you requested
- To verify and charge your credit card for online payments or donations
- To record and process your payments or donations
- To provide payment or income tax receipts
- To maintain a record of your involvement with the University

Unless you request otherwise, your contact information may also be used to provide to you further information about our products and services and opportunities to support our institution, and otherwise as permitted by law. At any time you may ask us to stop sending you literature and other information by contacting the University Privacy Officer at registrar@livinguniv.com.

4. External Links

The LU Website may contain optional links to partners and third party Internet sites and services that may collect data from you or your computer. Please be aware that if you choose to leave our site via a link, Living University assumes no responsibility for the privacy practices or the content of other websites.

5. Credit Cards

Living University links to outside financial institutions for the processing of donations and other payments by credit card. Living University does not process online credit card transactions on its websites. Please consult the financial institution for further information about the safety of using your credit card on their website(s) and their privacy practices.

6. Email

LU is not responsible for the privacy of any email messages. Users are advised that most email sent over the Internet is insecure and that, as a result, users should assume that email communications are not private.

7. Family Educational Rights and Privacy Act (FERPA):

Information about FERPA may be found on the U.S. Department of Education Website at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>. LU makes every attempt to fully comply with FERPA and does not release student information without the permission of the student except where allowed by law.

8. Children's Online Privacy Protection Act (COPPA):

To comply with COPPA, children under the age of 13 should not submit any information to Living University without parental consent.

9. Handling Inquiries and Complaints

To request a correction or access to your Personal Information, or if you have questions, concerns or complaints about the collection, use, management or disclosure of Personal Information at LU, please contact the Registrar, who serves as the University's Privacy Officer, at registrar@livinguniv.com. You may view additional Information about privacy at LU see Statutes Article 18 Privacy Policy.

Article 10 Social Media Policy⁴⁷

This policy provides guidelines and rules for the publication of and commentary on social media by University employees or volunteer staff (hereinafter "University Workers"). For the purposes of this policy, social media means any facility for online publication and commentary, including without limitation blogs, wiki's, social networking sites such as Facebook, LinkedIn, Twitter, Flickr, and YouTube. This policy is in addition to and compliments any existing or future policies regarding the use of technology, computers, e-mail and the Internet.

⁴⁷ Administrative Regulation Approved 6/20/2012.

10.1 General Principles

Publication and commentary on social media carries the same obligations as any other kind of publication or commentary. All uses of social media must follow the same ethical standards that University Workers must otherwise follow.

10.1.1 University Workers in Information Technology Department

Only those who are employees in the web services unit are permitted to publish or comment via social media during work hours or using work facilities, or in any way that suggests they are doing so in connection with the University. Employees in the web services unit are free to publish or comment via social media in accordance with this policy. Such University Workers are subject to this policy to the extent they identify themselves as a Living University Worker (other than as an incidental mention of place of employment in a personal social media on topics unrelated to the University).

10.1.2 Other University Workers

For those individuals not employed in the Information Technology Department, Social Media (including “social networking”) is strictly a personal activity— like personal phone calls and visits from family members — and is restricted to an University Worker’s break and lunch times and should not be incorporated it into their working time. Social Media activities are not to interfere with the University Worker’s primary job responsibilities.

Before engaging in work-related social media, University Workers not employed in the Information Technology Department must obtain the permission of the University President.

10.2 Notify Your Supervisor

University workers who currently have a personal website, blog, or other social media, or are considering starting one, should be sure to discuss this with their immediate supervisor. Also, if they have any questions, they should feel free to share them with Human Resources, Legal Affairs, or the Information Technology Manager.

10.3 Setting up Social Media

Social media identities, logon ID's and user names may not use Living University names (each of which is a registered trademark owned by the University) without prior approval from the University President.

One’s profile on social media sites must be consistent with his or her profile on the Living University websites or other Living University publications. Profile information may be obtained from the Information Technology Manager.

10.4 Respecting the Rights of Others

In summary, so to speak, personal content should be free from the following: copyright infringement; libel or slander; trademark or service mark infringement; privacy violations; domain name infringement and violation of rights of publicity.

10.4.1 Privacy and Confidentiality

It is perfectly acceptable to talk about one's work and have a dialog with the community, but it is not permissible to publish confidential information including student information or any other protected personal information as set forth in Article 8 above. Confidential information includes things such as unpublished details about our services and products (literature, etc.), programs or executive travel, details of current projects, financial information, research, and trade secrets. Moreover, we must respect the wishes of our affiliates and vendors regarding the confidentiality of current projects. One must take proper care not to purposefully or inadvertently disclose any information that is confidential or proprietary to the University. Consult the Employee Handbook regarding the University's confidentiality policies for guidance about what constitutes "confidential" or "proprietary" information. Be sure that what is announced has been in *The World Ahead* (weekly update), on the University's official website(s), or officially announced by the University before posting it. Otherwise, check with your supervisor. Any University Worker who violates our policies regarding confidentiality will be subject to discipline, up to and including termination.

10.4.2 Respect Copyright Laws

Proper respect must be shown for the laws governing copyright and fair use or fair dealing of copyrighted material owned by others, including Living University-owned copyrights and brands. Never quote more than short excerpts of someone else's work, and always attribute such work to the original author/source. It is good general practice to link to others' work rather than reproduce it. Do not use Living University trademarks, University Seal or logos on your site or reproduce University material without first obtaining written permission through the Office of Legal Affairs & Risk Management.

10.4.3 Other Legal Issues

Other relevant laws include those related to libel and defamation of character. A good rule of thumb is: "If you do not have something good to say, do not say anything at all." Defamatory statements can lead to lawsuits against the author of the statement — and if that is a University Worker, at the very least it can bring bad publicity for the University.

10.5 Protect your own privacy

Privacy settings on social media platforms should be set to allow anyone to see profile information similar to what would be on the Living University website. Other privacy settings that might allow others to post information or see information that is personal should be set to limit access. Be mindful of posting information that you would not want the public to see.

10.6 Be Honest

We suggest you do not blog anonymously, use pseudonyms or false screen names. We believe in transparency and honesty. Please use your real name, be clear who you are, and identify that you work for Living University. Nothing gains you notice in social media more than honesty - or dishonesty. Do not say anything that is dishonest, untrue, or misleading. If you have a vested interest in something you are discussing, point it out. But also remember to protect yourself and your privacy. What you publish will be around for a long time, so consider the content carefully and also be cautious about disclosing personal details. University Workers using Social Media are responsible for complying with the Terms of Service of the sites they use.

10.7 Respect your Audience, the University, and Your Coworkers

The public in general, and University Workers, adherents, supporters and others who access our products and services, reflect a diverse set of customs, values and points of view. Avoid anything contradictory or in conflict with the Living University website. Be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, offensive comments, defamatory comments, personal insults, obscenity, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory. Use good judgment and be sure to make it clear that the views and opinions expressed are yours alone and do not represent the official views of University.

10.8 Protect Living University

10.8.1 Name Connecting

Protect the University by not connecting its name to:

- any commercial (for-profit/money-making) product or service;
- statements supporting or opposing candidates for public office, as such is contrary to the University's status as a nonprofit/charitable organization with tax-exempt status in many countries;

10.8.2 Disrespectful or Derogatory Comments or Images

Avoid disrespectful or derogatory comments or images (much less "attacks" or "rants") about local, state/provincial, national or world leaders. As University Workers we should remember, "You shall not revile God, nor curse a ruler of your people." (Exodus 22:28, Acts 23:5).

10.8.3 Recommendations or Referrals

If an employee writes recommendations or referrals for friends/associates as a representative of the University, it may give the appearance that the University endorses the individual being recommended. That could create a liability situation if another organization hires the recommended person on the basis of the recommendation. For this reason, the University prohibits employees from making such recommendations or referrals.

10.9 Protect Others

Adherents, supporters and others who access our products and services, vendor-partners or suppliers should not be cited or obviously referenced without their approval. Never identify an adherent, vendor-partner or supplier by name without written permission and never discuss confidential details of a vendor-partner or supplier engagement. It is acceptable to discuss general details about kinds of projects and to use non-identifying pseudonyms for an adherent, supporter or others who access our products and services, or vendor-partner or supplier (e.g., Supplier 123 or Coworker X) so long as the information provided does not violate any non-disclosure agreements that may be in place with a vendor-partner or supplier, or that make it easy for someone to identify an adherent, supporter or others who access our products and services—i.e. *do not* disclose Personal Information or Contact Information (each as defined in the Living University's policies regarding privacy). Your social media page is not the place to "conduct

business" with a vendor-partner, supplier, nor to deliver goods or services to an adherent, supporter or others who access our products and services. Such delivery is for the University's own websites, blogs and other of its operations.

10.10 General Suggestions and Guidelines

10.10.1 Controversial Issues

If you see misrepresentations made about the University in the media, you may point that out. Always do so respectfully and with the facts. If you speak about others, make sure what you say is factual and that it does not disparage that party. Avoid arguments. Clashes may earn traffic, but nobody wins in the end. Don't try to settle scores or goad competing organizations or others into inflammatory debates. Make sure what you are saying is factually correct.

10.10.2 Respond First

Be the first to respond to your own mistakes. If you make an error, be up front about your mistake and correct it quickly. If you choose to modify an earlier post, make it clear that you have done so. If someone accuses you of posting something improper (such as their copyrighted material or a defamatory comment about them), deal with it quickly - better to remove it immediately to lessen the possibility of legal action.

10.10.3 Think about Consequences

Consider what might happen if a University employee is in a meeting with a supplier, and someone on the supplier's side pulls out a print-out of your blog and says "This person at Living University says that product stinks." Saying "Product X needs to have an easier learning curve for the first-time user" is fine; saying "Product X stinks" is risky, unsubtle and unprofessional. Once again, it is all about good judgment: using your blog to trash or embarrass Living University, our representatives, adherents, supporters and others who access our products and services, or your co-workers, is prohibited.

10.10.4 Show Respect

Since your social media activities occur in a public space, we expect you to be respectful to the University and our leaders, faculty, staff, volunteers and adherents. Any University Worker who uses a personal website, blog or other social media to disparage the name or reputation of the University, its practices, or its regents, officers, employees, volunteers, alumni, students or donors will be subject to discipline, up to and including termination.

When working for the University, it is important to remember that employment decisions will be made based upon our Bible-Based Christian beliefs as a church-related institution. If your personal website displays inappropriate images or reflects personal opinions or life-style choices that are contrary to the fundamental philosophy and principles of the University and its principal sponsor, the Living Church of God, you may be subject to discipline, up to and including termination. For this reason, we encourage you to first seek guidance from your supervisor or Human Resources if you have any questions.

10.10.5 Follow the Faculty and Staff Handbooks

Conform to the rules, policies and procedures contained in the Faculty and Staff Handbooks, especially as they relate to harassment and illegal activities (including, in this case, spam and piracy). As with other forms of communication, do not engage in personal, racial or sexual

harassment, unfounded accusations, or remarks that would contribute to a hostile work environment. For more information about the Living University Policy against harassment, see the Faculty or Staff Handbooks, or contact Human Resources.

10.10.6 Use Good Judgment

Use good judgment in all communications, particularly on a website accessible to the public. What you say on your site could potentially be grounds for dismissal. If you would not be comfortable with your manager, co-workers, or the executive team reading your words, do not write them.

10.10.7 Employ Disclaimers

On one's site, please make it is clear to your readers that the views you express are yours alone and that they do not necessarily reflect the views of Living University. To help reduce the potential for confusion, you must use a disclaimer saying that while you work for Living University, anything you publish is your personal opinion, and not necessarily the opinions of Living University; therefore, we recommend you prominently display the following notice, or something very similar, on the homepage of your social media site:

This is not an official Living University site. The official Living University site is at <http://www.livinguniv.com>. I work for Living University. Everything here, however, is my personal opinion and is not read or approved before it is posted. Opinions, conclusions and other information expressed here do not necessarily reflect the views of Living University.

We recommend a disclaimer if your social media or web site is published under your name, even if it is entirely personal and does not mention Living University or your employment (or volunteer service), as readers will inevitably connect your personal life to your work life.

Many social media users include a prominent disclaimer saying who they work for, but that they're not speaking officially. This is good practice and is encouraged, but don't count on it to avoid trouble - it may not have much legal effect if you "go too far" in your commentary.

The Director of Legal Affairs & Risk Management can assist you with applicable disclaimer language and assist with determining where and how to use that.

10.10.8 Do Not Forget Your Day Job

Make sure that social media does not interfere with your job or commitments to adherents, supporters and others who access our products and services. All time and effort spent on your social media should be done on your personal time and should not interfere with your job duties or work commitments.

10.10.9 Social Media Tips

The following tips are not mandatory, but will contribute to successful use of social media.

- The best way to be interesting, stay out of trouble, and have fun is to write about what you know. There is a good chance of being embarrassed by a real expert, or of being boring if you write about topics you are not knowledgeable about.
- Quality matters. Use a spell-checker. If you're not design-oriented, ask someone who is whether your blog looks decent, and take their advice on how to improve it.

- The speed of being able to publish your thoughts is both a great feature and a great downfall of social media. The time to edit or reflect must be self-imposed. If in doubt over a post, or if something does not feel right, either let it sit and look at it again before publishing it, or ask someone else to look at it first.

10.11 Enforcement

Policy violations will be subject to disciplinary action, up to and including termination.

Article 11 Incident Response Plan⁴⁸

11.1 Overview

This incident response plan defines what constitutes a security incident, outlines the incident response phases and sets forth specific actions to be taken. This incident response plan document discusses how information is passed to the appropriate personnel, assessment of the incident, minimizing damage and response strategy, documentation, and preservation of evidence. The incident response plan will define areas of responsibility and establish procedures for handling various security incidents. This document discusses the considerations required to build an incident response plan.

11.2 Purpose

This plan is designed to protect University resources against intrusion.

The balance of this plan was suspended on October 15, 2015 for review by the Information Technology Oversight Committee.

Article 12 Information Security

12.1 Overview

Information is an asset that the University has a duty and responsibility to protect. The availability of complete and accurate information is essential to the University's functioning in an efficient manner and to providing its products and services. The University holds and processes confidential and personal information on private individuals, employees, partners and suppliers and information relating to its own operations. In processing information the organization has a responsibility to safeguard information and prevent its misuse.

12.1.1 Purpose and Objectives

The purpose and objectives of this Information Security Policy is to set out a framework for the protection of the University's information assets:

- To protect the University's information from all threats, whether internal or external, deliberate or accidental;

⁴⁸ Administrative Regulation Approved 6/20/2012.

- To enable secure information sharing;
- To encourage consistent and professional use of information;
- To ensure that all have access to information are clear about their roles in using and protecting information;
- To ensure business continuity and minimize business damage; and
- To protect the University from legal liability and the inappropriate use of information.

12.1.2 Nature of Policy

The Information Security Policy is a high level document, and adopts a number of controls to protect information. The controls are delivered by policies, standards, processes, procedures, supported by training and tools.

12.2 Scope

This Information Security Policy:

1. Outlines the framework for management of Information Security within the University;
2. Sets standards, processes and procedures which apply to all staff and employees of the University, contractual third parties and agents of the University who have access to the University's information systems or information; and
3. Applies to all forms of information including:
 - Speech, spoken face to face, or communicated by phone or radio;
 - Hard copy data printed or written on paper;
 - Information stored in manual filing systems;
 - Communications sent by post / courier, fax, electronic mail;
 - Information stored and processed via servers, PC's, laptops, mobile phones, PDA's; or
 - Information stored on any type of removable media, e.g., CD's, DVD's, tape, USB memory sticks, and digital cameras.

12.3 Terms and Definitions

For the purpose of this administrative regulation the following terms and definitions apply.

12.3.1 Asset

An asset is anything that has value to the University

12.3.2 Control

Control refers to any means of managing risk, including policies, procedures, guidelines, practices.

12.3.3 Guideline

A description that clarifies what reasonably should be done and how.

12.3.4 Information Security

Preservation of confidentiality, integrity and availability of information.

12.3.5 Policy

Overall intention and direction as formally expressed by management.

12.3.6 Risk

Combination of the probability of an event and its consequence.

12.3.7 Third Party

Person or body that is recognized as being independent

12.3.8 Threat

Potential cause of an unwanted incident, which may result in harm to a system.

12.3.9 Vulnerability

Weakness of an asset that can be exploited by one or more threats.

12.4 Structure of this Policy

12.4.1 Basis of This Policy

This policy is based upon ISO 27002 and is structured to include the 11 main security category areas within the standard.

12.4.2 Policy Supplements

This policy is a high level policy which is supplemented by additional security policy documents which provide detailed policies and guidelines relating to specific security controls.

12.5 Risks

12.5.1 Data and information

Data and information which is collected, analyzed, stored, communicated and reported upon may be subject to theft, misuse, loss and corruption; and may be put at risk by poor education and training, misuse, and the breach of security controls.

12.5.2 Information Security Incidents

Information security incidents can give rise to embarrassment, financial loss, non-compliance with standards and legislation as well as possible judgments being made against the organization.

12.5.3 Risk Assessments

The University should undertake risk assessments to identify, quantify, and prioritize risks. Controls will be selected and implemented to mitigate the risks identified. These shall be undertaken using a systematic approach to identify and estimate the magnitude of the risks.

12.6 Security Policy

12.6.1 Information Security Policy Document

The information security policy document shall sets out the University's approach to managing information security, shall be subject to authorization by the President of the University, and shall be communicated to all staff and employees of the University, contractual third parties and agents of the University.

The balance of this plan was suspended on October 15, 2015 for review by the Information Technology Oversight Committee.

ARTICLE 14 Employment of Staff

14.1 Prerequisites to Employment

Staff members are selected and retained from those voluntarily in harmony with the philosophy and principles of the University and its principal sponsor the Living Church of God. All staff members are expected to reflect the character of the University and Church by their conduct, speech, and appearance, either on or off campus, to students, their families, the alumni, and to the public.

If employment is offered by the University and accepted by the prospective staff member, then that staff member agrees to conform to all policies, rules, regulations and standards of conduct of the University (whether written or unwritten), and amendments thereto, promulgated by the University through its Board of Regents. The staff member also agrees that such policies, rules, regulations, and standards of conduct may be changed, interpreted, withdrawn, restated or added to by the Board of Regents, University executive officers, and their agents, in their sole discretion without any prior notice to interested parties.

Further, all staff members and persons considered for employment must understand that their employment with the University is neither guaranteed nor permanent and the offer may be withdrawn or employment terminated any time before or after being hired, with or without cause, and with or without prior notice in the discretion of the University, staff member or prospective staff member. Staff members remain free to resign their employment at any time for any or no reason, without notice, and the University retains the right to terminate any staff member at any time, for any or no reason, without notice.

14.2 Recruiting and Hiring

The Human Resources Office has the primary responsibility of recruiting and hiring of staff members. Any organized recruiting efforts which will involve the posting of notices, placement of advertisements, or the spending of University monetary resources must be coordinated through the Human Resources Office.

14.3 Job Openings

14.3.1 Priority in Filling Vacancies

Whenever a vacancy occurs it is in the University's best interest to employ the most qualified available person. When possible and practical, the priority in filling openings should be: 1) within the division, department or operation, 2) from within the current work force, and 3) from outside the current work force.

14.3.2 Initiating the Filling of a Vacancy

When a position becomes available in a department the following steps are followed to fill the vacancy:

- When a position becomes vacant a manager must have an employee requisition approved for the position.
- Upon approval of the requisition the Human Resources Office will post the opening in the respective department or unit, other departments and outside the University as needed to fill the vacancy. Due to complex state and federal government regulations, the Human Resources Office must approve and expedite all advertisements and announcements of job openings within and without the University community.

All applications and resumes received must be sent to the Human Resources Office. The Human Resources Office will file them and send them to the unit manager.

The unit manager should try to fill the vacancy from applicants within his or her unit first. He or she should consider applicants from the current labor pool, second. If a qualified applicant cannot be found from within the organization, then the unit manager may consider applicants from outside our current labor pool.

All expenses incurred in the hiring of additional personnel will be charged to the departmental budget where the new staff member is to work. To keep expenses at a minimum, the recruiting of potential staff members is normally conducted in such a way that local sources of candidates are exhausted first.

14.3.4 Job Offers

While all unit managers and supervisory personnel are encouraged to continually seek qualified applicants on an informal basis, no representative of the University has the authority to make any agreement or personnel action or assure any benefits or terms and conditions of employment before the candidate has met the pre-employment requirements established by the University.

14.3.5 Pre-employment Requirements

No unit manager may interview, hire or promise employment to any applicants until the candidates have completed an employment application provided by the Human Resources Office. Prior to any decision to hire an applicant, the following must have been secured by the Human Resources Office:

1. Reference check from applicant's local minister for all members of the Living Church of God.
2. Reference check(s) from applicant's previous college(s) as appropriate.

3. Fulfillment of intended job requirements.
4. All applicants may be required to satisfactorily take and pass an ADA employment drug and alcohol screening examination before they are hired. The examination will be performed at the University's expense.
5. All applicants must verify their identity and legal ability to work in the United States. To comply with this requirement each applicant must complete an I-9 form. All offers of employment and continued employment for positions in the United States are conditioned on furnishing satisfactory evidence of identity and legal authority to work in the United States. As a condition of continued employment, all staff members must submit additional documentation of legal work status in accordance with the above guidelines in the event that previous employment authorization expires. Any staff member or job applicant who fails to abide by these requirements will be considered ineligible for employment and subject to immediate dismissal.
6. The approval of the President.

14.3.6 Offer of Employment

After all pre-employment information is received by the Human Resources Office; the unit manager to whom the prospective staff member will report is responsible for making the offer of employment. A salary within the pay range assigned to that particular position should be paid. The University's conditions of employment must be outlined to the new staff member by the unit manager as part of the initial job orientation.

14.4 Employment of Relatives

No staff member, prospective staff member, or applicant will be denied employment or benefits of employment solely on the basis of marital status or kinship by blood or marriage. However, whereas the marital status and, or, kinship status of any staff member with another has the potential for creating an adverse effect on the supervision, safety, security or morale, or involves potential conflict of interest, the University retains the following rights:

1. To refuse to place one's spouse or any relative by blood or marriage under the supervision of the other spouse or any other relative by blood or marriage.
2. To refuse to place both spouses and any relative by blood or marriage in the same unit, operation or facility.

14.5 Additional Factors

A former, full-time, regular employee of the University who is rehired within one (1) calendar year of the prior effective termination date will have full seniority reinstated minus the months not employed by the University.

14.6 Orientation

A certain amount of orientation for each new person hired will be necessary in order to acquaint the staff member with the work environment and what is expected of the person as a staff member of the University.

14.6.1 Human Resources

On the first day of work for a new staff member the unit manager must direct the new staff member to the Human Resources Office where the person will be asked to complete the employment, payroll and benefit enrollment forms which are necessary. The Human Resources Office will also, on the first day of work for a new staff member, explain the general conditions of employment, basic practices and benefit programs available.

14.6.2 Unit Level Orientation and Training

Unit managers are fully responsible for understanding the standards and requirements of the University and the legal obligations inherent in employment relationships and for assuring that all orientation and training instructions are within those limits and are understood by the staff member. Acting on behalf of the University, the unit manager is responsible for orienting the new staff member to the unit work situation and for explaining the following:

1. Basic terms of employment consistent with present University practices.
2. The duties to be performed and applicable safety standards.
3. The standards of quality and quantity expected.
4. Unit rules, procedures, standards of behavior, dress code and any other special requirements which would not be known by the new staff member.
5. Hours of work including explanation of overtime procedures.
6. Rest periods and lunch break.
7. Schedule of paydays.
8. Personal matters, such as the locations of a lunch room and restroom, location of first-aid supplies, location of assigned parking, and the like.

14.7 Performance Review

14.7.1 Annual Review

Annual performance reviews are a key component of employee development. The performance review is intended to be a fair and balanced assessment of an employee's performance. The objective of the annual review is to provide all regular University staff and their supervisors an opportunity to:

1. Discuss job performance
2. Set goals for professional development
3. Establish objectives for contributing to the unit's mission
4. Discuss expectations and accomplishments

14.7.2 Form

The Staff Performance Review Form is intended to serve for all staff members. A detailed explanation of the summary form's components and instructions about how to use the form are

included in the Staff Performance Review Form. The annual performance review should be completed in April or May of each year.

Article 15 Operational Objectives

15.1 Mission Statement

The mission of the University as set forth in the Statutes at §2.2 is succinctly and clearly defined as follows:

The mission of Living University as a Christian institution of higher learning is to provide programs of formal instruction and other learning opportunities, as well as meritorious programs of research and public service adequate to support its underlying charge of delivering instruction, of sufficient diversity to be relevant to the changing needs of the individual, the Church, and society.

The University provides primary and support programs designed to effectively and efficiently fulfill and promote the fulfillment of our institutional mission.

15.2 Primary Program Operational Objectives

Primary Programs are those central to fulfillment of the University's mission. Program Objectives for institutional primary programs as defined by the Statutes of the Board are set forth below and delineated in operational terms as Operational Objectives.

15.2.1 Instruction

The University shall provide instruction at the associate and baccalaureate level in general education as well as in the arts and sciences, selected business and professional disciplines, and theology within the capacity of the institution's resources (*Statutes* Section 2.2.1.1).

Specifically, this means in operational terms that the University shall:

Operational Objective 1: Offer instructional programs in disciplines structured to promote intellectual development and lay a foundation for further learning, as will be accomplished through maintaining adequate faculty and majors in, but not limited to, theology, with each structured on a core of biblical foundations and general education requirements.

Operational Objective 2: Be committed to providing curricula specifically related to volunteer, bi-vocational, or career service in Living Church of God congregations.

Operational Objective 3: Be committed to the pursuit of excellence in instruction and other learning opportunities in an environment of scholarship, innovation, culture, and academic freedom (a) by maintaining high standards for faculty and assessing their effectiveness and student learning through d evaluation and student inventory reports and (b) through student assessment.

Operational Objective 4: Be timely in providing students with current, accurate and complete course prospecti and syllabi.

Operational Objective 5: Be intent upon educating students with sufficient understanding of the purpose and meaning of human existence from a biblical point of view to help them establish responsible personal values based on the Judeo-Christian ethic by requiring a

minimum of eighteen semester credit hours of core theology classes in all undergraduate degree programs.

Operational Objective 6: Offer moral and ethical instruction based upon biblical principles throughout all disciplines.

Operational Objective 7: Aid students in developing the ability to communicate clearly, logically, and effectively through written and oral expression and to think critically and constructively.

15.2.2 Distance Learning

The University shall extend opportunity for course work in a distance learning format to the growing Living population of nontraditional learners (*Statutes* Section 2.2.1.2).

Specifically, this means in operational terms that the University shall:

Operational Objective 1: Be committed to providing an online instructional delivery system in a manner consistent with sound educational practices.

Operational Objective 2: Be intent on the online delivery of institutional curricula throughout North Carolina, the nation, and the globe.

Operational Objective 3: Provide instruction for learners through comprehensive course materials, individualized instructor comments, computer-assisted instruction, and online courses.

Operational Objective 4: Extend distance education curricula in the Spanish language and other languages to support learners associated with the Living Church of God (International) as resources and opportunities permit.

15.2.3 Research

The University shall encourage those forms of research which promote the University's commitment to excellence in instruction and which support the current needs of the students and faculty (*Statutes* Section 2.2.1.3). Specifically, this means in operational terms that the University shall:

Operational Objective 1: Be committed to faculty research activities and related publication through appropriate financial and material support of individual and project research consistent with the mission and purpose of the institution and supportive of the growth and development of faculty members.

Operational Objective 2: Be prepared to encourage appropriate applied research to promote service and leadership in Church, family, and community responsibilities.

Operational Objective 3: Be supportive of research activities to be conducted at the institution within the framework of an explicit research structure.

Operational Objective 4: Be involved in research projects directed by other institutions as financially feasible and related to the mission of the University and to the growth and development of faculty members and students where practical experience would benefit their educational experience.

15.2.4 Public Service

The University shall engage in public service activities that makes accessible its resources and capabilities for the specific purpose of meeting the needs of the Church as well as responding to a local need or assisting in resolving a local challenge in a manner consistent with the mission and purpose of the institution and furthering the growth and development of its students (*Statutes* §2.2.1.4).

Specifically, this means in operational terms that the University shall:

Operational Objective 1: Provide opportunities for service by students through organized programs, designed to assist in local, national, and international communities for students that advance student development, foster acquisition of leadership skills, and promote their commitment to community and Church responsibilities.

Operational Objective 2: Be committed to serving the Church, local community, and national and international humanitarian projects through providing scholarly, cultural and educational programs as instituted at the discretion of the administration.

15.3 Support Program Operational Objectives

Support Programs are those that effectively and efficiently fulfill and promote the primary programs of the University. Program Objectives for institutional support programs as defined by the Statutes of the Board are set forth below and delineated in operational terms as Operational Objectives.

15.3.1 Academic Support

The University shall provide academic support through academic computing services, media services, graphics services, and ancillary services to assist faculty and students in instruction, research, and public service programs (*Statutes* §2.2.2.1). Specifically, this means in operational terms that the University shall:

Operational Objective 1: Support instruction, research, and public service through graphic, media, and computer services. To this end the University shall provide knowledgeable personnel, sufficient space, and appropriate hardware and software to meet reasonable faculty expectations.

Operational Objective 2: Engage in providing news and information through various campus media as a vehicle of communication.

Operational Objective 3: Support activities related to the professional development of academic personnel including those that provide the faculty with opportunities for personal and professional growth and development, as well as those activities intended to evaluate and reward the professional performance of the faculty by provision of a faculty development program and a faculty recognition program.

Operational Objective 4: Be structured to provide essential formal planning and development activities established either to improve or to add to the University's curriculum by providing for a chief academic officer with responsibility to direct the development, improvement, and evaluation of the curriculum including the coordination of all long-range and short-term academic planning and assessment.

Operational Objective 5: Publish a comprehensive faculty handbook and a course development guide to promote effective teaching and learning through quality instruction, programs, and services.

15.3.2 Learning Resources

The University shall provide library services to help meet the information needs of its students, faculty and staff and the Living Church of God international headquarters workforce by acquiring and providing access to materials in appropriate formats and in sufficient quantity, depth and diversity to support teaching, learning and basic research, and by preserving the textual tradition of the Living Church of God and its antecedent fellowships both in print and in electronic forms in an Archive and Special Collections Repository (*Statutes* Section 2.2.2.2).

Specifically, this means in operational terms that the University shall:

Operational Objective 1: Provide the facilities, services, and support in an aesthetically pleasing learning environment enabling student, faculty, and student access to adequate library collections as well as to other learning/information resources consistent with its educational, research, and public service endeavors.

Operational Objective 2: Serve the Living Church of God by preserving its textual tradition both in print and in electronic forms, for the current educational needs of faculty and students, and for the future.

Operational Objective 3: Address the library support needs of the Living Church of God international headquarters workforce.

Operational Objective 4: Maintain a professional and/or paraprofessional staff sufficient to render point-of use assistance, bibliographic instruction and personal reference services.

Operational Objective 5: Provide patrons with a contemporary theology reference collection and services.

15.3.3 Student Services

The University shall provide student services emphasizing the individual development of true values in character, personality and leadership within the moral, social, ethical, cultural and spiritual standards of our academic community, including as needed, but not limited to, student activities, cultural events, student publications, athletics, student organizations, counseling and career guidance, student financial aid administration, student housing and food services, student health services, enrollment services and commencement exercises (*Statutes* Section 2.2.2.3).

Specifically, this means in operational terms that the University shall:

Operational Objective 1: Maintain a learning community where our collective quest is to recapture permanent values in an ever-changing world, and apply them in laying the foundation for a better life.

Operational Objective 2: Provide activities such as assemblies, forums, field trips, commencement exercises, and other special events fostering a sense of community among LU students, faculty, staff, alumni and constituency.

Operational Objective 3: Provide curricular and co-curricular activities promoting the development of a well-rounded and balanced personality committed to leadership development and awarding student achievement.

Operational Objective 4: Be dedicated to educating the whole person through work responsibilities, social functions, service activities, intramural sports and intercollegiate athletics.

Operational Objective 5: Be intent upon providing leadership opportunities through student government, student employment, and co-curricular activities such that students may serve in at least one student leadership position for a minimum of one semester or summer during their university careers.

Operational Objective 6: Be structured to extend teaching beyond the classroom to daily interaction with faculty, staff, and administration. Therefore, faculty involvement in student life is to be encouraged through attendance and participation in social functions, service activities, and other activities.

Operational Objective 7: Encourage and positively direct student goal achievement through career and personal counseling.

Operational Objective 8: Value each student as a unique individual. Private counseling shall be made available to all students as time and personnel permit. To this end, faculty and clerical staff shall handle records in an ethical and confidential manner.

Operational Objective 9: Commit to maintaining the high ethical, moral and spiritual standards. The core values of the University shall be communicated through a published code of conduct and student handbook.

Operational Objective 10: Provide a student financial aid program administered through a department equipped to maintain operational procedures for application, selection without discrimination, disbursement consistent with the institution's mission and goals and in compliance with all federal, state, and local laws, as applicable and not therefrom exempted, and donor restrictions.

15.3.4 Institutional Support

The University shall provide institutional governance and support through the Board of Regents, executive management, fiscal operations, institutional effectiveness and planning, administrative computer support, institutional advancement, and other services which coordinate to effectively promote and fulfill its mission (*Statutes* Section 2.2.2.4).

Specifically, this means in operational terms that the University shall:

Operational Objective 1: Maintain exemption or licensure in all states as required by statute and/or regulation, national and regional accreditation as the institution matures, and registrations for charitable donations as required by state and federal law.

Operational Objective 2: Hire, develop, and evaluate administrative faculty and staff for mission effectiveness.

Operational Objective 3: Be structured and operated such that institutional governance and administrative organization reflects the philosophy and purpose of the institution. To this end, the broad principles and policies for institutional operations in the form of formal Statutes shall be developed by the Board of Regents according to the Articles and Bylaws. Administration and implementation of the Statutes shall be carried out by officers, faculty, and staff members in accordance with published statements and organizational charts.

Operational Objective 4: Be committed to strategic planning which incorporates institutional effectiveness into departmental and administrative planning processes by developing five-year integrated educational, facilities, and financial long-range plans and their assimilation into the strategic long-range plan for the institution.

Operational Objective 5: Be prepared to support institutional effectiveness to accurately assess and develop primary and support programs to meet current needs, through surveys and interviews of faculty, students, alumni, and others to determine institutional effectiveness.

Operational Objective 6: Control and allocate institutional financial resources in the most effective manner by maintaining written guidelines for management of investments and by developing detailed annual budgets that are approved by the Board of Regents and reported monthly to departments or other organizational units,

Operational Objective 7: Obtain the resources with a prudent approach to tuition pricing as needed to support the University's strategic goals while maintaining prudent, clear financial management strategies clearly articulated to all constituencies of the University.

Operational Objective 8: Provide timely and accurate information through an accounting system that follows generally accepted accounting principles according to the National Association of College and University Business Officers (NACUBO) and that is audited annually by an independent certified public accounting firm.

Operational Objective 9: Maintain effective relations with other institutions of higher learning, professional associations, the community, prospective students, alumni, and constituency through university relations and institutional advancement programs and institutional participation in state and national academic organization.

Operational Objective 10: Build a fundraising program capable of generating increased giving in support of University priorities.

15.3.5 Operation and Maintenance of Plant

The University shall provide a physical plant operations program related to maintaining existing grounds and facilities, providing for utility services, and planning and designing future plant expansion and modification (*Statutes* Section 2.2.2.5). Specifically, this means in operational terms that the University shall:

Operational Objective 1: Provide an aesthetic and functional environment for an effective educational program adequate to serve institutional needs in relation to its stated purpose, programs, and activities.

Operational Objective 2: Provide a healthful, safe and secure work and study environment for faculty, staff and students.

Operational Objective 3: Be intent, as it develops physical facilities, upon providing the facilities, planning and design for facilities development within budgetary parameters by developing an annual, written long-range facilities master plan that is coordinated with the University's Strategic Long-Range Plan.

Operational Objective 4: Maintain the University fleet program and provide shuttle service for on-campus students as the need arises.

15.3.6 Scholarships and Fellowships

The University shall provide funds for scholarships and grants-in-aid without unlawful discrimination to those students who demonstrate need, scholastic achievement, or meritorious achievement (*Statutes* Section 2.2.2.6). Specifically, this means in operational terms that the University shall:

Operational Objective 1: Disburse various restricted or unrestricted current scholarship funds to qualifying students through a financial aid services department.

Operational Objective 2: Be structured so that the disbursement of scholarship funds complies with all federal, state, and local laws, as applicable and not therefrom exempted, and that all donor restrictions are observed.

15.3.7 Auxiliary Enterprises

The University shall provide auxiliary enterprises as needed (*Statutes* Section 2.2.2.7). Specifically, this means in operational terms that the University shall:

Operational Objective 1: Provide services at a reasonable fee that benefit the students, faculty, and staff in a manner that relates directly to the mission, goals, and objectives of the institution,

Operational Objective 2: Provide housing for students, as it develops a traditional on-campus academic program capable of supporting such services, which meets student needs, supports the academic process, and fosters personal development under the governance of the University's written rules, regulations, and procedures.

Operational Objective 3: Prepare to provide food services, as it develops a traditional on-campus academic program capable of supporting such services, which reflect the philosophy of the institution by offering quality, variety, timely service and cleanliness for regular meals as well as for special banquets, functions, and faculty dining.

Operational Objective 4: Provide an online bookstore that makes available all required textbooks, supplies, and other items for the student body and others in the campus community.

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