



**CONCORDIA**  
UNIVERSITY

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## **ADJUNCT FACULTY HANDBOOK**

**2015 VERSION**

Rev Aug 2015

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**FEDERAL AND STATE POSTERS REGARDING EMPLOYMENT LAW ARE LOCATED IN THE HUMAN RESOURCES OFFICE.**

## **INTRODUCTION**

WELCOME to the faculty of Concordia University! We deeply appreciate you and the contribution you will make to the education of our students. You have been selected because you possess talents and knowledge that will enhance the expertise of the entire faculty, and we encourage you to use your abilities to their fullest extent.

For those of you who have not previously taught at Concordia, we know that you will have many questions about the *what, where, when, why* and *how* of our school. This handbook will answer some of your questions and the administrative offices of the Deans stand ready to answer those questions that are not answered here. Please do not hesitate to contact us at any time.

Thank you again for joining us at Concordia. We hope the following pages will be helpful as you plan for the year ahead.

Thank you!

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## THE MISSION OF CONCORDIA UNIVERSITY

*Concordia University Irvine (CUI), guided by the Great Commission of Christ Jesus and the Lutheran Confessions, empowers students through the liberal arts and professional studies for lives of learning, service and leadership.*

The university carries out its mission within an integrated structure of professional, liberal arts, and graduate programs through cultivation of systematic inquiry, clear communication, health and well-being, sociocultural responsiveness, aesthetic responsiveness, Christian service, and professional application.

Concordia University is governed by a Board of Regents, elected by conventions of The Lutheran Church—Missouri Synod and of the Pacific Southwest District, and by the Board itself. Policies and directives of the Board of Regents are carried out by the president, who is the executive officer of the Board. He delegates responsibilities for the various areas of activity to administrative officers. The responsibility for staff personnel has been assigned to the Executive Vice President, Provost.

The content of this handbook has been developed from policies adopted by the Board of Regents. As new situations develop constantly, it is understood that the Board of Regents reserves the right to change, suspend, or cancel all or any part of this handbook as circumstances may require without the prior notification to CUI employees.

This handbook is meant for information purposes only and is not meant to be any kind of contract, expressed or implied.

## EMPLOYMENT INFORMATION

### 1. EMPLOYMENT ELIGIBILITY VERIFICATION

In accordance with Title 8, United States Code, Section 1324A, Concordia University must verify the employment eligibility of its employees. New employees will be asked to complete the Employment Eligibility Verification (Form I-9) before the contract can be issued. Identification is required to complete the I-9 Form. The standard forms of identification are a passport or two other forms of identification as indicated on the I-9 form.

### 2. EMPLOYEES WITHHOLDING ALLOWANCE CERTIFICATE

A W-4 form is required at the beginning of employment. A new form is provided each fall. Changes can be made at any time during the year if there is a change in reporting status or to make a change in the withholding allowance. Employees who claim *exempt* from personal income tax withholding must renew their W-4 by February 15<sup>th</sup> of each year to remain exempt. Return a signed W-4 with your signed contract.

### 3. ORIENTATION SESSIONS

Attendance at an orientation session is a **REQUIREMENT** of employment. ALL new instructors teaching during the Fall semester must attend the August orientation session. Instructors teaching during the Spring semester may attend the August session or complete the online orientation found at <http://www.cui.edu/studentlife/registrar/index.aspx?id=18244>. Information regarding these sessions will be sent with your contract.

### 4. PAYCHECK POLICY

Effective January 2009, all employees are paid on a semi-monthly basis. Paychecks are available during the term of the contract following the completion of the first month of teaching. At the end of each contractual period, the final check is released after grades have been posted on MyRecords. Checks may be picked up from Human Resources (HR) in Admin. 200A during regular office hours unless mailing arrangements have been made. Direct deposit is also an option and can be arranged after an Authorization for Direct Deposit form has been completed and returned to payroll along with a voided check or savings deposit slip.

### 5. PERSONNEL FILE

Individual personnel files may be inspected by making an appointment HR for a mutually convenient time. The inspection will be in the presence of a member of the HR staff. The file may not be removed from the office.

### 6. TEACHING CONTRACT

Adjunct instructors will receive two (2) copies of the contract containing details of the relationship between them and Concordia University. Both copies should be signed with one returned to the dean's office using the enclosed, self-addressed envelope as soon as possible after it has been received. Questions should be directed to the dean. The payroll process cannot begin until a completed contract, I-9 form and a signed W-4 is received in the dean's office and forwarded to the business office.

## ACADEMIC INFORMATION

### 1. ACADEMIC HONESTY

Christian schools are not exempt from acts of dishonesty and adjunct instructors cannot escape such things by teaching at Concordia University. Concordia's plagiarism policy is included in the syllabus template. Instructors are requested to consider the following:

- Does a student fail the course or only the assignment if an entire paper is plagiarized?
- Is there a difference between plagiarizing a two (2)-page paper and a fifteen (15)-page paper when it comes to determining if a student passes or fails the course?
- What about inadvertent or minor cases of plagiarism? Can a student re-write that portion of a paper which includes unattributed sources?

If a problem with academic honesty or plagiarism is identified, Appendix F in this handbook spells out the specific directions to be followed. It is important that the situation be confronted should it occur. Contact the division or department chair, and/or the dean, and/or Student Services for questions on how best to proceed. *Remember, the course syllabus template provided includes the university's policy on academic honesty and should be reviewed with students during the first class meeting.* This policy is also available on-line at <http://www.cui.edu/StudentLife/student-conduct/index.aspx?id=24720>.

### 2. ACADEMIC WARNINGS

Any indication of poor performance by students' attendance, homework, tests, etc., should be reported using the Paperless Academic Warning Procedure as outlined below.

- a. Login to your MyRecords account. Click on 'My Faculty Tools', then 'Academic Warning'.
- b. Select the correct term, select correct CRN (Course).
- c. On the Academic Warning roster, select 'Add' for the student receiving the academic warning.
- d. Complete the form by selecting 'Grade to Date', check all appropriate reasons for grade, check any suggestions you have for the student, make any comments you have for the student, then click on 'Submit'.

***Academic warnings are imperative and should be submitted as soon as a problem becomes apparent.***

***Traditional Undergraduate programs require academic warnings submitted at the end of week 5 and week 9 for any students in danger of receiving a grade below C or any student with excessive absences.***

### 3. ASSESSMENT PROGRAM

Students are assessed in each of Concordia's eight Learning Outcomes, (for a complete list, refer to the current undergraduate *General Catalog*). Adjunct faculty may be asked to allow the administration of a brief survey in their class(es). Questions about the assessment program should be addressed to Peter Senkbeil at [peter.senkbeil@cui.edu](mailto:peter.senkbeil@cui.edu), or phone ext. 3202.

4. **ATTENDANCE AT DIVISION/DEPARTMENT/SCHOOL FACULTY MEETINGS**  
Instructors are not required to attend department, division, school, or faculty meetings, but are encouraged and welcome to attend. Contact the division and/or department chair for more information.
5. **CLASS ATTENDANCE**  
Registered students have freely accepted personal responsibility for enrollment and class attendance. Students are expected to attend all class and laboratory sessions for the courses in which they are enrolled. Students are expected to notify their instructor(s) of planned absences in advance and unplanned absences, due to sickness or emergency, within a reasonable period of time. Instructors are expected, per Concordia policy and procedures, to record student attendance. Course syllabi will specify instructors' procedures for handling absences consistent with University, School, and Program requirements.

Questions for instructors to consider when making this decision:

- Was the timing of the communication given in advance of the minimum identified above?
- What has been the student's attendance thus far in the class?
- Is the student giving a "good-faith" effort regarding this absence, in your opinion?
- Are there legitimate extenuating circumstances surrounding this absence?

Since class attendance may have an effect on a student's eligibility and enrollment status, instructors are required to keep records of student attendance and may be asked to present these records at any time during the term. If a student's class attendance is poor, instructors are strongly urged to send an Academic Warning (p. 7).

Each instructor may determine their own class attendance policy within the following range of acceptable limits:

- Minimum: Absences are noted and kept in instructor's records
- Maximum: Failure of a course when the number of absences, including any University sponsored events, exceeds 15% of classes in a course. (In a typical 3-unit class, this would be approximately 6.75 hours or 7 fifty minute class periods, 5 seventy-five minute classes or 2 one-hundred seventy minute evening classes)

Each instructor's attendance policy must be stated in writing in the course syllabus and communicated to students in a clear manner at the beginning of each academic term.

***Adult Degree Program Completion: Class attendance is mandatory for the entire weekend mode. Students not attending the first class on Saturday (or in the case of ALA/BAL 311 Friday night) will be considered dropped. Attendance is taken at weekly chat sessions. Two (2) missed chat sessions will result in a failing grade for the course. Alert the site director when this occurs.***



6. CLASS ROSTER(S)

Class rosters for the contracted course(s) are available only through MyRecords. The class roster is unofficial during the first two (2) weeks of the semester. After census date, rosters published online and in the undergraduate General Catalog rosters are considered *official*. For Graduate and Adult Degree programs, please refer to the academic calendar for census dates.

The Registrar's Office (Grimm Hall 1<sup>st</sup> floor) should be notified immediately of any discrepancies between the official roster and the instructor's personal records. Instructors teaching graduate-level courses must contact their program director with the first night's attendance.

*All instructors are required to verify their rosters via MyRecords. **Blackboard or any other LMS is not considered an official roster.***

7. CLASSROOM ASSIGNMENT / MEETING TIMES

Class meeting times and room assignments are posted on MyRecords. Click on Faculty Schedule, and then select the course to see when and where it is meeting. Classroom assignments are also posted in various locations on campus as well as in the Registrar's Office.

8. COURSE ADDS AND DROPS

**NON-CORE CURRICULUM COURSES**

A course may be added during the first (1<sup>st</sup>) week of the semester without instructor approval. During the second (2<sup>nd</sup>) week of the semester, a course may be added with instructor approval. A course may be dropped during the first two (2) weeks of a semester without being recorded on the permanent record. A student who does not attend the first (1<sup>st</sup>) day of class may be dropped at the prerogative of the instructor. This is done only for impacted courses (closed courses with students waiting to add the course).

A student who does not attend the first (1<sup>st</sup>) day of class may be dropped at the prerogative of the instructor. A student may withdraw from a course from week three (3) through eleven (11) with a grade of "W." Approval from the instructor or dean/department chair is required.

Students may not withdraw from individual courses after week eleven (11). Only students withdrawing from the university will be granted withdrawal status. No withdrawals will be granted during finals week.

All dates for adding, dropping, and withdrawing are published, in advance of the academic year. Students may not petition because of a missed deadline.

**CORE CURRICULUM COURSES**

A Core course may be added and/or changed during the first two (2) weeks of the semester with consent of the academic advisor.

A Core course may not be dropped. Students enrolling with fewer than twenty-nine (29) semester hours are required to be enrolled in one (1) pair of Core courses each semester during their first four (4) semesters at Concordia University.

Students are not permitted to withdraw from a Core course without the written approval of the instructor and Director of Core Curriculum. Such approval will normally be considered for one (1) of two (2) reasons:

- 1) an exceptional, documented personal tragedy that has prevented the student from participating in and fulfilling the requirements of the course, or
- 2) complete withdrawal from the university.

In accord with the academic virtues of responsibility, merit, and integrity, under normal circumstances no student will be permitted to withdraw from a Core course because of academic performance.

**Failure to follow the official procedures outlined above will result in credit not being granted for courses not officially added or the assigning of the grade of "F" for courses not officially dropped. Non-attendance does not constitute withdrawal from a class.**

Add/drop forms and additional information may be obtained in the Registrar's Office.

If a student on the official roster never attends class or stops coming to class during the semester, immediately send an Academic Warning so that misunderstandings can be avoided. Students will not be automatically dropped for non-attendance; a failing grade will be given if they do not follow the above procedures. If students attending class are not on the official roster, direct them to the Registrar's office. A grade cannot be given to a student not listed on the final grade sheet at the end of the semester.

**Adult Degree Program Completion: A class may be dropped with no penalty on the first (1<sup>st</sup>) meeting day of class. After the first (1<sup>st</sup>) day students may only withdraw. After the second (2<sup>nd</sup>) week a student will receive the grade they have earned.**

#### 9. COURSE SYLLABUS

The syllabus for the course(s) you are teaching is available from the dean, division, or department chair, as appropriate. Instructors are expected to follow this syllabus especially as it regards university policies; adjustments may be made to express individual teaching style. Follow the official university format (available from your dean, division or, department chair or online at [www.cui.edu](http://www.cui.edu)) as you prepare your syllabus. *Your syllabus must contain your attendance policy.* The template already includes the university's statement on academic honesty. You are required to distribute the syllabus and any other course outline materials—such as the schedule of assigned readings and other course expectations—to students at the first class meeting. In order for students to contact the instructor, a phone number and/or email address should be included on the syllabus.

#### 10. COURSE TEXTBOOK

If the course(s) assigned uses a textbook, it has most likely been selected. (In certain cases, the division or department chair or dean will consult with the instructor regarding text selection.) Instructors are expected to use the assigned text as the primary content of the course although you are free to add material from other texts and outside sources. . Instructors should not assign additional texts if they do not intend to fully utilize them. Instructor's copy of the text may be provided; check with the dean, division and/or department chair for assistance in

obtaining a copy. A teacher's guide and other teaching aids may also be obtained in this manner.

11. DEALING WITH THE RELIGIOUS ATTITUDES OF STUDENTS

Concordia University is operated by The Lutheran Church—Missouri Synod (LCMS), and is one of ten (10) colleges and universities which make up the Concordia University System (CUS). While all of Concordia University Irvine's full-time faculty are members of an LCMS congregation, part-time faculty represent a wide variety of Christian denominations and reflect a variety of commitment to their churches. Students also represent a wide range of religious beliefs. Many of them are interested in the faith of their instructors and can become overly inquisitive or even argumentative in this area. Avoid debate on such matters. Simply respond to their questions in a straightforward manner and move on. Do not belittle a student's expressions of faith or challenge the beliefs they may have stated; rather, indicate this is not part of the course content. If desired, express the willingness to meet with an individual or group outside of class. Concerns and/or questions should be directed to the division or department chair or dean.

12. FINALS PERIOD

Each semester five (5) days are set aside for final examinations. While a final examination is not required, consider using the final period for presentation of projects, course evaluations, return of course papers/projects, etc. *Except for some evening classes, do not use the regular instruction periods for the final.* The finals schedule is provided on MyRecords by mid-term of each semester and should be adhered to except in an emergency. *Do not change the time of a final without official permission from the dean. Each instructor is expected to monitor their own final examination(s).* **Under no circumstances can the final examination class period be excused.**

***Adult Degree Program Completion: Final projects or exams will take place on the final Friday night of the class. There are no adjustments to the schedule for final exams.***

13. FOOD AND DRINK IN CLASSROOMS

Food and drink are not allowed in any of the classrooms. Remind students of the rule and ask violators to step outside until they are finished.

14. LIBRARY

The library provides access to an outstanding selection of research databases including Academic Search Premier, CINAHL, and ATLA religion databases with ATLASerials, Business Source Elite, Newspaper Source, JSTOR, LexisNexis, Education Research Complete, Oxford English Dictionary, and WorldCat.

15. OBSERVATION OF CLASS MEETING SCHEDULES

Unless agreed upon and approved in writing by the dean and provost, contracts run for the specified time period shown on the contract. The semester system anticipates that a three (3)-unit class will meet 150 minutes a week for fourteen (14) weeks **PLUS** the final exam period. Begin and end class promptly. Report any planned absences to the division/department chair or dean for assistance in covering the absence. If an absence is necessary on short notice because of illness or emergency, notify the division/department chair and the dean so a note to students can be posted on the classroom door. Instructors who miss more than one (1) week of consecutive class time for any reason are subject to a reduction in pay. This reduction will be

calculated as follows: contract amount divided by the number of class sessions times the number of days absent equals the contract reduction. Class sessions may not be canceled or skipped unless specific arrangements have been made and permission received from the dean in advance of the absence.

***Adult Degree Program Completion: Since class schedules are published for the entire sixteen (16) months and meet live only on an initial weekend and final Friday, it is necessary for both the instructor and students to attend all scheduled sessions. There can be no re-scheduling of class meetings. Weekly chat sessions are published well in advance so that students can arrange their schedules accordingly. Changes in chat time and day will only be made if all students have received advanced notice and agreed to the change. Please inform the associate dean in adult studies of any schedule changes.***

16. OFFICE HOURS

Instructors need to make themselves available to students during scheduled hours, before or after class, and/or by phone or email. Instructors on campus outside class hours need to inform students so they can make an appointment if they wish. Instructors may use the adjunct faculty office for such meetings. At a minimum, instructors must provide an email address for students. Instructors comfortable with students calling their home can provide that information as well. This information should be included on the course syllabus. Some instructors have created class web pages for consultations and/or communication.

17. STUDENT EVALUATION OF COURSES

Concordia University believes students have a good sense of the teaching expertise of the faculty. For this reason, students will be asked to evaluate at least one (1) course each semester for each instructor. This process is a mandatory part of employment. In addition to the instructor, the results are shared with the division/department chair or dean and the president (via the provost's office). Distribute the materials but, to insure anonymity, do not look at the completed forms. Give the completed form to a student to deliver to the dean's office. *New adjunct instructors, will be asked to complete a PERIODIC COURSE EVALUATION within the first (1<sup>st</sup>) month of the semester in order to obtain early feedback from students. In addition to the instructor, the results are shared with the division/department chair and/or dean.* Instructors are encouraged to administer a MID-SEMESTER EVALUATION form which will only be seen by the instructor in order to obtain feedback and to make course adjustments as needed. Materials for all evaluations are distributed at the appropriate time through the campus mail system or contact the dean's administrative assistant.

***Adult Degree Program Completion: There is no mid-course evaluation during CU Accelerate classes; however a final student evaluation will be distributed for use on the Saturday following the last Friday of class. The procedures outlined above will apply. Completed evaluations should be returned to the CU Accelerate office (Grimm Hall 2<sup>nd</sup> floor).***

18. STUDENTS WITH DISABILITIES

Concordia University in compliance with Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA) provides reasonable accommodations to otherwise qualified students with disabilities. According to the university's Handbook policy 561.1 *Students with Disabilities*,

students with disabilities must make their requests for accommodations to the Disability and Learning Resource Center (DLRC) no later than the third (3<sup>rd</sup>) week of each semester.

Students will present instructors with a letter from the Disability and Learning Resource Center specifying their accommodation(s). **Students requesting accommodations without a verifying letter need to be referred to the Student Success Center** to begin the procedures for requesting accommodations. To assist faculty and the students, it is important that faculty place a notice in their syllabus. An example follows.

Students who desire "reasonable accommodations" due to a disability should provide requests and verification of this during the first week of school.

#### 19. SUBMISSION OF FINAL GRADES

All grading is done through MyRecords, which can currently be accessed through the MyCUI page of the university's website (<http://www.cui.edu/mycui>). The Registrar's Office issues login information for MyRecords (call [949-214-3079](tel:949-214-3079) or email [registrar@cui.edu](mailto:registrar@cui.edu)). Official class rosters used for grading appear only in MyRecords; other rosters, such as those in the university's learning management system, Blackboard, are considered unofficial. If a student is not on the official roster but attends class or claims to be enrolled, contact the Registrar's Office immediately.

Final course grades for the Fall and Spring semesters are due no later than 11:59 pm on the Tuesday following finals week, as indicated on the academic calendar for the traditional undergraduate programs. Final course grades for other academic terms or parts of term are due as indicated on the academic calendars for each program, which are available on the Registrar's Office website (<http://www.cui.edu/studentlife/registrar>).

A grade of Incomplete may be assigned at the instructor's discretion, following the guidelines described in the "Grading System" section of the General Catalog. The student's alternate grade (i.e., the grade the student would earn if the incomplete work is not finished within the allotted time) must be entered in MyRecords at the time the Incomplete is given. An Incomplete will revert to the alternate grade unless the instructor notifies the Registrar's Office that the student has made up the incomplete work. University policy does NOT permit the posting of grades anywhere on campus in any form, nor should grades be emailed to students; instead, instructors should encourage students to log in to MyRecords to view their final course grades.

#### 20. TEACHING SUPPLIES

Basic teaching supplies are available in the Copy Center/Mailroom located on the lower level of the Grimm Student Union.

## MANAGEMENT INFORMATION

### 1. ADJUNCT FACULTY OFFICE

Concordia University maintains office space for adjunct faculty in various buildings. Check with the division/department chair or dean for more information. A desk and phone is available for adjunct faculty use. No code is required to use the phone for off-campus calls; dial 7 for an outside line.

### 2. ALCOHOL AND SUBSTANCE ABUSE

Illicit use of drugs and/or alcohol can have serious health and social consequences. A common repercussion of substance abuse is a lack of judgment and awareness. The effects can significantly reduce an employee's performance within the workplace and impede positive interaction with fellow employees, students, and others. Injury to self and others may result from the actions of an employee under the influence of drugs or alcohol. Known health risks resulting from substance abuse include damage to respiratory and immune systems, malnutrition, seizures, loss of brain function, liver and/or kidney damage, and a variety of other possible risks.

CUI prohibits the unlawful possession, use, manufacture, dispensing, and/or distribution of alcohol and controlled substances including medicinal marijuana. In addition to the academic and work environment, this prohibition applies to all activities sponsored by CUI whether on university-owned property or other locations. As part of the larger community, CUI is subject to, abides by, and supports local ordinances and state and federal laws.

In the event of the unlawful possession, use, manufacture, dispensing, and/or distribution of controlled substances and/or alcohol by a member of the university community, CUI will take action consistent with state and federal laws, and with its policies governing relationships with students, faculty, and staff. Violation of this policy will result in disciplinary action up to and including termination of employment and may include referral to authorities for civil or criminal prosecution. HR will review the nature of the violation and will determine the particular action to be taken.

California Health and Safety Code section 11350 states that every person who possesses a controlled substance or narcotic drug shall be punished by imprisonment in a state or county prison. According to section 11351, persons "who possesses for sale or purchases for purposes of sale" a controlled substance or narcotic drug "shall be punished by imprisonment in the state prison for two (2), three (3), or four (4) years." Furnishing alcoholic beverages to persons less than twenty-one (21) years of age is a misdemeanor according to California State Penal Code 25658.

CUI encourages persons suffering from drug or alcohol addiction to seek help. CUI provides an Employee Assistance Program or HR can help direct employees to appropriate counseling agencies.

### 3. CAMPUS EMERGENCY PROCEDURES

The Concordia University Emergency Preparedness Plan is included in Appendix A of this handbook. All employees are expected to become thoroughly familiar with its contents.

4. CHILDREN AT WORK (See Appendix C)

The university understands that brief and infrequent visits by an employee's child(ren) may occur for a variety of reasons. However, the frequent, regular, or extended presence of children during work hours is not allowed for the following reasons:

- the potential for interruption of work
- health and safety issues
- liability to the organization

It is the responsibility of the university's supervisors to ensure that the work of the university is accomplished in an environment in which employee health and safety concerns are respected and work-related disruptions are minimized.

5. COMMUNICATIONS

The university makes available to students, faculty and staff access to various networks, including the Internet and World Wide Web. Such access is provided for pursuit of activities congruent with the mission of the institution, including but not limited to: research, instruction, scholarship, administration and communication. All staff and faculty are eligible to have access to the Internet, subject to availability. Voicemail and/or email should not be considered to be private communications. Use of the university's Internet connection is provided for efficient communication of university business.

**The university requires that all email communication conducted on its behalf, including but not limited to, email communication between faculty/staff, students, prospective students, alumni, volunteers, vendors, business partners, and governmental agencies, be done using the email accounts created and provided by the university for this purpose. Personal email accounts may not be used to conduct university business.**

While it is not the practice of the university to monitor e-mail, nevertheless the privacy of electronically shared information cannot be guaranteed. E-mail may be seen by university staff as well as persons at other sites.

My CUI is the official source university information. Employees can find it at [www.cui.edu/mycui](http://www.cui.edu/mycui).

6. CONFIDENTIALITY OF STUDENT RECORDS

In accordance with the Family Education Rights and Privacy Act of 1974 (FERPA), CUI grants all the rights under the laws to all matriculating students. FERPA provides postsecondary students the right to inspect and review their education records, the right to seek amendments to those records and to limit the disclosure of information from those records. All personally identifiable information is confidential and university employees should not access or reveal such information except to the extent required by their job responsibilities. All faculty, staff, and student employees must familiarize themselves with Concordia's FERPA guidelines available online at [www.cui.edu/studentlife/registrar/index.aspx?id=1040](http://www.cui.edu/studentlife/registrar/index.aspx?id=1040).

No one outside the institution shall have access to, nor will the institution disclose any information from, any student's education record without their written consent. The exceptions, which are permitted under FERPA, are personnel within the institution and for accrediting agencies carrying out their function. Also included in the exceptions are compliance with a

judicial order and, in the event of an emergency, protecting the health and safety of students and/or others.

#### Confidentiality Policy

Concordia's employees may come in contact with confidential information or sensitive matters. This knowledge is regarded as highly classified and is not to be discussed with anyone outside of the department or with unauthorized persons without direct permission of a supervisor. Violation of this policy may result in disciplinary action up to and including termination.

All employees are expected to manage records in their custody in accordance with all federal regulations, specifically not releasing student or employee information to third parties without the written consent of the student or employee unless specifically allowed according to federal guidelines. Any employee failing to provide necessary security of university records as stipulated may be denied further access to university records

Proper custody of university records includes but is not limited to:

- Keeping all university records in a secure environment when the student or employee is not present
- Keeping all university records inaccessible by not accessing records on a laptop outside the work area

#### Confidentiality Best Practices

Employees will not talk about sensitive information regarding students or anyone else in hallways, elevators, cafeteria, or other places where an outsider or another student might overhear. Someone may not know the person being talked about but will assume that all information is treated in such a loose and insensitive way and their confidence in the university and its employees will weaken.

Employees will not share any personal or confidential information outside the university with family, friends, or business associates. The university has policies which require written permission from students before giving certain types of information to others. Some of these policies are required by state and federal laws (FERPA: Family Educational Rights & Privacy Act).

#### Statement of Employee:

"I understand, by virtue of my being defined as an employee at CUI, I may have access to records which contain individually identifiable information, the disclosure of which is prohibited by federal regulations including the Family Educational Rights and Privacy Act of 1974. I acknowledge that I fully understand that the intentional disclosure by me of this information to an unauthorized person could subject me to criminal and civil penalties imposed by law. If it is found that I violated this statement, I understand that I may be dismissed from my position regardless of whether criminal or civil penalties are imposed."

#### 7. COPYRIGHT REGULATIONS FOR NOT-FOR-PROFIT EDUCATIONAL INSTITUTIONS

A summary of copyright guidelines, as they pertain to institutions such as Concordia University is listed in Appendix G of this handbook.



8. HARASSMENT POLICY

CUI does not tolerate workplace harassment, including but not limited to words, signs, offensive jokes, cartoons, pictures, posters, email jokes or statements, pranks, intimidation, physical assaults or contact, and/or violence. Any employee who encounters any type of harassment should immediately report it to their supervisor. If the supervisor is the offender, contact the executive vice president/provost.

9. INFORMATION ACCESS AND OWNERSHIP

Files and Records

All files, whether hard copy or electronically machine-readable, remain the exclusive property of CUI. CUI policy alone determines who has access to any file. Employees are not to share the contents of confidential files with others except within a department's information dissemination policy.

Each employee is warned that CUI students, other employees, and third parties may be protected by federal or state law in addition to institutional policy. Non-compliance with the university's policy may place the individual at personal risk, as well as subject to disciplinary actions up to and including termination of employment.

Communication Media

All employees are hereby notified that CUI considers all media containing official institutional information as owned and accessible by the institution. This includes "campus" mail, U.S. mail, email, voice mail, fax documents, "overnight" and "express" documents, and the like. As such, appropriate administrative employees are granted the right to search for, look at, and otherwise utilize these documents in the course of performing their duties. Employees should minimize personal communication in these media and the use of campus facilities for utilizing these media. Any employee having access to such information in the primary custody of another employee is expected to use such information only in the performance of their duties, and not share any personal information they may have come upon in the course of the performance of their services.

All communication media, including but not limited to computer, voicemail, telephone, fax, and email are the property of CUI. As such, they are intended for business use only and employees should not have any expectation of privacy while transmitting information via any CUI communication media.

CUI reserves the right at all times to access any employee's e-mail, voice-mail, computer files, software, or other university property in the employee's use and/or custody with or without the employee's consent or notice. CUI further reserves the right to inspect the contents of voice-mail, e-mail, computers, computer files, and/or software to monitor job performance, for training, quality control purposes, or when the university suspects that its property is being used in an unauthorized manner.

Copyrighted Materials

CUI in no way condones the unlicensed exchange of proprietary products. All CUI employees, in the performance of their duties, will refrain from aiding others in such efforts and will advise other members of the university's community not to participate in such endeavors. Should such

an activity be undertaken, the responsibility for the consequences shall remain the sole fiscal and legal responsibility of the offender.

10. MAIL DELIVERY

Contact the dean's administrative assistant to determine where mail will be delivered. All mail destined for off-campus locations must be coded to indicate the office of origin. Postage or delivery fees will be computed and paid by the Mail/Copy Center with charges posted to the appropriate office of origin. Mail not marked with the office of origin will be opened and returned to the originating office. Large mailings should be arranged in advance through the Mail/Copy Center. On-campus mail delivery includes the Pacific Southwest District Office.

11. MEDICAL EMERGENCIES

In the event of an accident requiring medical attention, contact Campus Safety at ext. 3000. In the event that immediate care is needed, please dial 911 and then notify Campus Safety of where to direct emergency response. All accidents, whether or not they require medical attention, must be reported to HR within twenty-four (24) hours of the occurrence.

12. OFFICE ASSISTANCE

Within the parameters of a school/division/department budget, student employees can be hired on a part-time basis. Contact HR (ext. 3134) for details in the hiring process.

13. PARKING

Parking is by permit only and a CUI parking decal must be attached to the employee's vehicle in the lower left corner of the windshield. Vehicles must be registered with the Campus Safety Department. Employees may park in any of the employee or general parking lots. Employees are expected to follow CUI's parking regulations available at [www.cui.edu/safety](http://www.cui.edu/safety).

14. PERSONAL PROPERTY

CUI assumes no risk for any loss of or damage to personal property. This applies to personal property used in the course of job-related activities. It is recommended that all employees have personal insurance policies covering the loss of or damage to personal property, including automobiles, left on CUI property.

15. SAFETY

California Department of Occupational Safety and Health (Cal/OSHA) has established specific responsibilities for employers and employees. CUI is required to provide employees a place of employment free from hazards that might cause injury or death. In compliance with state law, CUI has adopted an official Campus Emergency Preparedness Plan (Appendix A). All employees must be familiar with this document. The law further requires CUI to comply with specific safety and health standards issued by the Department of Labor. Employees should contact the Executive Director of Campus Safety and Security at ext. 3007 for questions concerning the Injury and Illness Prevention Program (IIPP).

Each employee is required to comply with safety and health standards, rules, regulations, and orders issued under the law and applicable to the employee's conduct. Each employee is responsible for keeping immediate work areas and the surrounding environment neat and orderly. Assigned equipment must be used correctly. Each employee must follow all safety

rules, obey safety signs and all supervisors' instructions. Basic campus safety training for every employee is completed during employee orientation by the Director of Campus Safety.

Each employee should be particularly alert to any unsafe or hazardous conditions. Such conditions should be reported immediately to a supervisor and to University Services for corrective attention. Working unsafely or creating unsafe conditions may endanger the employee or others and may result in disciplinary actions up to and including termination of employment.

#### Work-Related Injuries

An employee injured on the job should notify his or her supervisor immediately. Supervisors should take appropriate actions, including notifying the Campus Safety Department and HR. The HR director will insure that CUI's workers' compensation carrier is notified immediately. If injury is serious, call 911 immediately.

For all other injuries, no matter how slight (other than basic first aid), notify HR. The employee will be directed to the clinic/provider approved by CUI's worker's compensation carrier.

#### First Report of Injury

A First Report of Injury form must be completed by a supervisor and returned to the HR director the same business day any work-related accident or injury occurs. The form can be downloaded from the HR home page at [www.cui.edu/hr](http://www.cui.edu/hr).

The supervisor should:

- Ensure that the injured employee receives necessary medical attention. Complete a First Report of Injury form and hand-delivers it to the HR director immediately following the injury.
- Be familiar with the circumstances surrounding the injury.
- Maintain contact with the injured employee and keep the department head informed (if applicable).
- Work with HR to identify transitional job duties for the employee as needed.
- Keep in contact with the HR to report any change in the status of the injured employee.

If repairs or maintenance are required, the maintenance department may be reached at ext. 3460.

Cal/OSHA has established specific responsibilities for employers and employees. In compliance with state law, Concordia University has adopted an official Injury and Illness Prevention Program (IIPP). Employees can contact the Executive Director of Campus Safety and Security at ext. 3007 for questions concerning the Injury and Illness Prevention Program. The law further requires Concordia University to comply with specific safety and health standards issued by the Department of Labor.

Each employee (faculty and staff) is required to comply with safety and health standards, rules, regulations, and orders issued under the law and applicable to the employee's conduct. Safety is the employee's personal responsibility. The employee is responsible for keeping immediate work areas and the surrounding environment neat and orderly and for using assigned

equipment correctly. The employee must follow all safety rules including obeying safety signs and all supervisors' instructions.

The employee should be particularly alert to any unsafe or hazardous conditions. Such conditions should be reported immediately to a supervisor and to University Services at ext. 3140 for corrective attention. Working unsafely or creating unsafe conditions may endanger the employee or others and may result in disciplinary action.

Campus Security has installed an automated telephone system "One Call Now" that can make multiple telephone calls at the same time to warn faculty and staff of an emergency event occurring on campus. Designated staging areas are located on campus for building evacuations and are marked by a large letter (A to I) placed on a sign affixed to a metal pole.

16. SCHEDULING OF CAMPUS SPACE

In order to avoid conflicts in the use of classrooms or other campus space for meetings, extra class sessions, counseling sessions, or any other official or unofficial purpose, contact University Services (ext. 3140). ***Please do not use an area simply because it is empty at the time you enter it.***

17. SECURITY OFFICER

A security officer can be reached by contacting the attendant at either gatehouse (ext. 3000). Each gatehouse is staffed twenty-four (24) hours a day. The attendant on duty will contact security by radio. If the situation warrants police help, dial 911.

18. SICK LEAVE POLICY

In compliance with California's Healthy Workplaces, Healthy Families Act of 2014, adjunct employees will be designated 24 hours of paid sick leave annually. Concordia University shall provide paid sick leave upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking. Employees may begin using sick leave time beginning either the 91<sup>st</sup> day after July 1, 2015 or the 91<sup>st</sup> day of employment, whichever is later.

In order to use and report sick leave time, employees should notify via email the **administrative assistant** of their academic school, including which class(es) you will be missing. This notification should be sent as soon as reasonably possible.

19. SMOKING POLICY

CUI is dedicated to providing a healthy and comfortable environment for students, faculty, staff, and visitors. All smoking must take place at least twenty (20) feet outside any building to insure building entrances are smoke free.

20. SOLICITATIONS AND DISTRIBUTIONS

CUI does not permit soliciting, peddling, or the canvassing of employees during working hours. No university facilities may be used for this purpose.

CUI does not permit any solicitation by employees for their personal businesses. CUI does not permit solicitation for any merchandise, products, or food that is in direct competition with

CUI's food service, bookstore, vending, and other contracts. Any solicitation activity should be reported immediately to HR.

Any request for exceptions to this policy and contractual terms should be directed in writing to the Executive Vice President, Chief Enrollment Officer for approval.

Personal decisions about participating in or contributing to an organization or cause, or decisions about the purchase or sale of goods or services should not be influenced by work relationships.

21. TRAINING TO PREVENT WORKPLACE HARASSMENT

State and federal laws require annual training of employees regarding sexual harassment. It is the policy of Concordia University to prohibit harassment of its employees and students by any person in any form. In addition, Concordia has a zero tolerance policy regarding the sexual harassment of students by faculty or staff (see Appendix B for the Sexual Harassment Policy).

Online training regarding issues of workplace harassment is required by all faculty and staff members. Non-compliance may result in contracts not being re-issued. As part of this comprehensive training the initial course should be completed within the first (1<sup>st</sup>) month of employment; a refresher course must be completed annually, every year of employment at Concordia University. Employees will receive notification from HR regarding the completion of the initial course and refresher courses. All faculty (full- and part-time) and staff supervisors need to complete supplemental training every two (2) years as mandated by the state law.

22. UNIVERSITY PROPERTY

CUI's property is provided and maintained by the university to complete assigned tasks by its employees. All property should be treated with care and used according to standard procedures. Each employee must take appropriate security measures when leaving a work area unattended.

Employees are not to use CUI work facilities or equipment except university-supplied mobile electronic devices outside normal working hours without prior approval. CUI property is not to be removed from campus. The exception to this policy will be in those instances when temporary removal may be desirable in order to complete assigned work. Such removal requires supervisor authorization.

23. USE OF COMPUTER SOFTWARE AND COPYRIGHT

CUI prohibits the illegal duplication of software and/or the downloading of unauthorized software on any CUI-owned communication media, including but not limited to computers. Any employee who violates this policy may be subject to disciplinary action up to and including termination of employment.

24. WHISTLEBLOWER POLICY

The objectives of this policy are to:

- Formally establish procedures to help provide a workplace conducive to open discussion of the business practices of the University; and
- To positively reinforce and influence compliance with federal and state laws.

Employees and representatives of Concordia University, Irvine are expected to practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations. The purpose of this policy is to comply with all applicable laws that protect employees of the University against unlawful discrimination or retaliation by their employer as a result of their lawfully reporting information regarding, or their participating in, investigations involving fraud or other violation by the University or its agents of federal or state law.

#### No Retaliation

No director, officer or employee who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the University prior to seeking resolution outside the University.

#### Reporting Violations

In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations to the Executive Vice President of the University, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with the process above, individuals should contact the Executive Vice President of the University directly.

#### Executive Vice President of the University

The Executive Vice President of the University is responsible for investigating and resolving all reported complaints and allegations concerning violations and, at their discretion, shall advise the President and/or the Finance Committee of the Board of Regents. The Executive Vice President of the University shall report to the Chair of the Board of Regents and the Chair of the Finance Committee. A report will be given to the Finance Committee at least annually on compliance activity. If the Executive Vice President is the offending party, the President is responsible for investigating and resolving the complaint.

#### Accounting and Auditing Matters

The Finance Committee of the Board of Regents shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Executive Vice President of the University shall immediately notify the Finance Committee of any such complaint and work with the committee until the matter is resolved.

#### Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of federal or state law. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

#### Confidentiality

Violations or suspected violation may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

#### Handling of Reported Violations

The Executive Vice President of the University will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

### **FINALLY . . .**

Once again, we welcome and thank each instructor for agreeing to become a part of CUI's faculty. Concordia University commits itself to doing everything possible in the goal of making the teaching experience as intellectually, socially, physically, emotionally, and spiritually pleasant as possible. Instructors are invited to share in campus life beyond the world of the classroom. Join in worship each Monday, Tuesday, Thursday, and Friday, at 10:30 a.m. and whatever is necessary to feel at home. Have a great semester!

#### PLEASE NOTE:

After reading this *Adjunct Faculty Handbook*:

- 1. Sign and date Appendix D;**
- 2. Remove it from the *Handbook*;**
- 3. Return it with your signed contract;**
- 4. Complete your online training course "Preventing Workplace Harassment"**
- 5. Complete your FERPA online training course (new adjuncts only)**

## APPENDIX A

### Concordia University Emergency Preparedness Plan

#### Emergency and Reference Phone Numbers

Campus Department	Phone Number	Location
Department of Campus Safety	Ext. 3000	Admin 103
Concordia University Wellness Center	Ext. 3102	Student Union (Lower Level)
Campus Pastor's Office	Ext. 3111	Center for Student Leadership 103
Human Resources Office	Ext. 3134	Admin 200

Off Campus Service	Phone Number
Orange County Info link – 24-hour	211
CSP Victim Assistance Hotline	(949) 975-0244
24-hour Rape Crisis Hotline	(949) 831-9110
24-hour Suicide Crisis Intervention	1-800-784-2433
24-hour Alcohol & Drug Help Line	1-800-821-4357
24-hour Domestic Violence Help Line	1-800-978-3600
24-hour Human Options Hotline	(877) 854-3594
Sand Canyon Urgent Care Medical Center	(949) 471-0272
Animal Control	(949) 724-7092
Fire Department	Main: (714) 573-6000 Fire Info: (714)573-6200 Station 4: (949) 854-7544
Irvine Police Department (1 Civic Center Plaza, Irvine)	9-1-1 or (949) 724-7200

I. **General Health and Safety Policies**

- All employees need to report work related injuries to their supervisor.
- All students need to report injuries to the Campus Safety Department.
- Observe all caution signs, traffic cones and barricades, and areas cordoned off with caution tape.
- No open flames (candles, lanterns, incense, etc.) are permitted in residence halls or inside any buildings except in laboratories and maintenance shops designated for this purpose.
- Routes of egress and stairwells must be free of materials; no storage permitted in these areas.
- Smoking is not permitted in any building on campus.
- The speed limit on campus is twenty (20) miles per hour.
- Vehicles may park within designated areas and spaces only. Fire lanes and parking spaces for those who are physically challenged are clearly marked.

**DANGEROUS MATERIALS OR OBJECTS POLICIES**

- Flammable liquids (gasoline, etc.) shall not be stored in residence halls or inside any building except laboratories and maintenance shops designed for this purpose.
- New hazardous materials must be reported to Campus Safety Department and appropriate Material Safety Data Sheets (MSDS) filled out.
- No firearms shall be brought on, possessed, or used on campus.
- No fireworks shall be used or stored on campus.

**CRIME PREVENTION TIPS:**

- Thefts can occur on campus when students or employees leave their doors unlocked, even for a short period of time. Lock all doors and windows when away from dorm room, office, or vehicle.
- Do not leave laptop computers unsecured at any time.



- Secure or take personal valuables with you when leaving campus.
- Bicycles on campus should always be secured with a lock anytime they are left unattended.

## II. Building Evacuation / Assembly Areas

Emergency events such as fire, smoke, gas leak, earthquake, hazardous chemical spills, and/or bomb threats will necessitate an evacuation. The purpose of an established and exercised evacuation procedure is to ensure that all building occupants evacuate in a safe, orderly, and expeditious manner.

### MEANS OF REPORTING AN EVENT

- A. Find and pull the nearest pull station/alarm. Pull stations are usually located near building exits.
- B. Contact 911 in the event of a fire or critical emergency.
- C. Notify Campus Safety of event.

### EVACUATION PROCEDURES

1. Evacuate immediately. Do not attempt to locate the source of alarm or fire. Do not assume that the alarm is false.
2. Do not use elevators during an evacuation. Elevators may not take people directly to ground level and shafts often act as chimneys for toxic smoke and fumes.
3. Remove high heels and other encumbrances when evacuating.
4. Stoop low to the ground or crawl to an exit if there is smoke in the room. Smoke will most likely be toxic.
5. Assist disabled persons to the nearest exit.
6. Tell others to evacuate.
7. Leave the building via the nearest exit.
8. Gather at the designated Evacuation Assembly Area (see below).
9. Remain in the assembly area until a Campus Safety Officer clears everyone for reentry into the building.

### DESIGNATED STAGING AREAS

- A: Upper Quad
- B: Beta, Alpha
- C: Administration, Eagle Rock, Student Union, Gym Classrooms, Center for Student Leadership and Development (CSLD), Bookstore, Performing Arts Annex (PAX), Student Success Center
- D: Founders Hall, CU Center, Grimm Hall, Theater
- E: Library/Arts Building (Upper Level)
- F: Library/Arts (Lower Level)
- G: Gym Ground Level
- H: Sigma, Rho
- I: University Services
- J: Lower Quad

## III. Fire and Injuries

### FIRE

If a fire or smoke is discovered anywhere on the campus note the following:

- Persons trained in fire extinguisher usage can use extinguishers to fight small fires (flames are no taller than the person).
- Leave the area where the fire is located and, if possible, isolate it by closing doors and windows.
- Follow the evacuation procedures in the **Building Evacuations/Assembly Areas** section of this booklet.
- If clothes catch fire, STOP, DROP and ROLL!
- Stoop low to the ground or crawl to an exit if there is smoke in the room.

### BURNS

- First-Degree – Affects only outer skin with pain, redness, and swelling.
- Second Degree – Affects both outer and underlying skin with pain, redness, swelling, and blistering.

- Third Degree – Affects deeper tissues with white or blackened, charred skin that may be numb.

#### **FIRST AID FOR MINOR BURNS**

- If the skin is unbroken, run cool water over the area or soak in a cool water bath.
- After flushing or soaking, cover the burn with a dry, sterile bandage.
- Take aspirin to relieve pain.

#### **FIRST AID FOR MAJOR BURNS**

- If someone is on fire, tell the person to STOP, DROP, and ROLL.
- **Dial 9-1-1.**
- DO NOT remove burnt clothing stuck to the skin.
- Make sure that person is breathing; if not, give CPR.
- Cover the burn area with a dry, sterile bandage or clean cloth.
- Elevate the body part that is burned above the level of the heart.
- Take steps to prevent shock by laying the person flat and elevating the feet twelve (12) inches.
- Monitor vital signs until paramedics arrive.

#### IV. Hazardous Material Spill:

Any spill involving hazardous material shall be reported to Campus Safety Department immediately (ext. **3000**).

- Do not attempt to clean up a spill; it will be assessed by trained personnel who will ensure that proper clean-up techniques are employed.
- Offensive odors from ventilation systems should be reported to University Services (ext. **3140**) during office hours or Campus Safety Department (ext. **3000**) after office hours.

If necessary, be prepared to evacuate the building. Always stay upwind of the spill (wind blowing from behind you) at a location that is at a higher elevation from the spill.

- All laboratory personnel should be prepared to assist in assessment of spills within their area.
- Chemical containers and gas cylinders shall be restrained to prevent spills during an earthquake.
- Material Safety Data Sheets (MSDS) for all chemicals are kept in Founders Hall 206 and in the Campus Safety Department (Admin 103).

In the event of a chemical spill in the Irvine area, evacuation of the campus may be necessary. Be prepared to cooperate with traffic control and public safety.

In the event of a spill, contact CHEMTREC at 1-800-424-9300 for assistance in identifying the chemical(s).

#### V. Earthquakes

To mitigate injury in the event of an earthquake, avoid putting heavy items or glass objects on the top of shelves or cabinets. Smaller items can be secured to shelves with earthquake putty. During strong earthquakes, objects could become projectiles and cause injury. If possible, try to anchor shelves to wall.

#### **DURING AN EARTHQUAKE**

- Duck, cover, and hold on.
- Find shelter under a sturdy table or desk (avoid doorways), crouch down, and hold on.
- The most important thing to do is to protect the head when crouching down. Use arms or pillows if in bed.

#### **AFTER AN EARTHQUAKE**

- Evacuate to the designated Evacuation Assembly Area after the initial shaking. **Do not use elevators.**
- Follow the evacuation procedures in the **Building Evacuations/Assembly Areas** section of this booklet.
- Keep a safe distance from buildings.

- Remain in the assembly area until Campus Safety Department clears for reentry.

#### VI. Crime and Incident Reporting

If you witness or suspect any illegal activity on or about campus or if there is a medical event occurring:

- Contact 9-1-1 if the criminal activity or medical event is severe in nature. If not, please contact Campus Safety at **Ext. 3000**.
- After calling 9-1-1, ALWAYS contact Campus Safety immediately at **Ext. 3000**.
- Tell the Campus Safety Officer the employee's name, location, and the nature of the incident. **Do not hang up the phone until the dispatcher hangs up.**
- If the individual is in a safe location, stay there.
- If the incident is criminal in nature, DO NOT attempt to interfere with the situation except for self-protection.

If you are the victim of a crime occurring on or about the campus:

- Anytime the employee is the victim of property theft, vandalism, break in, or personal assault, you need to contact Campus Safety (**ext. 3000**) as soon as possible.
- All **serious crimes in progress** should immediately be reported by calling **9-1-1**.
- DO NOT touch any property that may have been touched by a suspect(s).
- Leave all evidence in place until campus safety or the police arrive.
- If sexually assaulted, do not shower or clean up. Also, do not throw away any bed sheets or clothes that may have been worn at the time of the assault. This is necessary to preserve evidence of the crime so that the suspect(s) may be successfully prosecuted.
- Always try to write down any physical description of a suspect or vehicle that may have been involved in a crime.

#### VII. Bomb Threat

##### **IF YOU RECEIVE A BOMB THREAT**

- **Remain Calm** and try to get important details such as:
  - location of the alleged bomb
  - background noise
  - caller's age, gender, and/or accent
  - other voice characteristics (i.e. hoarse, raspy, gruff, etc.)
- Write down what the caller said on a piece of paper as soon as possible.
- If possible, use "Caller ID" to note the telephone number and write it down.
- **Do not hang up on the caller;** let him/her hang up the phone.
- If a threat has been made, dial 9-1-1 **immediately** and repeat all vital information to the 9-1-1 dispatcher.
- After talking to 9-1-1 contact Campus Safety and give them the same information. Campus Safety will need to assist emergency personnel to the location.
- Inform the supervisor, resident counselor, or summer conference leader as soon as possible.
- Do not alert other people in the room of the threat unless absolutely necessary. Avoid undue panic.
- Report any suspicious object(s) to Campus Safety or other emergency personnel. DO NOT touch the object(s).
- Be prepared to evacuate. Follow all instructions given by emergency personnel. DO NOT re-enter any evacuated area until authorized to do so.
- **REMEMBER TO DIAL 9-1-1 EVEN IF THE THREAT SEEMS SUSPICIOUS.**

#### VIII. Utility Emergencies

If a utility problem is discovered, such as a gas leak or elevator failure, call Campus Safety at **Ext. 3000**.

##### **GAS LEAK**

- Notify University Services or Campus Safety as soon as possible.
- DO NOT attempt to locate the source of the gas leak or turn a gas valve off.
- Avoid all use of open flames.

- Stay clear of the leak.
- Follow all directions to evacuate the building/area to the nearest safe staging area if an announcement is made to do so.

#### **ELEVATOR FAILURE**

- If the individual is in an elevator that stops between floors or the doors will not open, use the emergency phone or alarm to summon help. The telephone will be answered by Campus Safety twenty-four (24) hours a day and help will be dispatched right away.
- Never attempt to pry open the doors or overhead hatch of a stopped elevator. This may cause injury to the individual or damage to the elevator mechanism.

#### **IX. Poisoning**

##### **Poison Action Line: 1-800-222-1222**

##### What Does “Poisonous” Mean?

- Not all substances are toxic or poisonous. However, to Poison Control Center staff, a substance is toxic or poisonous if it can cause ANY negative symptoms, even if only a mild rash.
- There are degrees of toxicity, depending on the substance, the amount ingested, the length of time of exposure, and type of exposure (on the skin versus ingestion). Also the age, weight, and health status of the patient needs to be taken into account. These factors determine the toxicity and the treatment needed.

##### What Do I Do?

- Remain calm
- If the individual is UNCONSCIOUS, CONVULSING, or having DIFFICULTY BREATHING, **dial 9-1-1**.
- Otherwise call the Poison Control Center TOLL FREE NUMBER (1-800-222-1222).

##### Information the Poison Control Center specialist will need!

- AGE and WEIGHT of the individual
- Material ingested: have the bottle or container handy
- HOW MUCH was taken? This will help the Poison Control Center specialist determine the severity of the incident.
- HOW the victim is feeling or acting right now.
- Callers NAME and PHONE number.

#### **X. Active Shooter**

##### **CRITICAL INCIDENT GUIDELINES – ACTIVE SHOOTER ON CAMPUS**

##### **WHEN A SHOOTING OCCURS:**

- **Dial 9-1-1** right away.
- Always have a couple of escape routes in mind.
- Identify the exact location. Try to remain calm and answer the police dispatcher’s questions. Dispatchers are trained to obtain the necessary information for a proper emergency response. If unable to speak, leave the phone on for the 9-1-1 dispatcher to listen to what is taking place.
- Spread out and avoid huddling together with other people, even in a small room.
- Do not approach emergency responders; let them come to the individual.

##### **GET OUT – ESCAPE TO A SAFE LOCATION (SHOOTER IN BUILDING OR UNABLE TO SHELTER):**

- If the shooter is inside, evacuation may be necessary if unable to hide-out.
- Leave all belongings behind.
- If possible, evacuate through a back-route away from the shooter. Run in a zigzag pattern if the shooter is in the vicinity; avoid hallways.
- Look for a place to shelter safe from gunfire.
- If law enforcement is present, keep hands open and in the air.

BE "INVISIBLE" – HIDE OUT AND SHELTER IN PLACE (SHOOTER OUTSIDE OF BUILDING):

- Close and lock the outside door to the classroom or office if possible; close blinds, turn off lights, stay on the floor. DO NOT peek out the door or windows to see what may be happening.
- Silence all cell phones.
- If possible, quickly and safely lock or barricade the door(s) with furniture.
- Move to a location where not visible to the shooter; stay clear of doors and windows.
- Find cover. Students/employees should stay inside the room and down on the floor. Move behind available cover to keep objects between the individual and the shooter.
- Remain in place unless advised by law enforcement that it is safe to exit.

WHEN LAW ENFORCEMENT ARRIVES

- Follow officers' instructions.
- Put down any items, lift hands and spread fingers. Keep hands visible.
- Avoid quick movements, screaming, or yelling.

XI. Rattlesnake Bites and Wildlife

**IF A RATTLESNAKE BITES...**

- Dial 9-1-1 as soon as possible or get to the nearest hospital.
- Don't know if it was a rattlesnake bite? Look for symptoms such as fang marks, pain, swelling, nausea, weakness, rubbery taste in the mouth, and/or black and blue discoloration of the bitten area within a few hours.
- Keep the bitten area **immobile**. Immobilize the area with an improvised splint made from a board, magazines, or other stiff material tied to the limb. To keep the blood flowing, do not tie too tight.
- Keep the area of the rattlesnake bite lower than the heart.
- Wash the rattlesnake bite with soap and water if possible.
- If using a constricting bandage, the constriction should be loose enough to permit a finger to be inserted between the constricted extremity and the bandage. The purpose is to slow down flow, NOT stop it.
- Be prepared to provide a description of the snake including its head, coloration, and color pattern. This description will be useful in treating the wound with anti-venom.



**Venomous**  
Exception: Brown watersnake



**Nonvenomous**  
Exception: Coralsnake

**BITE TIPS**

- DO NOT use ice to cool the bite.
- DO NOT cut open the wound and try to suck out the venom.
- DO NOT use a tourniquet, as this will cut off blood flow and the limb may be lost.

**WILDLIFE TIPS**

- Do not hike alone.
- Make noise when hiking and/or bring a whistle or keys; most noise scares animals, even mountain lions.
- Do not stray from trails or pathways; tall grass and brush often hide rattlesnakes.
- Always carry a cell phone.
- Do not approach wildlife; most wild animals in Irvine are harmless if left alone (including bobcats). Animals usually bite people who attempt to make contact.
- Look for the tell-tale signs of a rattlesnake including the rattle and the arrow shaped head.

XII. Automatic External Heart Defibrillator

An Automatic External Defibrillator (AED) is a portable electronic device that diagnoses and treats life threatening

cardiac arrhythmias in a patient by application of electrical therapy. This is designed to stop the arrhythmia, allowing the heart to re-establish an effective rhythm.

Unlike regular defibrillators, an automatic external defibrillator requires very little training to use. It automatically diagnoses the heart rhythm and determines if a shock is needed. Automatic models will administer the shock without the user's command.

**LOCATION OF CONCORDIA UNIVERSITIES AED'S**

1. Good Shepherd Chapel (GSC) --Entry way on the left (west) wall
2. Grimm Hall (GH) south building, -- Second floor across from the stairwell
3. CU Center (CUC) west entrance -- Stage left
4. CU Arena (Gym) Southeast entrance -- First floor by the training room
5. Training Room – portable AED for athletic trainers
6. Administration Northeast entrance -- First floor by stairwell
7. Student Union (SU) – Center column of mail box area facing room 201
8. Beta Offices Northeast entrance -- First floor by drinking fountain
9. Lower Quad Residence Halls: Epsilon -- First floor next to laundry room
10. Sigma Residence Halls front (east) entrance -- By vending machines
11. Rho Residence Halls southwest entrance -- By Rho 126

**For buildings not furnished with an AED, consult the list below for the designated AED location.**

<b>Building</b>	<b>AED Location (above)</b>
Alpha Offices	# 6 Administration
Grimm Hall North	# 2 Grimm Hall
Library and Arts Department (LA)	# 2 Grimm Hall
Theatre	# 3 CU Center
Performing Arts Annex (PAX)	# 4 CU Arena
Hallerberg Building (Bookstore)	# 4 CU Arena
Student Leadership Center (SLC or CSLD)	# 7 Student Union
Upper Quad Residence Halls	# 10 Sigma
Maintenance	# 11 Rho

**USE OF AN AED**

- **Make sure that 9-1-1 is called as soon as possible.**
- Have someone contact Campus Safety at ext. 3000.
- Remove AED from the wall cabinet and the case.
- Open top lid and follow verbal instructions.
- Place pads on the chest of the victim.
- The AED will automatically determine if a shock is needed and administer the appropriate shock.

**APPENDIX B**  
**Concordia University Sexual Harassment Policy**  
(Policy 712.3)

1. INTRODUCTION

Concordia University is committed to creating and maintaining a community where all persons who participate in university programs and activities can work and learn together in an environment free from sexual harassment. Sexual harassment is contrary to the religious and moral tenets of the university. Every member of the university community should be aware that the university is strongly opposed to sexual harassment, and that such behavior is prohibited both by law and by university policy. The university will respond promptly and effectively to reports of sexual harassment, and will take appropriate action to prevent, correct, and if necessary, discipline behavior that violates this policy.

2. DEFINITION

Concordia University defines sexual harassment as including the following behavior:

- 2.1 Unwelcome sexual advances; requests for sexual favors; unwelcome touching, fondling, visual display, and all other verbal, nonverbal, or physical conduct of a sexual nature, when
- a. submission to such conduct is made, either explicitly or implicitly, a term or condition of instruction, employment, or participation in any university program or activity;
  - b. submission to or rejection of such conduct by an individual is used as the basis for evaluation in making academic or personnel decisions affecting the individual, or as the basis for decisions affecting the individual's participation in any university program or activity; or
  - c. such conduct has the purpose or effect of creating a hostile and intimidating environment sufficiently severe or pervasive to substantially impair a reasonable person's participation in university programs or activities, or use of university facilities.

Some examples that may constitute sexual harassment include:

- Making sexual propositions or pressuring students or employees for sexual favors.
- Touching of a sexual nature.
- Displaying or distributing sexually explicit drawings, pictures, or written materials.
- Performing sexual gestures or touching oneself in front of others.
- Telling sexual or "dirty" jokes.
- Spreading sexual rumors or rating other students as to sexual activity or performance.
- Circulating or showing email or Web sites of a sexual nature.
- Unwelcome leering, whistling, brushing against the body, or suggestive or insulting comments.
- Comment on an individual's body, inquiries into one's sexual experience, and/or discussion of one's sexual activities.

2.2 In the interest of preventing sexual harassment, the university will respond to reports of any such conduct.

2.3 In determining whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the location of the incident and the context in which the conduct occurred. In general, a charge of sexual harassment can only be addressed by the university when the

university can reasonably be expected to have some degree of control over the alleged harasser and over the environment in which the conduct occurred.

2.4 Sexual harassment may include incidents between any members of the university community, including faculty and other academic appointees, staff, coaches, students, and non-student or non-employee participants in university programs, such as vendors, contractors, and visitors. Sexual harassment may occur in hierarchical relationships or between peers.

### 3. PROVISION

3.1 Any member of the university community may report conduct that may constitute sexual harassment under this policy. Supervisors, managers, and other designated employees are responsible for taking whatever action is necessary to prevent sexual harassment, to correct it when it occurs, reporting it promptly to the appropriate official designated to review and investigate sexual harassment complaints. An individual may also file a complaint alleging sexual harassment with the designated Complaint Resolution Officer (CRO) as shown in Attachment A. CUI does guarantee, however, that credible accusations of inappropriate sexual remarks or actions will be investigated promptly, thoroughly, and fairly.

The university's employees and students must be aware of the need for freedom of inquiry and openness of discussion in its educational and research programs. This opens discussion and creates and maintains an atmosphere of intellectual seriousness and mutual tolerance in which essential features of academic life can thrive. No university can or should guarantee that every idea expressed in its classrooms or laboratories will be inoffensive to all; pursued seriously, education and scholarship necessarily entail raising questions about received opinions and conventional interpretations.

3.2 It is a violation of university policy for any member of the university community to engage in conduct that meets the university's definition of sexual harassment.

3.3 This policy also prohibits retaliation against a person who reports sexual harassment, assists someone with a report of sexual harassment, or participates in any manner in an investigation or resolution of a sexual harassment complaint. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

3.4 As part of the university's commitment to providing a working and learning environment free from sexual harassment, this policy shall be disseminated widely to the university community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. Several key locations on campus shall make educational materials available to all members of the community to promote compliance with this policy and familiarity with university reporting procedures. In addition, the university shall designate its employees responsible for reporting sexual harassment and provide training to those designated employees. Generally, such persons include supervisors, managers, academic administrators, deans, department chairs, student advisors, residence hall staff, coaches, security officers, student affairs staff, and health center staff. A written description of the university's procedures for the resolution of sexual harassment complaints shall be available upon request from the designated Complaint Resolution Officers (see Attachment A).



3.5 The university shall provide a prompt and effective response to reports of sexual harassment in accordance with the procedure below (Section 4). A prompt and effective response may include early resolution, formal investigation, targeted training and/or educational programs. Upon findings of sexual harassment, the university may offer remedies to the individuals harmed by the harassment consistent with applicable complaint resolution procedures. Such remedies may include counseling, an opportunity to repeat course work without penalty, changes to student housing assignments, or other appropriate interventions. Any member of the university community who is found to have engaged in sexual harassment is subject to disciplinary action up to and including dismissal. Generally, disciplinary action will be recommended when the harassing conduct is sufficiently severe, persistent, or pervasive that it alters the conditions of employment or limits the opportunity to participate in or benefit from university programs or activities. Any manager, supervisor, or designated employee responsible for reporting or responding to sexual harassment that knew about the harassment and took no action to stop it or failed to report it may also be subject to disciplinary action. Conduct by an employee of sexual harassment or retaliation in violation of this policy is considered to be outside the normal course and scope of employment.

3.6 Because sexual harassment frequently involves interactions between persons that are not witnessed by others, reports of sexual harassment cannot always be substantiated by additional evidence. Lack of corroborating evidence or “proof” should not discourage individuals from reporting sexual harassment. Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action. This does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

#### 4. PROCEDURE

##### 4.1 Making Reports of Sexual Harassment

Any member of the university community who feels that he/she has been the victim of sexual harassment and any member of the university community witnessing an incident of sexual harassment should report the incident as soon as possible after the alleged conduct occurs. Reports should be brought to the designated CRO (see Attachment A). If one of the CRO is the alleged offending party or if the individual is uncomfortable reporting the incident to him/her, or if it would be inappropriate to discuss the matter with him/her, it should be reported to one of the other CROs.

Individuals making reports of sexual harassment shall be informed by the CRO about the range of possible outcomes of the report and the options for resolving potential violations of the policy. At a minimum, the options shall include (a) early resolution, and (b) filing of complaint(s) (which includes a formal investigation of complaint).

##### 4.2 Early Resolution

The goal of early resolution is to resolve concerns with the cooperation of all parties involved. Early resolution may involve an inquiry into the facts, but typically does not include a formal investigation. Early resolution is flexible and encompasses a full range of possible appropriate outcomes. Early resolution may include options such as mediating an agreement between the parties, separating the parties, referring the parties to counseling programs, negotiating an agreement for disciplinary action, conducting targeted educational and training programs, or providing remedies for the individual harmed by the harassment.

Early resolution shall be concluded as promptly as possible and in most cases within thirty (30) days after an incident has been reported to a CRO. The time period for completing early resolution may be extended by agreement of the parties.

#### 4.3 Filing of a Complaint

In cases where early resolution is inappropriate or where early resolution is unsuccessful, the university may conduct a formal investigation. In such cases, the individual making the report shall be encouraged by the CRO to: 1) file a written complaint and request for formal investigation; or 2) the CRO may prepare a written summary of the reported incident(s) based on discussions with the individual(s) making the report. The individual(s) will be asked, but not required, to initial that summary as a means of verifying the facts.

Upon filing of a sexual harassment complaint, the CRO shall: 1) notify the individual accused of conduct violating the policy on sexual harassment; 2) provide the accused (or alleged) offender with either a copy of the written complaint or a complete written statement of the allegations; and 3) provide copies of the university's policy and procedure for responding to reports of sexual harassment. When a student is accused of sexual harassment, regardless of the status of the alleged victim (i.e., another student, a faculty member, etc.), the relevant student disciplinary procedures set forth in this policy shall apply. The individuals involved will be notified that a complaint has been received and will be investigated in accordance with this policy. If an employee is accused of sexual harassment, his or her supervisor will be notified of the alleged offense. When either a student or employee is accused, depending on the seriousness of the complaint, interim measures including suspension of the alleged offender from work with pay, if determined to be appropriate, may be taken before the complaint is fully investigated.

#### 4.4 Formal Investigation

Upon the filing of a written complaint and request for investigation by the university or upon direction of the CRO, the university will investigate allegations of sexual harassment. The individual(s) conducting an investigation shall be familiar with the university's policy on sexual harassment, the legal standards applicable to sexual harassment investigations, and the investigative techniques suitable for conducting sexual harassment investigations. In addition, the individual(s) conducting an investigation shall have training or experience conducting sexual harassment investigations.

Investigations will include: 1) a review of relevant documents identified by the investigator; 2) interviews of the complainant and alleged offender; 3) interviews of all relevant witnesses identified by the investigator and the involved parties; and 4) ensure all persons notified maintain confidentiality. Investigations shall be concluded as promptly as possible and in most cases within sixty (60) days after the complaint and request for formal investigation is filed. Within ten (10) days after completing the investigation, the investigator will prepare a written report that at a minimum includes: 1) a statement of the allegations and issues; 2) the positions of the parties; 3) a summary of the evidence; 4) findings of fact; and 5) a determination by the investigator as to whether university policy has been violated.

No later than five (5) days after the report is completed, the investigator shall submit the report to the CRO with authority to implement the actions necessary to resolve the complaint.

#### 4.5 Action on Investigative Findings

Within fifteen (15) days after the investigator's report is received by the CRO, he/she will inform the complainant and the alleged offender, in writing, that the investigation has been completed. The written report will include the action(s) taken by the university provided the complainant only be informed of any findings made that policy was or was not violated and, if applicable, of action(s) taken to resolve the complaint. The complainant may be notified that the matter has been referred for action, but shall not be informed of the details of the recommended disciplinary action without the consent of the alleged offender.

Within fifteen (15) days after the report of the investigator is received by the CRO, he/she will inform the complainant and the alleged offender that they may request a copy of the final investigative report. Should the complainant or the alleged offender request a copy of the final investigative report, the report shall be redacted to protect the privacy of personal and confidential information regarding all individuals other than the individual requesting the report.

#### 4.6 Appeal Procedure

If the complainant or the alleged offender is not satisfied with the action on the investigative findings, he/she may appeal the case by the provisions outlined in this policy. The alleged offender shall be permitted to appeal the actions taken by the university, but shall not be allowed to appeal any factual findings made by the investigator. The appeal process exists to review the appropriateness of initial decisions. Beyond not liking the original decision or sanction assigned, those appealing should have a defined and clearly articulated rationale. Appeals will be denied if they do not clearly reflect one or more of the following circumstances:

1. A procedural error was prejudicial to the rights of the accuse;
2. The sanction is inappropriate; or
3. New information is available which was not available at the time of the investigation, and which would have substantially affected the decision made by the CRO.

##### For Students:

If a student chooses to appeal, the appeal should be submitted electronically by the link provided in the written notice from the CRO. If a student is unable to submit an appeal electronically, he/she may submit a typed letter to the CRO. The appeal must be received within ten (10) days of the date on the written notice. Students will have only one (1) opportunity to appeal. Students who do not participate in the investigation forfeit the right to appeal. Appeals are conducted through: 1) administrative hearing or 2) a board hearing. The appointed appeals officer, or his/her designee, reserves the right to determine if an appeal will be presented to the appeals board or remain an administrative appeal. Upon review of the case, the appeals officer or appeals board may:

- a. Affirm or modify (either to increase or decrease) the sanction imposed by the CRO.
- b. In the case of procedural error or new information, such information should be directed to the investigator.

In all cases, whether adjudication is administrative or a board hearing, students are expected to comply with sanctions while an appeal is pending. A request for a stay of sanctions (postponement) can be submitted in writing to the appeal officer.

Administrative hearings are most common and are adjudicated by one appeals officer or his/her designee. The appeals officer or his/her designee will endeavor to provide the student(s) with a decision within thirty (30) days of the receipt of the appeal filing. The decision will be communicated to the student(s) in writing, eagles email account, phone, or combination of these means.

The appeals board hearing consists of a representative group of university faculty, staff, and students selected by the appeals officer or his/her designee. The appeals board holds the right to establish whatever rules and guidelines it deems appropriate for any given hearing, but does not have the authority to interpret or modify university policy or Concordia's Code of Conduct.

#### For University Employees:

If an employee chooses to appeal, the appeal should be submitted electronically by the link provided in the written notice from the CRO. If an employee is unable to submit an appeal electronically, he or she may submit a typed letter to the CRO. The appeal must be received within ten (10) days of the date on the written notice. Employees will have only one (1) opportunity to appeal. Employees who do not participate in the investigation forfeit the right to appeal.

Appeals are conducted through: 1) administrative hearing or 2) a board hearing. The appointed appeals officer or his/her designee reserves the right to determine if an appeal will be presented to the appeals board or remain an administrative appeal. Upon review of the case, the appeals officer or appeals board may: affirm or modify, either to increase or decrease, the sanction imposed by the Complainant Resolution Officer.

In the case of procedural error or new information, direct such information to the investigator.

In all cases, whether adjudication is administrative or a board hearing, employees are expected to comply with sanctions while an appeal is pending. A request for a stay of sanctions (postponement) can be submitted in writing to the appeal officer.

Administrative hearings are most common and are adjudicated by one (1) appeals officer or his/her designee. The appeals officer or his/her designee will endeavor to provide the employee with a decision within thirty (30) days of the receipt of the appeal filing. The decision will be communicated to the employee in writing, via email account, phone, or combination of these means.

The appeals board hearing consists of a representative group of university faculty and staff selected by the appeals officer or his/her designee. The appeals board maintains the right to establish whatever rules and guidelines it deems appropriate for any given hearing, but does not have the authority to interpret or modify university policy.

#### 4.7 Recording of Investigative Materials

The CRO is responsible for maintaining records relating to sexual harassment reports, investigations, and resolutions. Records shall be maintained a minimum of five (5) years after the date the matter was resolved or longer at the discretion of the CRO (in cases

where the parties have a continuing affiliation with the university). If the alleged offender is an employee, the personnel file of the alleged offender will state that an investigation was made and indicate the final outcome of the investigation. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instructions from legal counsel.

5. **ADDITIONAL ENFORCEMENT INFORMATION**

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) also investigate complaints of unlawful harassment in the workplace. The U.S. Department of Education Office of Civil Rights (OCR) investigates complaints of unlawful harassment of students in educational programs or activities. These agencies may serve as neutral fact finders and attempt to facilitate the voluntary resolution of disputes. For more information, contact the nearest office of the EEOC, DFEH, or OCR listed in the telephone directory.

**Attachment A  
General and Off-Site Campus Complaint Resolution Officers (CRO)**

<b>If the alleged harasser is a:</b>	<b>You need to file your complaint with:</b>	<b>Refer to the following grievance procedures and policies:</b>	<b>The university will endeavor to resolve the grievance in:</b>	<b>The university will endeavor to make a decision regarding the appeal in:</b>
Member of the Faculty	Peter Senkbeil Vice President of Academic Affairs/Associate Provost Grimm Hall 315 (3 <sup>rd</sup> Floor) (949) 214-3202 <a href="mailto:peter.senkbeil@cui.edu">peter.senkbeil@cui.edu</a>  Pamela Clavir Director of Human Resources Administration Building 200 (949) 214-3133 <a href="mailto:pam.clavir@cui.edu">pam.clavir@cui.edu</a>	<i>University Policy 712.3</i>	Ninety (90) days of the official complaint date.  Please note that university holidays may interrupt and prolong the time line`	Thirty (30) days of the official appeal date.  Please note that university holidays may interrupt and prolong the time line`
Member of the Staff	Pamela Clavir Director of Human Resources Administration Building 200 (949) 214-3133 <a href="mailto:pam.clavir@cui.edu">pam.clavir@cui.edu</a>  Gary McDaniel Executive Vice President, Chief Enrollment Officer Administration Building 300 (949) 214-3055 <a href="mailto:gary.mcdaniel@cui.edu">gary.mcdaniel@cui.edu</a>	<i>University Policy 712.3</i>	Ninety (90) days of the official complaint date.  Please note that university holidays may interrupt and prolong the time line`	Thirty (30) days of the official appeal date.  Please note that university holidays may interrupt and prolong the time line`

<p>Student (Under-graduate)</p>	<p>Melinda Martinez Director of Student Conduct Admin. Building 300 (949) 214-3050 <a href="mailto:Melinda.martinez@cui.edu">Melinda.martinez@cui.edu</a></p> <p>Scott Keith Associate Dean, Residential Education &amp; Services Sigma Square (2<sup>nd</sup> Floor) (949) 214-3046 <a href="mailto:Scott.keith@cui.edu">Scott.keith@cui.edu</a></p> <p>Gilbert Fugitt Dean of Students Administration Building 300 (949) 214-3057 <a href="mailto:Gilbert.fugitt@cui.edu">Gilbert.fugitt@cui.edu</a></p>	<p><i>Concordia University Irvine Student Code of Conduct</i></p>	<p>Ninety (90) days of the official complaint date.</p> <p>Please note that university holidays may interrupt and prolong the time line</p>	<p>Thirty (30) days of the official appeal date.</p> <p>Please note that university holidays may interrupt and prolong the time line</p>
<p>Student (Graduate, Adult Degree, Nursing Programs)</p>	<p>Paul Marquardt Associate Dean, School of Professional Studies Spectrum Campus (949) 214-3377 <a href="mailto:paul.marquardt@cui.edu">paul.marquardt@cui.edu</a></p> <p>Barbara Howard Site Director, Temecula; Accelerated Degree Completion Program (951) 308-1485/(949) 214-3381 <a href="mailto:barbara.howard@cui.edu">barbara.howard@cui.edu</a></p> <p>Mary Hobus Assistant Dean of Nursing Park Place Campus (949) 214-3282 <a href="mailto:mary.hobus@cui.edu">mary.hobus@cui.edu</a></p>	<p><i>Concordia University Irvine Student Code of Conduct</i></p>	<p>Ninety (90) days of the official complaint date.</p> <p>Please note that university holidays may interrupt and prolong the time line</p>	<p>Thirty (30) days of the official appeal date.</p> <p>Please note that university holidays may interrupt and prolong the time line</p>
<p>Outsourced Vendor</p>	<p>Director of University Services Rho Programming Center (2<sup>nd</sup> Floor)</p> <p>Tom Sonoff Executive Director of Campus Safety and Security Administration Building 106 (949) 214-3007 <a href="mailto:tom.sonoff@cui.edu">tom.sonoff@cui.edu</a></p>	<p><i>University Policy 712.3</i></p>	<p>Ninety (90) days of the official complaint date.</p> <p>Please note that university holidays may interrupt and prolong the time line</p>	<p>Thirty (30) days of the official appeal date.</p> <p>Please note that university holidays may interrupt and prolong the time line</p>

	<p>Pamela Clavir Director of Human Resources Administration Building 200 (949) 214-3133 <a href="mailto:pam.clavir@cui.edu">pam.clavir@cui.edu</a></p> <p>Melinda Martinez Director of Student Conduct Admin. Building 300 (949) 214-3050 <a href="mailto:Melinda.martinez@cui.edu">Melinda.martinez@cui.edu</a></p>			
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## **APPENDIX C**

### **Children at Work Policy**

Concordia University Irvine values an atmosphere that fosters a healthy balance between workplace obligations and family issues. When possible, departments should honor an employee's request for flexibility to meet unexpected family needs that may require the employee's attention during normal hours. When workloads allow, the University encourages departments to cooperate with employees who wish to meet family responsibilities by using breaks or lunch hours, flexible work schedules, adjusted hours, personal leave or vacation leave.

The University understands that brief and infrequent visits by children of its employees occur for a variety of reasons. However, the frequent, regular or extended presence of children during work hours is not allowed for the following reasons: the potential for interruption of work, health and safety issues, and liability to the organization. It is the responsibility of the University's supervisors to ensure that the work of the university is accomplished in an environment in which employee health and safety concerns are respected and work-related disruptions are minimized.

Therefore, Concordia University Irvine employees should follow the principles below regarding the presence of children in the workplace:

1. The workplace should not be used in lieu of childcare; therefore, it is inappropriate to allow extended workplace visits by minor children or other minor relatives (persons under the age of 18) of employees.
2. There may be occasions when brief visits by minor children may be necessary. These visits are at the supervisor's discretion and the employee should receive prior permission before bringing a minor child to the workplace. In these circumstances, children will be the responsibility of the parent while in the workplace. Employees must not ask any other employee to supervise their children. Students who are supervising the employees' children are required to baby sit outside of the employees' work environments.
3. Supervisors may make an exception for a temporary, unforeseen emergency, but no parent or relative may have a child in the workplace without the supervisor's permission or use the workplace as an alternative to childcare or for any other purpose. As necessary, supervisors may grant leave or flexible hours at their discretion to meet emergency or unforeseen circumstances.
4. Employees and supervisors must consider issues of safety, confidentiality, disruption of operations, disruption of services, disruption to other employees, appropriateness and liability posed by the presence of the minor children in the workplace.
5. No minor may ever be allowed into an area that is potentially hazardous.
6. Children exhibiting symptoms of potentially contagious illnesses should not be brought into the workplace.
7. The guidelines do not prohibit minor children and family members from being in the workplace during university-sponsored events intended for children and/or families, or intended for community participation.



**APPENDIX D**  
**Employee Acknowledgement**

**Completion of Online Orientation for NEW Adjuncts**

I acknowledge that I have received an online copy of the Concordia University *Adjunct Faculty Handbook*. I understand that I am responsible for becoming familiar with it and I agree to abide by all rules, regulations, policies and procedures outlined therein. I understand the mission statement of the university and will, with God's help, do my best to fulfill this mission. I further understand that Concordia University will not be bound by any oral promises made as to length of employment, job movement, rates of future pay, or any other conditions of employment.

**Employee's name**

(print)

---

(sign)

(date)

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**Completion of Online Orientation for RETURNING Adjuncts**

I acknowledge that I have completed and understand the information contained in the online adjunct orientation. If questions arise over adjunct policies or procedures, I understand that I can contact the appropriate dean or the registrar's office for further clarification.

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**Employee's signature**

**Date**

**Dealing with Religious Attitudes of Students for ALL Adjuncts**

Please read the information on this topic found on p. 10 in the *Adjunct Faculty Handbook*. Since Concordia University is a Lutheran, Christian university you are encouraged to share and/or incorporate your Christian faith into the classroom. Just be conscious that the student body of Concordia is quite diverse with respect to religious denominations and beliefs. In general, if you approach religious beliefs and concepts from an intellectual point of view, this can take the emotional element out of the discussion. In some cases, debates or discussions on religious topics may be handled more appropriately outside of the classroom, especially if the discussion is not directly related to the topic at hand or has the potential to become emotional. Should you have concerns over the appropriateness of certain religious topics, contact your dean or department chair for advice.

Additionally, I have reviewed Concordia University's policies and procedures pertaining to the following (indicate by placing your initials on the line in front of each item):

- \_\_\_\_\_ Mission Statement and Lutheran Belief Statement
- \_\_\_\_\_ Emergency Contact Information (completed and returned with signed contract)
- \_\_\_\_\_ Academic Honesty policy
- \_\_\_\_\_ Copyright Infringement policy

(RETURN ONE SIGNED COPY TO THE DEAN'S OFFICE.)

## APPENDIX E

### Position Transition Paid Leave Policy

Staff to Faculty  
Faculty to Staff  
Deans  
Vice-Presidents

#### Staff to Faculty

Upon moving from a full-time staff to a full-time faculty position, any accrued vacation hours will be paid out to the employee. If the position is a traditional ten (10)-month teaching position the normal faculty leave policy will apply. If the position is a twelve (12)-month position the appropriate amount of vacation days will be allotted on an annual basis and Monthly Personnel Report of time off will continue. The forty (40) hours of annual personal/sick time will continue.

#### Faculty to Staff

Upon moving from a full-time faculty to a full-time staff position the employee will begin accruing the appropriate amount of vacation days immediately. Forty hours (40) of personal/sick time will be allotted annually.

#### Deans

All full-time, twelve-(12) month dean positions will be allotted twenty-two (22) days of vacation on an annual basis. Deans will report their vacation schedule to the Office of the Provost, in writing, each semester. Forty (40) hours of personal/sick time will be allotted annually.

#### Vice Presidents

All full-time, twelve (12) month vice president positions will be allotted twenty-two (22) days of vacation on an annual basis. Vice presidents should notify the executive vice president of their department, in writing, regarding their vacation schedule. Forty (40) hours of personal/sick time will be allotted annually.

#### Executive Vice Presidents

All full-time, twelve (12) month executive vice president positions will be allotted twenty-two (22) days of vacation on an annual basis. Executive vice presidents should notify the president's office, in writing, regarding their vacation schedule. Forty (40) hours of personal/sick time will be allotted annually.

**APPENDIX F**  
**Academic Honesty**  
**University Handbook 482.1**

1. DESCRIPTION

All courses and academic work at Concordia University seek to empower students for independent learning, resourcefulness, clear thinking, and perception. All submitted work and activities should be genuine reflections of individual achievement from which the student can derive personal satisfaction and a sense of accomplishment. Plagiarism and cheating subvert these goals.

2. DEFINITIONS

2.1 Plagiarism may be unintentional or intentional. Both are serious academic violations. A respected writing handbook describes academic dishonesty and plagiarism in the following way:

While there are many ways to damage academic integrity, two (2) that are especially important are inaccurate to incomplete citation of sources—also called unintentional plagiarism—and plagiarism that is deliberately intended to pass off one writer’s work as another’s (Andrea A. Lunsford, *The St. Martin’s Handbook* 283)

2.2 *The Scott Foresman Handbook for Writers* by M. Hairston, J Ruskiewicz and C. Friend, has some specific advice for using the internet.

The basic rules of scholastic honesty still apply in electronic environments. (Students) may not copy and paste information from a Web site, listserv, newsgroup, or other electronic source to (their) own project without fully documenting that material. Nor may (they) call it (their) own because (they) have altered it in some minor way. (748)

2.3 Another kind of dishonesty occurs when students submit work they have completed in one (1) course to meet requirements in another course. Students should always obtain permission from their instructor before using work completed in one (1) course to meet requirements in another.

2.4 A fourth (4<sup>th</sup>) kind of academic dishonesty is submitting another student’s work as one’s own. The same applies to purchasing essays or other academic materials in order to submit them as one’s own work.

3. PROCEDURES

Concordia reserves the right to utilize electronic means to help prevent plagiarism. Students should recognize that all assignments are subject to submission for textual similarity review. Assignments submitted for electronic textual review will be included as source documents in a restricted access database solely for the purpose of detecting plagiarism in such documents.

For specific procedures that govern the handling of suspected instances of academic dishonesty, refer to the Code of Conduct located on the university’s website at:

<http://www.cui.edu/uploadedFiles/Student%20Code%20of%20Conduct%20update%20092911.pdf>

3.1 Publicity

This policy will be published in the appropriate university publications.

4. EVALUATION

The student government, student senate, and dean of student services shall seek out evaluative comments each year from members of the Concordia community.

## **APPENDIX G**

### **Copyright Guidelines**

#### **1. Purpose**

The purpose of the Concordia University copyright compliance guidelines is to provide practical advice on the use of copyright-protected works; it is not a substitute for legal advice which should be sought when necessary.

#### **2. What is copyright?**

According to the U.S. Copyright Office, copyright is a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression. Copyright covers both published and unpublished works.

#### **3. What works are protected?**

Copyright protects “original works of authorship” that are fixed in a tangible form of expression. The fixation need not be directly perceptible so long as it may be communicated with the aid of a machine or device. Copyrightable works include the following categories:

- Literary works
- Musical works, including any accompanying works
- Dramatic works, including any accompanying music
- Pantomimes and choreographic works
- Pictorial, graphic, and sculptural works
- Motion pictures and other audiovisual works
- Sound recordings
- Architectural works

These categories should be viewed broadly. For example, computer programs and most “compilations” may be registered as “literary works”; maps and architectural plans may be registered as “pictorial, graphic, and sculptural works.” (See Copyright Basics (circular 1), U.S. Copyright Office: <http://www.copyright.gov/circs/circ1.pdf>)

#### **4. How long does a copyright last?**

- For works originally created after January 1, 1978, copyright protection lasts for the life of the author plus an additional seventy (70) years.
- For works created but not published or registered before January 1, 1978, copyright protection lasts for the life of the author plus seventy (70) years, but it will not expire earlier than December 31, 2002. If the work is published before December 31, 2002, copyright will not expire before December 31, 2047.
- For pre-1978 works still in their original or renewal term of copyright, copyright protection is extended to ninety-five (95) years from the date the copyright was originally secured.
- All works published before 1923 and all works published from 1923 through 1963 for which no renewal was filed are in the public domain. (see Duration of Copyright Protection , American Library Association (ALA): <http://www.ala.org/ala/issuesadvocacy/copyright/copyrightarticle/durationcopyright.cfm>)

#### **5. What is not protected by copyright?**

Several categories of material are generally not eligible for federal copyright protection. These include among others:

- Works that have not been fixed in a tangible form of expression (for example, choreographic works that have not been notated or recorded, or improvisational speeches or performances that have not been written or recorded).
- Titles, names, short phrases, and slogans; familiar symbols or designs; mere variations of typographic ornamentation, lettering, or coloring; mere listings of ingredients or contents.

- Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices, as distinguished from a description, explanation, or illustration.
- Works consisting entirely of information that is common property and containing no original authorship (for example: standard calendars, height and weight charts, tape measures and rulers, and lists or tables taken from public documents or other common sources). (See Copyright Basics (circular 1), U.S. Copyright Office: <http://www.copyright.gov/circs/circ1.pdf>)

## 6. What is “fair use”?

Under the “fair use” provision (Section 107 of the Copyright Act), a reproduction of someone else's copyright-protected work is likely to be considered fair if it is used for one of the following purposes: criticism, comment, news reporting, teaching, scholarship, and/or research. If the reproduction is for one of these purposes, a determination as to whether the reproduction is “fair use” must be made based upon four factors:

### a. **The purpose and character of use (Transformative Factor)**

The main point of this factor is whether the material has been used to help create something new, or copied verbatim into another work, and whether the use is of a commercial nature or is for nonprofit educational purposes.

### b. **The nature of the copyright-protected work**

The use of published works dealing with facts, news, or reports can be allowed under provisions of “fair use” more readily than works of a creative or imaginative nature (such as poems, novels, or visual art).

### c. **The amount and substantiality of the portion used**

Generally, the larger the portion of the copyrighted material that is taken and used, the lower the likelihood that the use will constitute a “fair use.” However, even if only a small portion of a work, is taken copying will not be a “fair use” if the portion taken is an essential part of the work or the “heart of the work.”

### d. **The effect of the use upon the potential market**

“Fair use” is more difficult to establish if the use deprives the copyright owner of income or takes away from a new or future market for the copyrighted work. This is true even if the use of the work is not directly competing with his/her own use of his/her work; faculty use may be different but still diminish interest in the copyright owner’s original use of the work. In general, ask yourself: Could my use of this copyrighted work potentially affect the sales of this work? If so, it’s likely not a “fair use.”

“Fair use” is an ambiguous concept and the law does not contain any rigid or clearly defined criteria that could be applied to every situation. The above guidelines and analysis of the four (4) factors of “fair use” are for the sole purpose of assisting the CUI community in making the right decision. They do not substitute for professional legal advice. When in doubt about whether the intended use of a copyrighted work is permissible under the provisions of “fair use,” please seek the permission of the copyright owner.

## 7. Guidelines for classroom copying

### ***Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with Respect to Books and Periodicals***

The purpose of the following guidelines is to state the minimum and not the maximum standards of educational “fair use” under Section 107 of H.R. 2223. The parties agree that the conditions determining the extent of permissible copying for educational purposes may change in the future; that certain types of copying permitted under these guidelines may not be permissible in the future; and conversely that in the future other types of copying not permitted under these guidelines may be permissible under revised guidelines.

The following statement of guidelines is not intended to limit the types of copying permitted under the standards of “fair use” under judicial decision and which are stated in Section 107 of the Copyright Revision Bill (this section). There may be instances in which copying, which does not fall within the guidelines stated below, may nonetheless be permitted under the criteria of “fair use.”

## **Guidelines**

### **I. Single Copying for Teachers**

A single copy may be made of any of the following by/for a teacher at his/her individual request for his/her scholarly research or use in teaching or preparation to teach a class:

- A chapter from a book;
- An article from a periodical or newspaper;
- A short story, short essay, or short poem, whether or not from a collective work;
- A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper;

### **II. Multiple Copies for Classroom Use**

Multiple copies (in any event not to exceed more than one (1) copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion; provided that:

1. The copying meets the tests of brevity and spontaneity as defined below; and
2. Meets the cumulative effect test as defined below; and,
3. Each copy includes a notice of copyright.

## **Definitions:**

### **Brevity**

(i) Poetry: A complete poem if less than 250 words and if printed on not more than two (2) pages or, from a longer poem, an excerpt of not more than 250 words.

(ii) Prose: Either a complete article, story or essay of less than 2,500 words, or an excerpt from any prose work of not more than 1,000 words or ten percent (10%) of the work, whichever is less, but in any event a minimum of 500 words.

[Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.]

(iii) Illustration: One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

(iv) "Special works": Certain works in poetry, prose or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience and fall short of 2,500 words in their entirety. Paragraph "ii" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two (2) of the published pages of such special work and containing not more than ten percent (10%) of the words found in the text thereof, may be reproduced.

### **Spontaneity**

(i) The copying is at the instance and inspiration of the individual teacher, and

(ii) The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

### **Cumulative Effect**

(i) The copying of the material is for only one (1) course in the school in which the copies are made.

(ii) Not more than one (1) short poem, article, story, essay or two (2) excerpts may be copied from the same author, nor more than three (3) from the same collective work or periodic volume during one (1) class term.

(iii) There shall not be more than nine (9) instances of such multiple copying for one (1) course during one class term.

[The limitations stated in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.]

### III. Prohibitions as to I and II Above

Notwithstanding any of the above, the following shall be prohibited:

1. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
2. There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests, test booklets, answer sheets, and like consumable material.
3. Copying shall not:
  - (a) substitute for the purchase of books, publishers' reprints, or periodicals;
  - (b) be directed by higher authority;
  - (c) be repeated with respect to the same item by the same teacher from term to term.
4. No charge shall be made to the student beyond the actual cost of the photocopying.  
(See Reproduction of Copyrighted Works by Educators and Librarians Basics (circular 21), United States Copyright Office: <http://www.copyright.gov/circs/circ21.pdf>)

### 8. Guidelines for educational uses of music

The purpose of the following guidelines is to state the minimum and not the maximum standards of educational "fair use" under Section 107 of H.R. 2223. The parties agree that the conditions determining the extent of permissible copying for educational purposes may change in the future; that certain types of copying permitted under these guidelines may not be permissible in the future, and conversely that in the future other types of copying not permitted under these guidelines may be permissible under revised guidelines.

The following statement of guidelines is not intended to limit the types of copying permitted under the standards of "fair use" under judicial decision and which are stated in Section 107 of the Copyright Revision Bill. There may be instances in which copying, which does not fall within the guidelines stated below, may nonetheless be permitted under the criteria of "fair use."

#### A. Permissible Uses

1. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.
2. **(a)** For academic purposes other than performance, multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement, or aria, but in no case more than ten percent (10%) of the whole work. The number of copies shall not exceed one (1) copy per pupil. **(b)** For academic purposes other than performance, a single copy of an entire performable unit (section, movement, aria, etc.) that is, (1) confirmed by the copyright proprietor to be out of print or (2) unavailable except in a larger work, may be made by or for a teacher solely for the purpose of his/her scholarly research or in preparation to teach a class.
3. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.
4. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
5. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

## B. Prohibitions

1. Copying to create or replace or substitute for anthologies, compilations, or collective works.
2. Copying of or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized tests, test booklets, answer sheets, and like consumable material.
3. Copying for the purpose of performance, except as in A(1) above.
4. Copying for the purpose of substituting for the purchase of music, except as in A(1) and A(2) above.
5. Copying without inclusion of the copyright notice which appears on the printed copy.

(See Reproduction of Copyrighted Works by Educators and Librarians Basics (circular 21), U.S. Copyright Office: <http://www.copyright.gov/circs/circ21.pdf>)

## 9. Guidelines for classroom use of videos

Classroom use of a copyrighted video is permissible only when all of the following conditions are met:

- The performance must be by instructors or by pupils.
- The performance is in connection with face-to-face teaching activities.
- The entire audience is involved in the teaching activity.
- The entire audience is in the same room or same general area.
- The teaching activities are conducted by a non-profit educational institution.
- The performance takes place in a classroom or similar place devoted to instruction.
- The person responsible for the performance has no reason to believe that the videotape was unlawfully made.

(See Video and Copyright by American Library Association (ALA):

[http://www.ala.org/Template.cfm?Section=Library\\_Fact\\_Sheets&Template=/ContentManagement/ContentDisplay.cfm&ContentID=24635](http://www.ala.org/Template.cfm?Section=Library_Fact_Sheets&Template=/ContentManagement/ContentDisplay.cfm&ContentID=24635))

### Recent Changes Regarding Videos

Section 1201 of the Copyright Law requires that every three (3) years, the Librarian of Congress determines whether any new types of works should become exempt from statutes prohibiting circumvention of technology that prohibits access to encrypted information. In July 2010, the Librarian of Congress added the following exception to the above statute:

- Motion pictures on DVDs that are lawfully made and acquired and that are protected by the Content Scrambling System when circumvention is accomplished solely in order to accomplish the incorporation of short portions of motion pictures into new works for the purpose of criticism or comment, and where the person engaging in circumvention believes and has reasonable grounds for believing that circumvention is necessary to fulfill the purpose of the use in the following instances:
  - Educational uses by college and university professors and by college and university film and media studies students.
  - Documentary filmmaking.
  - Noncommercial videos.

## 10. Copyright guidelines for distance learning

In 2002, the Technology, Education, and Copyright Harmonization (TEACH) Act became law and expanded the latitude universities, including CUI, have for the performance and display of copyright-protected materials in a distance education environment, including through the use of Course Management Systems (CMS). The copyright requirements for TEACH and CMS postings are similar to those of classroom handouts, but extend the traditional rules for those handouts to the digital transmission of materials to distance education students. The text of the TEACH Act can be found in its entirety at the U.S. Copyright Office web site: <http://www.copyright.gov/legislation/pl107-273.html#13301>.

Below is a list of the primary requirements:

- The teaching must occur at an accredited, nonprofit educational institution.



- Access must be limited to students currently enrolled in the class and for the time period necessary to complete the class session.
- Only lawfully made and acquired copies may be used.
- The use of the copyrighted resources must be within the confines of “mediated instructional activities” integral to the course and under the direction of the course instructor.
- Use is limited to entire performances of non-dramatic literary and musical works such as poetry or short story reading. Only “reasonable and limited” portions of dramatic literary and musical works (including audiovisual works) must be used unless the entire work is essential to the course.
- The institution must have a copyright policy and students must be informed that course content may be protected by copyright law and include a copyright notice on the online material whenever possible.
- The TEACH Act doesn’t extend to electronic reserves, Interlibrary loan (ILL), course packs, textbooks, and conversion of materials from analog to digital formats (except when digital format of the work is unavailable or protected by technological measures), materials specifically marketed for online use, and similar materials typically purchased individually by the students.
- Finally, appropriate technological protection measures must be used to reasonably limit unauthorized storage and distribution of the copyrighted materials. This may include password protection, content timeout, disabling print and cut-and-paste functions, and IP address authentication, etc.

#### **11. Copyright guidelines for the Library Reserve collection**

The copying of material to be placed on reserve is subject to the same rules and guidelines of U.S. copyright law, especially those concerning “fair use.” Therefore, faculty should exercise judgment in photocopying only enough material deemed necessary for the instructional purpose of the course. The course instructor is liable for any infringement of copyright law committed as a result of photocopying copyrighted works, if the amount photocopied is deemed to be excessive.

##### **Books**

- Books owned by the library or personal copies may be placed in the Reserves collection upon the request of the instructor.
- During the semester a total of two (2) chapters or twenty percent (20%) of any one work owned by CUI’s Library may be made available as long as only one (1) chapter or ten percent (10%) of an item is available at one (1) time.
- The library will not accept photocopies of entire books unless they are in the public domain or the faculty member has obtained permission to copy.
- Books borrowed from another library or via an interlibrary loan request will not be placed on reserve.

##### **Journal Articles**

- One (1) article per issue of a journal can be copied, or more than one (1) if on the same specific topic, except articles accessed from electronic journal databases.
- All copies must include a notice of copyright (“*The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted materials. Users may be liable for copyright infringement.*”) and a full bibliographic reference (author, title, journal title or book publisher, and date).
- The number of photocopied items reserved for any one (1) course will be limited by “fair use” standards. Only one (1) copy of photocopied material is allowed for every fifteen (15) students enrolled in a class.
- The library will not retain copied materials longer than one (1) semester.
- Copied material will not be used for more than one (1) course.

##### **Videos, DVDs and Sound Recordings**

- All audiovisual items placed on reserve must either be owned by the library or be purchased or legally reproduced personal copies. The library will not accept home-recorded, “off-air” tapes of broadcast programs or burned DVDs without adequate copyright permissions.

Videos, DVDs, and sound recordings produced by the instructor or Concordia University may be placed on reserve. Audiovisual works produced by students will need written permission from the students.

#### **Homework, Course Notes, and Course Packs**

- Homework must have written permission from the student author.
- Photocopies from consumable works such as workbooks, exercises, standardized tests, test booklets, and/or answer sheets will not be placed on reserve.
- Course packets will not be accepted without necessary permission.

#### **Additional items that do not require copyright permission include:**

- A short story, essay, or short poem.
- A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

The library will remove all items from its Reserves list at the end of the semester. Faculty members who would like to keep their material for more than one (1) semester must notify the library of their special instructional needs.

#### **12. Copyright guidelines for WorldCat Interlibrary loan (ILL)**

The library will meet ILL requests without obtaining permission from copyright owners provided that the "aggregate quantities" of articles or items received by the patron do not substitute for a periodical subscription or purchase of a work. The library follows the National Commission on New Technological Uses of Copyrighted Works (CONTU) guidelines for defining "aggregate quantities." The CONTU guidelines permit a library to receive in a calendar year five (5) articles from the most recent five (5) years of a specific journal or periodical. CONTU does not give any guidance to libraries for copying material older than five (5) years. For more information visit Coalition for Networked Information (CNI) web site at: <http://old.cni.org/docs/infopols/CONTU.html>.

#### **13. Copyright and foreign works**

The U.S. is a member of the leading international copyright treaty, the Berne Convention. As such, when CUI uses a copyright-protected work from another country, the protections provided to works by U.S. copyright law automatically apply to the use of that work as well (assuming the use takes place in the U.S.). The Copyright Clearance Center has many reciprocal licenses to allow use of materials from other countries.

#### **14. How to obtain copyright permission**

Permission to use copyright-protected materials, when required, should be obtained prior to using those materials. It is best to obtain permission in writing (including e-mail). Once the materials have been identified and it has been determined that the copyright permission is required, the copyright holder must be located. If the copyright holder is not listed on the work, locating the appropriate person or entity to grant permission may take some investigative and creative work.

The Copyright Office of the Library of Congress ([www.loc.gov](http://www.loc.gov)) may be of assistance in locating a copyright owner if the work is registered. Note, however, that copyright is automatically granted to all works upon their being written down and that registration with the Copyright Office is not required.

There are two (2) primary options for obtaining permission to use the work. You may contact the copyright holder directly or you may contact the Copyright Clearance Center. Check with your department manager or librarian to determine if Concordia University already has an established process for obtaining copyright permission through the Copyright Clearance Center. If your department or library does not have a centralized location or process for obtaining copyright permission, you may create an account with the Copyright Clearance Center at [www.copyright.com](http://www.copyright.com). The copyright holder or its agent will require the following information in order to provide you with permission:

- Title of the material

- Creator/author of the material
- Publisher of the material
- Description of material
- ISBN or ISSN, if applicable
- Date of publication, if applicable
- Purpose for which you wish to reproduce the item (research, commercial, educational, etc.)
- How the material is to be reproduced (e.g., photocopied, digitized)
- Where the reproduced material will be used or will appear and for how long

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**APPENDIX H**  
**Referral Sheet**

OFFICE or ACTIVITY	OFFICE TASKS/SERVICES (or steps to be followed)
<b>BOOKSTORE</b> – (949) 214-3454 Concordia Founders Bookstore – Hallerberg Center	Order textbooks Information available at <a href="http://www.neebo.com/cui#">http://www.neebo.com/cui#</a>
<b>COUNSELING and PSYCHOLOGICAL SERVICES</b> - Student Union Lower Level (949) 214 - 3104	For all CUI students
<b>COPY CENTER/MAIL SERVICES</b> - Student Union Lower Level (949) 214-3158	Copying Materials for Courses (you can email them a file and they will make copies) <a href="mailto:copy@cui.edu">copy@cui.edu</a>
<b>DISABILITY AND LEARNING RESOURCE CENTER</b> – Admin 114 (949) 214-3039	Student Academic Accommodations & Physical Accessibility Issues
<b>HEATH CENTER</b> – Student Union Lower Level (949) 214-3105	Provides convenient, effective, and quality health and medical services for CUI students.
<b>FACULTY/STUDENT DISPUTES</b>	In this order: Faculty member, Department Chair, Division Chair, School Dean
<b>LIBRARY SERVICES</b> – Library Arts Building (949) 214-3090	Reference Desk (949) 214-3096 Reserve Services (949) 214-3095
<b>OFFICE OF STUDENT CONDUCT</b> – Admin 312 (949)214-3050	For advice on dealing with disruptive students
<b>OFFICE OF THE REGISTRAR</b> – Grimm Hall 105 (949) 214-3079	Add-Drops, Class Rosters, Withdrawals, Grading, Attendance <a href="http://www.cui.edu/studentlife/registrar">http://www.cui.edu/studentlife/registrar</a>
<b>OFFICE OF ACADEMIC ADVISING</b> – Student Success Center(SSC) (949) 214-3588	Traditional Undergraduates <a href="http://www.cui.edu/studentlife/advising">http://www.cui.edu/studentlife/advising</a>
<b>PROGRAM ADVISORS</b> MBA, ALA, BAL, HCM & IOP – (949) 214-3374 Nursing – (949) 214-3280 MAIS - (949) 214-3376 MAED – (949) 214-3347 MED – (949) 214-3353 MCAA – (949) 214-3261 MA Theology – (949) 214-3389	Questions concerning a student’s program or registration
<b>INFORMATION TECHNOLOGY</b> – Admin 220 (949) 214-3175	The Help Desk for all technology-related questions <a href="mailto:ITS@cui.edu">ITS@cui.edu</a>
<b>SAFETY AND SECURITY OFFICE</b> – Admin 103 (949) 214-3000	Safety and/or security concerns, parking permits, gate transponders, etc.
<b>WRITING CENTER</b> – Theta Lounge For appointments call (949) 214-3444	The Writing Center offer assistance on all types of writing projects. Face-to-face consultations with trained tutors are available. The Writing Center has OWL services. <a href="http://www.cui.edu/StudentLife/Writing-Center/index.aspx?id=20512">http://www.cui.edu/StudentLife/Writing-Center/index.aspx?id=20512</a>