

## February 2008 Addendum to the 2007 Faculty Handbook

**Effective February 15, 2008, the following provisions modify and replace in their entirety the *Procedures for Alleged Violations of Faculty Standards, Faculty Policies, Faculty Code of Conduct*, and the *Faculty Appeal Policy and Procedure* provisions of Section 5 (Faculty-Related University Policies) of the Faculty Handbook 2007 of the University of Phoenix and the 2007 Handbook Addendum and are incorporated into the Handbook by reference.**

### PROCEDURES FOR ALLEGED VIOLATIONS OF FACULTY CODE OF CONDUCT

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1. Any person who believes that a faculty member has violated the Faculty Code of Conduct should bring that concern to the attention of the campus Director of Academic Affairs (DAA).
2. The complaining party must put their complaint of alleged violation in writing. Third parties who observed the behavior should be identified, if appropriate. No guarantees that the information will remain confidential can be made since the nature of the complaint must be shared in order to conduct a thorough investigation.
3. The DAA (or designee) shall conduct a preliminary investigation. As part of the investigation, the DAA should ask the faculty member to provide his or her perspective about the events and situation forming the basis of the complaint. The investigation should be reasonably prompt, as well as thorough and impartial.
4. Following the preliminary investigation, the DAA (or designee) will review the investigation findings and make a decision to either dismiss the complaint or continue with the charging process depending upon whether or not the findings provide sufficient indication that a violation may have occurred.
5. If the decision is made to charge the faculty member, the DAA (or designee) must notify the faculty member of the allegation(s) in a Charging Letter. The faculty member must respond, in writing, within ten (10) days of receipt of the Charging Letter. If the faculty member desires to address the campus committee, the faculty member must include that request in his or her written reply to the Charging Letter.
6. If the decision is made to charge the faculty member, the DAA (or designee) must determine if additional investigation is required before the campus committee is convened.
7. A campus committee will be convened to review the information gathered and render a recommendation to the DAA (or designee). If the faculty member specifically requested to address the committee in the written response to the Charging Letter, he or she will have up to 10 minutes to read a prepared statement to the Committee.
8. In conjunction with the decision to charge the faculty member, the faculty member may be removed from his or her current course. If a faculty member is removed from a course, he or she will be entitled to compensation for the portion of the course

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completed. Note: If the charge is subsequently found to be without merit, the faculty member is entitled to compensation for the unpaid balance amount, if any, for the course from which he or she was removed.

9. The campus committee will consist of at least three (3) impartial individuals: a full-time campus administrator and two (2) faculty members. At least one (1) of the faculty members on the committee must not be a full-time University employee. If the responding faculty member has requested an opportunity to address the committee in his/her reply to the Charging Letter, he or she may do so via teleconference. The committee will weigh the evidence and make a recommendation to the DAA (or designee) about what sanction, if any, is warranted. (Note: Faculty members who are subject to a professional code of conduct that applies to their involvement at the University shall have the composition of their campus committee adjusted as necessary to comply with that code.)
10. The campus DAA (or designee) will make the final determination about whether there has been a violation of the Faculty Code of Conduct and what sanction, if any, is appropriate.
11. The campus DAA (or designee) will notify the faculty member of his or her decision, in writing, within ten (10) working days of the conclusion of the campus committee's deliberations.
12. The complaining party will be notified of the outcome of the complaint, in writing, within ten (10) working days of the conclusion of the campus committee's deliberations.
13. Any claims of retaliation by a faculty member for submitting a complaint under these policies, or for providing information relating to a complaint, shall be investigated and decided in the same manner set forth above.

### Sanctions

If a violation of the Faculty Code of Conduct is found, the sanction(s) shall be based on the seriousness of the situation and may include, but not be limited to, the following:

- The faculty member is counseled regarding the relevant standards and provisions of the Faculty Code of Conduct and is directed to refrain from such behavior in the future.
- A written warning is issued to the faculty member as notification that any future violation of the Faculty Code of Conduct may result in the rescission of faculty status.
- The faculty member is removed from the assigned course(s).
- The faculty member's teaching privileges are rescinded. (Note: Depending on the nature and/or severity of the violation, teaching privileges may be rescinded for a specific campus or University-wide.)

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### Faculty who are also full-time employees of the Apollo Group, Inc. or subsidiaries

Faculty members who are also full-time employees of the Apollo Group, Inc. or any of its subsidiaries, including University of Phoenix, and whose full-time employment is terminated, may also have their appointment to the University's faculty terminated if their full-time duties were primarily instructional or instructionally-related. Such positions generally include, but are not limited to:

- Director of Academic Affairs
- Associate Director of Academic Affairs
- College Campus Chair
- Program Chair
- Instructional Specialist
- Full-Time Faculty (as that designation is used in specific reference to School of Advanced Studies and overseas campuses)
- Dean
- Associate or Assistant Dean
- Academic Affairs Manager
- Program Manager

### FACULTY APPEAL POLICY AND PROCEDURE

1. In those instances where a faculty member has been found to be in violation of University policy other than the Faculty Code of Conduct, believes he or she has been inappropriately inactivated by the campus, or believes that any decision made about his or her performance was inappropriate or inappropriately executed, the faculty member must first attempt to resolve the matter with his or her Director of Academic Affairs (DAA) or designee.
2. The faculty member may appeal the decision of the DAA or designee to the Regional Director of Academic Affairs (RDAA) within ten (10) days of being informed of the decision. Upon receipt of an appeal, the RDAA will conduct an investigation and review all documentation relating to the matter submitted by the faculty member and the campus. The RDAA will notify the faculty member of his or her decision in writing within twenty (20) working days of the receipt of the faculty member's appeal.
3. The faculty member may appeal the decision of the RDAA within ten (10) days of receipt of the RDAA's written decision. The faculty member's written appeal must be directed to the Central Administration Appeals Committee (CAAC) in

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the University's Office of Dispute Management (ODM), whose decision will be final. The ODM will provide the faculty member with written notification of the CAAC's decision.

4. The composition of the CAAC shall include at least the following three (3) members: a University of Phoenix College Dean, an RDAA (from another region), and the Vice President of the Office of Academic Operations, or their respective designees. The CAAC will review the same information reviewed by the RDAA in addition to the RDAA's decision.

**Effective February 15, 2008, the following provisions modify and replace the *Faculty Stock Option Award* provisions of Section 6 (Faculty Compensation and Benefits) of the Faculty Handbook 2007 of University of Phoenix and the 2007 Handbook Addendum and are incorporated into the Handbook by reference.**

A faculty stock option award may be available annually through the Faculty Stock Option Program (the Program). The Program is meant to recognize the significant contribution made by the University's senior faculty members. This Program allows qualifying individuals the opportunity to receive a set number of stock options of Apollo Group, Inc. Class A Common Stock based on meeting certain criteria during the calendar year. Information about the current year's Program will be available on the University of Phoenix Faculty Web.

There are two ways in which a faculty member may participate in the Program.

- Associate faculty may become eligible by satisfying a length of service requirement and teaching a minimum number of courses in the current calendar year. Additional requirements may be established and will be set forth on the University's Faculty Web.
- Lead Faculty under contract may become eligible after satisfying the requirements of the contract within the current calendar year and teaching a minimum number of courses in the calendar year. Additional requirements may be established and will be set forth on the University's Faculty Web.

In order to be eligible for participation in the Program, the faculty member, Associate or Lead, must be in good standing with the University and not be involved in any type of disciplinary action. Although faculty members may become eligible in either of these two ways, the total number of options granted for the year will not exceed the number approved as a faculty award by the Compensation Committee. In other words, within a single calendar year, a faculty member cannot receive one award as Associate Faculty and another award as Lead Faculty.

The Program is subject to review by the Compensation Committee of the Apollo Group, Inc. Board of Directors and University of Phoenix administration. The Program can be

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changed, modified or eliminated at any time without notice. All stock option grants must be approved by the Compensation Committee.

Faculty members should refer to the University's Faculty Web for information about how to apply for approved stock option awards and may contact [stockoptions@apollogrp.edu](mailto:stockoptions@apollogrp.edu) with questions about the program.