



NUtech
Leading To Progress & Excellence

NUTECH FACULTY POLICY



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1. Introduction

2. Faculty Elections

The following shall be elected at the Annual Meeting: each year, the new members in the elected membership of Standing Committees; every other year, a Chair-elect who shall serve one year followed by a two-year term as Chair of the Faculty (CoF), and in alternate years, the Associate Chair and the Secretary of the Faculty, who shall serve two-year terms concurrently with the Chair of the Faculty (CoF). Nominations will be circulated by the Nominations Committee (NC) after obtaining the consent of the nominee. Nominations submitted in writing must bear the signatures of the nominator and the seconder and be made available to the Faculty at least two weeks prior to the Faculty Meeting. For each candidate for any contested committee, information on the departmental affiliation and prior university service will be made available to the faculty at least two weeks prior to the Faculty Meeting. Candidates for contested Committees may optionally submit a short statement to be circulated to the Faculty at the same time. New appointments to Standing Committees shall be made within one week after the Annual Meeting. No member of the Faculty shall serve continuously as Chair of the Faculty for more than one term; other officers and committee members are eligible for reelection or reappointment. Except as otherwise specified, the Chair of the Faculty shall appoint the Chairs of each Standing Committee from among its elected membership annually within three weeks after the Annual Meeting and at other times if a vacancy occurs. All terms of office shall begin with the commencement of Fall Semester.

2.1. Faculty Appointments

Appointments to faculty positions are made at the following ranks: assistant professor, associate professor without tenure, associate professor with tenure, and professor. See Section 3.0 for information on Faculty Appointment, Promotion, and Tenure Guidelines.

In the Athletics/Physical Education/Sports Department (when established), there will be Director of Physical Education (DPE) who will be assisted by faculty appointments that will be made at the ranks of assistant coach, associate coach and senior coach, respectively.

2.2. Special Professorial Appointments

NUTECH recognizes two special professorial appointments: University professor and special faculty professor.

2.2.1. University Professor

The title of University professor is an honor bestowed by the Faculty and Support Staff of NUTECH on a faculty colleague who has demonstrated exceptional distinction by a combination of leadership, accomplishment and service in the scholarly, educational and general intellectual life of the University or wider academic community. The honor recognizes past contributions and provides the holder with an opportunity for continued and expanded contributions. A person holding the University professorship enjoys a unique position of freedom and prestige among the Faculty.

The University professorship will not be considered to be the highest faculty rank, nor intended to be used for the purpose of attracting or retaining a faculty member. It will be given to someone who has made and is expected to make extraordinary contributions to



our intellectual and collegial life. Its criteria and appointment procedures will be distinct in emphasis and nature from those associated with the regular appointments and promotions.

In granting an individual the title of University professor, the Faculty and Support Staff will indicate the special esteem in which that man or woman will be held by his or her colleagues. In addition to the prestige associated with the title, there will be some more tangible features. A University professor will have a distinctive measure of freedom to define the scope and nature of his or her responsibilities. He will report directly to the Rector/Pro-Rector, rather than to a department head or Dean. The University professor will not have regular departmental or lab responsibilities. Appointment to a University professorship will provide a special opportunity to work across his departmental boundaries. Duties of the University professor will be arranged between the individual and the Registrar after consultation with the Dean and approval of the Rector.

The position will recognize the accomplishment and leadership, both of high intellectual quality, in a member of the University Faculty. It will honor the "great men and women" of our Faculty - individuals who will have shown their greatness as participants in and contributors to, the intellectual and educational life of NUTECH. They will possess the qualities of mind and character that will be most admired among the Faculty and that faculty members most seek to emulate. The position recognizes accomplishments of two kinds:-

- a. Scholarly and educational distinction and
- b. Exceptional leadership and service

The first of these refers to the professional qualities and achievements that are commonly given greatest emphasis in the consideration of regular appointments and promotions. The second refers to extraordinary contributions to the academic and educational mission of the University and to the intellectual and collegial life of the Faculty, of the University and of the more general academic community. These can be either direct or indirect contributions to scholarship and education. The combination of academic distinction and exceptional leadership will vary, but in each case, both will be present in some visible measure. When primary emphasis is placed on leadership and service and when this leadership and service are associated with a particular office or role, it is expected that contributions will go beyond the holding of that particular office or title. Not uncommonly, the scholarly and educational distinction of the individual will be associated with an unusual and perhaps interdisciplinary, breadth of interest and accomplishment. (Such breadth of interest and accomplishment is reflected in the definition of the appointment as independent of department or School responsibility)

In a sense, the persons holding University professorships will symbolize in themselves some of the most deeply shared values of our community and the appointment is the recognition of their commitment to and breadth of influence in the life of the University.

The selection procedure will reflect the intention that the University professorship is an honor bestowed by the Faculty and Support Staff upon a faculty colleague. The joint role of the Faculty and Support Staff in according this honor is reflected in the fact that any group of faculty will be permitted to initiate the process by nominating one of their colleagues for the University professorship. The Rector will form an Ad hoc committee and CoF will convene it to review the case in detail and to make a recommendation on the nomination. The nomination and selection procedure is described as follows.



Nominations to the rank may be made at any time by NUTECH faculty members, representing the different departments at NUTECH. On receipt of a nomination, the CoF will consult with the Rector, Registrar and Dean of the nominee's department to establish it as a good prima facie case for the qualifications of the nominee, making it worthwhile to proceed further. If this consultation suggests that the procedure should be carried forward, the CoF will then consult with the Academic Council while attending to the two aspects of, an undue increase in the total number of University professors and an inequitable distribution of University professors within the different segments of NUTECH.

If these aspects suggest that the procedure be continued, the CoF will convene an ad hoc faculty Committee to evaluate the qualifications of the named candidate and to make a documented recommendation to the Rector. The Committee will include members from a minimum of three different departments and should have representation as well from outside NUTECH. The Rector will bring the Committee's recommendation to the Academic Council Meeting (ACM) for review and advice and then will submit the appointment to the Executive Committee of the BoG for formal approval.

2.3. Academic Instructional Staff Appointments

In addition to the faculty and research appointments at NUTECH and depending upon the circumstances and approvals there will be academic appointments of instructional staff to such positions as professor post-tenure (PPT), adjunct professor (AdP), professor of the practice (PoP), visiting professor (VP), instructor, technology instructor (TI), visiting coach, lecturer, senior lecturer (SL), visiting lecturer (VL) and honorary lecturer (HL).

NUTECH departments will have considerable latitude in developing complementary policies and procedures, as long as they will remain consistent in spirit with the overall policies detailed in this section. Policies and procedures developed by the departments and duly approved by the Rector on the recommendation of the respective Dean shall be distributed to the entire concerned faculty in the respective academic units, TRLs, TRGs etc. and kept on file in the Registrar's Office. Policies related to the Medical and Physical Education Departments are developed in the respective department and approved by the appropriate senior officer.

Academic departments may appoint members to the instructional staff to provide supplementary teaching to meet unfilled or temporary needs, to incorporate teaching for professional practice courses, or to host visiting colleagues. Appointments are for a definite term and carry no expectation of tenure or promotion. Appointments are intended to be for a limited period, but may be renewed at the discretion of the department, on the basis of continuing need, fit with current mission and availability of resources. Academic instructional staff who hold salaried appointments may be included in the Annual Salary Plan at the discretion of the department/University of the university.

Instructional staff appointments and reappointments are made and renewed at the discretion of department heads and deans, with the exception of adjunct professor, visiting lecturer and honorary lecturer appointments. Although an assessment of performance may be made according to procedures established by each department, neither the review nor the outcome of a review obligates a department to reappoint an incumbent.

The end date of instructional staff appointments will be as specified in the appointment letter, unless it is necessary to terminate an employee sooner because of reduced funding,



changes in the nature and scope of the work, or for other operational reasons. In such cases, notice of termination will be in accordance with the following standards:

A two-month notice of nonrenewal shall be given to instructional staff with at least a 50-percent appointment and less than three years of continuous service.

- a. A three-month notice of nonrenewal shall be given to instructional staff with at least a 50-percent appointment and three or more years of continuous service.

If an instructional staff appointment is for less than 50-percent time and for less than three years, no notice is required. The presumption is that such appointments are temporary and terminate on the specified date unless renewed in writing.

Termination for cause may be made at any time.

Instructional staff appointments to NUTECH shall be made only after determining the suitability and availability of the person for the full period of the proposed appointment. The candidate will be obliged to provide this documentation before the appointment becomes effective. Instructional staff must report their outside professional activities to their department heads annually. With the exception of instructors and senior lecturers, instructional staff does not normally receive consulting privileges.

2.3.1. Retired Professors

There will be two appointments for retired faculty, one is typically unpaid (Professor Emeritus) and the other is compensated (Professor, Post-Tenure).

2.3.1.1. Professor Emeritus

A professor who retires may be appointed as professor emeritus and may keep the name of his or her chair, emeritus. Appointments to the rank of professor emeritus are normally without salary.

Professor emeriti who remain active at NUTECH must report their outside professional activities to their department heads annually.

2.3.1.2. Professor, Post-Tenure

A professor who retires from a tenured appointment may receive a term appointment (without tenure) if the individual performs compensated teaching, research or service in the department after retirement. Appointments will be made by the appropriate department head through the human resource department and with the approval of the responsible Dean. The maximum paid effort of these appointments will be 49%. Appointments to this rank are typically on the Modified Annual Salary Plan. Normally, this appointment will be limited to a three-year term but may be renewed thereafter on an annual basis with the approval of the appropriate department head and the responsible dean. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination. At the conclusion of the Professor, Post-Tenure appointment, the Professor, Post-Tenure may be appointed as Professor Emeritus.

Professors holding post-tenure appointments are eligible for benefits as retirees rather than active employees. They will not have consulting privileges for the portion of their time paid for by NUTECH.



Professors, Post-Tenure will retain the title of professor and may continue to use their chair titles for the duration of their term appointments.

Professors, Post-Tenure must report their outside professional activities to their department heads annually, as described in Section 4.4 'Conflict of Interest' and Section 4.5 'Outside Professional Activities'.

2.3.2. Adjunct Professor, Professor of the Practice

Appointments to the rank of "Adjunct Professor of ____" and "Professor of the Practice of ____" are equivalent and made only to practitioners who have developed a high level of expertise in fields of particular importance to the NUTECH academic program and who also demonstrate a deep commitment to teaching and research. Responsibilities include, but are not limited to, teaching and conducting and supervising research. Each appointee shall teach at least the major part of one subject per academic year, may be the instructor in charge of subjects of instruction, may supervise theses with departmental permission, and may be principal investigator on research projects. Refer to Section 2.3.3 for a description of adjunct associate professor and associate professor of the practice. Adjunct professor and professor of the practice are academic instructional staff positions and may be full or part time, paid or unpaid. In cases where departments wish to commit to multiple-year appointments such appointments may be for two or more years, but not more than five years and must be approved by the dean and the Academic Council. These appointments will be renewed subject to a biennial review at the ACM. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

An appointment as an adjunct professor or professor of the practice carries no implication of academic tenure or of membership on the Faculty.

The total number of appointments as adjunct professor, professor of the practice, adjunct associate professor, and associate professor of the practice will be limited to 10 percent of the full-time faculty in all the departments. Exceptions require the approval of the dean and the Registrar.

Full-time adjunct professors and professors of the practice may undertake specific instances of consulting service, as defined in Section 4.3 Full-Time Service, with the prior written approval of their department heads. Also, full - time adjunct professors and professors of the practice may be granted consulting privileges on an ongoing basis with the approval of their department head and the Dean. Part-time appointees to this rank do not normally have consulting privileges. All appointees to this rank must report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.2.1. Adjunct Professor Emeritus, Professor of the Practice Emeritus

An Adjunct Professor or Professor of the Practice who retires may be appointed as Adjunct Professor Emeritus or Professor of the Practice Emeritus. Appointments to the rank of Adjunct Professor Emeritus/Professor of the Practice Emeritus will be without salary and for a renewable term of three years. Emeriti appointments, including renewals, must be approved by the Department Head and the Dean.

If Adjunct Emeriti/Professors of the Practice Emeriti are compensated, the maximum paid effort will be 49% and the term of the appointment will normally be limited to a period of three years, with the possibility of renewal. They do not have consulting privileges for the



portion of their time paid for by NUTECH. Paid Emeriti appointments must be approved by the Department Head, the Dean, and the Registrar.

Adjunct Professors Emeriti and Professors of the Practice Emeriti who remain actively engaged in research, teaching or other activities at NUTECH may be asked to report their outside professional activities at the discretion of their department heads.

The total number of appointments as Adjunct Emeriti/Professor of the Practice Emeriti will be limited to 10 percent of the full-time faculty in all the departments. Exceptions require the approval of the dean and the Registrar.

2.3.3. Adjunct Associate Professor, Associate Professor of the Practice

Appointments to the rank of "Adjunct Associate Professor of _____" and "Associate Professor of the Practice of _____" will be equivalent and allow the university to recruit practitioners in fields of particular importance to the NUTECH academic program. Responsibilities will include, but are not limited to, teaching and conducting and supervising research. Each appointee shall teach at least the major part of one subject per academic year, may be the instructor in charge of subjects of instruction, may supervise theses with departmental permission, and may be principal investigator on research projects.

Adjunct associate professor and associate professor of the practice appointments will be academic instructional staff positions and may be full or part time, paid or unpaid. Appointments to this rank will normally be limited to a period of four years and must be approved by the dean and the ACM. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

An appointment as an adjunct associate professor or associate professor of the practice will carry no implication of academic tenure or of membership on the Faculty.

For numerical limitations on appointments to this rank, see Section 2.3.2 Adjunct Professor, Professor of the Practice.

Full-time adjunct associate professors and associate professors of the practice may undertake specific instances of consulting service, as defined in Section 4.3 Full-Time Service, with the prior written approval of their department heads. Also, full-time adjunct associate professors and associate professors of the practice may be granted consulting privileges on an ongoing basis with the approval of their department head and the Dean. Appointees to this rank must report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities. Part-time appointees to this rank do not normally have consulting privileges. They may be asked to report their outside professional activities at the discretion of their department heads.

2.3.4. Visiting Assistant Professor, Visiting Associate Professor, Visiting Professor

Departments may, after the approval of the cognizant Dean, approach human resource directorate (HRD) of the university to appoint visiting professors at the ranks of visiting assistant professor, visiting associate professor and visiting professor. Persons appointed to these positions shall be individuals of distinction having professorial or equivalent rank at other institutions. A visiting professor appointment carries no commitment for reappointment or for appointment to the Faculty. These appointments shall be for no more



than one year but may be renewed by HRD as per the discretion of the department head and dean. They are subject to the affirmative action serious search procedures as outlined in Section 7.1.4.

Visiting professor appointments may be full or part time, paid or unpaid. Since appointments to this rank are by definition temporary, visiting professors will not be eligible for faculty benefits. Consulting privileges as defined in Section 4.3 Full-Time Service will be available to visiting faculty with full time, paid appointments. Part-time and/or unsalaried appointees to this rank will not normally have consulting privileges. All appointees to this rank must report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.5. Instructor

Individuals appointed to the rank of instructor shall have either a doctorate or equivalent professional degree or be working toward one, with the expectation of success within a reasonable period of time. The instructor appointment will be considered as the first step towards the professorial and tenure ladder which will provide an opportunity for evaluating an individual's qualifications for promotion to the next level Faculty.

The duties and obligations of instructors are, in general, those described for the Faculty in Sections 4.1 Teaching and Research and 4.1.1. Academic Activities.

The primary duty of junior persons entering the teaching ranks will be to become capable and inspiring teachers. No less than senior members of the Faculty, they shall consider it a duty to become personally acquainted with their students and to keep themselves informed regarding both the academic progress and general welfare of their students. In addition, they shall be expected to aim to exert a helpful influence on student life by taking an interest in extracurricular activities as well as by counseling individual students regarding their studies.

Instructors not possessing the doctorate will be encouraged to continue their studies and proceed to a higher degree. If admitted to a NUTECH graduate degree program, they should follow the policies and procedures set forth in the Graduate Education Manual. Any instructor who has the ability and desire to carry on creative research work will be encouraged to do so, and those efforts will be supported to the extent that available funds permit.

Appointments may be full or part time and will typically for one year, but may be renewed by HRD as per the discretion of the department head and dean. Reappointment shall depend on satisfactory progress towards an advanced degree and a demonstrated interest in and capacity for an academic career. Appointments to this rank shall be subject to the affirmative action serious search procedures outlined in Section 7.1.4. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

Full-time Instructors will not normally have consulting privileges as defined in Section 4.3, Full-Time Service. However, specific instances of consulting service may be undertaken with the department head's prior written approval, if the department head is satisfied that the activity can enhance the instructor's professional development or contribute to the effectiveness of his or her service to the university. They shall report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.



The guidelines in this section do not apply to instructor-g appointments. See Section 8.2 Graduate Student Appointment Categories for information on instructor-g appointments.

2.3.6. Technical Instructor

The classification of technical instructor is for the technically trained personnel, usually of long experience, who have the ability to assist in laboratory instruction. Appointments may be full or part time. An appointment as a technical instructor will be subject to the affirmative action serious search procedures outlined in Section 7.1.4. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

Technical Instructors with 12-month appointments will accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter.

Technical Instructors will not have consulting privileges. They must report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.7. Senior Technical Instructor

Senior Technical Instructors shall be technically trained in a specific technology, professionally experienced and shall have demonstrated distinguished service assisting in laboratory instruction over a prolonged period of time. Experience as a Technical Instructor (or equivalent) for at least five years shall be required prior to an appointment as a Senior Technical Instructor.

Appointments may be full or part time. An appointment as a Technical Instructor shall be subject to the affirmative action serious search procedures outlined in Section 7.1.4. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

Senior Technical Instructors with 12-month appointments accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter. Senior Technical Instructors will not normally have consulting privileges. They must report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.8. Coach

Coach positions in the Physical Education Department may or may not be the first step in the professorial promotion ladder. Appointments shall be made by HRD as per the discretion of the Director of Physical Education, who shall be consulted about the criteria for appointment to and promotion beyond this rank and the approval process that will be followed.

Coach positions shall be two-year, renewable appointments and may be full or part time. Appointments to this rank will be subject to the affirmative action serious search procedures outlined in Section 7.1.4. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

Consulting privileges may be made available, but must be approved in advance by the Director of Physical Education (DPE). Individuals holding this rank of appointment must report their outside professional activities to the Director of Athletics annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.



2.3.9. Lecturer

The term lecturer is intended to be used for individuals whose primary responsibility shall be to teach and advise students. Appointments to this rank may also be granted to members of the research staff who teach occasionally.

A lecturer appointment may be full or part time for a period not to exceed three years, but may be renewed by HRD as per the discretion of the Department Head and Dean. Appointments to this rank are subject to the affirmative action serious search procedures as outlined in Section 7.1.4. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

A visitor not otherwise connected with NUTECH who comes to the university for the purpose of presenting a series of lectures, regardless of length, may be appointed a visiting lecturer (see Section 2.3.10).

Lecturers will not normally have consulting privileges. They must report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.10. Senior Lecturer

Senior lecturer is the title that will be used for teachers who will complement the senior Faculty and whose professional experience and distinguished teaching accomplishments will be equivalent to those of a member of the faculty.

Senior lecturer appointments may be full or part time and will be made for a period of not more than three years; however, appointments may be renewed at the discretion of the department head and dean. Appointments to this rank are subject to the affirmative action serious search procedures as outlined in Section 7.1.4. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.

Full-time Senior Lecturers may undertake specific instances of consulting service, as defined in Section 4.3 Full-Time Service, with the prior written approval of their department heads. Also, full-time Senior Lecturers may be granted consulting privileges on an ongoing basis with the approval of their department head and the School Dean. Part-time appointees to this rank will not normally have consulting privileges. All appointees to this rank shall report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.11. Visiting Lecturer

A visiting lecturer may come to the university for the express purpose of presenting a series of lectures. Visiting lecturers will be the academic instructional staff positions and may be full or part time, salaried or unsalaried. Appointments will be made to academic departments with the approval of the department head. If an appointee receives a salary paid by NUTECH, funding responsibility shall reside with the department that will be the locus of the appointment. See Section 2.3 Academic Instructional Staff Appointments for standards of notice of termination.



The appointments to this rank shall be temporary — for a specified period, typically from one week to one year — visitors will not be eligible for faculty staff benefits. Consulting privileges will not be available to the visiting lecturers. They shall report their outside professional activities to their department heads annually, as described in Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

2.3.12. Honorary Lecturer

The appointment of honorary lecturer shall be reserved for those distinguished persons holding no other university academic appointment whom the Rector and the BoG shall have chosen to honor for a singular record of achievement and public service. The holder of the title of honorary lecturer will be afforded all the privileges of the university and, from time to time, will share his or her knowledge and experience with members of the Faculty and student body in informal seminars or formal lectures. The appointment may be on the university-wide or departmental basis.

Affiliated Faculty

Affiliated Faculty is a title reserved for the junior and senior faculty of the other institutions, who shall collaborate in teaching and/or research on an on-going basis at NUTECH as part of a major program established by formal agreement at the university level. This title will not be used for an individual who will be a NUTECH employee. Appointments to this rank will be without salary. Affiliated faculty shall not be the employees of the university and will not be eligible to participate in staff benefits programs. These appointments shall typically be reviewed by a departmental Committee, approved by the department head and accompanied by a CV and supporting documentation in the form of a paragraph describing the individual's involvement in teaching, research and service (where applicable). Appointees to this rank shall report their outside professional activities to their department heads annually, as described in Section 4.4 Conflict of Interest and Section 4.5 Outside Professional Activities.

3. Faculty Appointment, Promotion, and Tenure Guidelines

3.1. Search, Appointment, and Promotion Process for Faculty

The following sections outline the University's procedures for appointment, promotion, and tenure for faculty members (other than faculty in the Department of Physical Education), including the various roles of the candidate's department and the Academic Council. The aim of the procedures detailed in these sections is to ensure that candidates for appointment, promotion and tenure receive a thorough and fair review of their qualifications and accomplishments.

Departments may undertake faculty searches after approval of their search plan by the respective Dean. For good cause and with the permission of the Registrar, the Dean may waive the affirmative action serious search requirement. Departments will also originate recommendations for reappointment and promotion of faculty already holding appointments.

Appointments to the Faculty shall be made without prejudice to caste, creed or language and other conditions that may require reasonable accommodations under applicable law. (See Section 7.5 Leaves of Absence and Faculty Teaching Relief and Section 9.8 Access and Accommodations for Employees and Students with Disabilities.) All appointments to



the Faculty are subject to the affirmative action serious search procedures as outlined in Section 7.1.4.

A professorial appointment normally obligates a faculty member to render full-time service to the university. (See Section 4.3 Full-Time Service.) In those special instances where full-time service is not appropriate or feasible, an appointment may be made with a specified part-time obligation. In the rare cases where joint appointments by NUTECH and another institution will be made, the individual's responsibilities to each institution will be well defined by formal agreement. The specific obligation of the individual faculty member is inherent in the terms of the appointment and any change thereto must be approved through the academic appointment process.

Promotion to the successive professorial ranks will involve an increasing measure of participation and review by the appropriate department, acting through its council or the Personnel Committee or by such other means as it may choose and monitoring by the Registrar and the Academic Appointments Subgroup of the University Academic Council. Consideration will be given to internal and external assessments of the candidate's research ability and professional promise and to review and evaluation of teaching performance and other contributions.

Interim decisions in the career of a faculty member reappointment as assistant professor and promotion to associate professor without tenure shall be made based on a judgment by the department and faculty councils or the Personnel Committee, which will act as advisory to the Dean, that the faculty member is making satisfactory progress and shows promise of meeting the standards of tenure. Promotions to associate professor will be reviewed also by the University Academic Council, which is advisory to the Rector. Promotion to tenure will reflect achievement of first-rank status. See Section 3.2 Tenure Process for more information on tenure. Assistant and associate professors without tenure will be appointed for a term of not more than five years. They may receive a series of appointments, each of a definite term, that, when taken together, will be no more than the eight years that shall normally constitute the pre-tenure period. Non-tenured faculty may be reappointed to a current rank or promoted to a higher rank. If neither of these actions occurs, their university appointment shall terminate at the end of the current appointment.

Assistant professors shall receive reappointment reviews one year prior to the end of their first appointment. Each department shall establish a process for such a review to determine if the faculty member is making satisfactory progress in developing his or her research and teaching and whether the progress is sufficient to hold promise for further progress towards tenure. When progress is determined to be sufficient, the department will recommend reappointment to the Dean. Otherwise, the department may choose not to reappoint the candidate and employment shall end with the current appointment, subject to agreement by the Dean.

The review of an assistant professor in connection with the expiration of his or her second appointment will consider whether promotion to the rank of associate professor without tenure is merited. This review shall occur when the department will conclude that a significant basis for promotion exists, but not later than the sixth year of the pre-tenure period.

When a department review will reach a conclusion that the candidate has not earned reappointment or promotion, including promotion to tenure, the department head shall



inform the Dean and discuss the decision with the candidate. The Registrar may review the dossiers of such candidates and the candidate will be given the right of appeal on the decision made at the department level through normal university procedures. Notice of non - reappointment to assistant and associate professors who have been at the university for two or more years shall be given in writing by the department head at least three months before the expiration of the faculty member's current appointment. The written notice shall refer the candidate to Section 3.3 of Policies and Procedures, which describes the right to request a review of a promotion or tenure decision.

Termination for cause may be made at any time.

Each appointment or reappointment to the Faculty should be based on the reasonable belief that the appointee is an outstanding candidate among his or her peers and that each such action advances the University's educational mission. It is essential that each promotion to a higher rank be based on an appraisal of the individual's qualifications that is sufficiently broad and objective to ensure the preservation of those standards of professional and academic attainment by which the rank is characterized both within NUTECH and at other institutions of the first quality.

Schools and departments have considerable latitude in developing policies and procedures complementary to the ones outlined in this section, as long as they are consistent in spirit with overall policies related to faculty appointment, promotion and tenure detailed in this section. Policies and procedures developed by the departments should be distributed to all faculty in the respective units and kept on file in the Registrar's Office.

Procedures for appointment and promotion to the faculty ranks within the Physical Education Department (when established) differ somewhat from those described here. The Director of Physical Education should be consulted for details. No current appointments or promotions within the Physical Education Department include tenure.

3.2. Tenure Process

The University shall regard tenure as important to ensuring academic freedom in teaching, research and extramural activity. A department will make a career commitment when the award of tenure is recommended. The University as a whole, acting through the Academic Council and the BoG, will join in this commitment when tenure is awarded.

Persons awarded tenure shall be judged by distinguished members of their discipline to be of first rank among scholars and to show promise of continued contribution to scholarship. Tenured members of the Faculty shall also demonstrate outstanding teaching and university service; however, teaching and service will not be sufficient basis for awarding tenure.

A single standard for tenure will be applied across the University, for all departments and disciplines and for all modes of inquiry. Although the single standard requires that all candidates be of exceptional quality as confirmed by distinguished members of their disciplines, it may be appropriate, based on the culture of the discipline or the modes of inquiry, to look at different factors as evidence of significant scholarly achievement.

Promotion to tenure will be granted through a positive and systematic evaluation process culminating in a specific recommendation to the Rector by the Academic Appointments Sub-group of the University Academic Council and following the Rector's recommendation, explicit approval by the Executive Committee of the BoG. Failure to give



due notice of non-re-appointment does not confer tenure. As in all decisions under these procedures (and procedures that may be developed by the departments), the failure to follow a guideline or procedure may not be grounds for an affirmative appointment, reappointment, or promotion, but may be grounds for reconsideration of the decision. Tenure will be an indefinite appointment relinquished upon retirement or resignation. The rules of tenure may be summarized as follows:

- a. Appointment as professor carries tenure prior to retirement from NUTECH.
- b. Associate professors with a total of eight or more years of service must receive tenure in order to continue after age 45.
- c. In order to be continued, assistant professors with eight years of service and under age 40 must receive a promotion to associate professor.
- d. Tenure appointments will not be made in the ranks of assistant professor, visiting professor, adjunct professor, or professor of the practice, or to teaching appointments in the Department of Physical Education (when established). Annually, department heads must review with every untenured faculty member of the department that individual's prospects for future and permanent appointment at the University.
- e. Tenure applies only to those with faculty rank, not to administrative academic positions; for example, department heads will not have tenure in that position but only in their academic rank.

Years of Service: A year of service means equivalent full-time academic service as a NUTECH faculty member, including full-time service in any rank of visiting professor but excluding service as an instructor. Each year of recognized professional leave will count as one year of service, but approved personal leaves will not count in the determination of years of service for tenure decisions. Equivalent full-time service will allow the addition of fractions of years representing part-time service; for example, an individual with a half-time appointment for one academic year will be deemed to have one-half year of service. For purposes of b) and c) of the rules of tenure above, a faculty member shall be understood not to have eight years of service until the July 1 next following the accumulation of eight years of equivalent full-time service. Exception to the rules determining years of service will require written approval of the cognizant department head, Dean, and the Registrar. Faculty should consult Section 7.5 Leaves of Absence and Faculty Teaching Relief and also University policies for more information regarding applicable rules on leaves of absence and the determination of years of service for tenure decisions.

Determination of Age: A person's age in a given fiscal year will be considered to be the age reached between July 1 and June 30 of that fiscal year. For example, an individual whose 35th birthday falls on November 1, 2017, will be considered to be 35 years old during the fiscal year that starts on July 1, 2017 and ends on June 30, 2018. If the same individual already has eight or more years of service, he or she would have to be granted tenure by June 30, 2018, in order to continue on the Faculty beyond July 1, 2018. For policies that address the issues of tenure and family care, see Sections 3.2.1 Extension of Tenure Clock for Childbearing, 3.2.2 Part-Time Appointment with Tenure for Family Care, and 7.5.3 Faculty Teaching Relief. For information on tenure and retirement, see



Sections 3.3 Review of a Decision not to Promote or Award Tenure, 3.4 Termination of Tenure and 7.7 Retirement of Faculty and Staff Members.

3.2.1. Extension of Tenure Clock for Childbearing and Child Rearing

In recognition of the effects that pregnancy and childbirth can have on a woman's ability to perform all the tasks necessary and expected to achieve tenure, a woman who bears a child during her tenure probationary period will have that period automatically extended by six months. A second six -month extension for the birth of any additional child (or children) will be granted by the Dean upon request. As in all tenure cases, a tenure review can take place prior to the end of the probationary period and that possibility shall be assessed annually.

Spouse or parents who wish to request an extension of the tenure clock shall submit their request in writing to the Dean through the Registrar, with a copy to the Department Head for information. These copies are for informational purpose only; only the Dean can grant the request on the recommendation of the Department Head. In their requests, faculty members shall explain briefly their work and family situation and describe how their involvement and responsibility for the care of a child during its first year with the family is sufficient to have a significant impact on their research.

No request for extension of the tenure clock can be made during the year in which the tenure would normally be decided.

Normally only one extension will be granted. However, in special circumstances a second extension may be requested.

In all cases, one year is the maximum extension allowed by this policy.

This policy will be carefully monitored and will be evaluated and reviewed at the end of five-year period from the date of its approval and implementation. See also Sections 3.2.2 Part-Time Appointment with Tenure for Family Care and 7.5.3 Faculty Teaching Relief.

3.2.2. Part-Time Appointment with Tenure for Family Care

Normally, tenured faculty members, regardless of gender, who need time for emergency family care (children, spouse, parents) may request a reduced - time (but not below 50-percent time), reduced-pay appointment for one or more semesters up to one year, with possible renewal. Details of the arrangement must be made with the department head and require the approval of the Dean. Faculty will be asked to specify the nature of the family care that is needed.

Faculty who take advantage of this policy will reduce their outside professional activities proportionately.

This arrangement is limited to family care and does not apply to any other reason for requesting a part-time appointment.

See also Sections 3.2.1 Extension of Tenure Clock for Childbearing and 7.5.3 Faculty Teaching Relief.



3.3. Review of Decision Not to Promote or Award Tenure

If a faculty member has concerns that the process regarding his or her promotion or tenure decision was not fair or adequate, including a final recommendation by the department not to initiate or advance a case for promotion or tenure, the faculty member shall first try to resolve these concerns at the department level. If such concerns are not resolved at that level, then the faculty member may submit a request to the Dean that the process that led to the decision be formally reviewed. Efforts to resolve the dispute informally should continue even after the request to the Dean for a formal review has been made.

The purpose of a formal review will be limited to determining whether the process in making the promotion or tenure decision was adequate and fair. The formal review shall not reevaluate the merits of a promotion or tenure candidate's case.

The basis for deciding whether the process was adequate and fair shall be limited to determining whether there were significant procedural errors that substantially affected the outcome and in addition in a tenure case, whether the standard used for deciding tenure significantly differed from the University's standard for tenure described in NUTECH's Policies and Procedures and, if so, whether applying the different standard substantially affected the decision made.

An individual (the "review requestor" or "candidate") shall submit a written request for a formal review to the Rector through Dean within 60 days after being notified in writing of the final decision not to promote or award tenure. If a request is filed after the 60-day time period, the Dean may deny the review request as untimely. The date of filing request shall be the date on which the review requestor/candidate submits the application as duly received at his department. The filing of such a request will not extend any notice of the appointment termination period. The review requestor shall identify any and all grounds for the request for a review because there will be one single review of the process that led to a decision.

The Dean will decide if a review will be undertaken after making a preliminary review of the request to determine whether the request provides one or more sufficient grounds for review. In making that decision, the Dean may consult with whomever he decides is appropriate. The Dean's decision on whether to proceed with a formal review will be the final decision and will be provided in writing to the requestor.

If the Dean determines that a formal review is warranted, he will consult as appropriate with the CoF and appoint an ad hoc faculty Committee of three senior faculty (naming one as chair) and notify the review requestor of their appointment. If the review requestor believes that any of the ad hoc Committee members could not participate as an objective fact finder, he or she shall write to the Dean in a timely fashion explaining his or her reasons and the Dean, in his or her discretion, will decide if there is a need for an alternate Committee appointment.

The ad hoc Committee will review whether the process was adequate and fair, using the preponderance of the evidence (more likely than not) as the standard of review. It will not be the role of the ad hoc Committee to reevaluate the judgment of the merits of the candidate's promotion or tenure case.

In order to determine whether the promotion or tenure process was adequate and fair, the Dean will provide a written charge to the ad hoc Committee that normally will ask the ad hoc Committee to find facts in order to answer the following type of questions, if applicable:



- a. In reviewing a tenure decision, was the standard applied in that decision one that differed significantly from the single standard for tenure set out in Section 3.2, and if so, did such deviation substantially affect the outcome;
- b. Did the process in consideration of a promotion or tenure case deviate in any significant way from the standard processes provided for such promotion or tenure cases that substantially affected the outcome;
- c. Was the process for consideration of the promotion or tenure case significantly influenced by one or more factors unrelated to the evaluation of the promotion or tenure candidate, which may indicate an inappropriate bias in the decision-making process and if so, did that influence substantially affect the outcome; and
- d. Any other questions the Dean will identify that relate to a review of the fairness and adequacy of the process that led to the decision not to promote or not to advance or award tenure.

The ad hoc Committee will have complete discretion as to the review process it will undertake. Upon completion of its fact finding, the ad hoc Committee shall report in writing to the Dean its findings and the reasons for those findings. These findings shall be directly responsive to the questions in the Dean's charge so that he can determine whether the process was adequate and fair.

The Dean will review the ad hoc Committee report and make a final decision. In making that decision, the Dean will consult with the Rector and additionally, may consult with whomever he decides will be appropriate. If the Dean finds the process was not fair or adequate, he or she shall establish an internal mechanism to reconsider the decision. The Dean will inform the review requestor of the decision in person and in writing. The Dean's decision will be final and there will be no further or other review of a promotion or tenure decision.

The following shall serve as guidelines for the timing of the review process:

- a. Within ten (10) working days from the receipt of the request for a formal review, acknowledgement of the request for review shall be made by the Dean;
- b. Within twenty (20) working days from the receipt of the request, the Dean shall inform the requestor of his or her decision on whether a formal review is warranted; and if so, appoint an ad hoc Committee and inform the review requestor of the appointment and the procedures to be used in his or her case;
- c. The ad hoc Committee shall seek to complete its review and issue a written report to the Dean within seventy-five (75) working days of receiving the charge from the Dean;
- d. The Dean shall communicate his/her decision to the review requestor in writing within ten (10) working days from the time he or she received the report.



Informing the review requestor in writing, the Dean may extend or otherwise modify these guidelines at the request of the ad hoc Committee or for other appropriate reasons.

This entire review process, including the identity of the members of the ad hoc Committee, shall be kept confidential by all participants, including the review requestor. Any information obtained in the review process similarly shall be kept confidential. However, information obtained in the review process may be disclosed to individuals who have been consulted by the Dean or the ad hoc Committee as part of the review process, as long as each is informed of his or her obligation to maintain its confidentiality and agrees in writing to keep the information confidential. In addition, the ad hoc Committee may disclose information to those whom they interview or from whom they otherwise obtain facts during the review to the extent the ad hoc Committee believes such disclosure is necessary to a complete and thorough review. In such cases, the ad hoc Committee will instruct the recipient of information of the need to maintain confidentiality of the information. The ad hoc Committee will not disclose confidential recommendation letters or provide information from a confidential evaluation letter submitted in connection with a promotion or tenure case, if such information discloses the identity of the person or reasonably would be expected to lead to the identity of the evaluator.

The review requestor and any individual from whom the ad hoc Committee will seek information for the review (the “participant”) may select an advisor who can accompany the individual to any discussion, or appearance before the ad hoc Committee. The advisor must be a member of the NUTECH faculty but may not be a family member or an attorney, although parties may consult with a family member or an attorney during the course of the review. The role of the faculty advisor will be to provide support, guidance and advice; he or she, therefore, may not directly participate in the review, or communicate with or otherwise address the ad hoc Committee or the Dean regarding the review. The review requestor or other individual participating in the ad hoc Committee review may not disclose any confidential information regarding the review to anyone except his or her faculty advisor, family member, or attorney, who must be instructed to keep such information confidential.

The ad hoc Committee will provide a final written report to the Dean. In addition, the Committee will provide to the Dean a summary of its factual findings with no confidential information. When the Dean sends written notification of his or her decision to the review requestor, the Registrar may also provide the review requestor with the summary of factual findings if the review requestor agrees in writing not to disclose the summary or any information contained in the summary, except to an advisor, attorney, or family member but only on the condition that those individuals will agree in writing not to disclose any information obtained.

The materials gathered during the course of the review, the ad hoc Committee’s report and the decision of the Dean will be kept in the Registrar’s office for at least seven years. Participation in this voluntary review process will not suspend or postpone any deadline established by law or regulation for initiating any external legal process.

3.4. Termination of Tenure

Tenure may be terminated by the University only for adequate cause or in the event of financial exigency that, if not addressed, could threaten the financial soundness of the University as a whole, in the judgment of the Academic Council and BoG.



3.4.1. Administrative Reorganization

The tenure of faculty members will not constrain the University from reorganizing or closing a department or other academic unit. However, tenure may not be terminated because of such a reorganization or closing unless the termination is necessitated by a financial exigency that affects the university as a whole. When the continued appointment of a tenured faculty member in a given department or other academic unit is not feasible because of a reorganization or closing, it will be the policy of the University to appoint the faculty member to another department or academic unit.

When a reorganization or closing occurs in a situation of University-wide financial exigency, tenure may be terminated, but only if such termination is a component of a comprehensive program adopted by the University in the exercise of its judgment to resolve the financial peril that includes other measures reasonably fashioned to achieve that goal. The Rector will be responsible for preparing such a program, which will require approval by the Executive Committee of the BoG, after consultation with the Officers of the Faculty regarding tenure termination. If a faculty member's tenure is terminated for reasons of financial exigency, relocation assistance will be provided to the tenured faculty member and special consideration will be given to each individual, including appropriate notice of termination.

The reorganization or closing of a department or other academic unit will not be grounds for reducing the term of appointment for non-tenured faculty. The University will reassign the individuals affected by a department reorganization or closing to other departments or other academic units within the University for the duration of the appointment.

Academic instructional staff other than Faculty will be subject to the University's layoff policy.

3.4.2. Faculty Misconduct or Performance Below Standards

From time to time it may be necessary to take action with respect to a faculty member who will engage in conduct incompatible with the responsibilities of faculty membership or who will fail to meet reasonable standards of performance. The circumstances that can lead to such action cannot be anticipated in precise terms. However, academic dishonesty and misconduct (for which the procedures in Section 10.1 Procedures for Dealing with Academic Misconduct in Research and Scholarship are also applicable), disregard of duties, violation of University policy, harassment and criminal acts will be among the offenses that would call for disciplinary action.

The responsibility for initiating disciplinary action normally resides with the officers of the faculty member's department or equivalent administrative unit. Disciplinary actions may include, but are not limited to, a reprimand, oral or written, private or public; a period of suspension with or without pay; a reduction in salary; removal of privileges; or dismissal. Depending upon the nature of the offense, disciplinary action may be preceded by a warning. If the warning does not result in significant improvement or cessation of the offending conduct or if the circumstances warrant action without first issuing a warning, appropriate sanctions may be imposed. Any action to impose sanctions against a faculty member shall be in good faith and open to NUTECH's complaint and grievance procedures (see Section 9.7).

When the Rector has received a recommendation to terminate an individual faculty member's tenure, the faculty member involved will be entitled to a review of the case by a



Committee of peers, if he or she so requests. The Committee will be appointed by the Rector in consultation with the Officers of the Faculty. Committee will report its findings and recommendation to the Rector.

3.5. Confidentiality and Indemnification

An essential component of the evaluation process at NUTECH will be the solicitation of written assessments from persons familiar with the individual's character, research and teaching capabilities and academic qualifications. To ensure provision of most candid and useful evaluations, NUTECH will afford these assessments the highest degree of confidentiality legally possible. Letters requesting written assessments of an individual shall include the following statement in the text of the letter or as an enclosure: "NUTECH will continue its long-standing policy of treating evaluations with the highest degree of confidentiality. This policy will include taking the necessary actions, including legal actions, when appropriate, to resist attempts to obtain such confidential records, and, if disclosure is legally required, to try to Limit the scope of disclosure so as to protect the identity of the person providing the confidential information."

Although letters and reviews will be confidential, department head may, for counseling purposes, disclose information from letters with faculty under consideration for promotion, using his or her best efforts to assure that no original text or information that will permit identification of the author is conveyed.

The University will consider the participation of members of the Faculty and support staff in peer review, governance and related service to be a part of their regular duties as NUTECH faculty and support staff members. Responsible participation in these important processes shall not place individuals at personal risk. Accordingly, the Registrar will authorize legal assistance and indemnification to faculty and support staff members who will face legal involvement and associated financial expense arising from their responsible participation in these processes.

4. Faculty Rights and Responsibilities

4.1. Teaching and Research

The ideal attributes of any departmental faculty, taken as a group, will be scholarly achievement, creativity, collegiality, professional competence and leadership, ability and desire to teach and willingness to cooperate with other departments in promoting the work and welfare of the University as a whole. It will be the responsibility of the University support staff to ensure, within any department, not only a proper balance among these activities but also the maintenance of each at the highest level, together with suitable recognition of individual achievement and service.

Teaching and research will be the primary functions of the University and will be nourished by efficient and imaginative management of university support staff. Service to the community and the nation will be an inherent obligation. Teaching, research, support staff management and public service will be essential features in the NUTECH program and will make comparable demands on ability and devotion.

When the performance of a faculty member will be appraised, consideration will be given to high achievement in any of these areas and the value of the faculty member's total



contribution will be measured not only by the extent and nature of his or her other activities but also by the effectiveness with which they will be pursued.

The contributions of a faculty member will not, however, be measured solely by activities directly related to University programs. The objectives of the University will be served and its programs enriched by the active participation of its faculty members in outside activities that will contribute to the advancement of the faculty member's profession or provide an opportunity for professional growth through interaction with industry, business, government, and other activities and institutions of our society.

Not only does the University recognize outstanding contributions and achievements by appropriate salary advancement and promotion, but also by permitting faculty members substantial freedom in arranging their academic lives. This freedom will be subject, however, to an overriding principle: The primary loyalty of a full-time member of the Faculty shall be to the University at all times. This obligation shall underlie all others.

4.1.1. Academic Activities

In accepting an appointment, full-time members of the Faculty will agree to place their professional careers within the scope of the activities of the University. The relationship thus created will be based on the faculty member's readiness to serve the University in ways best calculated to carry out the University's objectives and obligations and to promote his or her own professional development.

In pursuing this goal, faculty members shall keep in mind the importance of the following activities, which will be essential to the overall program of the University.

Teaching: Teaching NUTECH students in formal classes and laboratories, in informal groups and conferences and by collaboration on research projects. Preparation for such teaching is done by keeping abreast of current developments and studying ways to present subject matter more effectively and to improve teaching skills. Teachers' participation in curriculum development and in the preparation of syllabi, laboratory manuals, texts and other material written is primarily for their value to teaching. Teachers provide counseling, guidance and example to students in relation not only to their academic programs but also to their professional standards and general welfare. Teachers' participate in student life to aid students in broadening their experience and in preparing them to be responsible citizens.

Research and Scholarship: Research in all forms carried on to advance knowledge, to develop its practical applications, or to improve an art and thus of immediate or ultimate public benefit. Contributions to scholarship result from research and study, including publication of books, articles and reports. Contributions to journals, meetings, or other activities of professional organizations of such a nature are meant to advance the profession. Writing papers and texts is primarily meant for their professional value.

Management: Participation in the management of the University, including serving as members on University Committees, planning of University-wide functions and contributing to departmental management, to the development of the junior staff and to interdisciplinary collaboration.

Public Service: Service designed to strengthen other educational institutions here and abroad, assist the work of private institutions maintained for the public benefit, or otherwise contribute to the welfare of the community and general public. Activities in professional



societies of such nature are to advance the profession. Advice and consultation to the government and service with government agencies are provided.

In all their activities, members of the Faculty will be expected to conduct themselves with proper regard for NUTECH's standards applicable to such matters as interpersonal relationships, conflicts of interest, academic and scientific research. Faculty members will also have the responsibility to take care that their classroom, laboratory, studio and other settings as well as their own conduct will be conducive to the safe pursuit of work and study by all members of its constituency in a spirit of collegiality, cooperation, and support.

The primary duty of junior faculty entering the teaching ranks will be to become capable and effective teachers and scholars. No less than senior members of the Faculty, they shall consider it a duty to keep themselves informed regarding both the academic progress and general welfare of their students. In addition, they shall aim to exert a helpful influence on student life by taking an interest in extracurricular activities as well as by counseling individual students regarding their studies.

Members of the Faculty who will conduct work for organizations other than NUTECH while concurrently holding a University appointment shall avoid conflicts of interest, or the appearance of such conflicts, as outlined in Section 4.4 Conflict of Interest.

While fulfilling responsibilities to their students, the University and their discipline, faculty members shall have a right and the University shall have an obligation, to protect academic freedom in their classroom, in the expression of their ideas in the academic community and in publishing and disseminating their work.

4.1.2. Mentoring

All departments shall develop mechanisms to support faculty in their career development. The aim of such initiatives will be to ensure that faculty members understand their obligations and opportunities as faculty members. The provision of mentoring support in no way will obligates the University to a particular action or outcome regarding promotion or tenure, nor does it shall absolve a faculty member from the obligation to demonstrate excellence. A deficiency in mentoring may not be grounds for reconsidering promotion, reappointment, or tenure decisions.

4.1.3. Independent and Creative Activity Term (ICAT)

As will be established through the Faculty, the Independent and Creative Activity Term (ICAT) will be a four-week industry-focused learning intersession in January/February each year during which faculty and students/TRGs will have time for flexibility in teaching and learning formats, for incorporating independent technology-based study and industry related research into the overall educational experience and for concentration on project-intensive subjects within the regular curriculum. Students/TRGs may arrange industry projects with faculty members or participate in scheduled ICAT activities, which will include both nonacademic industry related activities and projects for credit. Activities may be sponsored through academic departments, laboratories, or centers as well as by individuals or other NUTECH technology research groups (TRG). Nonacademic ICAT activities will be organized by faculty, students/TRGs, or departmental staff. Formats and meeting schedules will be determined by the organizers. Activities will be publicized in the ICAT Guide, published each fall. Contributions of faculty and departments will be as critical to the well-being of ICAT as to the regular semesters. Faculty members shall be



encouraged to explore new subject matter related to industry, to present traditional practical technology-driven subjects in novel ways, to experiment with new technology learning methods and to lead project activities based on their avocations or interests. Each academic department shall strive to offer an array of industry-based ICAT activities, both with and without credit and varying in content and format. In particular, departments shall ensure that their ICAT program provides students with activities that will be sustained through several meetings.

Students/TRGs will or will not have to be on campus for ICAT related project activities, except to fulfill departmental requirements for industry based projects that will be offered only during ICAT and not during either of the semesters. Each student may take no more than six units based industry project during a single ICAT, which shall imply forty-hour (40) intense weekly activity. To exceed this limit, undergraduates shall petition the Committee on Academic Performance and graduate students, the Committee on Graduate Programs. Academic-year appointments shall run from September through August each year, faculty members will be expected to plan their ICAT activities as part of the framework of their teaching commitments for the academic year. Responsibility for working out arrangements for faculty participation in ICAT shall REST with the academic departments.

First, every department shall establish for ICAT a pattern of operation which will make its faculty accessible to students on the widest and most varied basis consistent with maintaining normal levels of technology-driven and industry-focused research and outside professional activity. Second, every department shall try to achieve an equitable distribution of academic responsibilities among its faculty during the two-month period of each academic year, including ICAT and if inequities should arise, it shall seek to correct them in succeeding years. It will be up to each department to establish unambiguous internal policy practically conducive to these ends and to enunciate such policy clearly. Detailed information on participation in ICAT and procedures for organizing activities will be available from the Office of the Dean for Undergraduate Education.

4.2. Annual Salary Plan

Full-time faculty members will be paid through the NUTECH Annual Salary Plan. Senior research scientists/engineers/associates and other academic instructional staff who hold salaried appointments may be included in the plan at the discretion of the departments. Following are the major features of the Annual Salary Plan:

- a. All members of the Faculty will normally fulfill their academic responsibilities during the fall and spring terms, from September 01 through August 31, including participation in the Independent and Creative Activity Term (ICAT). In particular, the one-month ICAT will be a part of the regular ten-month academic year during which academic staff members will carry on teaching, research, and other duties as part of their normal annual obligations.
- b. Salary payments under the Annual Salary Plan will be made monthly throughout the fiscal year, although the individual's academic responsibilities will normally be discharged during the ten-month academic year as stated above.
- c. The use of the Annual Salary Plan will create a variance between the salary payments made to the faculty member and the salary earned through service. The result will be that if a faculty member wishes to resign just before



the start of the first term, the appointment will be considered void and the individual will be obliged to return to the University the payments of the annual base salary received for July and August. Further, if a faculty member wishes to resign as of the end of the first term, there will be no payments for that month because payment will have been made for one-half of the annual base salary as of the previous month. If the faculty member wishes to leave on the last day of the previous month, one-half of one month's pay at the charging rate (one-ninth the individual's annual salary) shall be returned to the University. If the faculty member wishes to leave as of the last day of the previous month of Spring semester, the salary will continue through the last day of the succeeding month.

- d. Faculty appointments shall be made with the understanding that, whenever needs of the academic department require teaching or research duties during the summer months, the faculty member may be paid for up to two months' effort for this service at a monthly rate of pay equal to the individual's annual salary divided by ten. On occasion, when teaching in departmental programs will be required during the summer, participating faculty members may be offered relief from teaching during the regular academic year in place of additional salary.
- e. Faculty members may receive supplemental compensation for teaching, program directing, program development and curriculum development in connection with executive/professional education programs and other special activities and programs that will have been approved for supplemental compensation by the relevant academic Dean. The NUTECH Compensation Guidelines for Special Activities and Programs can be accessed with a NUTECH certificate.

4.3. Full-Time Service

The obligation inherent in full-time service is difficult to define since, in academic life, it means far more than a stated number of hours per week. In a context where faculty members have substantial freedom in arranging their professional lives, it implies a controlling interest, loyalty and first responsibility to the University. Individuals who hold full-time academic appointments at NUTECH are expected to devote the bulk of their professional energies and time to fulfilling the University's mission. This obligation, therefore, must remain loosely defined, depending upon principle rather than formula. When it has been necessary for practical reasons to be more specific, the University has generally granted full-time members of the Faculty the privilege of devoting an average of about one day per week to their outside professional activities during the academic year and when receiving summer compensation.

Faculty shall not enter into contracts with outside parties to develop teaching materials that would constrain teaching or scholarly responsibilities at NUTECH, including specifically the use of their work in research or teaching at the University.

Faculty who, as part of their external professional activities, if engaged in education and research activities that present a potential conflict of commitment, or who enter into formal or informal contracts or other arrangements to share work produced at NUTECH that could constrain their teaching and scholarly responsibilities, shall be expected to consult with their Department Head or Dean in advance of such commitments.



Faculty shall seek the permission of their Dean in writing when they will have the opportunity to teach at other not-for-profit or for-profit institutions or when they will be presented with other opportunities that might conflict with their faculty commitment. Department Heads and Deans shall work with faculty to remove or manage conflicts or the appearance of conflicts. When disputes arise regarding faculty commitment, they shall be settled by Dean(s), with the Registrar being the final arbiter.

4.4. Conflict of Interest

The University's concern with conflict of interest will grow with the increasing complexity of our society, the variety of our relations with each other and with outside institutions and a heightened national sensitivity to these issues. Some questions on conflict of interest will arise from outside professional activities of the faculty and staff and have been addressed in the preceding sections. Others, in the more traditional meaning of conflict of interest, derive from the opportunities an individual may have because of his or her position at the University to influence NUTECH's relationship with an outside organization in ways that will lead directly to the individual's personal financial gain.

In response to these concerns, the University will adopt the following policy:

It will be the policy of the University that its support staff officers, faculty, departmental staff and others acting on its behalf shall have the obligation to avoid ethical, legal, financial, or other conflicts of interest and to ensure that their activities and interests will not conflict with their obligations to the University or its welfare. Essential to an effective management and adherence to this policy shall be:

- a. Disclosure of outside activities and interests to designated University officers, including financial interests, that might give rise to conflicts; and
- b. Readily available advice and counsel to individuals and to University department heads on any situation.

Accordingly, members and officers of the BoG, University senior support staff officers and other members of the support staff in a position to make decisions favoring one or another outside interest shall annually acknowledge in writing their knowledge of this policy and either affirm that they shall have no interest, direct or indirect, in conflict with the University's interest, or identify any interests that will have the potential for conflict. Members of the Faculty shall provide similar information to their Department Heads, as part of their annual report of their outside professional activities. Certain faculty and support staff may be subject to investigator disclosure requirements by federal agencies. In those cases, the specific policy shall be obtained from the University's Conflict of Interest Officer at coi-help@nutech.edu.pk or the Dean / Head for Research.

There will be situations sufficiently complex that judgments may differ as to whether there is or may be a conflict of interest and individuals may inadvertently place themselves in situations where conflict will actually exist. Accordingly, anyone with a personal interest that may have the potential for conflict with the interests or welfare of the University shall seek advice and guidance by reviewing the circumstances with the Department Head, center or laboratory director (who, in the case of sponsored research, shall consult with the University's Conflict of Interest Officer at coi-help@nutech.edu.pk, or other such person as may be designated by the Rector).



Other potential conflicts of interest may arise from opportunities that an individual may have to influence or to be influenced improperly by personal relationships, in ways that are not consistent with the education and employment policies and the principles to which NUTECH will be committed. Potential conflicts of interest of a particularly sensitive nature may arise out of any specific personal/family relationships, especially in the context of educational or employment supervision and evaluation. Because the effects on other people at work or in the classroom will frequently not be apparent to the persons involved in such relationship, anyone with such an involvement shall be attentive to the feelings of colleagues and to the potential conflicts of interest that may be involved. (See also Section 7.2 Policy on Employment of Members of the Same Family.)

Members of the University community may choose to seek advice on these personal questions from their Department Heads, the Human Resources support staff, Medical support staff, or other counseling resources of the University. In addition to these resources, students will also have available to assist them their faculty advisors, the faculty in residence and the counseling resources of the Office of the Dean for Student Life and the Office of the Dean for Graduate Education.

4.4.1. Guidelines for Licensing and Equity Ownership

When companies license NUTECH inventions or other intellectual property, situations may arise that pose a conflict of interest for faculty and support staff. Normally, this will happen when they make decisions while fulfilling their NUTECH responsibilities that may materially affect their personal wealth or that of their immediate family members. Sometimes these conflicts can be managed; sometimes they must be avoided. These guidelines are intended as reminders of situations where conflicts may arise and suggestions for how to manage or avoid them. They are intended to be guidelines for thinking about conflicts rather than rules that cover all possible situations. Generally, prior full disclosure to an appropriate supervisor will be the safest policy to follow.

The potential for conflicts will be greater for those in managerial or supervisory positions (e.g., supervisors of students, department heads, laboratory / center directors, deans and other officers of the University), but conflict of interest situations can arise for anyone. Support Staff in the Technology Licensing Office shall need to be especially diligent to avoid conflicts of interest and they shall have their own guidelines in the Guide to the Ownership, Distribution and Commercial Development of NUTECH Technology. All members of the NUTECH community shall consult with an appropriate supervisor when it will appear there may be a conflict. In some cases, this may not be an immediate supervisor.

Conflicts can also arise in connection with performing outside professional activities related to licensing and intellectual property (see Section 4.5 Outside Professional Activities).

Individuals in managerial or supervisory positions shall be aware that there may be personal legal and tax implications resulting from investing in companies that will be based on NUTECH technology and that, founded by faculty, support staff, or students under their supervision.

Equity Ownership in Companies: Conflicts may arise when a new company will license NUTECH intellectual property, but can also occur when NUTECH intellectual property will not be involved.



During the time that companies will be privately held, managers and supervisors, including supervisors of students, shall not invest personally or own stock in business ventures of their subordinates or students, since there will be a conflict of interest between the manager's supervision of the student or subordinate (e.g., assigning grades, approving promotions, determining salary levels, allocating space, etc.) and the manager's business partnership with the student or subordinate.

Faculty particularly Department Heads and Laboratory / Center Directors shall have a special responsibility with respect to questions of determining ownership of intellectual property from research by investigators whom they will supervise. All faculty and staff shall weigh carefully their and the inventor's obligations to NUTECH in deciding whether the invention falls under NUTECH ownership. It will be a direct conflict if a faculty member, Department Head, or Laboratory/Center Director responsible for determining the ownership of intellectual property will intend to invest in or be a co-founder of a company with the inventor.

It will be a conflict for an investigator/inventor to negotiate with NUTECH regarding the terms of a license before the matter of ownership shall have been definitively resolved. Faculty and staff who will be founding companies shall not personally negotiate the licensing terms with NUTECH. An attorney or a company executive with no connection to NUTECH shall be appointed for this task.

Faculty and staff who will own equity in a company shall not attempt to influence the licensing terms that NUTECH will offer to the company.

Faculty and staff who will hold board positions with companies shall recue themselves on issues involving licensing terms with NUTECH. **Consulting:** Faculty and staff who will consult shall remember that their primary employer will be NUTECH and that they shall have a heightened responsibility to their primary employer when deciding whether to assign their inventions to NUTECH or to a company for whom they will consult. If they have questions about the NUTECH policy on ownership, they shall consult with their Department Head or appropriate supervisor when deciding to whom the invention shall be assigned. (See Section 4.5 Outside Professional Activities).

Sponsored Research: University interests come in conflict with those of the NUTECH faculty or support staff, if anyone accepts research sponsorship from a company in which he/she has a significant financial interest. The conflict shall arise because the outcome of the research could materially affect the personal wealth of the researcher or an immediate family member. This policy shall not prevent an investigator from receiving research support from a large publicly held company just because the researcher or a family member owns some shares in the company. For further information, please refer to the University's Conflict of Interest in Research Policy.

4.5. Outside Professional Activities

The University believes that its educational program and effective teaching in all its aspects will flourish only when sustained by continuous, active participation of its faculty in research, enriched in many cases by interaction with industry, business, government, and other activities and institutions of our society.

This interaction, including outside consulting service to and research for government and industry, will be of greatest value when it contributes significantly to the public welfare, offers an opportunity for professional challenge and growth, or otherwise enhances the effectiveness of a faculty member's service to the University.



The potential magnitude of such outside professional activity will be such that orderly procedures shall be followed to ensure the evolution of policy to avoid ethical and legal conflicts of interest and to ensure that such activities do not conflict with the proper discharge of University responsibilities. Essential to effectiveness of such procedures are:

- a. Complete disclosure of outside professional activities.
- b. The availability of the best advice and consultation that can be obtained.

For the annual reporting process, see Section 4.4 Conflict of Interest. **Disclosure and Consultation:** Liaison between the Head of a Department and Faculty members shall be the principal means of communication and disclosure in matters involving outside professional activities. The following procedures shall be followed:

- a. It shall be the obligation of faculty members to keep their Department Heads informed continually in adequate detail regarding all outside professional activities, service on external Committees and other special assignments, whether within or outside of the University.
- b. It shall be the further obligation of faculty members to discuss with their Department Heads the assumption of outside activities that will be new in scope or kind, including patent arrangements, before entering an agreement to undertake them. This will be particularly true of those outside activities, such as direct and active management obligations in outside business entities, that normally conflict with the requirement that the primary loyalty of a full-time faculty member be, at all times, to the University and that will normally be incompatible with a faculty member's meeting the full range of his or her obligations to NUTECH.

Consultation with a Department Head in no way shall relieve faculty members of full responsibility for their actions.

Standards and Criteria: Personal responsibility, integrity and high ethical standards shall be the principal factors in avoiding conflicts of interest and the University expects that all members of the Faculty will conduct their outside activities in a manner that reflects credit on themselves, their profession and the University without need for specific criteria or rules of conduct. The principal safeguards against abuse shall be the standards required by professional colleagues and the rigorous process by which the University shall evaluate and select individuals for appointment and promotion.

Some situations, however, will involve unique knowledge and understanding or will be sufficiently complex that judgments may differ on whether there will be a conflict of interest. Individuals of the highest integrity may, therefore, unknowingly place themselves in situations where conflicts exist. It is in such areas of doubt that guidelines or criteria may be useful and necessary. The Faculty Policy Committee (FPC) shall participate in the discussion of such guidelines and criteria, due to which the resulting practice and precedent will continue to evolve as will guidelines for the individual judgments exercised by Department Heads. Such guidelines will be communicated to faculty members from time to time in an appropriate manner. As an example, the exercise of significant managerial responsibilities on behalf of an outside organization is ordinarily incompatible with the definition of full-time service provided in Section 4.3 Full-Time Service.



Association of NUTECH's image or name with commercial interests in the public eye may lead to a conflict of interest. In the course of consulting or research, a faculty member may provide a professional evaluation of products or services, based on evidence. However, publicly advertised endorsement of commercial products or services shall not, in general, be consonant with the independence and objectivity expected of faculty members. In the conduct of their outside professional activities, faculty members shall be careful to avoid identifying the University with opinions or conclusions in public or private reports or in other ways. (See also Sections 12.3 Use of University Name and 12.4 Use of University Letterhead.)

Faculty members shall avoid association with activities of outside firms and, at the same time, activities within NUTECH that will be competing directly for government or private funds. Similarly, access of outsiders to facilities, staff and students shall be controlled by the responsible faculty and support staff in order to avoid undue pressure on those facilities or persons or the implication that an outside organization has a special relationship to NUTECH when it does not. This shall be an especially sensitive issue if the faculty host is employed by the outside organization. In such a case, another NUTECH colleague may be asked to assume the host responsibility.

4.5.1. Senior and Junior Faculty

The involvement of junior members of the Faculty in outside industry- related professional activities is important to their professional development. Senior faculty shall assist junior faculty in developing such activities by offering potential opportunities to them and giving them advice with respect to both technical and ethical issues. It is important, however, that senior faculty shall not compromise their objectivity in judging their junior faculty in issues of promotion and tenure by virtue of outside professional activities in collaboration with junior faculty members, nor shall senior faculty allow internal relationships with junior faculty to influence external relationships, expectations, or assignments. Any new involvement or change in outside professional relations of senior and junior faculty shall be approved by the Department Head after joint discussion with both senior and junior faculty concerned.

4.5.2. Faculty and Students

Part-time involvement of students in the outside professional activities of faculty may, under certain conditions, offer the potential for substantial benefits to the education of the student. In each case of such involvement, the faculty member shall obtain prior approval from the Department Head after discussion with the Department Head and student. In this context, involvement means any substantive activity, whether paid or unpaid. In considering such arrangements, faculty shall be guided by the need to avoid conflicts of interest and to avoid infringement upon the student's academic duties and rights. Generally, if the faculty member has a role in supervising the student's thesis or in supervising the work of the student as a graduate teaching assistant or instructor-G, such outside involvement shall not be undertaken thus avoiding potential conflicts of interest in the evaluation of the student's performance. If the faculty member does not have a role in supervising the student's thesis and/or the student's work as a teaching assistant or instructor-g, such involvement may be undertaken. If the outside work is related to the student's thesis, special care shall be taken to avoid conflict. If faculty members are already associated with students in outside professional activities, they shall disqualify themselves from becoming research supervisors, academic program advisors, or



examiners for an advanced degree of those students. Within an NUTECH research laboratory or academic unit, faculty members shall take care not to give the impression of favoritism to those students with whom they will be associated in outside activities. Generally, full-time research assistants shall not be involved in outside professional activities of faculty — both to avoid conflicts of interest and in light of the obligations of full-time research assistants. A part-time research assistant may engage in such activity if the outside work is not thesis-related and if the faculty member is not his or her supervisor.

4.5.3. Faculty and Departmental Support Staff

Support staff play an important role in assisting the faculty with their NUTECH teaching, research, and administrative activities. It may also be appropriate for support staff to assist faculty members in their outside professional activities, depending upon the nature and extent of the support staff involvement. Such involvement, however, is a potential source of conflict between faculty and their support staff. It is especially important, therefore, that faculty discuss with their support staff the appropriateness of any such support activities requested. Any special arrangements for providing support for faculty outside professional activities, including compensation from non-NUTECH sources, must be acceptable to all the parties involved. Guidelines defining appropriate support are given below; any circumstances that do not obviously meet these guidelines should be discussed by faculty members with their department head:

- a. It is normally appropriate for support staff to assist faculty in their professional public service activities, i.e., those professional activities in which faculty provide a service to institutions other than the University for public benefit, and in which compensation is incidental. If the effort required to provide such support is likely to be substantial and long term, however, a faculty member should review the circumstances with his or her department head.
- b. It may also be acceptable for support staff to provide limited assistance to faculty in other types of outside professional activities. Any assistance provided for such outside activities must not be in conflict with the faculty and support staff's responsibilities to NUTECH. Faculty may not require support staff to perform duties related to the faculty member's personal and nonprofessional activities (see Section 7.3 Responsibilities of Supervisors).

4.5.4. Responsibility of the Department Head

It shall be the responsibility of department heads to ensure that members of the department are familiar with University policies and procedures relative to outside professional activities. The role of department heads in regard to such matters further includes the following:

- a. Being currently informed as to the outside professional activities of members of the department;
- b. Advising faculty members so that they may avoid conflicts of interest or situations that may adversely affect the University;
- c. Maintaining a special overview of outside professional activities in which senior and junior faculty and students in the department are associated together and making clear to all parties the necessity to safeguard the academic relationship;



- d. Consulting the related Dean in situations where they or faculty members wish such advice.

In addition to the foregoing procedure, in May of each year for the academic year then drawing to a close, each department head should ascertain the nature and extent of the outside professional activities of members of the department, not including, however, the income derived from such activities. Information of the following type will in most cases prove useful:

- a. The number of days spent on outside professional activities that have as their primary objective service of the type performed for professional societies, for government and industry Committees, review boards and panels, or for other educational institutions and for which compensation is normally incidental;
- b. The number of days spent on compensated outside professional activities (but not to include the amount of compensation derived there from); The nature of the relationship involved in the outside connections of a faculty member;
- c. The extent to which a company in which a faculty member is involved does business with NUTECH and information on any significant financial interest the faculty member may have in such a company;
- d. Names and responsibilities of Committees (in government or industry) on which the faculty member serves.

Such an annual review should be of assistance in revealing the general pattern of such activities by members of the department. It should aid the department heads in consultations with their Dean(s) and at meetings of the Faculty Council and will, on an overall basis, without impairing the privacy of any individual, provide the Faculty Policy Committee with useful information. The fact that such a review is made once a year should not lead faculty members to ignore their obligation to keep their Department Heads continually informed concerning their outside professional activities.

5. Research Appointments

5.1. Research Appointment Structure

Two types of research appointments are described in the following sections: long-term appointments, which will be classified as Sponsored Research Staff Appointments (SRS), with the exception of the Senior Research Scientist/Associate/ Engineer position; and short-term appointments, which are, in general, classified as Short-Term Academic Research Appointments (SAR).

The purpose of the campus research appointment structure is to create professional sponsored research staff categories with employee benefits and privileges in order to encourage long-term research careers at NUTECH. The concept of long-term professional careers, independent of classroom teaching and supported entirely from research grants, is going to be a new one for a Pakistani technology research university. This mode of research, with professionals working in departments, laboratories and centers, will be an



important mechanism for NUTECH to maintain research viability, enter new fields and bring researchers to the university campus. SAR appointments at NUTECH will fulfill a variety of needs. For those who will be fresh recipients of a doctorate, these appointments will provide an opportunity for two or three years of broader experience before entering professional careers at NUTECH or in business, industry, or government. The postdoctoral fellows and postdoctoral associates will be typical cases of such appointments. For those who will enter NUTECH immediately after receiving a doctorate or lesser degree, SAR appointments will provide an exposure to new knowledge and techniques arising out of university research. SAR group will also include professors on sabbatical leave and research personnel from business and industry who will come to NUTECH as visiting scholars for a year or two. The other category of individuals eligible to become part of SAR faculty will be those whose education will emphasize training in the specifics of their profession, will find an opportunity to master basic concepts on which to build new knowledge in a variety of fields. It will also include Executives from business, science and engineering who will intend to come frequently to NUTECH for a year or two for this purpose. The University will welcome such individuals to its campus and will value highly the benefits derived from their presence, including their significant contributions to the NUTECH research program. Every person sharing the facilities of the University for more than a month or two (i.e., not a transient visitor) shall be registered as a regular or special student; shall be appointed to the instructing, research, or other staff; or be given an appointment in one of the following categories.

5.2. Sponsored Research Staff Appointments

Following are descriptions of the various sponsored research staff appointments. Also see Section 5.4 Procedures for Research Appointments for additional procedural information.

5.2.1. Principal Research Scientist (PRS), Principal Research Technologist (PRT), Principal Research Associate (PRAS)

Individuals holding an appointment as a PRS, PRT, or PRAS shall possess all the qualifications of research scientist, research technologist, or research associate and in addition, shall have demonstrated the ability to generate and develop concepts independently and to conduct independent research. Promotion to this rank shall require selection from among the individual's peers on the basis of unique scholarly or other technical contributions to research projects. Appointments of individuals demonstrating a comparable level of competence elsewhere will be made directly to this rank. With the approval of the cognizant senior officer, appointments to this rank will be made within a department or interdepartmental laboratory/center at the initiative of the department head or laboratory/center director, with concurrence of the laboratory/center steering Committee. Funding responsibility shall reside with the department, laboratory, or center that will be the locus of the appointment. Appointments to this rank shall be subject to the affirmative action serious search procedures outlined in Section 7.1.4. The number of these appointments shall not exceed 15 percent of the laboratory/center professional research staff and the affiliated faculty or 15 percent of the department's total faculty. For this purpose, the number of faculty in the department shall be determined as stated in Section 5.3.1 Senior Research Scientist, Senior Research Technologist, Senior Research Associate. In addition to the exception provided for in Section 5.4.3 Numerical Limitations, exceptions will be possible to be granted to the TRL/centers with fewer than 15 staff and faculty members. Appointments to this rank will be of indefinite duration and shall be reviewed within every four-year period. (See Section 5.4.2 Periodic Review) There will be a one-year notice of termination, which will not be reduced because of the reorganization



or closing of the department or other academic unit to which the individuals are assigned. An appointment will be terminated for cause at any time. Incumbents will be accorded principal investigator status. Appointees will receive benefits as described in Section 7.4 Benefits for Faculty and Staff Members and accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter.

Consulting privileges will be available to appointees at this rank but shall be limited to a maximum of 20 days per year. They shall report their outside professional activities to their department heads annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

5.2.2. Research Scientist (RS), Research Technologist (RT), Research Associate (RAS)

Individuals holding an appointment as a RS, RT, or RAS shall contribute significantly to the design and execution of experiments in research projects. They will work in collaboration with the principal investigator. They shall hold an advanced degree appropriate to the field of research or a combination of related education and high-level research. Such appointments will either be made within a department or an interdepartmental laboratory/center, with the approval of the department head or laboratory/center director, and will require senior officer approval. There will be no numerical limitations to this type of appointment provided it will academically/technically be justified. Appointments will be subject to the affirmative action serious search procedures outlined in Section 7.1.4.

Appointments to this rank will either be with or without term and shall be reviewed within every four-year period. Refer to Section 7.6.4 Layoff Notice Period or consult the NUTECH Personnel Policy Manual Section 6.3.4 for notice of termination requirements. An appointment may be terminated for cause at any time.

Principal investigator status shall not normally be accorded to incumbents of this position, but authorization will be granted by the senior officer for a specific project upon recommendation of the department head or TRL/center director. Consulting privileges will not normally be available to the appointees at this rank. They shall report their outside professional activities to their department head or TRL/center director annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

Appointees will receive benefits as described in Section 7.4 Benefits for Faculty and Staff Members and accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter. Research Specialist (RSp), Technical Associate (TAS), Technical Assistant (TA)

Individuals holding an appointment as an RSp, TAS, or TA will provide professional, technical, or other support service to a research project or program under the direction of a principal investigator. The position shall require a bachelor's degree in a field directly related to the work or a combination of related education and substantial experience. The TAS appointment, which is a promotional opportunity for TAs, shall require five years of experience as a TA or an equivalent. Appointments will be made within a department or an interdepartmental laboratory/center, with the approval of the department head or laboratory/center director and will require senior officer approval. There will be no numerical limitations to this type of appointment except the justification for the need of such support service. Appointments will be subject to the affirmative action serious search procedures outlined in Section 7.1.4. Appointments to this rank will be with or without term.



Refer to Section 7.6.4 Layoff Notice Period or consult the NUTECH Personnel Policy Manual Section 6.3.4 for notice of termination requirements. An appointment may be terminated for cause at any time. Consulting privileges will not be normally available to the appointees at this rank. They shall report their outside professional activities to their department head or laboratory/center director annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities. Appointees will receive benefits as described in Section 7.4 Benefits for Faculty and Staff Members and will accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter.

5.2.3. Sponsored Research Technical Staff

Individuals holding sponsored research technical staff appointments will continue to be so designated until recommended by their department or laboratory/center for one of the four categories of campus research staff. Appointments to this rank will be with or without term and will be subject to the affirmative action serious search procedures outlined in Section 7.1.4. Refer to Section 7.6.4 Layoff Notice Period or consult the NUTECH Personnel Policy Manual Section 6.3.4 for notice of termination requirements. An appointment will be terminated for cause at any time. Consulting privileges will not normally be available to the appointees at this rank. Incumbents shall not be accorded principal investigator status. They shall report their outside professional activities to their department head or laboratory/center director annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities. Appointees will receive benefits as described in Section 7.4 Benefits for Faculty and Staff Members and will accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter.

5.2.4. Research Administrators

Individuals engaged in research administration or performing administrative functions in support of research or in a research organization will be appointed as sponsored research staff and will be recognized by organizational titles (such as assistant director or administrative officer) or by functional titles (such as purchasing agent). They shall be identified as campus research administrative staff. Appointments to this rank will be with or without term and will be subject to the affirmative action serious search procedures outlined in Section 7.1.4. Refer to Section 7.6.4 Layoff Notice Period or consult the NUTECH Personnel Policy Manual Section 6.3.4 for notice of termination requirements. An appointment will be terminated for cause at any time. Consulting privileges shall not normally be available to the appointees at this appointment. They shall report their outside professional activities to their department head or laboratory/center director annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities. Appointees will receive benefits as described in Section 7.4 Benefits for Faculty and Staff Members and accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter.

5.2.5. Special Projects Based Technology Research Laboratory (TRL) Staff

Staff appointments will be made at a TRL under the authority of its Director and the Dean. Such appointments will be made as conditions require, with the appointee attached to the Laboratory rather than to any academic department. Compensation shall conform to the approved schedule. TRL staff appointments will not carry academic privileges such as tenure, regular graduate student status, academic vacations, or consulting privileges. Staff appointments at TRLs will be made for no specified term, but where circumstances permit, appointees shall be given reasonable notice of the termination of the project to which the



individual will be assigned, with the minimum notice of such termination as described in Section 7.6.4 Layoff Notice Period and the NUTECH Personnel Policy Manual Section 6.3.4. Special project TRL staff members will have privileges and benefits comparable to those of the research scientist/engineer/associate positions on campus (see Section 5.2.2).

5.3. Academic Research Staff Appointments

Following are descriptions of the various academic research staff appointments. Also see Section 5.4 Procedures for Research Appointments for additional procedural information.

5.3.1. Senior Research Scientist (SRS), Senior Research Technologist (SRT), Senior Research Associate (SRA)

SRS, SRT and SRA will be the senior positions in the campus research staff structure and for that reason shall be designated as academic staff positions with special status and prerogatives. Individuals holding such an appointment will conduct independent investigations, with the ability to direct the work of others. They shall possess a demonstrated research competence equal to that of a tenured faculty member. Appointment or promotion to this rank shall be evidence of wide external and internal recognition of independent contribution to research in the individual's field. Such contributions will be illustrated by traditional scholarly recognition, excellence in the leadership of technical projects, or other significant research impact. Appointments to this rank will either be in an academic department or directly in a laboratory or center when there is no appropriate department of affiliation. Appointments or promotions will be made on the recommendation of the department head or laboratory/center director, the cognizant senior officer and the faculty council, with approval of the Academic Appointments Subgroup of the Academic Council upon the presentation of a documented case, including outside letters. If the appointment is to be made directly in an interdisciplinary laboratory/center, it shall be with the approval of the TRL/center steering Committee, the departmental council, the cognizant senior officer and the Academic Appointments Subgroup of the Academic Council. Appointments to this rank shall be subject to the affirmative action serious search procedures outlined in Section 7.1.4. The total number of appointments to this rank shall not exceed 10 percent of the university's tenured faculty or 20 percent of the tenured faculty in the department of affiliation. For this purpose, the number of faculty in a given department shall not include those whose research will largely be conducted elsewhere. A limited number of appointments will be made in the interdepartmental laboratories/centers. Such appointments will not exceed 10 percent of the laboratory/center professional research staff plus the affiliated tenured faculty, except as provided for in Section 5.4.3 Numerical Limitations. Appointments to this rank shall be within the academic staff and will be for nine months or 12 months. Nine-month appointees will be eligible for the Annual Salary Plan (see Section 4.2). Appointments will be of indefinite duration and shall be reviewed within every four-year period by a special departmental or laboratory/center review Committee, depending on the locus of the appointment. (See Section 5.4.2 Periodic Review). The appointees shall be apprised of the results of the review. Appointees to this rank generally will be expected to raise funds to conduct research and cover their own salaries. There will be a one-year notice of termination, which will not be reduced because of the reorganization or closing of the department or other academic unit to which the individuals will be assigned. An appointment will be terminated for cause at any time. The funding of the one-year period of notice shall be the responsibility of the department or laboratory/center that will be the locus of the appointment.



Incumbents will be accorded principal investigator status. They will receive benefits as described in Section 7.4 Benefits for Faculty and Staff Members. Those with 12-month appointments will be entitled to four weeks of vacation per year. Those with 9-month appointments will not accrue vacation. Consulting privileges as defined for the Faculty will be available to appointees at this rank. They shall report their outside professional activities to their department head or TRL/center director annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

5.3.2. Postdoctoral Associate, Senior Postdoctoral Associate

Postdoctoral associates will come to NUTECH to develop their scholarly competence, working under the supervision of NUTECH faculty members. Appointments to this academic staff rank shall be of limited term and will be designed for those who will have recently received the doctorate. This appointment category will be comparable in purpose to the postdoctoral fellow, but will be distinguished by the fact that the postdoctoral associate will be employed by the University and afforded the benefits and privileges associated with staff employment. (See Section 7.4 Benefits for Faculty and Staff Members). Incumbents will not be accorded principal investigator status and will not receive consulting privileges. The postdoctoral associate appointment will not be intended for long-term, indefinite, or career appointments or even short-term appointments where the primary goal will be to advance a principal investigator's research. Appointments shall be made to academic departments or laboratories/centers with the approval of the department head or laboratory/center director and will require senior officer approval. Appointments will usually for not less than one term and will normally not renewed beyond a total of four years as either a postdoctoral associate or fellow. Extension for a fifth year shall require approval of the cognizant Dean. The senior postdoctoral associate rank will be a promotional opportunity for postdoctoral associates who have completed three years of postdoctoral experience. Extension of appointment beyond a combined total of five years shall only be possible in extraordinary circumstances and shall require approval of the cognizant Dean. Full-time postdoctoral associates on 12-month appointments starting on or after July 1, year will accrue 15 days of vacation for the first year of employment and 20 days of vacation thereafter. The end date of postdoctoral associate appointments shall be as specified in the appointment letter. If it is necessary to terminate a postdoctoral associate sooner because of reduced funding, changes in the nature and scope of the work, or for other operational reasons, termination will occur, but only in accordance with the following standards:

- a. A three-month notice of nonrenewal shall be given if an appointment is for at least 50-percent time and less than three years of continuous service.
- b. A six-month notice of nonrenewal shall be given if an appointment is for at least 50-percent time and three or more years of continuous service.

If an appointment will be for less than 50-percent time and for less than three years, no notice will be required. The presumption is that such appointments will be temporary and terminate on the specified date unless renewed in writing. Termination for cause will be made at any time. If an appointment of less than one term will be contemplated, a visiting appointment of the appropriate type shall be used. Appointees to this rank shall report their outside professional activities to their department heads annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities.



5.3.3. Postdoctoral Fellow, Senior Postdoctoral Fellow, Research Fellow

Postdoctoral and research fellows will come to NUTECH with fellowship aid to develop their scholarly competence. They will usually work under the supervision of NUTECH faculty members and use the facilities of the University. The postdoctoral fellow title will be appropriate for those holding the doctoral degree, while research fellow shall be used for those with comparable professional technology based industrial qualifications. Both shall be academic appointments. The postdoctoral fellow appointment will not be intended for long-term, indefinite, or career appointments or even short-term appointments where the primary goal will be to advance a principal investigator's research. Appointments shall be made to academic departments or laboratories/centers with the approval of the department head or TRL/center director and will require senior officer approval. Appointments will usually be for not less than one term and will normally not be renewed beyond a total of four years as either a postdoctoral associate or fellow. Extension for a fifth year shall require the approval of the cognizant Dean. The senior postdoctoral fellow rank will be a promotional opportunity for postdoctoral fellows who have completed three years of postdoctoral experience. Extension of appointment beyond a combined total of five years shall only be possible in extraordinary circumstances and shall require approval of the cognizant Dean. Postdoctoral and research fellows will not be degree candidates. No services shall be required of fellows by virtue of their appointment and their stipends shall not constitute payment of salary for services rendered to the University. Neither principal investigator status nor consulting privileges shall be available to the persons holding appointments at this rank. Since fellows will not be employees of the University, they will not participate in the NUTECH Retirement Plan or other staff benefits. Certain fellows will be required to participate in either the Affiliate Health Program or the NUTECH Health Plan (when approved). (See Section 7.4.3 Affiliate Health Program). Funds for postdoctoral fellowships shall be provided from a variety of sources, including private donors, foundations, BoGs and government agencies such as the Pakistan Science Foundation and the National Institute of Health. Because the terms and conditions of fellowships vary widely, each shall be considered on an individual basis. If the terms of a specific fellowship will not preclude it, a fellow will be allowed to concurrently hold a part-time appointment at the University. Appointees to this rank shall report their outside professional activities to their department heads annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities.

5.3.4. Visiting Engineering Technologist (VET), Visiting Scientist (VSc), Visiting Scholar (VS)

Visiting Engineering Technologist, Visiting Scientist and Visiting Scholar titles will designate visitors working at NUTECH for a specified period. The specific title, always preceded by "visiting," shall reflect the actual duties of the visitor. A VET, VSc, or other similarly titled appointee will primarily be occupied with research. Incumbents shall not be accorded principal investigator status and shall not normally receive consulting privileges. Visiting appointments shall be categorized as "Other Academic (OA)" appointments; they will either be full or part time, salaried or unsalaried. Appointments shall be made to the academic departments or laboratories/centers with the approval of the department head or TRL/center director and the Dean or Registrar and shall be for a specified period of time, from one week to one year. VET/VSc/VS appointments will either be renewed with the approval of the department head or center/TRL director and the Dean or Registrar. If an appointee receives a salary paid by NUTECH, funding responsibility shall reside with the appointing department or TRL/center. Appointments to this rank shall be by definition temporary and visitors shall not be eligible for staff benefits, except that those with salaried



appointments of 50 percent or more time and of at least three months' duration shall be eligible for NUTECH's employee health plans (when approved) and the flexible spending accounts. Certain visitors shall be required to participate in the Affiliate Health Program when approved) (see Section 7.4.3). Appointees to these ranks shall report their outside professional activities to their department heads annually, as described in Section 4.4 Conflict of Interest and Section 4.5 Outside Professional Activities.

5.3.5. Research Affiliate

The academic appointment of research affiliate shall recognize the status of an individual with whom the University wishes to acknowledge some degree of association. Research affiliates characteristically will have no specific duties and will typically not in residence. Appointments to this rank shall not be intended to be of long-term or indefinite duration. Appointments shall be made to academic departments or TRLs/centers with the approval of the department head or TRL/center director. Appointments to this rank will be without salary. Research affiliates shall not be employees of the University and will not participate in staff benefits programs.

5.3.6. Guests of the University

A guest will usually be a distinguished individual of considerable professional attainment to whom the University will extend the prerogative of observing or participating informally in certain phases of its activities. Guest appointments shall be academic, with a term of one week to one year. The guest shall receive no salary from NUTECH and will not participate in employee benefits programs. Recommendations for the appointment of guests will be initiated by department heads or TRL/center directors through the appointment process, forwarding the request to the appropriate senior officer for approval.

5.3.7. Staff Affiliate

The academic appointment of staff affiliate shall be reserved for individuals paid by any university collaborating with NUTECH or by any of its participating institutions who shall work exclusively in NUTECH-assigned space. If a staff affiliate's work will be of a research or technical nature, it is expected that their only laboratory will be at NUTECH. These appointments shall be made to academic departments or laboratories/centers with the approval of the department head or TRL/center Director. Appointments to this rank will be without salary. Staff affiliates will not be the employees of the University and will not participate in staff benefits programs.

5.4. Procedures for Campus Research Appointments

The following policies and procedures shall apply to all research appointments, unless otherwise noted.

5.4.1. Affirmative Action Serious Search

Appointments to campus sponsored research staff categories and to the academic research staff rank of senior research scientist (SRE) / technologist (SRT)/ associate (SRA) shall be subject to the requirements of the Affirmative Action Serious Search Policy (see Section 7.1.4), except where a person will be proposed for promotion from a position to which he or she had been appointed as a result of a serious search.



5.4.2. Periodic Review

Appointees to the ranks of SRS/SRT/SRA, PRS/PRT/PRAS and RS/RT/RAS will receive periodic reviews. The head of the department or TRL/center director will be responsible for determining the most appropriate way to conduct periodic reviews and for assuring that they are carried out. Their purpose will be to determine whether the individual's appointment should be continued, either from the standpoint of the quality of his or her work or the further need for the individual's services. The outcome of each review shall be documented in writing, with a copy filed in the individual's personnel record maintained at his department/TRL/center.

The requirement for a review at the end of a defined period will not preclude an earlier evaluation and decision on continuance and, of course, frequent feedback on performance will be encouraged. (Also see Sections 5.2.1 PRS, PRT, PRAS, 5.2.2 RS, RT, RAS and 5.3.1 SRS, SRT, SRAS.)

5.4.3. Numerical Limitations

The Limits on the principal and senior categories shall be treated as guides and not precise Limits. These Limits shall apply unless there are circumstances unique to the department or laboratory/center that warrant a higher Limit. Exceptions shall be recommended by the department head or TRL/center director and the senior officer for the area and approved by the Dean, who will be responsible for monitoring the Limits.

5.4.4. Reporting Outside Activities and Interests

Appointees to campus sponsored research staff positions and to the academic research position of SRS/SRT/SRAS shall be asked annually by their department heads and TRL/center directors to report their outside professional activities and business interests and relationships, identifying any that have the potential for conflict with the University's interests. Certain faculty and staff will be subject to investigator disclosure requirements by federal agencies. In those cases, the specific policy shall be obtained from the Director of the Office of Sponsored Programs/Registrar/Dean.

Student Status

No full-time or part-time employee shall be registered simultaneously as a degree candidate at NUTECH unless duly approved by the BoG/Syndicate. A staff member who subsequently will be admitted as a regular graduate student will not use as a basis for a thesis any research work that was performed by the individual while employed on an NUTECH research contract. With permission from the project supervisor, any employee, full- or part-time, will be eligible to apply for enrollment as a special student at NUTECH in one subject per term (but not for thesis), either as a listener or for academic credit. Employees appointed for the summer months only will not be eligible to register for summer courses. Regular graduate students appointed research staff members for the summer only will not register for summer courses and shall file a thesis release form with the department. Employees will be eligible for tuition assistance through the Human Resource Directorate.

5.5. Visiting Students

Students who will be pursuing an undergraduate or graduate degree at an institution of higher education other than NUTECH and will have been invited by a NUTECH department or TRL/center to do research in their fields of study will be eligible to apply for visiting



student status. NUTECH regular or special students, or NUTECH students who will have withdrawn or will be on a leave of absence, will not be eligible to apply for visiting student status.

Registration: Visiting students will be registered in Course NUV (Non- University Visitors) and will be registered for a variable content based research subject duly approved by the Dean. The amount of credit will be prorated for students who will be present for less than the entire term. Credit for this subject will not be applied towards any academic degree that the student will seek at a later date. A special visitor university student (VUS) grade will be awarded on completion of the subject. A visiting student who will wish to take academic subjects at NUTECH will have to apply for a change of status from visiting student to special student. No student shall be a visiting student and a special student at the same time. Regular students and special students will not be allowed to change to visiting student status.

Duration of Stay: Visiting students will be admitted for the period of time specified in the initial invitation letter. However, as with all other students, they will have to register each semester. A visiting student who will wish to continue beyond the period initially agreed upon will have to submit a letter of approval from his/her home institution and a letter from the host department or TRL/center requesting the extension to the Students Affairs Office.

Employment: A visiting student will be eligible to receive compensation for work done for the host technology research group (TRG). Visiting students will not be allowed to have any other form of on-campus employment.

Housing: Visiting students will not be entitled to on-campus housing and shall plan to find accommodations off campus. However, they will be eligible to apply for any vacancies that exist in the dormitories after the needs of regular students will have been met.

6. Administrative, Support and Service Staff

6.1. Academic Support Staff Appointments

Support Staff for academics shall have professional or administrative responsibilities in the central and departmental administration. They will assure the provision of services essential to the support of the educational and research objectives of the University, whether within academic departments or in such central functions as financial and human resources administration, medical, student services, admission and registration, information systems and technology, public affairs, resource development and management operations.

6.1.1. Appointment Policies and Procedures

Typically, each support staff member will have a title descriptive of his or her function or administrative responsibility. Academic support staff appointments will be encompassed within the University's staff salary administration program in which each position will be assigned an associated salary range based on an evaluation of level of education and experience required in the position and the difficulty, responsibility and impact on University affairs inherent in the position.

Requests to fill departmental support staff positions will be submitted by the concerned department(s) through the appointment process and forwarded to the Human Resource Directorate through the Dean for approval of an unbudgeted position. Academic Support



Staff positions will generally be posted on the NUTECH website. Prior to the initiation of an Academic Support Staff appointment for an individual, the affirmative action serious search requirement shall have been met (see Section 7.1.4 Affirmative Action Serious Search Policy).

Academic Support Staff appointments will be typically indefinite and without specified term. The first six months of employment shall be a probationary period (see the NUTECH Personnel Policy Manual Section 2.6.4). Throughout their employment, supervisors shall provide their staff with performance feedback, performance reviews and, where necessary, corrective action (see the NUTECH Personnel Policy Manual Section 3.3). Academic Support Staff may be laid off for lack of work or funds or for other operational reasons, with notice as provided in Section 7.6 Layoff for Lack of Work or Funds. Policies relating to other terminations of administrative staff will be available in the NUTECH Personnel Policy Manual Section 6.0.

6.1.2. Benefits for Academic Support Staff

Academic Support Staff paid by NUTECH with a minimum appointment of three months and at least 50 percent of the normal, full-time schedule of their department shall be eligible for participation in the NUTECH retirement plans and other staff benefits, except those benefits that are unique to the Faculty (see Section 7.4 Benefits for Faculty and Staff Members).

Academic Support Staff appointments that will be at least 50-percent accrue 15 days of vacation for the first year of employment and 20 days of vacation each subsequent year; part-time employees will accrue vacation on a pro-rated basis. Employees will cease to accrue their regular vacation once they have a balance of 40 days. Employees with 10 or more years of full -time service will also be credited with an extra five days of vacation beginning on each anniversary of 10, 15, 20, 25, 30 etc. years of service; this additional vacation shall be used within a 5 year period. More information on vacation will be provided in the NUTECH Personnel Policy Manual Section 4.2.

6.1.3. Additional Services and Consulting Privileges

A full-time Academic Support Staff appointment shall imply a primary commitment to the responsibilities of the position and to the goals of the University. The compensation provided to individuals who will hold full -time appointments will assume that commitment. Accordingly, salaries of these staff members shall not be augmented from funds administered by NUTECH, except as provided for in the normal pattern of promotion and salary review. Payment for services to other departments or activities within the University shall not be permitted. Exceptions will occasionally be made with prior approval of the Director for Human Resources, acting on behalf of the Rector, when it will be advantageous to the University to utilize a staff member's secondary skill part time (for example, as an athletic coach), when such arrangements will be possible to be made without detriment to the staff member's primary commitment and when the secondary position will clearly not be within the scope of the individual's regular duties and responsibilities. Any requests for clarification and/or exceptions to this policy shall be made to the Director of Human Resources.

Academic Support Staff appointments will not normally have consulting privileges as defined for members of the Faculty. Specific instances of consulting service, however, will be possible to be undertaken with the department head's prior written approval if the



department head is satisfied that each such activity will contribute significantly to the professional growth and development of the individual and to the individual's professional service to NUTECH or to NUTECH's service to society at large, and that the individual's normal responsibility and contribution to NUTECH will not thereby be diminished. Moreover, outside professional activity over and above the individual's regular full-time commitment to the University shall not be precluded. Persons holding such appointments shall be asked annually by their department heads to report on their outside professional activities and business interests and relationships, identifying any that have the potential appearance of conflict with the University's interests. (See Sections 4.4 Conflict of Interest and 4.5 Outside Professional Activities.)

6.2. Support Staff Appointments

Academic Support Staff appointments will encompass, but are not limited to, positions involving clerical duties as well as positions that will support the University's data processing operations, the library and accounting functions and some specialized research positions. While support staff positions may entail diverse and complex responsibilities, these positions will not be exempt from the Federal Labor Laws and support staff will therefore be entitled to overtime pay. Such positions will be classified in the appropriate levels, with appropriate salary ranges and will have titles descriptive of the duties of the position.

Requests to fill departmental support staff positions will follow the approval process determined by the concerned department. Support staff positions will generally be posted on the NUTECH website. These appointments will be typically indefinite and without specified term. The first six months of employment shall be a probationary period (see the NUTECH Personnel Policy Manual Section 2.6.4). Throughout their employment, supervisors of support staff should provide them with performance feedback, performance reviews, and, where necessary, corrective action (see the NUTECH Personnel Policy Manual Section 3.3). Support staff will be laid off for lack of work or funds or for other operational reasons, with notice as provided in Section 7.6 Layoff for Lack of Work or Funds. Policies relating to other terminations of support staff will be provided in the NUTECH Personnel Policy Manual Section 6.0.

6.3. Service Staff Appointments

Service staff positions will include all monthly/daily/hourly-paid classifications. The service staff classifications will represent research and maintenance services, the trades and other services such as housing, security, and law enforcement. Service staff positions will be covered by the federal Labor Laws and service staff will be entitled to overtime pay. Requests to fill service staff positions will be subject to the specific posting and bidding procedures of the agreement, as determined by the Human Resources Directorate and the particular department. Positions will generally be posted on the NUTECH website. These appointments will typically be indefinite and without specified term. They will be terminated in accordance with the provisions of the collective bargaining agreements. Terms, conditions, and benefits for service staff will differ in some respects from those provided to other employees and will be subject to the terms of the appropriate bargaining agreement. Questions shall be referred to the Human Resources Directorate.

7. General Employment Policies



7.1. Non-discrimination and Non-retaliation Policies; Equal Opportunity and Affirmative Action Policies

7.1.1. Non-discrimination Policy

NUTECH is committed to the principle of equal opportunity in education and employment. The full policy will be found at Section 9.2 Nondiscrimination and the University's policy against harassment will be found at Section 9.4.

7.1.2. Non-retaliation

The University's policy against retaliation will be found at Section 9.5.

In addition to that general prohibition against retaliation, NUTECH will follow special rules to protect employees' discussions about pay. NUTECH recognizes that transparency in regard to discussions of salary and wages will promote fairness and equality. NUTECH will not terminate or in any other manner retaliate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant.

While employees will generally be free to discuss their own pay or the pay of another, employees who will have access to the compensation information of other employees or applicants as a part of their essential job functions shall not disclose the pay of other employees or applicants to individuals who do not otherwise will have access to compensation information, unless the disclosure will be (1) in response to a formal complaint or charge; (2) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the University; or (3) consistent with the University's legal duty to furnish information.

7.1.3. Equal Opportunity / Affirmative Action Policy

The University, through its Affirmative Action Program, will seek to expand its efforts to guarantee equality of opportunity in employment and in education and to reduce underrepresentation and underutilization of Less Developed Areas (LDA) and women at NUTECH. LDAs will include FATA, Interior Sind and Baluchistan). For all categories of employment, the University's objectives will be to achieve a representation of LDAs and women that will at least be in proportion to their current availability and to provide them with new opportunities for career development that both stimulate and respond to their changing interests and aspirations.

Similarly, for all of the education programs, the University's objectives shall be both to achieve representation of LDAs and women in the student body that will reflect their current availability and interests and to encourage larger proportions of these groups to seek careers for which the University's educational resources will be designed to prepare them. The University's Affirmative Action Plan (which may be reviewed in the Office of the Equal Opportunity Officer at Human Resources Directorate) shall be reviewed for further understanding of the responsibilities assigned and the procedures developed to carry out the University's equal opportunity policy. In particular, notice shall be taken of the requirement that evidence of a broad search for candidates, including women and LDA candidates, shall be presented to NUTECH's senior officers prior to an offer of a salaried appointment for an academic year or longer to the Faculty (assistant professor, associate professor without tenure, associate professor with tenure, full professor; unless an explicit



exception will have been granted by the cognizant senior officer. This policy will also apply to offers of a full-time salaried appointment for an academic year or longer to the following employment categories:

- a. Senior rank of the academic research staff (SRS/ SRT/SRAS);
- b. All campus sponsored research staff ranks (PRS/PRT/PRAS; RS/RT/RAS; RSp, TeAS, TeA; sponsored research technical staff; research administrators);
- c. Some academic instructional staff ranks (visiting assistant professor, visiting associate professor, visiting professor; instructor, technical instructor, instructor/coach; lecturer, senior lecturer); and
- d. Support staff (including medical staff), unless an explicit exception has been granted by the cognizant senior officer. See Section 7.1.1 for the University's policy on nondiscrimination.

7.1.4. Affirmative Action Serious Search Policy

In furtherance of NUTECH's commitment to affirmative action in the employment of women and LDA persons, NUTECH policy will require a thorough search of the relevant employment market for qualified candidates, including women and LDA candidates to whom this policy shall apply. The positions will include salaried appointments for an academic year or longer to the Faculty (assistant professor, associate professor without tenure, associate professor with tenure, full professor; assistant professor/coach, associate professor/coach, associate professor/senior coach).

This policy will also apply to full-time salaried appointments for an academic year or longer to the following employment categories:

- a. Senior rank of the academic research staff (SRS/ SRT/SRAS);
- b. All campus sponsored research staff ranks (PRS/ PRT/PRAS; RS/RT/RAS; RSp, TeAS, TeA; sponsored research technical staff; research administrators);
- c. Some academic instructional staff ranks (visiting assistant professor, visiting associate professor, visiting professor; instructor, technical instructor, instructor/coach; lecturer, senior lecturer); and Support staff (including medical staff).

Search Process: At the time a search will be begun, the department head or office or TRL/center director will submit to the appropriate senior officer for approval a statement of the qualifications being sought and the plan for the search. Search plans shall indicate the specific steps by which active efforts will be made to identify LDA and women candidates. Such steps will be expected to go beyond posting and advertising the availability of positions and will also include, but not be limited to, such active efforts as

- a. Personal telephone and/or written contacts with colleagues or other individuals or groups who can assist in locating candidates
- b. Visits by members of search Committees to LDA locations where candidates may be contacted



- c. Personal contact with LDA and women colleagues at professional gatherings.

In cases involving a search Committee and especially for faculty appointments, the head of the department shall ensure that at least one member of the Committee will be assigned the specific responsibility to see that an active search is carried out. This responsibility as equal opportunity representative will be assigned to the chair of the Committee, to a Committee member other than the chair, or to someone outside the Committee who will serve, ex officio, as a member of each search Committee that will be formed. In cases where a search Committee is not formed, the person having major responsibility for candidate evaluation will also serve as the equal opportunity representative for that search. The head of the department will advise the equal opportunity representative and encourage exploration of ways to strengthen the search process.

At the conclusion of a search, and before a proposed appointment is approved by the relevant senior officer, the department head shall submit to the senior officer a detailed report on the results of the search. The report shall contain a description of the position and a reference to the approved search plan, including special steps taken to locate LDA candidates and women. The selection process shall be described, including the number of LDA and women applicants and the number of their ranking, if ranked. The report shall state the principal reasons for selection of the proposed candidate over other candidates and include a résumé. The LDA and women finalist who were not chosen shall be identified by name and résumé with specific reasons for non-selection; or if any were selected and they declined, their reasons shall be given. A statement of the department's affirmative action progress shall be included.

These procedures shall be followed regardless of the race or gender of the chosen candidate. Waivers of search in individual cases will be granted only by the relevant senior officer and only if unusual circumstances warrant such waivers. Request and approval of a waiver shall involve consultation with the Director of human resources for the area.

Approval Process: Final approval of search plans and results for all appointments to the Faculty and to the support and research staffs will be delegated by the Academic Council to the senior officers, each of whom shall be responsible for his or her areas. Specifically, the senior officers as members of the Academic Council, will have the final authority to approve the initiation and conclusion (or waiver) of searches for appointments of faculty or staff in the departments or offices that report to them.

Each senior officer will maintain a current log of all appointments and approvals in a format designed in consultation with the Human Resources Directorate. This log shall be accompanied by written requests and written approvals giving justification for each waiver of search granted by the senior officer. The log will be open to review at any time by the support staff of the Human Resources Directorate and will be available to them for statistical reports, for response to inquiries and for other institutional purposes.

Reporting Process University-Wide: The support staff of the Human Resources Directorate will collect and assemble the information on all appointments into a report and will submit it to the Academic Council at least once each year, as of the end of October. The staff of the Human Resources Directorate will counsel and support the senior officers in the discharge of their affirmative action responsibilities and will schedule discussions at the Academic Council at least once each year, at which time progress in the



representation of LDAs and women for each senior officer's area will be reviewed and discussed. Issues raised by audits will be reported and discussed, and the operation of the system of approvals and reports will be reexamined and assessed for NUTECH as a whole and for each area in particular.

A synopsis of these discussions will be made available by the staff of the Human Resources Directorate to the NUTECH Equal Opportunity Committee and may be released by the Human Resources Directorate to the community by means of an annual report. Also, periodic reports will be made to the Faculty, to relevant councils and Committees and to other appropriate groups.

7.2. Policy on Employment of Members of the Same Family

The University's policy will be to base appointments and promotions on qualifications and work performance. In keeping with this policy, members of the same family, including husband and wife, will be eligible for employment within the same department or area of the University. When members of the same family will be recommended to work for the same supervisor, written approval of the arrangement by the appropriate senior officer will be required in advance. In such cases, however, a supervisor-employee relationship shall not prevail at the time of employment or thereafter, nor shall one member of the family relationship assume for the other the role of advocate or judge with respect to conditions of employment, salary, or promotion.

It shall be clear that the reasons underlying such a restriction on employment, defined as applying to members of the same family, shall apply with equal validity to those whose living arrangements approximate family relationships.

While general responsibility for assuring adherence to these policies shall REST with those responsible for appointments and assignments (principally academic and administrative department heads and TRL and center directors), a particular responsibility for sensitivity to the potential conflicts shall fall on those whose family or personal relationships may give rise to them.

7.3. Responsibilities of Supervisors

Many persons at NUTECH will have, as supervisors, responsibility for organizing and directing the work of others. These responsibilities shall fall also upon those not clearly designated as supervisors. While the daily responsibilities of academic staff members shall primarily be their professional and scholarly activities of research and teaching, many among them, especially the faculty, will also be the supervisors guiding the work of others, including campus research staff members, postdoctoral associates, administrative assistants, and graduate students.

The responsibilities of supervisors shall include understanding and fairly administering University and departmental policies concerning employees, setting work standards and providing an inclusive environment that will foster open communication regarding work-related issues. Supervisors will be expected to oversee their employees' performance – managing and evaluating work, providing feedback, recognizing work well done and addressing unsatisfactory performance – and to provide opportunities for professional growth and development. Personnel Policy Manual Section 3.3 will be available for guidance on performance feedback, performance reviews and corrective action. Supervisors will, hold to the standards of personal conduct that will apply to all members



of the NUTECH community. Section 9.1 explains Personal Conduct and Responsibilities Towards Members of the NUTECH Community.

Supervisors will not ask employees to work on their personal or nonprofessional affairs, nor will employees be required to perform personal services, except where that will be inherent in the nature of the position and defined in the position description.

7.3.1. Addressing Complaints by or Against Employees

Supervisors will be encouraged to address work-related concerns and complaints informally with those involved at the local level, as early as possible. When supervisors learn of employee concerns or complaints, they shall attempt to address them in a respectful, responsive and timely manner.

The University's procedures for addressing concerns that a University employment policy was violated or misapplied (that is, applied in an arbitrary or capricious manner) are explained at Section 9.7 and include both informal and formal procedures. Retaliation against anyone for raising a complaint or participating in the University's complaint resolution procedure, whether as a witness or otherwise, shall be prohibited. (Section 9.5 Retaliation).

If the concern or complaint alleges harassment or discrimination, the supervisor shall contact the department Administrative Officer or human resources professional, or contact their human resources officer or professional in the Human Resources Directorate. Supervisors shall also refer to NUTECH's policy against harassment at Section 9.4 as well as the Guidelines for Raising Complaints about Harassment.

7.4. Benefits for Faculty and Staff Members

The benefits programs of the University shall be available to all faculty and staff members who will be appointed for at least 50 percent of the normal, full-time schedule of their department or TRL/center, with an appointment of at least three months, and who will be paid by NUTECH. The benefits shall not, however, apply to graduate or undergraduate students, to postdoctoral or research fellows or affiliates, to most visitors (Sections 2.3.4 Visiting Assistant Professor, Visiting Associate Professor, Visiting Professor; 2.3.10 Visiting Lecturer; and 5.3.4 Visiting Technologist, Visiting Scientist, Visiting Scholar). All employees, including those who will otherwise be ineligible for NUTECH benefits, will be entitled to sick leave in accordance with the prescribed rules, as will be described in the Personnel Policy Manual.

Certain benefits will be unique to members of the Faculty and will so be identified. The benefits programs will be amended from time to time at the discretion of the University.

Benefits Communications

NUTECH's Benefits Office of Human Resources Directorate will be responsible to provide information about health and welfare plans (when available) as well as retirement plans. Once each year during the fall, benefits-eligible members of the NUTECH community will be given an opportunity to enroll in benefit plans as per university policy. Information will be provided via email, the website, in group meetings and personal meetings arranged with Human Resources Directorate.



7.4.1. Health Services Provided by NUTECH Medical

NUTECH Medical will administer different health plans for its work force, students and affiliates. Wellness classes and flu shots will be made available to the members of the NUTECH community, as and when required.

7.4.2. Affiliate Health Program

Visitors and affiliates of the University carrying chronic ailments/diseases will be required to participate in a health care program, as per the relevant rules. The criteria for mandatory participation will be that the individual will not be eligible for NUTECH employee benefits, cannot be medically compensated by NUTECH funds, will be appointed for at least 50 percent of the normal full-time work schedule appointment will be of at least three months. The appointment titles subject to the mandatory health care program will be visiting scientist, visiting technologist, visiting economist, visiting scholar, visiting research associate, research fellow, fellow, postdoctoral fellow and visiting professor (including assistant and associate professor).

7.4.3. Personal Assistance Benefit

NUTECH will strive to establish personal well-being and work-life benefit services system. It will provide confidential assessment, consultation and counseling, along with research and referrals, for NUTECH faculty, staff, postdoc associates and postdoc fellows and their families. It will also provide consultation with supervisors, administrators and Human Resources Directorate representatives.

7.5. Leaves of Absence and Faculty Teaching Relief

7.5.1. Sabbatical Leaves for the Faculty - Tenured Faculty Sabbatical Leave

The purpose of sabbatical leaves will be to make it possible for members of the tenured Faculty to take time off from normal academic duties for scholarly research and study. The University's plan will be based on the normal expectation of a one half-year leave at full salary, or a full-year leave at half salary, following six years of full-time service as a member of the regular Faculty. Implementation of this policy in a specific case will be limited by the responsibility of the departments to meet their obligations and the financial resources that will be possible to be made available. Years in which faculty members will be on leave or will have served in any rank of visiting professor will not be counted in the six years. Years of service beyond the six-year requirement shall not be counted towards qualification for subsequent sabbaticals. Faculty members shall apply to their department heads a reasonable time in advance (normally one year) and describe their proposals for the use of the sabbatical. In considering whether the request for sabbatical leave can be recommended to the dean, department heads shall take into account the commitments for teaching and research in their departments. The final allocation of sabbaticals shall be made by the Dean. Awards for each applicant shall be on a no-loss, no-gain basis up to the maximum payment by NUTECH of half the academic year's salary. The objectives of the sabbatical will often be met by other leaves or by full-time employment on a grant or contract to the University. (Section 7.4 Benefits for Faculty and Staff Members.)

Eligible faculty members shall report their outside professional activities to their department heads annually, as described in Section 4.4 Conflict of Interest and 4.5 Outside Professional Activities.



7.5.1.1. Junior Faculty Research Leave

The purpose of the Junior Faculty Research Leave Program shall be to assist young scholars in their pre-tenure years by providing a concentrated period of time during which they will be able to engage in research to advance their careers.

The research leave shall be a one-semester leave with pay taken during Years two to six of the faculty member's probationary period. All tenure track faculty will be eligible for the leave. This leave will not be taken during the faculty member's first year of appointment or the last year at NUTECH. Faculty members who will have been given a terminal appointment will not be granted a research leave.

Faculty members shall apply to their department head for the research leave. Faculty will consult with their mentors and the department head about the timing of leaves to ensure the best use of the opportunity and to be consistent with the faculty member's teaching and other obligations.

The application shall be in the form of a proposal outlining how the faculty member will use the time and how the work proposed will fit into the faculty member's research agenda. Applications shall be submitted to department heads based on their local schedules, keeping in mind that planning and financing shall be part of the annual budget process. The Dean of the faculty shall approve all applications.

Financial arrangements for the research leave shall be the same as with traditional sabbatical leaves: the department will keep 40% of the salary which will be used for replacement teaching. The remaining 60% shall be returned to the University.

Junior Faculty Leaves shall be intended for research and will not be confused with other types of leave, such as Personal Leave or Parental Leave. Leaves shall be taken during the second through the sixth year and will be lost if not taken. These leaves shall also not be confused with the traditional Faculty Sabbatical which will only be available to the faculty who will have been awarded tenure.

The Junior Faculty Leave will not stop the tenure clock and will not affect the timing of sabbaticals that might be awarded to junior faculty if they will subsequently be awarded tenure. Departments will, at their discretion and expense, extend the leave beyond one semester to a maximum of one month or provide additional considerations, including components of a faculty start-up package or teaching relief.

7.5.2. Other Leaves for the Faculty

Members of the Faculty will request professional and personal leaves. Professional leaves will allow faculty members to undertake professional development or public service opportunities, whereas personal leaves will allow faculty time to address urgent medical, personal, or family matters that prevent full attention to academic and scholarly duties. Leaves shall be granted by department heads with the approval of the Dean and in consideration of applicable law.

Professional Leave: Unpaid professional leaves will be granted to allow faculty members to undertake professional development or public service opportunities. Such leaves will be granted in consideration of the purpose of the leave, the proposed activity and



departmental needs. The period of the leave shall be specified and shall not normally exceed one academic year; however, the leave will be extended by the Dean for a second year. Extension of such leaves beyond two academic years shall only be possible in extraordinary circumstances and shall require approval of the Rector. For untenured members of the Faculty, professional leaves will be included in the determination of years of service for tenure decisions. In extraordinary cases and in further consideration of the mission and faculty development, one professional leave for up to one year will possibly be excluded in determination of years of service for tenure decisions. This exception shall require the approval of the Registrar in advance.

Personal Leave: Personal leaves will be granted to eligible faculty who face medical, personal, or family crises or who have urgent obligations that interfere with their work. Conditions include, but will not be limited to, the purpose of:

- a. An employee's own serious health condition (including conditions related to pregnancy and childbirth); The birth and care of the employee's newborn child (leave shall be completed within 12 months of the date of birth);
- b. The placement of a child with the employee for adoption or foster care (leave shall be completed within 12 months of the date of placement); or
- c. The serious health condition of the employee's child, parent, or spouse requiring the employee's participation in care.

In consideration of such conditions, eligible faculty members are entitled to a leave without pay of up to 12 weeks in a 12-month period. Unpaid leave beyond 12 weeks will be granted subject to approval by the Rector and required documentation. For the purpose of computing years of service for tenure decisions, personal leaves shall not be included. In counting years, the semester will be the quantum by which years of service shall be determined (Section 3.2 Tenure Process).

7.5.3. Faculty Teaching Relief

Faculty members, regardless of gender, who will wish to spend the majority of their academic time on the care of and responsibility for a newborn child or a child newly placed with them for adoption or foster care will be released from teaching and administrative duties for one semester at full pay, but they will continue to be expected to fulfill their thesis-advising responsibilities and sustain their research program. University rules on outside professional activities for full-time faculty will remain in force for those on such release. They will not increase their usual outside professional activities. Faculty members will be allowed to take advantage of this policy in any term they choose within one year after the arrival of a child. Those seeking such release shall notify their department heads in writing that they will spend the majority of their academic time on the care of the child over the period of the release. Such notification shall be made as far in advance of the leave as possible (normally one semester's notification will be required) so that steps can be taken to cover the faculty member's teaching obligations.

Sick Leave Policy for Faculty, Academic Staff, Research Staff and Support Staff

There will be no formal method of sick leave accrual or accounting for members of the Faculty. For academic, research, or support staff, there will similarly be no formal method of sick leave accrual; however, use of sick leave during regular working hours shall be recorded, as described below. A reasonable number of justifiable absences will be paid in



full. These absences will be used for the employee's illness and medical and dental appointments, as well as for the illness and medical and dental appointments of a family member (up to 40 hours per year), and during a leave of absence for victims of domestic violence (again, up to 40 hours per year); A family member under this policy will be a child, spouse, parent, parent of spouse, or any other member of the household. For determining the Limits of 40 hours, full-time exempt staff members working a regular, five-day a week schedule will be considered to work eight hour days, so that they can use five days per year to care for a sick family member. Extreme cases of extended illness or accident will be treated on an individual basis, with due regard to length of service at the University and other relevant factors and may be paid for the duration of the absence up to, but not normally exceeding, a period of six months. Medical evidence shall be required when, in the opinion of the department head or supervisor, the need is indicated by the pattern of sick leave usage or the period of absence. Departments shall be responsible for reporting a continuous absence greater than two weeks to the office of the Dean/senior officer and greater than four weeks, to the human resources Director for review. Academic, research, and support staff shall record the use of paid sick time taken during their regular working hours.

7.5.4. Leaves of Absence for Staff Members

Leaves of absence without pay will be granted to academic, research and support staff for a specified period of time, normally for educational or public service reasons and because the University will wish to maintain an association with the individual. A supervisor may authorize an individual to take, in any calendar year, unpaid leave of the duration not to exceed the individual's normal pay period. Requests for leaves of more than the normal pay period but less than six months shall be approved by the supervisor, the department head, and the appropriate officer of the human resources Directorate. Unpaid leaves of absence of six months to one year in duration shall be approved by the Rector duly recommended by the supervisor, the department head, Dean, and the appropriate officer of the human resources Directorate. When a position will not be held for the employee who will have requested leave, approval shall be obtained from the Director for Human Resources. Unpaid leaves of absence will not exceed one year, but will be renewed in special circumstances with the approval of the Director for Human Resources. (Section 7.4 Benefits for Faculty and Staff Members). Eligible staff members will be entitled to a leave of absence without pay of up to 12 weeks in a 12-month period to care for their newborn child or a child newly placed with them for adoption or foster care; because of the serious health condition of their child, parent, or spouse requiring their participation in care; or because of their own serious health condition, including conditions related to pregnancy and childbirth. The granting of unpaid leaves of absence shall require an assurance of reemployment by the department upon the termination of the leave, unless specifically authorized otherwise by the Director for Human Resources, or unless the position has been eliminated by reduction in the work force or operational change under circumstances applying equally to other similar jobs in the department.

7.5.5. Parental Leaves of Absence

7.5.5.1. Parental Leave of Absence with Pay

NUTECH will provide a Paid Parental Leave of up to five days during the four month period following the birth of a child, adoption of a child, or placement of a child pursuant to a court order. This Paid Parental Leave will be available to eligible employees in all payroll categories except faculty.



Parental Leave of Absence without Pay

Regular full-time and part-time persons, regardless of gender, who will work at least 50 percent of a normal work week and who will have completed at least three months of service will be eligible for eight weeks of parental leave of absence without pay at the time of the birth or adoption of a child or placement with the employee of a child pursuant to a court order, subject to the conditions of this policy. (Faculty members shall also see Sections 7.5.2 Other Leaves for the Faculty and 7.5.3 Faculty Teaching Relief.)

A parental leave of absence without pay for up to 12 weeks will be granted to employees who will have completed at least one year of service and will otherwise be eligible under the Family and Medical Leave Act (see NUTECH Personnel Policy Manual Section 4.5), provided the person will give reasonable notice (at least two weeks) and indicate intention to return to work following the leave period by completing a leave of absence form with the proper authorizations. Extension of the parental leave period will require further approval and will be reviewed in accordance with the specific circumstances of the request and general University policy on leave without pay.

Most University benefits will be continued, at the option of the individual, provided arrangements will be made in advance for payment of the normal benefit deductions. An individual will have the option to use earned vacation or personal leave balances in lieu of leave without pay within the total approved leave period.

An individual's job or a job of equivalent classification and pay will be restored by the department or laboratory at the completion of the leave unless the position has been eliminated by reduction in the work force or operational change under circumstances applying equally to any other similar jobs in the department.

Return from leave shall be at the same work-week schedule at which the individual was working when he or she left. A supervisor may agree, however, to have a full-time employee return on a part-time schedule if it is mutually convenient; if so, the new schedule shall be at least 50 percent of a normal work week.

Under regular NUTECH sick leave and disability leave policies, disabilities associated with pregnancy, birth, miscarriage, or abortion will be treated like any health or temporary disability.

7.5.6. Leaves of Absence for Victims of Domestic Violence

Leaves of absence will be granted to all employees, including all part-time employees, for up to fifteen days in any twelve month period if the employee, or the employee's family member, will be a victim of "abusive behavior." Abusive behavior is defined as domestic violence as well as stalking, sexual assault and kidnapping. This leave (often referred to as domestic violence leave) shall be used to address issues directly related to the abusive behavior, as specified in Section 7.5.7.1 below.

For purposes of this Section 7.5.7, a family member is (i) a parent, step-parent, child, step-child, sibling, grandparent or grandchild; (ii) a spouse; or (v) persons in a guardianship relationship.

Domestic violence leave will generally be unpaid but the employee will have an option to use any accrued vacation time, personal time (if applicable), or sick time if the leave



meets the requirements for paid sick time. The leave may be taken in consecutive days or intermittently.

7.5.6.1. Use of Leave

Domestic violence leave shall be used for one or more of the following purposes: to seek or obtain medical attention, counseling, victim services or legal assistance; to secure housing; to obtain a protective order from a court; to appear in court or before a grand jury; to meet with a district attorney or other law enforcement official; to attend child custody proceedings; or to address other issues directly related to the abusive behavior against the employee or the employee's family member. However, leave shall not be permitted under this Section 7.5.7 if the employee is the perpetrator of the abusive behavior.

Notification

Except in cases of imminent danger to the health or safety of an employee or an employee's family member, the employee shall provide the same advance notice that will be required in the department, TRL, or center for taking vacation or personal leave. If the employee or employee's family member faces imminent danger to his or her health or safety, prior notification will not be required, but the employee shall notify his or her supervisor within three work days after the leave begins. That notification will be made directly by the employee or by another person assisting the employee.

7.5.6.2. Documentation

The department, lab, or center will require an employee to provide documentation showing that the employee or the employee's family member has been a victim of abusive behavior, and that the leave is or has been taken for the purposes stated in this Section. Such documentation will include documents such as a protective order from a court or other court document, a police report, medical documentation, or a sworn statement. The employee shall provide such documentation within a reasonable period of time. In the case of an unscheduled absence, the employee shall provide such documentation within 30 days from the last day of the unscheduled absence. Any such documentation shall be kept confidential.

7.6. Layoff for Lack of Work or Funds

If it becomes necessary to terminate an individual's employment or reduce his or her hours or work effort because of reduced funding, changes in the nature and scope of the work, or for other operational reasons, the termination or reduction in hours or effort shall be considered a layoff. A position from which an employee will have been laid off may not be filled for at least one year, except in unusual circumstances and with the prior approval of the Director for Human Resources. The following will not be considered a layoff: (1) a furlough as described in the NUTECH Personnel Policy Manual Section 4.16.3; (2) a reduction in hours of five or less per week or a reduction in effort of 20% or less; (3) the expiration of an appointment with a specifically stated termination date; (4) termination of employment on account of resignation, retirement, or discharge. All employees whose hours will be reduced by five or less per week or whose effort will be reduced by 20% or less shall be entitled to eight weeks of prior notice.

7.6.1. Decision Criteria



In making a layoff decision, where the choice will not clearly be dictated by the work to be eliminated or changed and the range of skills of those engaged in it, departments shall carefully consider three important factors: individual performance, the length of employee service and the status and goals of affirmative action in the department. No one of these considerations will automatically outweigh the other. They shall each be judged and balanced in such a way as to be as fair as possible to the individuals concerned while also serving the University's need for an effective staff.

While seniority is not an overriding factor in personnel management at NUTECH, length of service at the University shall be an important consideration in determining individuals to be laid off. Long service testifies to loyalty and commitment and implies a record of responsible performance. At the same time, outstanding work shall also be recognized in layoff decisions. Superior performance on the part of an individual with less service will lead to a decision to retain the more junior person. Similarly, our commitment to the employment and advancement of women and members of LDAs shall play a part in the layoff decision. Underrepresentation of LDAs and women within the department shall be an influential factor in the decision.

The final choice in each instance will derive from the interplay of these criteria and each shall be considered and weighed. It is important to remember that layoff notices will carry the presumption that the individuals receiving them are valuable contributing members of the community who shall be released only because insufficient work and/or funds exist to continue their employment. While performance will be considered, layoff will not be a method of terminating an employee solely because he or she has not performed in an acceptable manner. The regular University policy on disciplinary action and termination for cause shall be followed in such cases.

Employees who receive a layoff notice will be encouraged to review job postings for other positions at NUTECH for which they may be qualified. If they apply for such a position, they shall contact their Human Resources Officer at the Directorate. Hiring managers in departments will be encouraged to consider qualified employees on layoff notice for available positions.

7.6.2. Review by Human Resources Officer and Approval by Senior Officer

Departments shall consult with the Human Resources Officer/Directorate for assistance in assuring that all University policies and procedures pertaining to layoff are fully understood and applied.

For each person to be laid off, a department shall send a statement of reasons to the appropriate Senior Officer or his or her designee and its Human Resources Officer/Directorate for their review. The statement shall indicate if the individual is (1) a LDA employee; (2) a woman with exempt status (Management, Sponsored Research, or Academic staff); or (3) an individual with ten or more years of continuous service. Approval of the Senior Officer or his or her designee will be required prior to notifying an employee that he or she will be laid off.

7.6.3. Letter of Notification

When the layoff decisions will have been made, each individual affected shall be sent a letter of notice. A copy of the letter of notification shall be forwarded to the Human Resources Officer/Directorate at the time it is given to the individual. The letter shall inform



the individual of the reason for the layoff and the length of the notice period. It shall be made clear that the individual is expected to carry out his or her usual responsibilities during the notice period but that a reasonable amount of time will be allowed to seek another position at NUTECH or elsewhere. The letter of notice shall also suggest that the individual contact his or her Human Resources Officer/Directorate for information about benefits and resources available to laid-off employees. Layoff Notice Period

The period of notice will not represent severance pay but rather a period during which the individual continues to be employed at his or her regular salary until a specified layoff date or until the individual is employed elsewhere, whichever comes earlier. The period of notice will be calculated using the employee's current employment date; that is, if an employee was reinstated at NUTECH, the work before reinstatement will not be considered.

Support Staff and Sponsored Research Staff, except for PRS/PRT/PRAS, will be given the following notice:

- a. 0 to 1 year of service - 2 months of notice
- b. 1 to 5 years of service - 3 months of notice
- c. 5 or more years of service - 3 months of notice plus 1 additional week for each year of service or major portion thereof (6 months or less) over 5 years

The notice period for PRS/PRT/PRAS is given at Section 5.2.1. The notice period for the Academic Research Staff titles of SRS/SRT/SRAS is given at Section 5.3.1 and for Post Doctoral Associates and Senior Post Doctoral Associates at Section 5.3.2 of Policies & Procedures.

Support Staff will be given the following notice:

- a. 0 to 5 years of service - 2 months of notice
- b. 5 or more years of service - 2 months of notice plus 1 additional week for each year of service or major portion thereof (6 months or less) over 5 years

When concerns about security or workplace safety warrant, a department will relieve an employee of the obligation to report to work during all or part of the notice period; the notice requirement will then be fulfilled through a lump sum payment, salary continuation, or a combination of both. A statement of reasons and the prior approval of the appropriate Senior Officer or designee and the Director of Human Resources will be required. Other instances where the interests of NUTECH will be served by relieving an employee of the obligation to work during all or part of the notice period will be approved by the Director of Human Resources and the appropriate Senior Officer or designee on a case - by-case basis. In all instances where an employee will not be required to work after notice of layoff, departments shall fund the notice period and process payment through designated accounts.

7.6.4. Funding of Notice to Long-Service Personnel

When the minimum notice period for service in excess of five years cannot be supported by the funds available in a contract or grant, the salary costs for the additional notice will be absorbed by funds administered centrally by the department or other management unit. In such a case, arrangements to draw on such funds shall be approved by the Director for



Human Resources, as well as by the Department Head of the area from which the funds will be drawn.

7.6.5. Extension of Medical Coverage in the Event of Layoff

Staff members who will be laid off because of a lack of work or funds and suffer from any chronic disease/ailment, will have partial health support of NUTECH in terms of cost of health for a defined number of months, calculated based on the amount of NUTECH service from the current employment date. The Human Resources Office will provide information regarding eligibility for, and duration of, this extension of partial health support.

7.7. Retirement of Faculty and Staff Members

For benefits purposes, NUTECH will consider faculty and other staff who leave NUTECH at or after age 55 with 15 years of benefits-eligible employment (after age 40) to be “retirees” of NUTECH, whether they resign voluntarily, are laid off, or if they otherwise left involuntarily. Having retired from NUTECH will not preclude future re-employment at the University, although retirement benefits will sometimes need to be suspended if a retiree resumes work at NUTECH in a benefits-eligible status and, as noted below, retirement will affect tenure for faculty.

A tenured faculty member will relinquish tenure upon retirement. Should a faculty member be reappointed after retirement, the appointment to the academic staff shall be made at the same rank held by the faculty member prior to retirement from NUTECH, although without tenure (see Section 2.3.1 Retired Professors).

As a pre-retirement option, during the five years prior to the normal retirement age (currently 65), a faculty member will have an option to negotiate with his or her department head a mutually acceptable part-time appointment of 50 percent or less. A faculty member who will choose this option and hold a 50- percent time appointment will retain all rights during this period, including his or her chair and benefits status. A faculty member who will hold less than a 50 - percent time appointment will be eligible for benefits as a retired professor, but will retain all other rights as an active faculty member. Under this option, a faculty member's tenure appointment will be converted into a term appointment that will end after five years or at the normal retirement age plus three years, whichever will come first. At that point the faculty member will be retired and may be appointed a professor emeritus or a Professor, Post-Tenure as outlined in Section 2.3.1 Retired Professors.

7.8. Travel at University Expense

The basic policy guiding travel expense reimbursement will be that the individual traveler shall neither gain nor lose personal funds as a result of travel assignments and that these assignments be planned so that their cost will not exceed budgetary limitations. Thus each traveler will be fully reimbursed for all necessary and reasonable expenses incurred in connection with travel on University business as per the university policy, but shall make efforts to keep all expenses at a sensible minimum. The mode of travel considered reasonable will be that which will provide adequate standards of comfort, convenience, safety and efficiency.

The University's travel policies will be designed to provide the greatest possible flexibility within these requirements and to rely on the goodwill and discretion of the traveler and supervisor in the stewardship of University funds. Although it is intended that travel



expenses will be reimbursed uniformly throughout the University, specific policies and procedures will be adapted to the needs of an individual department or TRL/center to the extent consistent with this general policy.

This policy will apply to all official travel for the University by its employees and, when appropriate, by official visitors. Travel expenses incurred by a consultant hired by NUTECH shall be reimbursed under the consultant's purchase order rather than under this policy.

7.9. Procurement Policy on Gifts and Gratuities

University and federal policies strongly prohibit the acceptance of personal gifts or gratuities from vendors, subcontractors and contractors (referred to in this section as "suppliers").

It is the University's objective to award business to suppliers on the basis of considerations such as quality, service, competitive pricing and technical abilities. Acceptance of personal gifts or gratuities from suppliers that could be construed as a means of inducing business with the University is totally inconsistent with this objective.

University policy prohibits University employees from accepting personal gifts or gratuities of any kind from suppliers as 'Kickback'. This includes the use of property or facilities, gift certificates, entertainment, or other favors of value extended to employees or their families.

"Kickback" will be defined as any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind that is provided by a supplier, directly or indirectly, to any employee for the purpose of improperly obtaining or rewarding favorable treatment in connection with procurement under a university contract or grant.

8. Graduate Student Appointments

8.1. Responsibilities

Students holding a teaching or research assistantship will share a responsibility for promoting the scholarly and educational objectives of the department in which they will work. Graduate student assistants, like faculty, shall consider it a duty to become personally acquainted with the students assigned to them and to interest themselves in their students' academic and nonacademic progress. Assistants will be subject to policies and procedures of their departments and of the University and shall respect and conform to the rules and procedures of the division or TRL/center to which they will be assigned.

Academic progress will contribute to a student's effectiveness as an assistant, in which consecutive appointments will be favored. Applications for reappointment shall be considered individually on merit. Reappointment will depend on academic progress as well as on performance as an assistant. A student's appointment to an assistantship will be cancelled at any time if progress in a graduate program is found unsatisfactory or if the student is not carrying out the duties assigned in a satisfactory manner.

8.2. Appointment Categories

Instructor-G and teaching and research assistantships will be the University positions to which only full-time graduate students, as candidates for advanced NUTECH degrees will



be appointed. However, in unusual circumstances, the Dean for Graduate Education will authorize appointments of undergraduates and special students. Assistants and instructors-g shall be enrolled full-time during each term of their appointment, including the summer if they hold appointments then.

8.2.1. Instructor-G

Graduate students with considerable teaching experience will receive instructor-G appointments. These appointments will be given only to mature students of proven teaching ability who, in the opinion of the department head, will be competent to accept teaching responsibilities warranting the grade of instructor. The rate of compensation for such students will be determined in each case by the Dean concerned, according to the circumstances of the appointment.

8.2.2. Teaching Assistant

The principal duties of a teaching assistant will include assisting faculty members in classroom and laboratory instruction, preparing apparatus or material for demonstration, conducting tutorials and discussion sections and grading quizzes. A full-time teaching assistant will usually receive a scholarship to cover tuition costs, in addition to a stipend; a part-time teaching assistant will receive an appropriate partial tuition scholarship.

8.2.3. Research Assistant

The principal duty of a research assistant will be to contribute, under supervision, to a program of departmental or interdepartmental research. The appointment will be made with the understanding that the required services will contribute to the professional training of the graduate student. Research assistants will be committed to performing assigned services, their work will be suitable for, and used as part of, their thesis research to the extent approved by the head of the appointing department and the thesis supervisors. A full-time research assistant will receive a scholarship to cover tuition costs, in addition to a stipend; a part-time research assistant will receive a partial tuition scholarship. Research assistants who will indicate both an interest in and a capacity for teaching will be assigned some departmental teaching duties, but their principal activities shall be confined to research.

8.2.4. Fellowships

Financial support for graduate students in the form of fellowships covering a cash award to the fellow, tuition and an additional allowance to NUTECH will be subject to the rules and regulations of the Committee on Graduate School Policy. Faculty members who will be soliciting fellowships shall consult with the appropriate department head and the Dean for Graduate Education before making commitments.

Some research sponsored by industry will be carried out by awarding fellowships or scholarships to graduate students whose thesis work will be in the field specified. Such awards will also be subject to the rules and regulations of the Committee on Graduate School Policy. If a student receives financial aid from a grant for thesis expenses or utilizes laboratories and equipment that are partly or wholly financed by special funds, the student shall relinquish his or her rights (particularly with respect to inventions and publications) to the extent that the University will be obligated to those who contribute financial assistance to its educational and research programs.



Appointment Procedures

Graduate student appointments shall be made by department heads through the appointment process. An appointment for the academic year will normally be for the period September through June; a summer appointment will normally be for the period June 1 through August 31. Appointments will be made for shorter periods, however.

8.2.5. Payment

The prevailing scales of compensation for research and teaching assistants will be adjusted to make the appointments equally attractive, taking into account the availability of tuition scholarships, the opportunities for thesis research and other benefits connected with each. Stipends will be established each year by individual departments within guidelines formulated by the Academic Council. A department will not assign a stipend (exclusive of tuition and fees) outside of the stipend range established in these guidelines without special approval of the Dean. Requests to deviate from the range shall be made in writing and the formal approval must be kept on file in the Dean's Office. Graduate student appointees shall recognize that their stipends will not be intended necessarily to cover the full cost of living. During the period of his or her appointment, a graduate student appointed as a full-time research assistant, teaching assistant, or instructor-G will not engage in additional employment for which he or she receives compensation from NUTECH-controlled sources of payments. Excluded from this limitation will be positions in the University housing system such as resident tutors. Exceptions to these limitations will be made upon the approval of the Dean for Graduate Education. Departments will provide additional stipend support to supplement those stipends that will be received by holders of fellowships from outside sponsors. Such additional support shall be provided in conformance with the policies of the sponsoring organizations. The supplements will be in the form of fellowships or in the form of compensation for part-time duties. In establishing levels of supplementation of stipends, departments shall follow those guidelines that apply to compensation for full- time graduate student appointments.

Vacation

Instructor-G and assistantship appointees will observe normal University holidays and will be entitled to two weeks of vacation with pay if their appointments will be for the full calendar year. Their vacation schedule shall be approved by their supervisors.

8.2.6. Interruption of Graduate Student Research Appointments

A graduate student will not interrupt his or her academic program to accept employment on the campus either during the academic year or during the summer, without the approval of the department head and the appropriate academic dean and unless the work as an employee will be unrelated to the student's thesis research. A signed thesis release form shall be submitted to an appropriate officer at human resources directorate in support of such appointment.

9. Introduction to Relationships and Responsibilities

The policies in Section 9 shall apply to all members of the NUTECH community – faculty, support staff, students, fellows, individuals with visitor appointments, affiliates and any other individual who will conduct business with or on behalf of the University.



These policies shall apply to conduct that will occur on NUTECH property, or when a NUTECH community member will be representing or acting on behalf of the University, conducting University business, or attending University-funded or University-sponsored activities such as a conference. In addition, these policies will apply to conduct that will occur outside the NUTECH work or academic environment if that conduct affects the work or educational environment. In other circumstances, employees' personal conduct will generally be their own to regulate. However, if an employee engages in behavior that will discredit the University or show a serious lack of dependability or good judgment, it will be appropriate to review that employee's responsibilities at the University.

The University shall take seriously allegations of violations of its employment policies. In particular, violations of the policies against discrimination and harassment will undermine a person's wellbeing and interfere with their work and academic progress or performance; such violations will also taint the work or educational climate for others and will undermine the University's ability to achieve its mission. Allegations of policy violations will be investigated and will lead to disciplinary action, up to and including termination of employment, expulsion, or other termination of the individual's relationship with the University. In any investigation, the University shall strive to protect the rights of all the individuals involved and to safeguard the welfare of everyone in the NUTECH community.

Community members who will feel they will have been discriminated against or harassed, or that any of the other policies in this Section 9 will have been violated, shall be encouraged to raise their concerns with a resource in the NUTECH community. (Section 9.7, Complaint Resolution Policies and Procedures for information about the process for informal and formal complaint resolution, including filing complaints with governmental agencies).

In an academic community, the free and open exchange of ideas and viewpoints reflected in the concept of academic freedom will sometimes prove to be disturbing or offensive to some. The examination and challenging of assumptions, beliefs or opinions will, however, be intrinsic to the rigorous education that NUTECH strives to provide. The policies in Section 9.0, and in particular the personal conduct and harassment policies, will not be intended to compromise the University's traditional commitment to academic freedom or to education that shall encourage students to challenge their own views of themselves and the world.

9.1. Personal Conduct & Responsibilities Towards Students and Employees

The University shall promote the principle that every person will bring the unique qualities and talents to the community and that every individual shall be treated in a respectful manner. All members of the NUTECH community shall be expected to conduct themselves with professionalism, personal integrity and respect for the rights, differences and dignity of others. These standards of personal conduct shall apply to all communications, whether oral, written, or in gestures. Community members will also be expected to treat the property of both the University and other community members with appropriate care and respect. Among the standards of personal conduct that shall apply to all faculty and staff will be the University's conflict of interest policies found in Section 4.4. More detailed information on the responsibilities of supervisors is available at Section 7.3.

9.2. Non-discrimination



The University's nondiscrimination policy shall apply to faculty, staff, students and all other members of the NUTECH community. It is included in the NUTECH course catalog and in other publications describing NUTECH's academic programs.

The University shall be committed to the principle of equal opportunity in education and employment. The University shall prohibit discrimination against individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, or national or ethnic origin in the management of its educational policies, admissions policies, employment policies, scholarship and loan programs and other University managed programs and activities; the University will, however, favor Pak citizens or residents in admissions and financial aid.

The Director for Human Resources shall be designated as the University's Equal Opportunity Officer. All inquiries concerning the University's policies, compliance with applicable laws, statutes, regulations and complaints will be directed to the Director for Human Resources.

9.3. Racist Conduct

As is stated in Sections 9.2 and 9.4, harassment or discrimination against individuals on the basis of race, whether intentional or not, shall be unacceptable at NUTECH. Racism and racist conduct will undermine a person's wellbeing and interfere with their work and academic progress or performance; such violations will also taint the work or educational climate for others, and may undermine the University's ability to achieve its mission.

The University shall be committed to the elimination of racism and racist conduct. In any investigation of allegations of racist conduct, the University shall strive to protect the rights of all individuals involved and to safeguard the welfare of everyone in the NUTECH community. Section 9.7 Complaint Resolution Policies and Procedures for more information.

9.4. Harassment

In order to create a respectful, welcoming and productive community, the University shall be committed to providing a living, working and learning environment that is free from harassment.

Harassment shall be defined as unwelcome conduct of a verbal, nonverbal or physical nature that is sufficiently severe or pervasive to create a work or academic environment that a reasonable person would consider intimidating, hostile or abusive and that adversely affects an individual's educational, work, or living environment.

In determining whether unwelcome conduct is harassing, the University will examine the totality of the circumstances surrounding the conduct, including its frequency, nature and severity, the relationship between the parties and the context in which the conduct occurred. Below is a partial list of examples of conduct that will likely be considered harassing, followed by a partial list of examples that will likely not constitute harassment:

- a. **Examples of possibly harassing conduct:** Public and personal tirades; deliberate and repeated humiliation; deliberate interference with the life or work of another person; the use of certain racial epithets; deliberate desecration of religious articles or places; repeated insults about loss of



personal and professional competence based on age.

- b. **Examples of conduct that is likely not harassment:** Administrative actions like performance reviews (including negative performance reviews) and making work assignments; other work-related decisions like moving work areas or changing work colleagues; and isolated incidents (unless, as noted above, they are very severe, such as the use of certain racial epithets).

Conduct that does not rise to the level of harassment will still violate Section 9.1. Even conduct that does not violate a NUTECH policy will be inappropriate and any inappropriate conduct shall be addressed by the supervisor or department head.

While NUTECH's harassment policy is not limited to harassment based on the protected categories listed in Section 9.2, the University shall be particularly committed to eliminating harassment based on those categories. Harassment that is based on an individual's race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, or national or ethnic origin shall not only be a violation of NUTECH policy but will also violate federal and provincial laws.

9.4.1. Sexual Harassment, Sexual Misconduct, Gender-Based Harassment

The University's policy against harassment shall specifically include a prohibition against sexual harassment, sexual misconduct and gender-based harassment if the conduct meets the standards of harassment set forth above and has a connection to NUTECH as described in the introduction to this Section 9.0.

9.4.1.1. Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, or 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 an individual's employment or academic standing; or
- b. Submission to or rejection of such conduct by an individual is used as the basis for significant employment decisions (such as advancement, performance evaluation, or work schedule) or academic decisions (such as grading or letters of recommendation) affecting that individual; or
- c. The conduct is sufficiently severe or pervasive that a reasonable person would consider it intimidating, hostile or abusive and it adversely affects an individual's educational, work, or living environment.

A partial list of examples of conduct that might be deemed to constitute sexual harassment if sufficiently severe or pervasive include:

- a. **Examples of verbal sexual harassment** may include unwelcome conduct such as sexual flirtation, advances or propositions or requests for sexual activity or dates; asking about someone else's sexual activities, fantasies, preferences, or history; discussing one's own sexual activities, fantasies, preferences, or history; verbal abuse of a sexual nature; suggestive



comments; sexually explicit jokes; turning discussions at work or in the academic environment to sexual topics; and making offensive sounds such as "wolf whistles.

- b. **Examples of nonverbal sexual harassment** may include unwelcome conduct such as displaying sexual objects, pictures or other images; invading a person's personal body space, such as standing closer than appropriate or necessary or hovering; displaying or wearing objects or items of clothing which express sexually offensive content; making sexual gestures with hands or body movements; looking at a person in a sexually suggestive or intimidating manner; or delivering unwanted letters, gifts, or other items of a sexual nature.

9.4.1.2. Sexual Misconduct

Sexual misconduct is a broad term that includes sexual assault (rape, sexual fondling, incest or statutory rape) as well sexual exploitation and sexual harassment.

Gender-Based Harassment

Gender-based harassment is unwelcome verbal or nonverbal conduct based on gender, sex, sex-stereotyping, sexual orientation, or gender identity that meets the definitions above of harassment. Gender-based harassment may also involve conduct of a sexual nature.

9.4.2. Stalking

Stalking, whether or not sexual in nature, shall be prohibited at NUTECH. Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress.

Stalking can take many forms. Examples include, but are not limited to, two or more instances of the following conduct (that also meet the definition of stalking above): following a person; appearing at a person's home, class, or work; continuing to contact a person after receiving requests not to; leaving written messages, objects, or unwanted gifts; vandalizing a person's property; photographing a person; and other threatening, intimidating or intrusive conduct. Stalking may also involve the use of electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices (often referred to as cyber-stalking). Such conduct may include, but is not limited to, non-consensual communication, telephone calls, voice messages, emails, texts, letters, notes, gifts, or any other communications that are repeated and undesired.

9.5. Consensual Sexual or Romantic Relationships in the Workplace or Academic Environment

9.6. Violence against Community Members

In addition to prohibiting sexual violence, NUTECH shall strictly prohibit threats, threatening conduct and acts of violence against NUTECH faculty, staff, students, other community members and any other individual conducting business with or on behalf of the University, or willful damage to their property or NUTECH's property. In addition to the



sanctions for violations of employment or student policies, violations of this policy may lead to criminal proceedings.

9.7. Retaliation

No one shall be retaliated against for, in good faith, raising a complaint of a violation of a NUTECH policy, participating in the University's complaint resolution process (whether as a complainant, a witness, an investigator, or in any other capacity), or opposing a violation of an NUTECH policy. Retaliation is any adverse action, harassment, threats or other conduct that would discourage a reasonable person from making a complaint or otherwise participating in a complaint resolution process. Retaliation may occur even where there is no finding of a policy violation and a complaint of retaliation will be addressed independently through NUTECH's complaint resolution process.

9.8. Complaint Resolution Policies and Procedures

Any NUTECH student, faculty or staff member who believes that he or she was unfairly treated or that an employment policy was violated or misapplied will be encouraged to resolve the concern through the complaint resolution procedures outlined below. NUTECH shall be committed to providing a prompt, fair and impartial process from the receipt of a complaint to the final result. NUTECH management shall try to address concerns while taking into consideration the interests of all involved, those raising a concern and those against whom the concern will be raised, as well as co-workers and others who will be involved.

The complaint resolution process for complaints against those who will work at NUTECH will begin at the local level with an informal approach, which will resolve complaints in most situations. If the informal approach is not successful, or if it is not appropriate in the circumstances, a request for a Formal Review will be filed. Formal Reviews will determine whether an NUTECH employment policy was violated or was misapplied (that is, applied in an arbitrary or capricious manner). Among the complaints covered by this procedure will be allegations of violations of the University's policies against discrimination and harassment. Specific provisions common to complaints by or against employees, such as confidentiality, protection from retaliation and record keeping, are found in Section 9.7.5. Complaints By or Against Those Who Work at NUTECH.

9.8.1.1. Application of Procedures

The procedures in this section shall apply in most situations to complaints alleging that a NUTECH employee, faculty member, other academic, student employee, management, research, or support staff, violated an employment policy. Although complaints will typically be made by one employee against another employee, the complaint resolution procedures will also be used for a complaint made against an employee by non-employees, such as a student, postdoctoral fellow, independent contractor, volunteer or another member of the NUTECH community. (Note: In this policy, the person bringing the complaint will be called "an employee," even if the complaint will actually be made by a non-employee member of the NUTECH community.)

Section 9.7 does not apply where more specific procedures exist for particular groups of employees or specific issues. For example, separate procedures exist for: faculty appointment and promotion matters (see Section 3.3 regarding promotion and tenure);



allegations of academic misconduct in research and scholarship (at Section 10); and regarding security clearances.

9.8.1.2. Complaints by or against Faculty

If a NUTECH employee has a complaint against a faculty member, the employee shall first seek to resolve the matter through direct discussion, if feasible, as described in Section 9.7.2. If the matter is not resolved after using one or more of the informal options described in Section 9.7.2, the employee will request a Formal Review under the process set out in Section 9.7.3. Similarly, a faculty member will also use the Complaint Resolution process if he or she has a complaint against a NUTECH employee (including another faculty member) about the application of an employment policy, except as otherwise provided in this Section 9.7.1. In addition, for a complaint of discrimination or harassment against a faculty member, either person will request an Independent Investigation Panel under Section 9.7.4.

As noted, complaints about a decision not to promote or award tenure are covered by section 3.3. Other complaints about appointments shall be raised at the relevant department level. An alternative route for an academic matter raised by a faculty member will include seeking advice from the Officers of the Faculty.

9.8.1.3. Complaints by or against Students

This policy will apply to a work-related complaint filed by a student against an employee (including a supervisor). If a complaint is made against a student who is working at NUTECH, either the informal process outlined below or the informal processes of the Office of Student Affairs will be followed. However, a formal complaint against a student employed by NUTECH will usually be addressed through the Office of Student Affairs, even if the issue arose in a work setting.

If students have other concerns, they will be encouraged to seek assistance from one of the many resources at the University.

9.8.2. Informal Complaint Resolution Process

Employees, supervisors and managers (including faculty) shall be encouraged to talk directly with one another about any concerns and complaints, with the goal of understanding perspectives and resolving differences in the immediate work environment where possible; supervisors in particular shall be encouraged to address concerns and complaints informally, and as early as possible (Section 7.3.1). In most cases, it will be recommended that an employee's first approach shall be to discuss the concern directly with the person who causes the concern or with the employee's immediate supervisor. Often, having such a discussion will resolve the concern, particularly where the concern will be about offensive behavior and the person engaging in such behavior will not be aware that the conduct was offensive to others.

Where this will not be successful to resolve the complaint or appropriate in the circumstances, employees will choose to discuss their concern with successively higher supervisors in the center, lab or department where the concern arose or with a Management Support Officer, if applicable. (Note: centers, labs, departments will be referred to just as departments in this policy.) Alternatively, or at the same time they will be speaking with their supervisors, employees will discuss a problem and seek advice



informally from a departmental human resources professional or relevant human resources officer in the Human Resources Directorate. Informal dispute resolution methods shall be attempted to facilitate the resolution of a concern or complaint directly by the individuals involved. Any decision about the resolution of the complaint will be made by those individuals.

9.8.3. Formal Review Process

9.8.3.1. Formal Review of a Complaint about an Employment Policy

If a complaint will allege a violation of a NUTECH employment policy and an informal approach is not successful or appropriate in the circumstances, a request for a Formal Review will be filed. A Formal Review will determine whether NUTECH employment policy was violated or misapplied (that is, applied in an arbitrary and capricious manner). While a general complaint of unfair treatment will be reviewed using the informal process, the request for a Formal Review shall specify one or more NUTECH policies that were allegedly violated or misapplied.

In most situations, a Formal Review will be pursued only after the employee making the complaint (the “complainant”) has attempted to use one of the informal dispute resolution methods. In rare situations, the human resources officer will determine that a complaint should move directly to a Formal Review. The Formal Review will not normally be available to employees during their probationary period (usually during the first six months of employment), unless the complaint alleges discrimination or harassment based on a protected status.

Initial Review by Human Resources

The written request for a Formal Review shall be made to a human resources officer at the Human Resources Directorate. If the written request is made to someone else at the University, that person shall inform the human resources Directorate. The request shall be received by the human resources Directorate within a reasonable period of time after the occurrence of the alleged policy violation or the informal process concluded without resolution, whichever will be later; this will be 30 business days. The written request shall specify the employment policy that was allegedly misapplied or violated, briefly state the facts supporting the complaint and provide any relevant documentation. Within seven business days of receipt of the request for review, the human resources Directorate will acknowledge receipt of the request in writing and will review it to determine if an informal resolution attempt is appropriate.

If a designated officer at the human resources directorate determines (1) that an informal attempt at resolution will still be successful (note that informal resolution using mediation is not permitted in cases of sexual assault) or (2) that there is insufficient evidence in the complaint that a policy was violated or misapplied, the complaint will not be submitted for a Formal Review. In such situations, the human resources officer will provide the complainant with a written explanation within 15 business days of receiving the complaint and will suggest alternative methods and resources available for resolution. A decision denying a Formal Review may be appealed to the Director for Human Resources within 30 business days of the date of the written explanation denying a Formal Review. The Director for Human Resources’ decision will be final.



If an attempt is made at an informal review after a request for Formal Review has been filed, the request for a Formal Review will be held in abeyance. If an informal resolution attempt is not successful, the Formal Review will be revived or the request re-filed within 30 business days after the date the informal process ended.

Formal Review

If the human resources officer determines that all or part of a complaint warrants a Formal Review, he or she will notify the management within the center, lab, or department where the person who is being complained about (the “respondent”) works. The manager will be the respondent’s immediate supervisor or that supervisor’s supervisor. The manager will be responsible for ensuring that an objective and timely review is done. The actual review will be done by the manager directly or will be delegated to an appropriate person in that department, in the human resources Directorate, or in another office in the University. In cases involving violations of policy that could also constitute violations of law, such as discrimination or sexual harassment, the review will be done by a human resources professional or other experienced investigator appointed by the Director of Human Resources. Moreover, any formal review that involves a claim of sexual assault, domestic violence or stalking will be conducted by an individual who has received annual training on those issues and on how to conduct an investigation that protects the safety of victims and promotes accountability.

Even if the review is delegated, however, the manager will retain certain responsibilities as noted below. Specifically, the manager and investigator will do the following:

- a. Manager will ensure that an appropriate investigator reviews the complaint.
- b. Manager will ensure that both the complainant and the respondent are notified in writing of the complaint, though the respondent will not be given a copy of the complaint; that both parties will be informed of the identity of the investigator; and that the issue of confidentiality will be raised with both parties.
- c. Investigator will conduct a review, determine whether it is more likely than not (preponderance of the evidence) that NUTECH policy was violated or misapplied, will write a report summarizing the review and conclusions about violations of policy and send the report to the manager.
- d. Manager will determine what, if any, action to take based on the report. When a determination is made that University policy has been violated, disciplinary action will include, but will not be limited to, a reprimand (oral or written), a period of suspension, a reduction in salary, a demotion, a removal of privileges or termination of employment.
- e. Manager will write letters to both the complainant and respondent advising them of the findings made by the investigator and in the respondent’s case, what disciplinary action will be taken, if any.
- f. In cases of sexual assault, domestic violence, or stalking, the complainant and respondent will receive simultaneous notification in writing of the result of the investigation, procedures for appeal (if applicable, Section 9.7.3.2), any change to the result and when the results become final.



- g. A copy of the report will also be provided to both the complainant and respondent.
- h. Will see section 9.7.5.3 about confidentiality and section 9.7.5.6 about record keeping.

After the investigation is complete, the manager will remain responsible for following up to see whether the workplace conflicts have been resolved.

Timelines

In most cases, the following timelines will apply: The complainant and respondent will be informed of the Formal Review within five business days of the date the manager is notified of the request for a Formal Review. The investigation will be completed within 75 business days from the date of notification of the identity of the investigator; however, in cases alleging sexual assault, domestic violence, or stalking, the investigation will be completed within 60 days of the date the complaint is received. The manager will send a decision within seven business days of receiving the investigator's report. If any deadline cannot be met, the manager or investigator will inform the complainant and the respondent in writing (prior to the deadline) about the reasons for the delay and an estimated timeline. Even if the review reaches the level of Formal Review or Appeal, complainants will be encouraged to continue to try to resolve the dispute informally, if at all possible.

9.8.3.2. Appeal

The conclusions in an investigation report of a policy violation (or no violation) will be final and cannot be appealed by either the complainant or the respondent, unless either person will be able to raise one or more of the following grounds:

- a. There is a substantial procedural error (the process was not followed in a way that could have significantly affected the outcome);
- b. There is a finding of fact in the report that is material (would be important to the outcome of the case) that is not supported by the information provided to the investigator; or
- c. There is new and specific information that is material to the outcome of the case and that was not considered at the time of the Formal Review.

The decision by the manager of what action to take in response to the conclusions of an investigation report (e.g., a warning or required training) cannot be appealed.

All appeals shall be submitted in writing to the Director of Human Resources within 30 business days of receipt of the investigation report. The Director will review the request and determine if one of the three grounds for an appeal has been asserted. If so, the Director will notify the complainant and the respondent that the appeal will be considered.

The Director of Human Resources and/or a designee will review an appeal. The Director of Human Resources in conjunction with the designee will decide an appeal and will:

- a. Review the investigation report and any other relevant records or information he or she will determine appropriate to consider. If necessary to consider the appeal, will confer with the complainant, respondent or other participants



- b. Determine if one of the three grounds for appeal will apply.

If the Director of Human Resources decides that no ground for appeal applies, he or she will notify the parties that the appeal has been denied. If the Director of Human Resources determines that a ground for appeal does apply, he or she will:

- a. Affirm, modify, or overrule the conclusions in the investigation report, or
- b. Refer the matter for additional investigation, reconsideration, or informal resolution.

The Director of Human Resources decision or referral will be made in writing within 30 business days of receiving an appeal. A copy of the appeal decision will be sent to the complainant, respondent, manager and the investigator (if any). If any conclusions of the investigation are modified or overturned in the appeal, the manager will reconsider any prior decision based on those modified or overturned conclusions, and will inform the complainant, respondent and investigator of the results of the reconsideration.

In the case of an appeal of conclusions against a faculty member or other academic staff, the same process will apply but the appeal will be submitted to the respondent's department head or the Dean, depending on who was the manager initially reviewing the complaint. The person considering the appeal will inform the human resources officer of the appeal and will consult with the human resources directorate on the process.

9.8.4. Independent Investigation Panel (IIP) for Complaints of Harassment and Discrimination against Faculty

Complaints of harassment or discrimination in violation of NUTECH policies made by any member of the NUTECH community against a faculty member normally shall be handled in the department or local academic unit of the faculty member being charged, and follow the processes described in this section 9.7. If, however, a complainant or respondent believes that an impartial investigation of a complaint of harassment or discrimination against a faculty member will not be possible in the department or local academic unit of the respondent, that individual will have an option to request that the Officers of the Faculty initiate or take over the investigation of the complaint through the means of an Independent Investigation Panel (IIP). This process will not, however, be evoked as an appeal of an investigation that has already been completed. If a complaint against a faculty member also involves allegations against a staff member or student, the Chair of the Faculty shall consult with the relevant senior officer about how to respond to that portion of the complaint.

A request for investigation by the Officers of the Faculty shall be made in writing to the Chair of the Faculty, normally within 10 business days after the complainant and respondent are notified of the name of the investigator. The request shall put forth the reasons an investigation cannot be done impartially in the local department or academic unit or using the usual procedures of this section 9.7. The Chair of the Faculty will then convene the faculty officers and decide if an IIP is warranted. The faculty officers will also attempt to resolve the complaint informally, if appropriate. If the Officers of the Faculty determine that an IIP is not warranted, they will inform both the complainant and respondent in writing, with a copy to the Dean's office. If the Officers determine that an IIP is warranted, they will select the members of the IIP, who will either be themselves or other



senior faculty members. The IIP review process will generally follow the steps for a Formal Review under section 9.7.3.1, but modified as follows:

- a. The Officers of the Faculty will prepare a charge to the IIP.
- b. The IIP will investigate the complaint.
- c. In most cases, the members of the IIP have not played a significant role in any prior attempts at informal resolution.
- d. The IIP will be assisted by staff member(s) with experience in conducting investigations. In cases of sexual assault, dating violence, domestic violence, and stalking, the IIP will be assisted by an investigator who has received annual training on those issues and on how to conduct an investigation that protects the safety of victims and promotes accountability.
- e. The Chair of the Faculty shall ensure that both the complainant and the respondent are notified in writing of the complaint and of the identity of the IIP and staff investigator (if any).
- f. In addition, the Chair of the Faculty will notify the Registrar's office of the review.
- g. The IIP will conduct a review to determine whether NUTECH's policy on harassment or discrimination was violated, will write a report summarizing the review and determining whether there are violations of policy and send the report to the Officers of the Faculty (if different from the members of the IIP).
- h. The Officers of the Faculty will either accept the report or seek further facts from the IIP.
- i. Once the report is accepted, the Officers of the Faculty will send the report to the respondent's manager (usually a department head or Dean), to the complainant and respondent and to the Registrar's office.
- j. The manager will determine what, if any, action to take and notify the respondent and to the complainant in writing whether action will be taken.
- k. See section 9.7.5.3 on confidentiality.
- l. A copy of the manager's determination will be sent to the Registrar's office.

The Officers of the Faculty will be allowed to modify these procedures, as they deem appropriate in a particular case and will notify the complainant and respondent of the modifications. While there is no set timetable, the investigation process will proceed as expeditiously as possible. Any appeal from the conclusions of an Independent Investigation Panel will follow the provisions of Section 9.7.3.2.

9.8.5. Provisions Common to Complaints by or against Employees



The following policies will apply to employee complaints, whether under formal or informal review, under Section 9.7. They will not apply to reviews of tenure referred to in Section 9.7.1.2 or to the research misconduct policy under Section 10.1.

9.8.5.1. Remedial and Protective Measures

The University will offer reasonable and appropriate measures to protect a complainant and facilitate continued employment both during the informal complainant resolution and the formal review processes and, as needed, as part of the resolution of a complaint. These measures may be remedial or protective, such as a no-contact order, change in work schedule or location, or placement of the respondent on administrative leave during the complaint review process.

9.8.5.2. Retaliation

NUTECH's policy against retaliation is stated at Section 9.5 above. A finding of retaliation may lead to disciplinary action, up to and including termination of employment or otherwise terminating the individual's relationship with the University. If any individual has concerns about retaliation, he or she should contact an officer at the human resources directorate. It shall be the University's policy to recognize and respect the rights of any individual against whom a complaint has been brought.

9.8.5.3. False Accusations or Testimony

A false or unfounded complaint determined by the University to have been made in bad faith and dishonesty in the context of an inquiry or investigation shall be serious offenses. Such offenses shall be investigated and may lead to disciplinary action, up to and including termination of employment or other affiliation with NUTECH.

9.8.5.4. Confidentiality

All participants in the informal and formal review process will be expected to maintain confidentiality to protect the privacy of all involved, to the extent possible and as permitted by law. Participants shall keep in mind the effect that allegations can have on reputations, even if the allegations are not sustained by the investigation. Thus, only those people with a need to know shall be informed of a complaint.

At the end of a review, the manager will inform the complainant, respondent and human resources directorate whether action will be taken; in consideration of the privacy of the respondent, the nature of the action is not disclosed to the complainant, except in cases concluding that there was a violation of NUTECH's policy against Sexual Harassment, Sexual Misconduct, and Gender-Based Harassment. (Section 9.4.1) The report sent to the complainant and respondent will be edited to protect the confidentiality of witnesses or others.

9.8.5.5. Assistance During the Complaint Resolution Process

All parties involved in a dispute will be encouraged to seek assistance from resources at the University such as their departmental human resources professional, their human resources officer, human resources department or other departmental managers.



In pursuing any internal option, both parties in a dispute can be accompanied by a member of the NUTECH community to a meeting about the complaint. These individuals will not be family members, subordinates, or attorneys, though of course, parties will be allowed to consult with an attorney or other adviser on their own before or after any meeting at NUTECH. However, in the case of a complaint of sexual assault, domestic violence or stalking, the advisor may be an attorney who will not be otherwise a witness or a party to the complaint. While the advisor may provide support and advice, he will not speak on behalf of the party or otherwise participate in, or in any manner disrupt any proceeding. NUTECH shall reserve the right to remove any individual whose actions will be disruptive to the process.

9.8.5.6. Pay Status for Time Spent in Dispute Resolution

In situations where complaint resolution activities will occur during an employee's normal working hours, a reasonable amount of paid release time may be granted. The human resources officer, investigator, or others involved in resolving complaints will work with the parties to schedule meetings as efficiently as possible.

9.8.5.7. Record Keeping

In the case of a Formal Review under Section 9.7.3, a copy of the complaint and the decision letter sent to the complainant will become part of the complainant's personnel file. A copy of the decision letter sent to the respondent will become part of the respondent's personnel file. Where the review concludes that a policy was violated, a copy of the decision letter and report will be sent either to the Dean (for complaints involving respondents from academic or research departments, labs and centers) or to the Director of Administration (for complaints involving respondents from administrative departments). A copy of any decision on appeal that concludes that a policy was violated will similarly be sent to the Dean or Director of Administration's Office. On request, access to these files will be granted by the Office of the Dean or Director of Administration to individuals at the University with a need to know, such as incoming department heads.

9.8.5.8. Termination of Internal Review

A request for Formal Review made by an employee who will subsequently voluntarily terminate employment will normally be considered as withdrawn upon termination and the review will cease. An employee who has terminated employment may request a review under Section 9.7 only if the request alleges that the termination itself violated a policy; such a request shall be made within 30 business days of termination. For any other concerns raised by a former employee or for concerns raised by a former student against an employee, depending on the circumstances, NUTECH may choose to review the concern using this or a different process. Notwithstanding this general rule, in most cases, NUTECH will continue to investigate a complaint of sexual harassment or sexual misconduct made by a former employee if the respondent is still employed at NUTECH. If an employee chooses to sue or file a complaint with an external agency, NUTECH will normally terminate any formal review at the time the external complaint is filed. However, the University may determine that it will be appropriate to continue its investigation and to take action under this complaint resolution procedure or through another process.

9.8.5.9. Legal Information



These procedures will serve also as the complaint and grievance procedure for employees (including student employees) as required by the relevant local and federal laws, specifically including concerns about race, sex, gender, disability, color, nationality, age, genetic information, sexual orientation and all other forms of proscribed discrimination. Questions on this subject will be addressed to the Office of the Director Human Resources as the University's Equal Opportunity Officer. As noted, individuals may file complaints of violations of law with the University, the time period for filing a complaint is 100 days from the date of the last alleged discriminatory event.

9.9. Access & Accommodations for Employees & Students with Disabilities

NUTECH will be committed to providing effective and reasonable accommodations to employees and students with documented disabilities, in accordance with the federal law. For employees, the Disabilities Services Office (DSO) within Human Resources Office will oversee accommodation requests and also oversees medical leaves. Employees with disabilities will be allowed to request reasonable accommodations through their immediate supervisor or may contact the Disability Services Office directly for assistance. Decisions on whether an accommodation will be required and if so, the specifics of the accommodation will be made on a case-by-case basis through an interactive process with the employee requesting the accommodation. It shall be the responsibility of the employee requesting an accommodation to provide sufficient information, upon request, to support the need for the accommodation requested.

For students, the Student Disability Services Office (SDS) will be created in the Division of Student Life (DSL) to oversee access and accommodation requests. SDS will ensure that qualified students with disabilities receive equal access to all of the University's programs, activities and services. The SDS Office will work closely with the faculty members and students in determining reasonable accommodations. Faculty will work with the SDS and the student to implement approved reasonable accommodations.

Employees will be responsible for contacting the Disability Services Office (DSO) (to be created at Human Resources Directorate) if a reasonable accommodation approved by the DSO is not effectively implemented or is denied to them. Students will be responsible for contacting the SDS Office if academic access is not provided or is not implemented in an effective manner for them. The DSO or SDS will work with University personnel and the individual with the disability to resolve disagreements regarding recommended accommodations. Sections 9.2 Nondiscrimination and 9.4 Harassment will also be linked.

9.10. Policies Specific to Students

Many provisions of Policies & Procedures shall apply to students as members of the NUTECH community, including those in this Section 9, Relationships and Responsibilities within the NUTECH Community. Some additional policies specific to students are set forth below.

9.10.1. Expectations of Students

Each student shall be responsible for reading and getting familiar with the University's expectations which will be documented in the University's 'Mind and Hand' Book and the Academic Integrity Handbook. By enrolling at NUTECH, students will voluntarily agree to comply with the standards of performance and behavior that will be described in the Mind and Hand Book and the Academic Integrity Handbook.



9.10.2. Student Absence for Religious Observances

In accordance with the law, any student who is unable to attend classes or participate in any examination, study, or work requirement on a particular day because of his or her religious beliefs will be excused from any such activity. The student will be given the opportunity to make up the work that was missed, provided that the makeup work does not create an unreasonable burden upon NUTECH. The University will not levy fees or charges of any kind when allowing the student to make up missed work. In addition, students will suffer no adverse or prejudicial effects because they have made use of these provisions.

9.10.3. Tutoring for a Fee by Academic Instructional Staff Members

No faculty member or other academic instructor is allowed to charge a fee for tutoring students in any subject. Graduate students who will hold teaching assistantships will not charge a fee for tutoring students in any subject for which they give classroom or laboratory instruction.

9.11. Substance Use

The following policies address the use of cigarettes, alcohol and drugs at NUTECH.

9.11.1. Campus Smoking Policy

Smoking is generally prohibited in all spaces of all NUTECH buildings. The only exceptions will be private residences (e.g., Heads of House apartments and private apartments), designated indoor and outdoor areas. For boarder students, smoking is not permitted in residences as set forth in the University boarder student policies. The prohibition against smoking shall include the use of electronic cigarettes and other nicotine delivery products or devices.

This policy is intended to be self-enforcing and the cooperation of all members of the NUTECH community is expected. Violators of this policy will be subject to serious sanctions. (For employee sanctions, see NUTECH Personnel Policy Manual Section 3.3.3 Corrective Action. For student sanctions, see NUTECH's Committee on Discipline "Rules and Regulations.")

9.11.2. Policy on the Use of Alcohol

The University policies and guidelines strictly prohibit the use of alcohol by all members of the NUTECH workforce including students.

NUTECH shall observe all federal and local laws and regulations governing the sale, purchase and serving of alcoholic beverages by all members of its workforce and expects that these laws shall be adhered to at all events associated with the University. This includes activities on the NUTECH campus, in NUTECH independent living groups and at off-campus functions sponsored or supported by NUTECH or any of its affiliated groups, academic departments, laboratories, centers, and management units.

Violations



Violations of this policy will be grounds for serious disciplinary action, up to and including termination for employees and expulsion for students.

9.11.3. Policy Regarding a Drug-Free Workplace

The unlawful use, manufacture, distribution, dispensation, sale, or possession of any illegal drug shall be strictly prohibited in any work area of NUTECH at any time. Violations of this policy will be grounds for serious disciplinary action, up to and including discharge. The use of illegal drugs in the workplace can obviously affect the work of the drug user, and it can also affect those who work or study with the drug user. Problems arising from drug abuse can be successfully handled in a majority of cases, provided they are recognized in the early stages and referral is made to the appropriate source. The University's Personal Assistance Program (when established) will provide substance abuse assessments.

All individuals subject to the federal requirements shall report to NUTECH as employer any conviction, and NUTECH, in turn, will notify the awarding federal agencies of any convictions. At NUTECH, notification of the federal agencies will be made by the Office of Director of Human Resources. Department heads and other supervisors, in consultation with Human Resources Directorate, will have the responsibility for any disciplinary action, against drug offenders.

9.12. Environmental Health and Safety (EHS)

9.12.1. NUTECH Environmental, Health and Safety Policy

NUTECH will be committed to excellence in environmental, health and safety stewardship on our campus, in the larger community of which we are a part and globally. This commitment will be demonstrated through our contributions to environmental, health and safety research and teaching, as well as through our institutional conduct.

Through its EHS policy in future, NUTECH will be committed to being at the forefront of large academic research institutions:

- a. In minimizing, as feasible, the adverse environmental, health and safety impacts of our facilities, activities and operations to protect human health and the environment (which is one way we define sustainability).
- b. In achieving and maintaining compliance with federal and local environmental, health and safety laws and good practices in all of our departments, laboratories, research centers, facilities and operations.
- c. In achieving a high standard of institutional accountability for environmental, health and safety stewardship, while maintaining the independence of research and teaching.
- d. In providing educational opportunities to our students and other members of our community, to reinforce the values exemplified in the policy and influence their activities during and after their tenure at NUTECH.
- e. In measuring and continuously improving our environmental, health and safety performance.



9.12.2. Guiding Principles of NUTECH's Future EHS Policy

The NUTECH Academic Council will adopt a comprehensive EHS policy to be composed of certain guiding principles. They will provide an outline of NUTECH's organizational approach, roles and responsibilities of personnel and offices to implement EHS policy effectively.

9.12.3. NUTECH EHS-Based Management System

On the basis of EHS Policy, NUTECH will design EHS Management System by adopting a structured, organizational approach to environment, health and safety management, to ensure continual EHS performance improvement. Central to the design of the Management System will be a continual cycle of planning, implementing, reviewing and improving the EHS processes and practices at NUTECH.

10. Academic and Research Dishonesty

10.1. Procedures for Dealing with Academic Misconduct in Research & Scholarship

10.1.1. Unethical Behaviour in Research and Scholarship

Unethical behavior in research and scholarship strikes at the heart of the scholarly and educational enterprise. A shared understanding of expectations and responsibilities is, therefore, critical not only to the quality of the research enterprise but also to the collegial life of this community. The appropriate institutional response to research misconduct will vary with the facts and circumstances of each case. In addition to requiring correction of the research record, NUTECH will have recourse to a variety of disciplinary actions against individuals whose conduct will violate this Policy, including, in severe cases and following applicable University procedures, expulsion of a student, termination of an employee, or revocation of tenure.

Supervisors shall enforce the highest standards for conducting research and creating and maintaining records of the research. The risk of misconduct occurring will increase in an environment where there is a lack of supervision. Specifically, TRL and center directors and department heads, faculty supervisors and principal investigators shall clearly articulate standards and protocols for research, scholarship and creative work, through discussion and review of research and, when possible, with written guidelines that shall adhere to best practices.

10.1.2. Definitions of Research Misconduct

- a. Research misconduct is **fabrication**, **falsification**, or **plagiarism** in research activities or **deliberate interference**. It does not include honest error or differences of opinion.
 - i. **Fabrication** is making up data or results and recording or reporting them.
 - ii. **Falsification** is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the Research Record.



- iii. **Plagiarism** is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
 - iv. **Deliberate Interference** is intentionally causing material harm to the research or scholarly work of others, and may include damaging or destroying the property of others, such as research equipment or supplies; disrupting active experiments; or altering or deleting products of research, including data.
- b. Research Misconduct at NUTECH shall be Research Misconduct in connection with Research Activities conducted at NUTECH or by NUTECH faculty, staff, fellows, students and others with NUTECH appointments elsewhere as part of their NUTECH- related duties or activities.
 - c. Research Activities shall be proposing, conducting, reviewing, or reporting the results of research or other scholarly inquiry.
 - d. Research Record shall be the record of data or results that embody the facts resulting from scientific or other scholarly inquiry and includes, but is not limited to, research proposals, laboratory records (both physical and electronic), progress reports, abstracts, theses, oral presentations, internal reports and journal articles.
 - e. Complainant will be an individual who reports allegations of Research Misconduct.
 - f. Respondent will be an individual who is the subject of allegations of Research Misconduct at NUTECH.
 - g. NUTECH Advisor will be an NUTECH community member of the Respondent's choice, not the Respondent's family member, subordinate or attorney, who may participate and provide support to a Respondent in any meeting in connection with a review under this Policy. The role of the NUTECH Advisor will be to provide support and guidance, not to be a substitute for the Respondent, who is the primary participant.
 - h. Preponderance of the Evidence will be proof by information that, compared with the information opposing it, leads to a conclusion that the fact at issue is more probably true than not.

10.1.3. Responsibility to Report

Each member of the NUTECH community will have a responsibility to report any conduct that he or she believes in good faith to be Research Misconduct at NUTECH. Ordinarily it will be appropriate in the first instance for a Complainant to report his or her concerns to the supervisor of the prospective Respondent. There may be circumstances in which, prior to taking that action, it would be appropriate for the Complainant to discuss his or her concerns with the prospective Respondent. Consultation and guidance is always available from the Office of the Dean for Research or from senior academic officers (Department heads, TRL directors).



All allegations of Research Misconduct, wherever initially received, shall be conveyed promptly to the Office of the Dean for Research. A supervisor who becomes aware of possible Research Misconduct, either from his or her own observations or because of reports, shall have a responsibility to bring allegations of Research Misconduct directly to the Dean for Research in order to ensure that proper procedures are followed. If a supervisor feels that the Dean for Research is not the appropriate official to whom to report allegations in a particular case, the allegations may be reported to the Registrar. If Complainant reports allegations to a supervisor and the supervisor fails to forward the allegations to the Office of the Dean for Research or the Registrar, then the Complainant shall report the allegations to the Dean for Research or the Registrar directly.

10.1.4. The Review Process

Upon receipt of an allegation of Research Misconduct, the Dean for Research will conduct an initial assessment of the allegations, to determine whether the alleged misconduct falls within the scope of this Policy. The Dean for Research will appoint an impartial fact finder with appropriate expertise to conduct this initial assessment and to make a recommendation to him. If the Dean for Research determines that the allegations do not fall within this Policy, he will either close the matter or refer it to another office at NUTECH with authority or responsibility over the matter. If the Dean for Research determines that the allegations do fall within this Policy, he will initiate a two-stage review process under this Policy. The decision of the Dean for Research to initiate or not to initiate a review shall be final.

The first stage of review under this Policy will consist of preliminary fact-finding (the "Inquiry") to decide whether to recommend to the Registrar a further, formal review. If after the Inquiry, there is a decision to initiate a further review by the Registrar, the University will proceed to a second stage of review, which will entail a formal investigation leading to a recommendation whether or not the University should make a finding of Research Misconduct in violation of this Policy (the "Investigation").

This Policy sets forth general guidelines for the two stages of review, recognizing that the specific procedures to govern review of any particular allegation of Research Misconduct will depend on the circumstances of the case. In addition, the Dean for Research will have the option to deviate from the guidelines expressed in this Policy, as per his or her discretion, for reasons of fairness or confidentiality or to maintain the integrity of the process.

The procedures described in this Policy are consistent with the requirements that will apply to the review and reporting of allegations of scientific misconduct arising in the context of certain government sponsored research, but additional requirements for such cases will be set forth in the Supplement to NUTECH Procedures for dealing with Research Misconduct, to be made available from the office of the Dean for Research. In order to enter a finding of Research Misconduct, NUTECH shall determine by a Preponderance of the Evidence:-

- a. That the Respondent engaged in Research Misconduct; That the Research Misconduct marked a significant departure from accepted practices of the relevant academic community; and
- b. That the Respondent committed the Research Misconduct intentionally, knowingly, or recklessly.



Inquiry

The Inquiry shall consist of information gathering and fact-finding to determine as a preliminary matter whether an allegation of Research Misconduct warrants further, formal review. The Inquiry shall follow promptly, if called for, after the Dean's for Research initial assessment of the allegations. The Dean for Research will appoint one or more impartial fact finders to conduct the Inquiry. Fact finders will not be required to be members of the NUTECH community. At this time, the Dean for Research will provide written notice to the Respondent that an Inquiry has been initiated. The written notice will summarize the allegations under review and advise the Respondent of his or her right to select a NUTECH Advisor to support him or her in the course of the proceedings.

Either before or when the Respondent is notified, the Office of the Dean for Research will promptly take all reasonable and practical steps to obtain custody of all the records and other evidence needed to conduct proceedings under this Policy and will sequester them in a secure manner. The Office of the Dean for Research will provide Respondent with reasonable, supervised access to the records or, when appropriate, copies of the records. The Office of the Dean for Research may seek additional records or other materials that may be potentially relevant during the course of the review. Oversight for the Inquiry process will be provided by the Office of the Dean for Research.

The Inquiry shall, to the extent reasonably possible, be limited to a review of documentary materials. The fact that an Inquiry has been initiated shall be made known only to the Respondent and other persons with a need to know. At the conclusion of the Inquiry, the fact finder or fact-finding Committee will prepare a draft written report summarizing the process and information reviewed and recommending whether to proceed with an Investigation. The recommendation to proceed shall be based on whether there is a reasonable basis to conclude that the allegations may have substance and that Research Misconduct may have occurred based on the information reviewed. In either case, the Respondent will be given a copy of the draft Inquiry report and an opportunity to respond within a reasonable time period set by the Dean for Research. Such response will be reviewed by the fact finder or fact-finding Committee before finalizing the Inquiry report. In addition, any comments provided by the Respondent will be included as an appendix to the final Investigation report. The final Inquiry report will be forwarded to the Dean for Research.

The Dean for Research will review the Inquiry report and may ask the fact finder or fact-finding Committee for additional review or explanation. If this additional review by the fact finder(s) results in revisions to the report, the Respondent will have a further opportunity to submit written comments before any supplemental final Inquiry report is resubmitted to the Dean for Research.

The Dean for Research will submit a final Inquiry report to the Registrar along with his or her recommendation whether or not to proceed with an Investigation. The Registrar will then decide whether or not to proceed with an Investigation. The Dean for Research will send written notice to the Respondent of the Registrar's decision to proceed with an Investigation. The Complainant, if known, will be informed whether an Investigation will or will not be initiated.

Investigation



An Investigation shall be initiated and completed in a reasonable time period consistent with a complete and thorough Investigation. The Dean for Research will initiate an Investigation by appointing an impartial Investigator or Investigation Committee, which may include one or more persons from outside the University, to conduct the Investigation. The Dean for Research will provide written notice to the Respondent that the Investigation has been initiated. The written notice will summarize the allegations, identify the investigators and advise the Respondent of his or her right to the support of an NUTECH Advisor in the investigation. As the Investigation proceeds, the Office of the Dean for Research shall provide the Respondent with reasonable updates and opportunities to respond to information obtained in the investigation. Oversight of the Investigation and specific guidance as it proceeds will be provided by the Office of the Dean for Research. The Investigation will consist of a formal examination and evaluation of all relevant information to determine if Research Misconduct occurred. The Investigation will typically include an examination of all relevant documentation and interviews of individuals who may have relevant information about the research in question. The Investigator or Investigation Committee will be privy to the Inquiry findings but will not be bound by the findings of the Inquiry.

The Dean for Research will review the Investigation report and may ask the Investigator or Investigation Committee for additional review or explanation. If this results in revisions to the report, the Respondent will have a further opportunity to submit written comments before any supplemental final Inquiry report is resubmitted to the Dean for Research.

The Dean for Research will submit the final Investigation report to the Registrar along with his or her recommendation whether or not the University should make a finding of Research Misconduct. If the Dean for Research recommends a finding of Research Misconduct, he or she will also recommend disciplinary actions to be taken. If the Registrar determines that Research Misconduct has occurred, he shall decide on appropriate disciplinary actions, which may include, but are not limited to, formal reprimand, suspension, change in NUTECH status and termination of employment. In the case of the revocation of tenure of a faculty member, NUTECH's policy for termination of a faculty member applies (see Section 3.4.2 of NUTECH Policies and Procedures).

The Dean for Research will provide written notice of the Registrar's decision to the Respondent. The Complainant, if known, will be informed whether there was a finding of Research Misconduct. However, NUTECH officials will not notify the Complainant of any disciplinary action taken.

The Registrar will have the authority to mitigate the effects of the misconduct, including withdrawing NUTECH's name and sponsorship from pending abstracts and papers, notifying individuals known to have relied upon research that was affected by the misconduct, and taking formal steps to correct or retract publications and the Research Record. If there is no finding of Research Misconduct, reasonable efforts shall be made to restore and protect the reputation of the Respondent. The Registrar's decision at any stage of the process within this Policy will not be subject to appeal.

10.1.5. Provisions Common to Misconduct Review Process Fact Finders and Investigators

To the extent reasonably feasible, the Dean for Research shall ensure that fact finders and investigators (1) have sufficient expertise to carry out a thorough evaluation of the relevant



information and (2) have no real or perceived conflicts of interest that could affect their ability to be objective reviewers.

Confidentiality

Proceedings concerning Research Misconduct often raise difficult issues for those making the allegations, for those who are the subject of the allegations, and for those responsible for reviewing the allegations. Review of the allegations shall therefore be conducted promptly and with care and sensitivity.

All participants in the review process under this Policy will be expected to maintain confidentiality to protect the privacy of all involved, to the extent possible and as permitted by law. Participants shall keep in mind the effect that allegations can have on reputations, even if the allegations are not sustained by the proceedings. Thus, only those people with a need to know shall be informed of a complaint.

No Retaliation

No one shall be retaliated against for participating in a review of a misconduct allegation in good faith as a Complainant, a witness, a fact-finder, or investigator or in any other capacity. Retaliation is typically a significant adverse action taken against an individual because the individual participated in a review process. At NUTECH 'Retaliation' shall be taken as a serious offense. A complaint of retaliation will be investigated and may lead to disciplinary action, up to and including terminating the individual's relationship with the University.

False Accusations or Testimony

A false or unfounded report of misconduct determined by the University to have been made in bad faith and dishonesty in the context of an Inquiry or Investigation shall be serious offenses. Such offenses shall be dealt as per stated policy and may lead to disciplinary action, up to and including termination of employment or other affiliation with NUTECH.

Duty to Cooperate and Preserve and Produce Information

All members of the NUTECH community shall cooperate with efforts to review allegations of Research Misconduct. While the destruction or absence of, or failure to provide upon request, information relating to allegations of Research Misconduct is not misconduct per se, such failure may be considered to be evidence supporting a finding of Research Misconduct when the evidence shows the Respondent had relevant information and intentionally, knowingly, or recklessly destroyed it; had the opportunity to maintain the information but did not do so; or maintained the information and failed to produce it in a timely manner in connection with a Research Misconduct proceeding, with the result that the Respondent significantly departed from accepted practices of the relevant academic community.

Record Keeping

The Office of the Dean for Research shall be the custodian of records relating to proceedings under this Policy.



Notice to Sponsors

To the extent a sponsor requires notification from NUTECH that research it funded has become the subject of proceedings under this Policy, the Dean for Research will supply that notification. In addition, the Dean for Research will give applicable sponsors written notice of any decision of Registrar entering a finding of Research Misconduct at NUTECH.

Students

If a student is involved in the review of an allegation of Research Misconduct (whether as a Complainant, as a Respondent, or as a person from whom information about allegations is obtained), fact finders and investigators shall seek guidance from the Office of the Dean for Research regarding the legal and policy requirements that may apply. Except as they will be subject to the requirements of the Supplement governing federally funded research, allegations of Research Misconduct by students will be addressed in accordance with Section 10.2 of NUTECH Policies and Procedures (“Procedures for Dealing with Student Academic Dishonesty”).

10.2. Procedures for Dealing with Student Academic Dishonesty

NUTECH assumes that all students come to the University for a serious purpose and expects them to be responsible individuals who demand of themselves high standards of honesty and personal conduct. Cheating, plagiarism, unauthorized collaboration, deliberate interference with the integrity of the work of others, fabrication or falsification of data, and other forms of academic dishonesty shall be considered serious offenses for which disciplinary penalties shall be imposed.

Some academic offenses by students may be handled directly between the faculty member and student, possibly with the assistance of the head of the faculty member's department. The following are suggestions for how faculty members and departments can communicate their expectations of academic conduct and how they can handle violations of those expectations.

10.2.1. Communicating Faculty Expectations

At the beginning of each term, faculty members will be encouraged to make clear to the students in their classes their expectations regarding permissible academic conduct. It is important that this be done in the context of their specific subjects.

Some expectations are obvious; students should realize they are expected not to copy other students' responses during quizzes, or to represent term papers written by others as their own work. There are gray areas, however, in which the standards can vary from subject to subject and from department to department. Particularly ambiguous areas are collaboration on problem sets and other homework assignments and the use of old solution sets or lab reports. Because homework assignments have two roles; helping students learn the material and helping instructors evaluate academic performance, it is not always obvious how much collaboration or assistance from old materials, if any, the instructor expects. It is therefore important for faculty members to explain as precisely as possible their expectations about the nature and extent of any collaboration or assistance from old materials they permit or encourage. Where assistance from old materials is expected, the instructor should be certain that the materials are equally available to all students. In



addition, some students may be accustomed to different cultural values and priorities with respect to academic honesty. This increases the need for clearly stated expectations.

10.2.2. Departmental Handling of Violations

Within each department, there shall be a senior member of the faculty, such as the department head or his nominee, who will provide guidance to faculty members and to students in cases of suspected academic dishonesty. In particular, this individual should be able to give advice about the alternative courses of action that are available, about the norms of fairness within the department and throughout the University, and about the rights of students. In addition, staff in the Office of the Dean and the Division of Student Life (DSL) will be available for consultation with students, faculty and department heads.

When a faculty member believes that a student has violated the expected standards of academic conduct, it is generally advisable to arrange to talk privately with the student as soon as possible. The request for a meeting should be in writing; before the meeting, the suspected student should be informed that he or she has a right to come accompanied by any other member of the NUTECH community. At this meeting, the faculty member should explain the reason for believing that a breach of academic honesty has occurred and to give the student the opportunity to respond fully to all allegations. Appropriate effort should be made during this meeting to avoid an atmosphere in which the student feels harassed.

Prior to this meeting with the student, care should be taken to protect the student's privacy, especially since the facts will not yet have been determined. It is usually not advisable to discuss the incident with other faculty members, including the student's advisor, except to seek the kind of guidance referred to in the first paragraph of this section.

As a result of the discussion between the faculty member and the student, the faculty member may conclude that the student has, in fact, behaved dishonestly and may wish to take some further action.

The faculty member may decide to take a direct action (such as one of those described below) or to bring the case to the Office of Student Conduct (OSC) or to the Committee on Discipline (CoD) for resolution. In making this choice, the faculty member should take into account such factors as the severity of the offense, the attitude of the student, and the amount of uncertainty that exists over the facts.

Before making a decision (but after meeting with the student), the faculty member may wish to check with the OSC to determine if the student has received any previous warning letters as the result of academic dishonesty. If the faculty member defers making a decision for this reason, the student should be told when to expect to be notified of the decision.

Among the direct actions that the faculty member may wish to take are the following:-

- a. **Reduced grade.** The faculty member will probably want to assign the student a grade that reflects only the work that the student actually did. If the misconduct of the student is sufficiently serious, or if the student has received previous warning letters about such misconduct, the faculty member should refer the present case to the OSC or to the CoD.
- b. **Redo assignment or exam.** In cases where the faculty member is not sure that the student has intentionally acted dishonestly, but where the amount of independent work performed by the student is clearly inadequate, the faculty member may want to ask the student to complete a substitute assignment or exam. This would be appropriate, for example, when there is an honest



misunderstanding about the degree of collaboration that a faculty member permits.

If the faculty member handles the case, the faculty member should inform the student that if he or she disagrees with the faculty member's disposition of the incident, it can be reviewed by the head of the department. Further review may be requested to the concerned Dean.

If the CoD handles the case, the case will be decided in accordance with the COD Rules and Regulations. The CoD may seek guidance and assistance from the Office of the Dean for Research. The CoD's decision will generally be final, subject to appeals to the Dean in limited circumstances. Appeals under the CoD Rules and Regulations cover limited circumstances.

In certain cases students supported by federal funds may be subject to procedures required by federal government departments/organizations/agencies.

11. Privacy and Disclosure of Personal Information

11.1. Protection of Personal Privacy

NUTECH is committed to protecting the personal privacy of members of the NUTECH community. The mutual trust and freedom of thought and expression essential to a university RETS on a confidence that privacy will be respected. While the organizations collecting and having custody of personal information are immediately responsible for its protection, the ultimate protection comes from a community-wide awareness of the importance of personal privacy in our society and the many ways it can be eroded.

11.2. Privacy of Personal Information

Recognizing that specific items of information about current (as well as former) individual students, faculty and staff must be maintained for educational, research, and other institutional purposes, it is NUTECH policy that such information be collected, maintained, and used by the University only for appropriate, necessary and clearly defined purposes, and that such information be controlled and safeguarded in order to ensure the protection of personal privacy to the extent permitted by law. The education records of students are also subject to NUTECH's policy on the privacy of student records (see Section 11.3 Privacy of Student Records).

11.2.1. Responsibility for Safeguarding Information

Persons with responsibility for records containing personal information should exercise care to ensure accuracy and completeness. Both departments and individuals are responsible for protecting personal information against accidental or intentional misuse or improper disclosure within or outside NUTECH. For more information concerning safeguarding University records and information (whether or not they contain personal information), see Section 13.2 Policy on the Use of Information Technology Resources.

11.2.2. Use of Personal Information

When a member of the NUTECH community is asked by an office or individual at the University to provide information about himself or herself, that person should be informed



of the purposes for which it will be used and the consequences, if any, of not supplying it. Such information should not be used or exchanged within the University for purposes other than those stated, for legitimate purposes that would be reasonably expected, or where the information exchanged does not identify any individual, such as with aggregated data.

11.2.3. Review of Personal Information

Federal government laws give students and employees, respectively, the right to see certain records maintained about them. In accordance with such laws, and while respecting the privacy of others and the traditional confidentiality of faculty peer review and evaluation, an individual should be provided the means for seeing and obtaining copies of records about him or her maintained by the University, as well as for challenging their accuracy and completeness and the propriety of their use.

11.2.4. Disclosure of Personal Information Outside of NUTECH

Personal information, other than directory information about students and standard personnel information, should not be released to anyone outside NUTECH without the permission of the individual to whom the information relates, except in connection with court orders or other legal process (see Section 11.2.7 Court Orders and Other Legal Process), in cases where such release would be clearly expected (employment references, award nominations, etc.), or for other legitimate business needs. In the case of such other legitimate business needs, disclosure is permitted only with approval of the applicable Senior Officer or his or her designee, see Section 13.2.4 Privacy of Electronic Communications, Electronic Files, and Other Files; Section 13.2.4 also covers access to information). Directory information for students is defined in Section 11.3 Privacy of Student Records. Standard personnel information comprises dates of NUTECH employment, job classification or title, the department in which an individual is or was employed and NUTECH telephone extension, office address (in most cases), and email address for current employees.

11.2.5. Information on Foreign Nationals

Requests for information about individual foreign nationals, other than directory information about students and standard personnel information, should be directed to the Registrar, who may release such information provided that the query is specific (rather than general, as in a form letter), that it concerns a named individual rather than a class of people, that it is made by a senior government official, and that it is lawful to release the information; it must also be apparent that a response is warranted by serious considerations of national security or law enforcement.

11.2.6. Archiving Records Containing Personal Information

When records containing personal information are no longer actively needed, they should be retired and maintained in accordance with the University Archival Policy (Section 13.3), which ensures all rights of privacy stated in this section and in Section 11.3 Privacy of Student Records, with one modification: Under special circumstances, the Archivist may grant scholarly researchers access to records that have been inactive for many years. Students' education records maintained by the University Archivist are subject to all of the rights and restrictions provided by the relevant rules (see Section 11.3 Privacy of Student Records).



11.2.7. Court Orders and Other Legal Processes

In the case of court orders or other legal process (including subpoenas or agency requests for information) that require release of information about a current member of the NUTECH community, that individual should ordinarily be notified of the request as soon as possible. Notification will not be made, however, where such notification is specifically prohibited by the law or where the request for information asks for nondisclosure and such nondisclosure is, in the judgment of a Senior Officer, appropriate under the circumstances (for example, where notification might interfere with a criminal investigation). The requested information should be released only by an authorized officer of the University after consultation with the Office of the General Counsel.

11.3. Privacy of Student Records

NUTECH adheres to the federal government regulations, guidelines of the regulatory bodies, which govern the release of and access to student education records. NUTECH affords students the right to have access to their education records, the right to seek to have their records amended and the right to have some control over the disclosure of personally-identifiable information from their education records. In this regard, NUTECH has set the following definitions and policies regarding the release of student education records:

- a. Education Records
- b. Directory Information
- c. Disclosure of Education Records
- d. Inspection of Education Records
- e. Amending Education Records
- f. Complaint Procedure

11.3.1. Education Records

Under NUTECH, “education records” are defined as records that are directly related to a student and are maintained by the University, or by a party acting for the agency or institution. Education records can exist in any medium, including: typed, handwritten, digital, computer generated, videotape, audiotape, film, microfilm, microfiche and email, among others.

As described more fully, records that are kept in the sole possession of the maker and not shared with others, certain medical treatment records, law enforcement unit records, certain employment records, and records created or received after an individual is no longer a student and which are not directly related to the individual’s attendance as a student are not education records.

11.3.2. Directory Information

NUTECH defines Directory Information as follows:



- a. Name
- b. Address (term and permanent)
- c. NUTECH office address
- d. Term phone number
- e. Term email address
- f. Date of birth
- g. Course
- h. Year and registration type
- i. Degrees received
- j. Dates of attendance
- k. Any honors and awards received

NUTECH may disclose Directory Information without a student's consent and without a record being made of these disclosures. NUTECH acknowledges that date of birth, while Directory Information may be considered somewhat more sensitive to some community members and therefore reasonable efforts should be made to release date of birth only to those who have a legitimate need to obtain such information. Students may withhold their Directory Information from disclosure. Information on the procedure to be followed will be available on the Registrar's Office website.

11.3.3. Disclosure of Education Records

In general, the University may not disclose personally-identifiable information from a student's education records without the student's prior consent. However, University may disclose such information under the following conditions, among others:

- a. To University officials, staff, and others engaged in activities on behalf of the University with a legitimate educational interest.
- b. In connection with a health or safety emergency.
- c. In compliance with a subpoena, provided certain conditions are met.
- d. To officials of other academic institutions to which a student seeks or intends to enroll or in which they are concurrently enrolled.
- e. To authorized representatives of certain federal, state and local government agencies
- f. NUTECH does not usually disclose information from education records to a student's parents or guardians unless the student requests or consents to



the disclosure. In certain situations, appropriate NUTECH officials may disclose information when such disclosure seems important for the well-being of the student or others (e.g., in a health or safety emergency).

- g. Academic departments, laboratories and centers that intend to have public disclosure of student work for pedagogical purposes (e.g., products of design studios, collaborative/team class work, and graduate research results and reports) may make such work publicly available but should bring this to their students' attention in advance and give them the opportunity to opt out of the disclosure if it will not otherwise constrain the educational process.

Unless otherwise required by law, NUTECH will not share library circulation records and other records that identify the intellectual pursuits of a student, even within the University.

11.3.3.1. Inspection of Education Records

Students have the right to inspect and review their education records. Requests to inspect records can be submitted to the Registrar's Office, who will provide contact details of the appropriate official in each office to the requesting student. Requests for access will receive a response within forty-five days and the student will be notified of the time and place where the records may be inspected. Students will not have the right to access certain records, such as:

- a. Confidential letters of recommendation if the student has waived the right of access in writing
- b. Records of University faculty and staff members that are made for, and restricted to, their personal use
- c. Parents' financial records
- d. Records that also contain information on other students. Unless otherwise permitted or required by law, students may only inspect, review, or be informed of information directly related to themselves

Amending Education Records

Students have the right to have their education records maintained accurately and may request amendment of records that they believe are inaccurate, misleading, or in violation of their rights. Requests for amendment should be submitted to the custodian of the record or through the Registrar's Office. If the office to which the request is presented decides not to amend the record, the student may request a hearing. If, after such a hearing, the record is not amended as the student requests, the student may submit a statement to be included with the record commenting on the information and stating disagreement with the decision not to amend the record as requested.

The process of amending records or requesting hearings applies only to information that has been recorded inaccurately, incorrectly, or that violates the student's rights. It is not a process to appeal grades or other subjective judgments with which a student disagrees but that have been recorded correctly.

Complaint Procedure



Students have the right to file a complaint with the related government Office of the Department of Education concerning alleged failures by the University to comply with the government requirements. Complaints must be submitted within 180 days of the date of the alleged violation or of the date that the student knew or reasonably should have known of the alleged violation, and must contain specific factual allegations giving reasonable cause to believe that a violation of rules has occurred.

12. Relations With the Public, Use of NUTECH Name, and Facilities Use

12.1. - Relations with Government and Community

NUTECH shall establish meaningful working relationships with the federal government, and other communities and the regulatory bodies. NUTECH's government relations activities are supported and coordinated by the Office of the Rector.

Federal Government: The Registrar of NUTECH is the primary liaison with the parliament, Ministry of Science and Technology (MoST) and executive agencies of the federal government, as well as with the Higher Education Commission (HEC), Pakistan Engineering Council (PEC) and National Technology Council (NTC) and other National Scientific, Engineering, Technology and Industrial organizations based at Islamabad. The goal of the NUTECH Registrar Office is to enhance the University's contribution to national policy in science, engineering technology and education and to make it easier for government officials to consult with NUTECH faculty and administrators on issues that may require scientific, technical and policy advice. This focus on national service provides opportunities to better inform the federal government as well as its executive branch agencies about NUTECH's continuing contributions to the nation and the related concerns of the University and the broader university community.

The mission of NUTECH shall be supported and reinforced by the Registrar Office as a team to support the efforts of the Rector, faculty and support staff across a broad range of activities and contacts with the federal government. They will be available as resources to members of the University community who desire information or assistance in their own relations with the federal government.

Municipal and City Government: The Registrar's Office of NUTECH shall be the primary University liaison with the Capital city and the Federal government. The office endeavors to develop constructive working relationships, nurture partnership efforts and collaborate on matters of mutual concern.

The Registrar office will provide guidance on various licensing, permitting, zoning, housing, taxation, safety, and transportation issues in Islamabad and in other towns. The office Staff will assist in bringing officials to campus as participants in groundbreaking, building openings, and other events at the University. The office will be available as a resource to members of the University community who desire information or assistance in their own relations with these elements of government.

Community Relations: In addition to its inherent responsibility for public service, the University has a special obligation to the local community, recognizing that the long-range welfare of the community and the University are in large measure inseparable.

The related offices of the University shall be responsible for coordinating the University's administrative efforts in community relations. The Registrar office is also responsible for



coordinating NUTECH's Community Services Fund, which provides financial assistance to support volunteers from the NUTECH community in local service efforts.

A NUTECH Public Service Center will be established as the primary source of programming, guidance and information for community service activities at the University. Emphasis will be placed on NUTECH future contributions to science and technology curriculum in local public schools.

12.2. Office of the Dean for University Affairs

The activities and views of NUTECH students, faculty and staff attract the interest and attention of the academic and professional communities and of the general public. Those who speak for the University or provide information concerning its programs must always be conscious of the need to present information in a manner that will communicate most accurately and effectively the University's programs and objectives and to avoid possible misunderstanding or conflict. Faculty and staff members are urged to coordinate with the NUTECH News Office on any matter of public information or any public statements.

12.3. Use of University Name

The University's name must not be used in ways that suggest or imply the endorsement of other organizations, their products, or their services. The use of the University's name, logo, seal, and photographs in the advertising and other promotional material and activities of outside organizations is prohibited when such use is likely to be understood as an endorsement, even if such an endorsement is not the intention of the person or organization seeking to use NUTECH's name. All proposals, therefore, for the use of NUTECH's name or other identification in advertising, sales literature and videos, and commercial publicity must be submitted to the Technology Licensing Office.

National University of Technology and NUTECH are registered trademarks of the University. NUTECH trademarks are licensed to others for use in connection with such products as T-shirts and hats; they are not generally licensed for use in connection with NUTECH intellectual property, software, patents and copyrightable material.

12.4. Use of University Letterhead

Use of the University letterhead for personal or professional correspondence occasionally causes embarrassment or could subject the University to liability, since communications using the University letterhead sometimes are assumed erroneously to be official University statements. University or departmental letterheads should be reserved for correspondence regarding University affairs.

12.5. Use of Facilities

University facilities such as classrooms, lecture halls and Auditorium, have the primary purpose of supporting the educational program. However, these facilities may also be available for meetings, cultural presentations, entertainment programs and topical programs that serve to maintain a stimulating intellectual environment. In general, requests for NUTECH community use will be granted subject to a) the specific priorities and policies established for the requested facility, b) the prior commitments of that facility for regular program use, c) the suitability of the requested space for the particular type of program proposed, and d) the University's status as a tax - exempt educational institution. (See Section 12.5.3 for more information on the use of conference rooms, and Section



12.7 Political Action for specific restrictions governing the use of facilities for political purposes.)

Facilities are not available to individuals but only to academic departments, administrative offices, and officially recognized student, faculty, staff, and employee organizations. In addition, under certain circumstances, non-NUTECH organizations may be sponsored and overseen by any of the above or by faculty or staff members, with prior permission of the appropriate University official. (See Section 12.5.1 Use of Facilities by Non-NUTECH Groups below.)

Official recognition of all student groups (both graduate and undergraduate) is granted by the Association of Student Activities; faculty groups, by the Dean; and staff and employee groups, by the Director for Human Resources.

The organization that is assigned a facility for a particular use and time may not change this use or time without obtaining authorization in writing from the official who made the original assignment. The organization may not in any way transfer the use of the facility to another organization.

The nature and extent of all advertising for a properly scheduled meeting should be reviewed with the appropriate scheduling officer at the time a room assignment is requested. For student groups, advertising policy is coordinated by the Office of the Dean of Students and Undergraduate Education. In all cases, the name of the organization sponsoring the event must appear on advertising, leaflets, posters, and the like. Admission tickets for events on campus may not be offered for sale at commercial booking offices.

In conducting its event, each organization must comply with the local, city, and federal laws as well as applicable NUTECH rules and regulations. In addition, each organization will accept responsibility for conducting its event in accordance with standards of orderly conduct generally acceptable to the NUTECH community. Requests are granted by the appropriate scheduling offices. (See Section 12.5.2 Scheduling Facilities below).

Registering Events: Any campus organization if conducting an event in which attendance will exceed 100 must register the event with the appropriate University office. Events sponsored by student organizations or events at which the attendance is expected to be primarily students should be registered with the Residence and Campus Activities Office in the Office of the Dean of Students and Undergraduate Education. Events sponsored by non-student organizations should be registered with the Conference Services, Events and Information Center.

Public Audience: Concerts of the various student performing arts organizations, athletic events, and student-sponsored and department-sponsored lectures and seminars produced primarily for the NUTECH community are often open to the public. However, a sponsoring campus organization must have its request reviewed and approved in advance by either the Office of the Dean of Students and Undergraduate Education or the Office of the Registrar, if a substantial portion of its audience (normally more than 20 percent) is expected to be from outside the NUTECH community.

Accessibility: When planning conferences, events, and activities, the sponsoring office or department will handle requests for accommodations. In registration brochures, invitations, or flyers, the following statement should be used: To request disability accommodation, please contact [name, department, address, telephone].



Regional Meetings of Student Organizations: Campus organizations with counterparts at other colleges may occasionally wish to use University facilities for inter-university group meetings. Such requests are reviewed by the Office of the Dean of Students and Undergraduate Education.

Use Charges: A use charge covers the portion of the normal operating expenses of a facility during a group's scheduled period of use of that facility. Use charges will not be assessed against officially recognized campus groups, because the normal operating cost of each University facility has been budgeted on the basis that it will be used in support, first, of its primary program function and, second, of the programs of other officially recognized campus organizations. Exceptions may be made for NUTECH programs and events designed specifically for audiences outside of the NUTECH community. (See Section 12.7 Political Action for guidelines on use charges for political activities on campus.) The final judgment on the fee for use of NUTECH rooms rests with the Dean.

Direct Expense Charges: Expenses that are over and above the normal operating expenses of a facility (such as physical plant, dining, audiovisual services, or special security detail) of a facility and are directly attributable to a specific group will be billed to all users, including University offices and organizations.

12.5.1. Use of Facilities by Non-NUTECH Groups

The University opens its facilities to use by non-NUTECH groups when it is feasible and appropriate in light of the needs and objectives of the NUTECH community. Individuals who wish to sponsor a professional meeting or conference should, after receiving the endorsement of their department heads, inform the Conference Services, Events and Information Center. Center staff will review the purpose and basic needs of the conference and seek approval from the Facilities Use Committee, which reports to the Dean.

Requests for facilities for functions cosponsored by an NUTECH organization and a non-NUTECH organization are reviewed in the same manner as requests from outside groups. Requests for use of NUTECH facilities by civic, government, or charitable organizations should be coordinated with the Government and Community Relations Office.

Determination of the feasibility and appropriateness of a particular proposal includes, but is not limited to, an assessment of the following:

- a. The extent to which the proposed program is related to any concurrently functioning activity or program on the NUTECH campus; The extent to which persons affiliated with the NUTECH community will participate in or attend the proposed program;
- b. Evidence of responsibility on the part of the group sponsoring the proposed program or of persons who are members of such a group or who will be participating in the program;
- c. The direct and indirect costs to NUTECH of the program; and
- d. The suitability of the available space for the particular type of program proposed.



Typical events held by non-NUTECH groups include functions of academic, civic, governmental, and charitable organizations and national and international conferences of educational, professional, and student organizations.

University meeting facilities are not available for non-related commercial or industrial meetings, or private training programs. In special cases, permission of Rector shall be mandatory. This does not, however, necessarily exclude civic action meetings or programs that might be sponsored by a commercial concern or industrial association.

Each outside group must have as sponsor a recognized NUTECH organization or a member of the Faculty or staff. The sponsor will be responsible for maintaining a continuing liaison between the outside group and the appropriate University officials throughout the planning and implementation stages of the event. It is the responsibility of the sponsor to assure that the organization, its members and the program adhere to the generally accepted academic and communal standards of the University. The sponsor is financially liable for the program in the event the outside organization is delinquent in this regard.

Coordination of Conferences or Special Events: Once approval for an event is given by the Facilities Use Committee, the Conference Services, Events, and Information Center staff will work with the NUTECH sponsor to determine the detailed logistical needs and plans for the conference, and will coordinate all of the NUTECH services connected with the event.

Accessibility: When planning conferences, events, and activities, the sponsoring office or department handle requests for accommodations. In registration brochures, invitations, or flyers, the following statement should be used: To request disability accommodation, please contact [name, department, address, telephone].

Use Charges: Groups outside the NUTECH community will be charged for the operating expenses attributable to their use of NUTECH facilities and services (such as physical plant, dining, graphic arts, audiovisual services, or a special security detail) in addition to a use charge for the room or facility. The final judgment on the fee for use of NUTECH rooms RESTs with the Dean.

12.5.2. Scheduling Facilities

The offices responsible for scheduling facilities are listed below; a Facilities Use Committee member assists these offices in making decisions about the use of space.

Classrooms (including lecture halls): Schedules Section of the Registrar's Office; certain lecture halls and seminar rooms have departmental priority.

Conference rooms: Individual academic departments. (See Section 12.5.3 below for more information on scheduling conference rooms.)

University house lounges: During the academic year, the Dean for Student Life delegates responsibility to individual house student governments.

12.5.3. Conference Room Policy

All meeting, seminar and conference rooms should be accessible by all departments for the purpose of conducting University business, with the following stipulations:

- a. Priority, in the following order, must be given to the following:-



- i. The department to which the space is assigned.
 - ii. Meetings of the BoG (including the BoG visiting Committees, Executive Committee, and other standing Committees of the BoG).
 - iii. Standing faculty Committees.
 - iv. In general, rooms cannot be reserved more than 12 weeks in advance, except for the following: Committees with yearly meeting schedules (such as faculty Committees).
 - v. BoG visiting Committees.
 - vi. Special events (such as celebrations and conferences) that involve outside participants.
- b. Users have logistical and financial responsibility for returning rooms to their original state. Users who fail to comply may lose the privilege of using shared meeting facilities.
 - c. Once a room has been reserved, the reservation cannot be preempted except for extraordinary situations.

12.5.4. NUTECH Use of Outside Facilities

Official University business will only occasionally be conducted outside the University. Consistency with the University's long-established policy of nondiscrimination requires that no member of the NUTECH community be placed in the position of having to participate in an official NUTECH function at a place where he or she would not be welcome as a member. When planning conferences, events, and activities, the sponsoring office or department handle requests for accommodations. In registration brochures, invitations, or flyers, the following statement should be used: To request disability accommodation, please contact [name, department, address, telephone].

12.6. Fundraising on Campus

The University recognizes the responsibility of the NUTECH community to support the broader community of social interests in financial ways as well as through the efforts of its individual members. To this end, it sanctions certain annual fund campaigns that are broadly based appeals concerning a wide spectrum of social service oriented agencies and providing the individual community member a means of expressing his or her support of their objectives. While recognizing the validity and purpose of these community-wide fund drives, the University realizes that their scope may be too broad to meet the charitable and social service objectives of all organizations on campus. Because of the conflict between the desire to assist in meeting the social needs of our day and the vulnerability of NUTECH's close-knit campus community to an endless succession of fund drives, the following policies have been developed regarding all fund drives on campus:

- a. Fundraising may be conducted to support charitable, educational, literary and scientific organizations, funds, foundations, and causes.



- b. Fundraising may be conducted only under the supervision of recognized campus organizations, whether student, staff, or employee oriented. The funds collected, however, may be used for off-campus projects by that organization, or they may be sent to legal off-campus organizations.
- c. Funds raised through the use of University facilities may not be used on behalf of or in opposition to candidates for public office, nor may they be used in substantial efforts to influence legislation or in any other partisan political activity.
- d. The actual staffing of booths and running of fundraising events must be done by members of the University community.
- e. University organizations should not be formed for the sole purpose of raising funds for off-campus causes; rather, it is presumed that fundraising will be part of their overall program.

12.7. Political Action

The University encourages all students, faculty, staff, and employees to exercise their rights and duties as citizens to participate as individuals in the electoral process. Federal laws, however, clearly distinguish between the political activities of individuals and those of tax-exempt institutions such as NUTECH. The Federal laws limit a tax-exempt institution's engagement in "substantial efforts to influence legislation" and prohibits it from participation or intervention in any "political campaign on behalf of (or in opposition to) any candidate for public office". The following guidelines are responsive to these provisions of law and are intended to emphasize the role of the individual in the political process. They apply to all individuals associated with the University. The interpretation of these guidelines is the responsibility of the Dean, with advice from University counsel.

- a. The University may not intervene or participate in any campaign by supporting or opposing a candidate or by taking a position on an issue involved in the campaign for the purpose of assisting or opposing a candidate.
- b. The University's relations with federal, provincial and local governments (see Section 12.1 Relations with Government and the Community) at times lead to NUTECH taking an institutional position regarding legislative or executive action. The Rector has the authority to determine when such an institutional position will be taken, and in what form. The NUTECH Registrar Office will coordinate these activities and is the resource for information and appropriate contacts for requesting that NUTECH take an institutional position on any governmental action.
- c. Members of the NUTECH community should be aware that federal and local laws governing lobbying activities may require them to report their activities. Information concerning these requirements can be obtained from the Office of Sponsored Programs (OSP) or the Registrar's Office.
- d. Sections 12.3 and 12.4 concerning the use of the University name and letterhead apply specifically to political activities (including lobbying efforts to influence legislation or regulations) by any member of the NUTECH



community, except in connection with an institutional position taken by NUTECH. In all other cases, the name of the University may not be used on material intended for political purposes, including the solicitation of funds, nor may individuals or organizations use an University office as a return mailing address or the University mail service for the solicitation of funds or for any other material in connection with a campaign for public office or an attempt to influence legislation or regulations. Similarly, if individuals use their University titles in political correspondence or other political material, they should do so for purposes of identification only, and they should make it clear that they are expressing their views as private citizens.

- e. University facilities may be used without charge for student activities concerned with public affairs involving welfare when the activities will involve members of the NUTECH community. When University facilities or services are made available for activities to organize support for or opposition to a cause for public welfare, or to influence legislation or regulations for public, and individuals from outside the NUTECH community are the sponsors or are invited to attend or participate, University facilities and services may be made available only on the same basis that they are made available to off-campus users for nonpolitical activities, and full payment for the reasonable costs of providing the facilities and services for such use must be made from non-University funds.

13. Information Policies

13.1. Intellectual Property

The aim of the University's policy on patents, copyrights, and other Intellectual Property is to make available University technology to industry and others for the public benefit, while providing recognition to individual inventors and encouraging the prompt and open dissemination of research results.

The complete policy statement is set forth in the Guide to the Ownership, Distribution and Commercial Development of NUTECH Technology which is available from the Technology Licensing Office (NTLO).

13.1.1. Ownership of Intellectual Property

With the exception of student theses as described below in Section 13.1.3 (Ownership of Copyrights in Theses), rights in patentable inventions, mask works, tangible research property, trademarks and copyrightable works, including software ("Intellectual Property"), made or created by NUTECH faculty, students, staff, and others participating in NUTECH programs, including visitors, are as follows: Inventor(s)/author(s) will own Intellectual Property that is:

- i. Not developed in the course of or pursuant to a sponsored research or other agreement (the faculty advisor, administrative officer, or the Office of Sponsored Programs contracts administrator can advise on the terms of the agreements that apply to specific research); and
- ii. Not created as a "work-for-hire" by operation of copyright law (a "work-for-hire" is defined, in part, as a work prepared by an



employee within the scope of his or her employment) and not created pursuant to a written agreement with NUTECH providing for a transfer of copyright or ownership of Intellectual Property to NUTECH; and

- iii. Not developed with the significant use of funds or facilities administered by NUTECH ("significant use" is discussed in Section 2.1.2 of the Guide).
- a. Ownership of all other Intellectual Property will be as follows:
 - i. NUTECH owns Intellectual Property made or created by NUTECH faculty, students, staff or others participating in research pursuant to a sponsored research agreement to which NUTECH is a party;
 - ii. Ownership of copyrightable works created as "works-for-hire" or pursuant to a written agreement with NUTECH providing for the transfer of any Intellectual Property or ownership to NUTECH will vest with NUTECH;

Ownership of Intellectual Property developed by faculty, students, staff, and others participating in NUTECH programs, including visitors, with the significant use of funds or facilities administered by NUTECH will vest with NUTECH.

13.1.2. Significant Use of NUTECH-Administered Resources

When Intellectual Property is developed by NUTECH faculty, students, staff, visitors, or others participating in NUTECH programs using significant NUTECH funds or facilities, NUTECH will own the Intellectual Property. If the material is not subject to a sponsored research or other agreement giving a third party rights, the issue of whether or not a significant use was made of NUTECH funds or facilities will be reviewed by the inventor's/author's laboratory director or department head, and a recommendation forwarded to the Technology Licensing Office (NTLO). The Dean for Research will make the final decision on this issue and on any dispute or interpretation of policy relating to Intellectual Property.

Textbooks developed in conjunction with class teaching are excluded from the "significant use" category and not considered "works-for-hire," unless such textbooks were developed using NUTECH-administered funds paid specifically to support textbook development. Otherwise, the author is the owner.

Generally, an invention, software, or other copyrightable material, mask work, or tangible research property will not be considered to have been developed using NUTECH funds or facilities if:

- a. Only a minimal amount of unrestricted funds has been used; and
- b. The Intellectual Property has been developed outside of the assigned area of research of the inventor(s)/author(s) under a research assistantship or sponsored project; and
- c. Only a minimal amount of time has been spent using significant NUTECH



facilities or only insignificant facilities and equipment have been utilized (note: use of office, library, machine shop facilities, and of traditional desktop personal computers are examples of facilities and equipment that are not considered significant); and

- d. The development has been made on the personal, unpaid time of the inventor(s)/author(s). When an Intellectual Property is not subject to a sponsored research or other agreement (such as an equipment agreement), but has been developed using significant NUTECH funds or facilities, the Technology Licensing Office may, at its discretion and consistent with the public interest, license the inventor(s)/author(s) exclusively or nonexclusively on a royalty basis. The inventor(s)/author(s) must demonstrate technical and financial capability to commercialize the Intellectual Property, and the NTLO will have the right to terminate such license if the inventor(s)/author(s) have not achieved effective dissemination within three years. Where such a license is issued, the inventor(s)/author(s) may be required to assume the costs of filing, prosecuting, and maintaining any patent rights.

13.1.3. Ownership of Copyrights in Theses

The ownership of copyrights in student theses is governed by the following:

- a. Copyright ownership of theses generated by research that is performed in whole or in part by the student with financial support in the form of wages, salaries, stipend, or grant from funds administered by the University shall be determined in accordance with the terms of the support agreement, or in the absence of such terms, shall become the property of the University.
- b. Copyright ownership of theses generated by research performed in whole or in part utilizing equipment or facilities provided to the University under conditions that impose copyright restrictions shall be determined in accordance with such restrictions. Questions regarding restrictions imposed on any of the University's facilities or equipment may be addressed to the administrative officer of the laboratory or department or to the appropriate contract administrator in the Office of Sponsored Programs.
- c. Students will own the copyrights to theses not within the provisions of a) and b) above; however, a student must, as a condition to a degree award, grant royalty-free permission to the University to reproduce and publicly distribute copies of his/her thesis.
- d. Where significant use is made of NUTECH facilities or equipment provided to NUTECH without copyright restrictions, students own copyrights in theses per c) above; however, software code, patentable subject matter, and other Intellectual Property contained or disclosed in the theses are subject to the significant use policy set forth in Section 13.1.2 above.

13.1.4. Invention and Proprietary Information Agreements

All members of the NUTECH community including visiting scientists and fellows who participate in either sponsored research or University-funded research or who use significant funds or facilities administered by the University must agree to the terms in



NUTECH's Invention and Proprietary Information Agreement and sign the agreement. By accepting such funds or using such significant facilities, the individual agrees to assign to NUTECH or its designate his or her title to Intellectual Property created through the use of such funds or facilities. It is the responsibility of the administrative officer of each laboratory or department to distribute these forms and to collect signed copies. The forms should be signed in triplicate: one copy to be retained by the individual, one by the laboratory or department, and one forwarded to the Technology Licensing Office (NTLO). Any questions regarding the meaning of any terms in this agreement should be addressed to the NTLO. Copies of the form are appended to the Guide to the Ownership, Distribution and Commercial Development of NUTECH Technology or may be obtained from either the administrative officer in each laboratory or department or the NTLO.

13.1.5. Consulting Agreements

It is the responsibility of individual members of the NUTECH community to ensure that the terms of their consulting agreements with third parties do not conflict with their commitments to the University (see Sections 4.3 Full-Time Service, 4.4 Conflict of Interest, and 4.5 Outside Professional Activities). Each individual should make the nature of his or her obligations to the University clear to any third party for whom he or she expects to consult. Specifically, the scope of the consulting services should be distinguished from the scope of research commitments at the University.

The University will not negotiate any consulting agreements on behalf of any faculty, student, or staff member; however, any questions regarding the University's policies may be directed to the NUTECH Technology Licensing Office.

13.1.6. Organization

There are two offices and one Committee responsible for addressing all Intellectual Property matters at the University. The Rector appoints various members of the community to the Committee on Intellectual Property that is empowered to develop Intellectual Property policies for the University. The Dean for Research chairs this Committee and is responsible for the implementation and administration of these policies. The NUTECH Office of Sponsored Programs (NOSP) negotiates the patent and copyright terms for each research agreement with every government and industrial sponsor, subject to NUTECH Technology Licensing Office (NTLO) approval of any non-standard license terms. The NTLO licenses the resulting intellectual property. All technology disclosures should be sent to the NTLO.

13.1.7. Disclosures and Technology Transfer

The federal government funds a significant amount of research at the University, and the University is obligated by federal regulations to report promptly to the appropriate federal agency any inventions conceived or reduced to practice during the course of a government-sponsored research program. The University similarly is obligated to report inventions to its industrial sponsors who provide financial support for research.

In order to comply with these policies and contract terms, inventors and authors must report to the NUTECH Technology Licensing Office (NTLO) any Intellectual Property (as defined in the first paragraph of Section 13.1.1 Ownership of Intellectual Property above) created during the course of a sponsored research agreement or with the use of significant funds or facilities administered by the University.



The form for reporting the creation of Intellectual Property is entitled NUTECH Technology Disclosure, and a copy is appended to the Guide to the Ownership, Distribution and Commercial Development of NUTECH Technology, or may be obtained from the NTLO. Copies of the disclosures should also be submitted simultaneously to the inventor's project supervisor and the department head or laboratory director. There is a space on the NUTECH Technology Disclosure form to identify the sponsor that funded the research resulting in the Intellectual Property.

At the time the invention is disclosed, it is assigned an internal case number and a copy of the disclosure is sent to the Intellectual Property Coordinator in the Office of Sponsored Programs, who reviews the patent and copyright terms of the applicable research agreements and notifies sponsors of the disclosures. In the NTLO, the disclosure is assigned to a technology licensing officer who will contact the inventor(s) to discuss the invention. A decision is then made as to whether technology transfer will be accomplished most effectively by applying for patent or other legal protection. Industrial sponsors are usually granted rights to elect a license to technology for which patent or other legal protection is sought; the specific terms are then negotiated with the NTLO.

More generally, the NTLO will pursue the licensing of technology by researching the market for the technology, entering into discussions with potential licensees, developing a business plan, negotiating appropriate licenses or other agreements, monitoring progress, and distributing royalties to the inventor(s)/author(s) in accordance with NUTECH royalty policy.

13.1.8. Teaching Materials

In case of the Faculty developing copyrightable works, NUTECH's mission will be best served by allowing the individual faculty member to decide when, how, and in what form these works should be disseminated. [See policies on intellectual property (Section 13.1.1, Ownership of Intellectual Property) and textbooks (Section 13.1.3, Ownership of Copyrights in Theses).] Where significant University resources are involved in producing a work (see Section 13.1.2, Significant Use of NUTECH-Administered Resources), or where there are contractual requirements, NUTECH and the faculty author share ownership of the work and responsibility for the decisions.

Students should also be recognized as creators and authors of their own material. The academic and financial rights of students should be honored in the creation and dissemination of educational materials.

13.2. Policy on the Use of Information Technology Resources

Information technology policies ensure that everyone's use of the University's information technology resources supports its educational, research, public service, and administrative mission in the best possible way. Effective support of the University's mission requires complying with relevant legal, contractual, professional and policy obligations whenever information technology resources are used. Effective support also means that individuals not interfere with the appropriate uses of information technology resources by others.

This policy broadly covers all of the University's information technology resources – hardware, software, and content; this includes but is not limited to electronic networks, systems, computers, devices, telephones, software, data, files, and all content residing in



any of these (referred to as “IT resources”). This policy applies to all records of the University and to the information in those records, regardless of the form or the location.

13.2.1. Privacy and Confidentiality of University Records

All members of the NUTECH community are responsible for ensuring that their handling of information about individuals is consistent with the University's policy on privacy of personal information (see Section 11.2 Use of Personal Information). In addition, other University records (that is, records that do not contain personal information) must be handled with due regard for privacy and confidentiality concerns. (See Section 13.2.2.2 Security of Information and 13.2.4 Privacy of Electronic Communications, Electronic Files, and Other Files).

13.2.2. Information Preservation and Security

13.2.2.1. Preservation of Information

NUTECH has an obligation to provide accurate, reliable information to authorized recipients and to preserve vital records (see Section 13.3 Archival Policy). NUTECH is generally dependent on the accuracy, availability and accessibility of information stored electronically and on the computing and networking resources that store, process and transmit this information. Records created and maintained in electronic form are included in the University's definition of archival materials. In addition, upon direction from the Office of the General Counsel, records must sometimes be preserved for prescribed periods of time for litigation or other legal purposes.

13.2.2.2. Security of Information

Individuals who manage or use IT resources required by the University to carry out its mission must take reasonable steps to protect them from unauthorized modification, disclosure and destruction. Data and software are to be protected, regardless of the form, medium, or storage location of the information. The level of protection shall be commensurate with the risk of exposure and with the value of the information and of the IT resources.

Some information has additional legal protection, like certain medical information, education records (see Section 11.3 Privacy of Student Records), certain financial records, and specific categories of personal information covered in NUTECH's Written Information Security Program. As described in the Written Information Security Program, departments that regularly use specified categories of personal information should have written procedures on protecting that data, and should also implement specific procedures concerning how that data is destroyed when no longer needed.

Responsible Use of IT Resources

13.2.3. Approved Use of IT Resources

All members of the NUTECH community are obligated to use NUTECH's IT resources in accordance with applicable laws, with University policies (including its policy against harassment, and its standards of honesty and personal conduct), and in ways that are responsible, ethical, and professional. Users of NUTECH's network must also comply with the NUTECH net Rules of Use.



The use of NUTECH's IT resources is restricted to University business and incidental personal use. Incidental personal use may not interfere with NUTECH work, nor may it result in additional direct cost to NUTECH. NUTECH's computers and other IT resources must be used in a manner consistent with NUTECH's status as a non-profit organization, and so, for example, cannot be used for the benefit of personal businesses or other organizations unless permitted by NUTECH policy (for example, permitted under Section 4.5 Outside Professional Activities) or otherwise authorized. Unauthorized access to and use of NUTECH's IT resources violates this policy.

13.2.3.1. Interference with IT Resources

Members of the University community should not take unauthorized actions to interfere with, disrupt, or alter the integrity of NUTECH's IT resources. Efforts to restrict or deny access by legitimate users of the University's IT resources are unacceptable. Individuals should not use NUTECH facilities to interfere with or alter the integrity of any IT resources, irrespective of their location.

Destruction, alteration, or disclosure without authorization of data, programs, or other content that belongs to others but that is accessed through NUTECH's IT resources is also prohibited. NUTECH may block an individual or group's access to its IT resources in order to protect its IT resources and the information contained in them.

13.2.4. Privacy of Electronic Communications, Electronic Files, and Other Files

As noted in Section 13.2.2.2 Security of Information, members of the NUTECH community should exercise caution to protect information (and particularly personal information) from unauthorized disclosure. Particular caution should be used with electronic communications, because of the ease with which such communications can be distributed and due to concerns about unauthorized access. Unauthorized interception of email and other electronic communications is prohibited by NUTECH policy and may also violate state and federal law.

For legitimate business reasons, representatives of the University may need to access electronic or other records (including paper files) without the consent of the individuals having custody of them; examples of these business reasons include access required by law, where the individual is unavailable due to illness, in the course of an investigation, or in cases of alleged misconduct. Departments, labs, or centers may determine additional reasons for access, for example, due to sponsor requirements. Any member of the NUTECH community who accesses information from records maintained by another individual without the individual's consent must seek prior approval from the applicable Senior Officer or his or her designee for such access and related disclosure; the Senior Officer or designee may consult the Office of the Dean. This process applies to requests for access from an outside entity or from another office within NUTECH.

13.2.5. Third-Party Products and Services

13.2.5.1. Restrictions on Use of Certain IT Resources from Outside Sources

Special restrictions are often placed on the use of IT resources such as hardware, software, databases, and documentation, acquired from outside sources. Use of such IT resources may be further restricted by patent law, as a trade secret, or by contract in the



form of a license or other agreement. Members of the NUTECH community are required to abide by the restrictions imposed by law or by contract on IT Resources acquired for use at the University. Any individual who arranges for authorized distribution of information technology products and services from outside sources must advise the people having access to the products and services of all the associated usage restrictions.

13.2.5.2. Copyright

Unless it has been placed in the public domain, most third-party software is protected by copyright law and may be subject to restrictions on use, copying, and distribution. More information on copyright can be found at Section 13.5 Reproduction of Copyrighted Materials.

13.3. Archival Policy

Recognizing the need to ensure the preservation and availability of the official records of the University for legal, administrative and historical purposes, the NUTECH BoG has adopted the following archival policy.

All records generated or received by the various administrative and academic offices of the University in the conduct of their business, regardless of the form in which they are created and maintained are the property of the University and constitute archival material. The records covered by this policy include official printed material, correspondence, machine-readable files, record books, minutes, Committee files, financial records, and associated papers.

All administrative officers of the University and Officers of the BoG, as well as those members of the Faculty who, by virtue of administrative responsibilities either of a continuing or occasional nature, possess files, records, or documents relating to their official duties, are requested to observe the following regulations:

- a. Archival material in NUTECH offices may not be destroyed or placed in storage without the approval of a Committee of three consisting of the following:
 - i. The Rector's designee, representing the BoG and the administration;
 - ii. The University Archivist, representing the Director of the NUTECH Libraries; and The Dean in the case of academic departments, the Senior Dean in the case of interdepartmental laboratories or other interdepartmental entities, or the cognizant senior officer in the case of administrative or other general University and alumni offices.
- b. Material so selected for preservation shall be sent to the NUTECH Archives in the Libraries.
- c. The officer in charge of each administrative or academic office, in consultation with the University Archivist, will be responsible for deciding how long inactive papers are to be retained in and under the direct control of the office concerned.



- d. All photographs, other visual material, and artifacts significant to the University's history shall be sent to the NUTECH Museum.

The University would also welcome the offer of privately owned material bearing on the history of the University and of science and technology, provided, however, that the University incurs no obligation to retain such material as an integrated collection or in any prescribed form.

The implementation of this policy is the responsibility of the University Archives and Records Management Program of the NUTECH Libraries.

13.4. Records Management Program (RMP)

The purpose of the Records Management Program, administered by the University Archives of the NUTECH Libraries, is to promote economy and efficiency in the creation, organization, maintenance, retention, use and disposition of the University's official records. These records include all papers, maps, photographs, sound or video recordings, machine-readable records, or other documentary material, regardless of physical form, created or received by an employee in connection with the transaction of University business. The records management policy provides for the following:

- a. Orderly and periodic transfer of inactive University records from prime office storage space or inadequate remote storage to the University records center; Systematic destruction of noncurrent University records that have outlived their administrative usefulness;
- b. Identification of University records that are of sufficient and continuing administrative and historical value to warrant their transfer to and preservation in the University Archives; and
- c. Assistance and advice to administrative and academic personnel about efficient record-keeping practices.

13.5. Reproduction of Copyrighted Material

Federal copyright law affects the use and reproduction of copyrighted material by all members of the NUTECH community. Copyright law gives a copyright owner exclusive rights with respect to that owner's work; however, certain "fair use" limitations on those exclusive rights are provided in the law. Among these limitations are specific provisions that address the use of copyrighted material by libraries and by faculty in the course of their teaching responsibilities.

Copyright law applies to authored works regardless of medium and thus applies to digital and digitized works as well as more traditional media. Copyright laws and the guidelines are developed to assist in their interpretation, generally restrict copying in terms of the number of copies that can be made and the length of the text that can be copied. The application of the concept of fair use, which does provide limited exemptions for certain educational and non-profit research uses, is critically dependent on the particular facts of the individual situation. For example, reproduction that results in the creation of substitutes for anthologies, collections, or compilations is severely restricted.



Other provisions of the copyright law cover the reproduction of sheet music for classroom use, the performance or display of copyrighted works in classrooms, public performances of music for which admission is charged, the use and reproduction of videotapes, sound recordings, and computer software. There is also an extensive set of provisions and guidelines that affect library copying, including reproduction for reserve use, interlibrary lending and borrowing, and preservation of library materials. A number of useful internal resources are available to guide the NUTECH community, including the Copyright at NUTECH website.

The copyright policies and practices of the NUTECH Libraries, together with an extensive list of related print and digital sources, can be found at <http://libraries.nutech.edu/scholarly/publishing/> or requested from the Office of the Director of Libraries.

Inquiries related to the reproduction of copyrighted materials may be referred to the Director of the Libraries and the Office of Intellectual Property Counsel.

14. Research Policies and Public and Private Support

14.1. Technology Research Policy and Research Support

The primary purpose of University technology research is to advance knowledge and further the educational program. Instruction and research are interdependent and both suffer when dealt with separately. These functions have, therefore, been integrated and interwoven throughout the entire academic and administrative structure.

The University also has an inherent obligation to render public service, especially to any branch of local, provincial, or federal government, and in fulfilling this special responsibility undertakes research when it can do so without impairing its primary functions and when its available personnel and facilities and its experience qualify it to perform a needed service.

University research programs are expected to receive substantial support through contracts, grants, and other arrangements with government, industry and foundations. From the University's point of view general conclusions have evolved as to the conditions under which it can be justified and the manner in which it can most effectively be integrated with other activities of the University. These conclusions are set forth in the following sections.

In addition, governmental and private sponsors provide support for the construction and renovation of facilities, fellowships and traineeships, curriculum improvement, teacher training, and other programs designed to strengthen graduate and undergraduate education. The suitability of these programs in relation to University activities and objectives has in most cases been evaluated using the same review procedures as are employed in the review of research proposals. Where the support is provided under agreements that create University obligations and contractual commitments to the sponsor, the delegation of administrative responsibility is the same as for sponsored research. To this extent the material that follows is also applicable to sponsored programs other than research.

14.1.1. General Technology Research Considerations



The following are general considerations for technology research at the University:

- a. The University should not compete with industry in industrial research or undertake activities that should more properly be the responsibility of government agencies. Two factors may justify a secondary activity in such areas: the importance of practical creative activity on case material in any effective professional education and the responsibility of an educational institution to render public service.
- b. NUTECH is a national institution, under a broad charter from the Federal Government, performing particular functions as determined by the BoG. The BoG and the support staff must retain proper control of the operations carried on in the name of the University and remain free to operate without restrictions that would reduce its effectiveness.
- c. The University has an advantageous environment for technology research, due to such factors as independence and relative simplicity in management, employment, subcontracting and methods of accounting, and possession of key support staff and facilities. NUTECH cannot accept in research agreements any restrictive clauses that would jeopardize the very environment the University considers essential to the effective conduct of technology research, except in those rare instances where restrictions are accepted as provided for in Section 14.2 Open Research and Free Interchange of Information.
- d. In technology research, the sponsor and NUTECH have a joint and continuing obligation to provide not only the contractual and management environment but also the financial basis for a sound program of investigation. In general, NUTECH's resources are such that it cannot provide this environment except on a full cost- reimbursement basis, including direct and indirect costs.
- e. No person is permitted to use University facilities for sponsored technology research unless arrangements have been made through proper support staff channels as outlined in Section 14.4 Office of Sponsored Programs.

14.1.2. Criteria for Evaluating Technology Research Proposals

In addition to the general technology research considerations outlined in Section 14.1.1, the criteria to be used in evaluating the acceptability of a proposed technology research program include the following:

- a. A departmental or interdepartmental laboratory of the University must be willing to accept responsibility for the program and must have faculty or staff members who are available and willing to supervise the program. The technical supervision of all technology research projects is the responsibility of the individuals directing them, who in turn are responsible to their department heads (unless this responsibility has been explicitly vested elsewhere).
- b. It must be possible to conduct the project without overloading the academic staff and without detriment to the educational program.



- c. The project must not encroach on space and facilities required by the educational program. Availability of space and equipment must be assured in advance by the department head and dean concerned or by the Registrar if any renovation or building changes are contemplated or if space outside the jurisdiction of the department head will be involved. The project must come within the volume of technology research (measured in dollars, space, personnel, and required amount of support staff attention) that the University can appropriately undertake. It must also fit into a balanced, overall program.

14.1.3. Disposition or Transfer of Equipment

In order to comply with its charter and meet its educational objectives, NUTECH must hold in public trust any property in which it has acquired ownership and must relinquish such property only when it would more effectively serve the scientific or educational objectives for which it was acquired or when it is necessary to fulfill NUTECH obligations to donors or research sponsors.

Equipment subject to the control of or restrictions imposed by a donor or technology research sponsor will be disposed of in accordance with those restrictions. Equipment in which NUTECH has title without restriction or limitation may be relinquished by NUTECH only under limited circumstances. Consequently, project supervisors who wish to initiate a request for disposition or transfer of equipment purchased under a sponsored program should consult the Property Office Disposal Officer through Registrar office in advance of the desired transfer date.

14.1.4. Financial and Business Management

The Office of Sponsored Programs is responsible for financial and business policies and procedures for sponsored technology research, including those designed to meet the requirements of grants and contracts. The Director of the Office of Sponsored Programs (OSP) is the contracting officer of the University and is directly responsible for the negotiation and interpretation of sponsored technology research contracts and grants, including basic agreements and for negotiating the reimbursement of indirect costs and employee benefits, but this may be delegated in part to other officers of the University. While retaining University-wide responsibility for business and financial activities related to sponsored technology research, the Pro-Rector may delegate specific operational responsibility and authority to a Director of related technology research Laboratory (TRL).

14.2. Open Technology Research and Free Interchange of Information

The encouragement of technology research and inquiry into intellectual areas of great promise is one of the most basic obligations NUTECH has to its faculty, to its students and to society at large. The profound merits of a policy of open technology research and free interchange of information among scholars are essential to NUTECH's institutional responsibility and to the interests of the nation as a whole. Openness requires that as a general policy NUTECH not undertake, on the campus, classified technology research or research whose results may not be published without prior permission for example, without permission of governmental or industrial research sponsors. Openness also requires that, once they are at NUTECH, faculty, students, and scholars not be singled out for restriction in their access to NUTECH's educational and research activities.



The vast majority of on-campus technology research projects can be conducted in a manner fully consistent with the principles of freedom of inquiry and open exchange of knowledge. NUTECH, however, is an institution that plays a unique role in important areas of technology that are of great concern to the nation. It recognizes that in a very few cases the pursuit of knowledge may involve critically important but sensitive areas of technology where the immediate distribution of research results would not be in the best interests of society. In such cases, exceptions to these policies regarding publication, classification and access by foreign students and scholars may be made, but only in those very rare instances where the area of work is crucially important to NUTECH's educational mission and the exception is demonstrably necessary for the national good. If these conditions are not met, NUTECH will decline or discontinue the activity and, if appropriate, propose it for consideration off-campus or elsewhere. Since the implementation of classified or otherwise restricted research on campus would drastically change the academic environment of the University, it is essential that each project be reviewed and acted upon in light of its impact on the University as a whole.

It is the policy of the University, therefore, that every technology research project within the academic structure of NUTECH that requires a classification on the research process, classification as to the source of funds, classification of the research results, or imposition of other restrictions on publication or access must receive the prior approval of the Senior Dean, who shall seek the advice of the Faculty Policy Committee and will inform the Committee of all approvals. When unrestricted research at NUTECH is important to the national security, appropriate efforts will be made to ensure that relevant government agencies are informed of the results at the same time as are others in the scholarly community.

Theses, whether undertaken by graduate or undergraduate students, are an integral part of the technology research program of the University and fall within the statement of policy concerning classified or otherwise restricted research on campus as stated above. No thesis requiring that a student have a clearance or requiring a security review upon its completion may be embarked upon without the prior approval of the Dean. When graduate theses are involved, the Dean shall seek the advice of the Committee on Graduate School Policy in cases that involve modification of existing policy and will inform the Committee of all approvals.

14.3. Research on Humans as Experimental Subjects

In 1962, MIT of USA became one of the first educational and research institutions to recognize and act upon the need for a Committee of an investigator's peers to review the use of humans as subjects in research projects. In 1964, the World Medical Association adopted the Declaration of Helsinki, a code of ethics in human experimentation. The National University of Health (NIH), USA in 1966 made such review mandatory for all projects funded by that agency. By 1971, such review was required for all human experiments, governmentally funded or not, in each institution receiving federal funds for human research. In the same year, the Food and Drug Administration (FDA) of USA adopted similar review principles for the use of investigational new drugs. With these considerations in mind, the University will establish Committee on the Use of Humans as Experimental Subjects (COUHES) with the powers to review every project in advance utilizing humans as research subjects and submit its report to the Rector. If diagnosis or treatment of a diseased individual is experimental, approval will have to be obtained from COUHES, even if such diagnosis or treatment is for the benefit of the subject.



All types of research using humans as experimental subjects shall fall within the purview of COUHES, including investigation of new drugs and medical, radiological, physical, psychological, sociological, and nutritional studies. This encompasses technology research performed under the auspices of NUTECH or any part of NUTECH, as well as research involving any form of NUTECH support, such as funding, personnel, facilities, academic credit, or access to experimental subjects. Such research is included wherever it is performed. Collaborative projects with other institutions must be approved by the institutional review boards of each institution. If the use of radioactive materials or other sources of radiation energy is proposed, the project must also have the approval of the Committee on Radiation Exposure to Human Subjects.

Investigators who contemplate the use of humans as research subjects will obtain informational material and application forms from the office of the chair of COUHES. Applications as submitted shall be signed by the responsible investigator and by the department head or laboratory director.

The application shall describe completely the procedures to be used on humans, including as appropriate: medication, diets, psychological and physical stress, any physical agents such as electrical stimulation, radiation, or radioactive materials. In psychological or sociological experiments, sample questionnaires or examples of proposed interviews must be submitted. Any embarrassment, humiliation, or deception of persons as subjects in experiments shall be revealed. Means whereby confidentiality of information and anonymity of subjects are maintained must be described. COUHES will give special consideration to the manner by which informed consent will be obtained and documented. It requires that all risks to the individual be justified on the basis of potential benefits with full protection of the subject's rights and welfare. Justification for deception in the course of an experiment must be explained carefully, and methods described to repair any damage occasioned by such deception.

After reviewing the application, COUHES will report its decision in writing to the responsible investigator; a copy will be sent also to the appropriate department head or laboratory director and to all other interested parties. In the event of an unfavorable decision, COUHES will endeavor to assist the investigator in modifying the experiment to meet its requirements. Approval of a project must be obtained before any human studies are begun; such approval is valid for one year only. Any changes in the use of human subjects must be approved by COUHES before such changes will be affected.

This policy applies to the use of students as experimental subjects. After the investigator has received the approval of COUHES, requests for student subjects should be referred to the Student Employment Office.

The members and chair of COUHES will be appointed by the Rector. The membership will typically consist of biologists, nutritionists, physicians, political scientists, psychologists, students, other members of the University community, and non-University members.

14.4. NUTECH Office of Sponsored Programs (NOSP)

NOSP has the immediate responsibility for the business administration aspects of technology research projects sponsored by the government, industry, or foundations in accordance with the established policies of the University.



Government-sponsored research is normally carried out under contracts, cooperative agreements, or grants, depending on which agency is sponsoring the work and, to some extent, on the nature of the program.

Although government grants and contracts are subject to differing statutory requirements and regulations, there is no significant difference between them in terms of NUTECH technology research policy and management procedures. Except for federal compliance programs or regulations, the management of contracts from private organizations does not differ markedly from that of government grants, cooperative agreements, and contracts. Grants from foundations, on the other hand, are usually more broadly defined and managerial and contractual requirements are minimal. Frequently, the only intent of the sponsor or donor is to assist the University's program or to advance the state of the art in a given field.

14.4.1. Procedures for Establishing Contracts or Government Grants

The following procedures should be observed for a technology research program whether it is to be covered by a contract or grant and regardless of the potential sponsor:-

- a. Preliminary negotiations may be carried out between a faculty member and a sponsor, but no proposals or commitments should be made.
- b. Faculty members seeking grants from industry, foundations, or individuals shall first clear any approach with the Dean for Resource Development through the appropriate director responsible for each source of support. This is to ensure that there is no conflict with existing agreements or with other pending solicitations with the company, foundation, or other private sponsor involved.
- c. A faculty or staff member proposing a sponsored research project must first obtain approval from the head of the department concerned, who must be satisfied that:-
 - i. The project is appropriate for the department to undertake as a part of its educational and research program
 - ii. Senior staff are available and willing to supervise the research, and
 - iii. Adequate space and facilities are available.
- d. The Committee for Review of Space Planning should be consulted as to available space, especially before entering into any space lease agreements. Proposals should include a budget based on advice from the OSP. Budgets for all grants and contracts should cover both direct and facilities and administrative costs at current rates.
- e. After departmental approval, the proposal should be submitted to the Dean for endorsement and for evaluation of the project's suitability in relation to the entire University program of research. Proposals to be performed by an interdepartmental laboratory should be forwarded after review by the laboratory director to the Dean for Research.
- f. After review and approval, as outlined under paragraphs c) and d), the



proposal is sent to the OSP for review and for forwarding to the sponsor, subject when necessary to the approval of the Director for Finance. If there is any under-recovery of costs, approval must also be secured from the Dean for Research. In some cases, grant proposals to private sponsors or donors are, after OSP review, forwarded to the Resource Development Office for transmittal. This may simply involve an exchange of correspondence between the University and the sponsor or donor. If a more formal agreement is desired, however, it must be signed by an appropriate University official and reviewed carefully to ensure that the provisions are consistent with NUTECH policy and, when a gift is intended, that the research grant qualifies as such under the law.

- g. Renewals or extensions involving additional funds must be approved by the procedure outlined above.
- h. All contracts and grants are negotiated by the OSP and signed by an official of the University designated by the Executive Committee of the BoG. When negotiations have been completed, the OSP will issue a project number; establish a corresponding account; notify the dean, department head, project supervisor; and appropriate administrative offices, and take whatever other steps are necessary so that the project supervisor may begin the research and make appropriate charges to project funds.
- i. Any correspondence proposing modification of the terms or conditions of a contract or grant, including changes in the scope of the work or the period of performance, or an increase or decrease in the total estimated costs, should be forwarded by the OSP.

14.4.2. Research Facilities and Administrative Costs

In sponsoring research at the universities, the federal government and its sponsoring agencies reimburse the direct costs charged to specific projects as well as the facilities and administrative (F&A) costs that support research projects generally, such as those incurred in personnel administration, accounting, physical plant operations and maintenance, the libraries, etc.

Since most F&A cost categories consist of "shared" costs that jointly support both instructional and sponsored research activities, they must be allocated on some equitable basis to instructional programs on the one hand and to sponsored research projects on the other.

After a portion of each facilities and administrative cost category, or "pool," has been allocated to sponsored research as a whole for a given fiscal year, the total amount so allocated must be charged to (or collected from) each individual research project. This prorated charge is determined by applying a fixed percentage, or F&A cost rate, to certain direct costs charged to that project during the fiscal year. Any F&A costs not charged to a particular sponsored project are not absorbed by other projects, but must be funded by the University.

The direct costs to which the F&A cost rate is applied, are referred to collectively as the "facilities and administrative cost base" or "collection base." The fixed F&A cost rate applied in any given year is determined in advance of that year based on the University's



budget projections. After the year is over and the final, audited F&A cost rate negotiated, the fixed rate may turn out to have been too high or too low. In that case, the over-recovery or the under-recovery of facilities and administrative costs is carried forward to a subsequent year, which lowers or increases the fixed rate for that year. Consequently, NUTECH receives no windfall in F&A cost recovery when research volume exceeds fiscal year budget estimates.

The negotiation of allowable F&A costs, the direct cost base and the applicable F&A cost rate is the direct responsibility of the Controller.

Materials explaining the composition of facilities and administrative costs and the direct cost base, and how F&A cost rates are calculated are available at the Office of Sponsored Programs.

14.5. Relations with Intelligence Agencies

Relations between members of the University community and government intelligence agencies are governed by the present relevant policies dealing with such matters as research, consulting, recruitment, and privacy. Guidance on specific issues should be sought from the Senior Dean.

14.6. Private Funds Support

Gift/Support funds from private sources (individuals, foundations, and BoGs) are philanthropic rather than contractual in nature and are generated primarily through activities coordinated by the Office of the Director for Resource Development.

Resource Development is charged with identifying sources and seeking support for both expendable and endowment monies. Fundraising efforts for individual departments have to be closely coordinated with the overall Resource Development operation.

Projects for which Gift/Support funds are sought must be among the general University funding priorities established by the Council on Resources of the University or must be individually approved by the faculty member's department head and Dean and where appropriate, the Registrar, in accordance with established procedures. After obtaining academic approval, faculty members seeking gift support from industry, foundations, or individuals for a project must clear any approach with the Director for Resource Development, who will also coordinate, as appropriate, with the Director of Corporate Relations. This clearance procedure is designed to avoid conflict with existing agreements or with pending approaches or solicitations to the individual, company, or foundation involved. Wherever possible, the Development Office and other members of the Resource Development staff will provide assistance in identifying prospects and in making approaches.

Unless specifically modified, these procedures remain in effect during University-wide capital campaigns or other major funding efforts.

14.6.1. Plaques and Naming Spaces

In order to recognize major financial support to the University, it is possible to name a space after the individual or organizational donor. In such cases, the following guidelines and approval process should be followed: -



- a. Authorization for naming a space requires the approval of the appropriate department head and/or senior officer, and then the Rector and the Executive Committee of the BoG.
- b. The approximate size of a gift required to name a space will be roughly one-half of its private construction or renovation cost, with a floor of Rs: Five (5) million.
- c. The magnitude of a gift needed to name large buildings or other substantial projects may be subject to special considerations and, as appropriate, may be referred by the Executive Committee to the BoG.
- d. Rooms already in existence are not normally eligible for naming gifts, although rooms that are being newly constructed or substantially renovated are available.
- e. Wording for any plaques designating a named space should be developed in conjunction with, and have the approval of, the Office of Donor Relations in Resource Development.
- f. The design, fabrication and placement of such plaques must be done in conjunction with a designated interior designer in Physical Plant.
- g. To the extent possible, the names of spaces should be worded in a manner that will not restrict the future use of the space. When a space change or renovation affects a named space, the Office of Donor Relations in Resource Development should review the fundraising and stewardship issues and recommend if and how the name should be preserved.
- h. All major construction or renovation projects should include an appropriate contingency budget for plaques that will mark named spaces. For plaques that do not name spaces, but recognize the support or accomplishments of individuals or organizations, individual departments or the Office of the BoG will cover the costs, as appropriate.

On occasion, it may be possible to name a space after an individual who has provided extraordinary service to the University. In such a case, the above guidelines and approval process (with the exception of the gift levels) should be followed.

14.6.2. Plaques That Do Not Name Spaces

It is also possible to display a plaque that provides recognition of donors to a project but does not name a space after them. A critical consideration is that such plaques will not be displayed permanently, but only for the life of the project.

In such cases, the following guidelines and approval process should be followed:

- a. Approval to display such plaques should be given by the appropriate department or laboratory head and senior officer.
- b. Wording for the plaques should be developed in conjunction with, and have the approval of the Director of Resource Development.



- c. The design, fabrication, and placement of such plaques must be done in conjunction with a designated interior designer in Physical Plant.
- d. In general, plaques should not be considered for projects that have a total cost of less than Rs Five (5) million. It may also be possible to recognize an individual's service to the University by displaying a plaque. This would require the approval of the appropriate department or laboratory head and senior officer. Design, fabrication, and placement of any such plaques must be done in conjunction with a designated interior designer in Physical Plant.

14.7. Policy on Acquisition of Art and Artefacts

The art and object collections of NUTECH uphold standards of excellence and enduring quality for the benefit of students, faculty and staff and the larger community. To maintain these standards, the University applies policies and procedures for the acceptance and commissioning of tangible artistic property. It also cites additional policies specific to the NUTECH Visual Arts Center (NVAC) (when established) and the NUTECH Museum (when established).

- a. The NUTECH BoG is responsible for the acceptance of all gifts.
- b. However, in order to insure the quality and coherence of the permanent public collection, which is defined as art objects sited in public locations other than museum exhibit spaces, and one percent for the Arts commissions incorporated into the architecture, the following procedure will be followed:
 - i. In the case of art objects designated for public siting, The NVAC Collections Committee will evaluate the object or commission and make a recommendation to the Director of the NVAC and the Dean.
 - ii. A chair or co-chair of the Collections Committee will be appointed by the Chair of the Advisory Committee in consultation with the Center Director and the Dean. Members of the Collection Committee need not be members of the Advisory Committee. The Committee may choose to refer some Collections matters to the full Advisory Committee. In all cases, it will ultimately report its actions to the full Advisory Committee. Based on discussions with and the recommendation of the Collections Committee, the Chair will make a recommendation to the Director of the NVAC and the Dean.
 - iii. The Dean will make a recommendation to the Rector, who will also consult with the University Building Committee.
 - iv. In the case of one percent for the Arts, consultation among the Director of NVAC, the architects, and the project clients will precede the procedures described in b. 1) - 3).
- c. In all other cases, any decision to accept materials donated to NVAC or the NUTECH Museum is solely within the purview of the relevant organization as described by its published collections policies and accession procedures.



- d. All of the procedures above will also apply to any long-term loans that are offered to the University and all art and artifacts that may be produced at the University, including those of artists in residence, members of the Faculty and alumni/ae artists.
- e. Although it is stated in the published collections policies of both the NVAC and the NUTECH Museum, it should be noted here that gifts to the permanent collection are never accepted with restrictions attached to them.
- f. Those artifacts that do not fit into either the NUTECH Museum's or the NVAC's collections but that the University wishes to accept (such as gifts of furniture or other pieces of decorative art) or those artifacts acquired by specific departments with special interest collections should be considered the property and management responsibility of the department that acquires them. Neither the NUTECH Museum nor the NVAC will be responsible for maintenance, storage, conservation, insurance, or inventory control of these artifacts.
- g. Works that are not appropriate to the collections of either the NVAC or the NUTECH Museum but that the University wishes to accept in order to sell later will fall under the present arrangement with the Treasurer's Office and will not at any time be considered a part of the permanent collection. Neither the NVAC nor the NUTECH Museum will be responsible for the maintenance, storage, insurance, or conservation of such non-accessioned gifts in kind. Insurance claims under these arrangements are processed through the Office of Insurance and Legal Affairs.

14.8. NUTECH Industrial Liaison Program (NILP)

The NUTECH Industrial Liaison Program (NILP) provides its member industries/companies with convenient access to the expertise and resources of NUTECH as well as to comprehensive information on the full range of research and educational activities at NUTECH. Through its various services, the NILP will become an organized and mutually beneficial communications link between the faculty and support staff at the University and the research, management, and operational activities of more than local diverse research- oriented industrial organizations.

With the active assistance and cooperation of the faculty and support staff, the NILP provides its services to the participating members of industry.

NILP advocates a Revenue Sharing Plan under which 10 percent of the gross revenue received each year will be distributed at year's end among NUTECH faculty who participate in the activities of the ILP. The Revenue Sharing funds will be administered by the individual departments, TRLs and centers and will be available for use by the faculty for professional development. Faculty and research staff will receive these funds based on their participation in the following ILP activities:

- a. Informal research meetings on matters of mutual interest with professionals and managers from member industries/companies, both on campus and at industry/company locations.
- b. A yearly series of formal symposia and seminars on topics of current



interest in science, technology, industry and management. These meetings will feature presentations by faculty and staff and will be held on campus, as well as at industry/company sites.

- c. The NILP encourages teaching and research faculty to submit copies of preprints and working papers as well as laboratory technical reports. These documents will be digitized in PDF format and downloadable by NILP member industries/companies. Papers of special interest to industry will be listed in the NILP edition of proposed 'NUTECH Technology Insider', an electronic monthly to provide news on NUTECH research, reports on the impacts of emerging technologies and special insights and announcements for NILP members.
- d. To help organize and make this information readily available, the NILP will maintain an extensive 'Knowledge-Base' of faculty interests and expertise, research projects and associated publications, as well as listings of multi-sponsored programs, collages and consortia at the University in the form of a directory. The NILP Directory shall be updated by the Dean's office at the end of each calendar year.

The success of NILP will depend primarily on the faculty based Industrial Liaison Officers (ILO), who shall arrange sponsored / funded projects from industry / companies for their respective departments, TRLs/Centers. Minimum two or more ILOs shall be nominated by each department, minimum one or more by each TRL / Center for the duration of three years through the respective committees. ILOs will work under their respective heads of department, director TRL/Center and will be subject to performance review twice a year on prescribed performance assessment Performa, highlighting their achievements in terms of number of sponsored industrial / companies based projects. The department heads and Directors of TRL/Center will be bound to give special relief to their ILOs in their academic and research commitments on case to case basis as incentive for their industry liaison activities. They will provide all necessary facilitation and administrative support to their ILOs through timely coordination with the university support staff. The six monthly performance assessment of department heads and directors of TRLs/Centers by respective Dean will be linked with that of their respective ILOs. Under special circumstances departments may hire an ILO from the adjunct faculty after necessary approval of the Dean. Each ILO will be responsible for staying in touch with the latest research and educational activities of all Technology Research Groups (TRG) of his/her department, TRLs and Centers. In addition to following developments on campus, each ILO will work closely with a portfolio of industries/companies, staying abreast of their needs and responding to specific requests through close interaction with the TRGs. As knowledgeable persons about the needs and interests of both industry and the faculty, ILOs will be the point of contact between the two worlds. Successful award, implementation and completion of sponsored and funded industrial/commercial technology driven projects with entitle ILOs a share of minimum fifteen (15)% and their department heads, minimum ten (10)% from the profits/earnings in each case.

For faculty and staff, NILP provides the following:-

- a. A framework for learning about the technical needs and interests of participating industries/companies.
- b. Opportunities to increase industrial interest in and support of sponsored



research, grants, and fellowships. The Program will support the formation of university/industry initiatives, partnerships, collages and forums in various departments, TRLs and centers.

- c. Convenient channels to increase contacts with industry through both formal and informal meetings. These contacts can lead to a variety of research sponsors and other opportunities.
- d. Support for visits by University faculty and staff to industrial laboratories and plants of member industries/companies inside Pakistan and around the world. Improved opportunities for effective placement of graduates through better mutual knowledge of personnel and facilities.

The Faculty Policy Committee maintains a broad overview of the activities of the Office of Corporate Relations (OCR) and NILP and other similar efforts as they relate to the activities of the members of the Faculty.

For more detailed information, consult 'The NUTECH Industrial Liaison Program - A Guide for Faculty and Staff' or the NILP website.