

**GETTYSBURG COLLEGE**  
**FACULTY HANDBOOK**

*Twenty-fourth Edition*

**Gettysburg College**

**Gettysburg, Pennsylvania**

**May 2018**

*(Includes legislative changes through May 2018, an updated statement on Research of Human Subjects, and an updated Chapter VII supplied by Human Resources in August, 2017. A 25th edition is planned to reflect simple content updates after a thorough review of the 24th edition's contents.)*

It is the policy of Gettysburg College not to discriminate improperly against any matriculated student, employee or prospective employee on account of race, color, religion, ethnic or national origin, age, gender, sexual orientation, veteran status, disability, or any other protected classification. Such policy is in compliance with the requirements of Title VII of the Civil Rights Act of 1964, Title IX of the Education amendments of 1972, the Rehabilitation Act of 1973, and all other applicable federal, state, and local statutes, ordinances, and regulations. Inquiries concerning the application of any of these laws may be directed to the Director of Human Resources and Risk Management.

## **GETTYSBURG COLLEGE**

### **Freedom of Expression Philosophy:**

(The Freedom of Expression Philosophy was passed by Student Senate on March 5, 2018; the Faculty on April 5, 2018; and the Board of Trustees of May 4, 2018.)

Since its inception, Gettysburg College has been engaged in the defense of freedom of expression, first through the abolitionist movement and then with the College's involvement in the Civil War. The institution was founded in 1832 by anti-slavery theologian Samuel Simon Schmucker, and in 1837 Gettysburg College moved to Pennsylvania Hall, the construction of which was facilitated by benefactor and Trustee Thaddeus Stevens. Aside from his work as a Congressman and activist for universal education, Stevens was a key figure in the passing of the 13<sup>th</sup> Amendment abolishing slavery. In July 1863, the College was the backdrop for the Battle of Gettysburg and months later, alumnus David Wills was integral to the creation of the Soldiers' National Cemetery. He invited Abraham Lincoln to attend its dedication and it was there that the President issued his call to the country to affirm equality for all in his Gettysburg Address.

Our rich institutional heritage challenges us to engage in and provide leadership for addressing the critical social and political issues of our time. The College is committed to the ideal of free and open inquiry in all matters, as freedom of expression allows us to continually strive to better society and to address injustices. Freedom of expression is invaluable to the institution because it brings together multiple opinions, allows them to coalesce and/or clash, and opens them to the community's reflections, analyses, and critiques.

As an educational institution, we support the freedom of expression of ideas and, in our mission statement, we affirm: the worth and dignity of all people and the limitless value of their intellectual potential; the commitment to a diverse and inclusive learning environment; the power of a liberal arts education to help students develop critical thinking skills, broad vision, effective communication, a sense of the inter-relatedness of all knowledge, sensitivity to the human condition, and a global perspective; the value of a lifelong commitment to service; the value of ethical leadership that is inclusive, collaborative, and directed towards effecting change for the greater good; and our conviction that a residential college best promotes the sense of community central to a liberal arts education, in which personal relationships among students, faculty, and staff can flourish.

The College recognizes that some ideas will be viewed as offensive and disagreeable by some, perhaps even most, members of the community. However, it is not the role of the College to shield individuals from ideas and opinions they find unwelcome, disagreeable, uncivil, or even deeply offensive. Rather, we encourage members of the College community to act according to the principle that the best response to ideas that they find offensive is speech, not censorship. Participating in a community where there is a diverse range of opinions, perspectives, and experiences is rewarding for all of our members and the College is committed to nurturing and celebrating this experience. We

expect that diverse views and opinions will create conflict and disagreement among us at times, but the genuine sharing of ideas, perspectives, and values presupposes both freedom and responsibility. Consequently, we expect all members of the community to engage in civil discourse, reasoned thought, sustained discussion, and constructive participation. The freedom to express ideas, exchange views, and engage in protest is essential to the life of the College.

The College encourages its members to make independent judgments about the worth and validity of ideas and to contest ideas with which they disagree. Any effort by members of the College community to limit openness in this academic community is a matter of serious concern and hinders the freedom of expression and the discovery of truth. All members of the community are therefore free to express their points of view on, or opposition to, any issue of public interest within reasonable restrictions of time, place, and manner. Each member of the community is also expected to encourage and facilitate the ability of other community members to express themselves freely. No group or individual has the right to interfere with the legitimate activity of other authorized persons and groups as interference with expression compromises the College's goal of creating an environment where issues can be openly discussed.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. We have obligations to protect the dignity and security of all members of the College community from those who would seek to use speech primarily to deprive others of their freedom to learn, their freedom to contribute, and their freedom to participate in our community. Thus, the College may seek to restrict expression that: 1) violates state or federal law; 2) constitutes slander, threats, or harassment; 3) unreasonably invades individual privacy or violates confidentiality interests; or, 4) is directly incompatible with the functioning of the College. In addition, the College may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the College. However, these are limited exceptions to the general principle of freedom of expression and it is vitally important that these exceptions not be used in a manner that is consistent with the College's ideals relating to the free and open discussion of ideas.

Gettysburg College's philosophy of freedom of expression reflects our commitment to sustain a community in which all members feel that their ideas, opinions, and beliefs are respected and protected, even when those ideas are not shared universally. We believe the free expression of ideas is a cornerstone of the learning process and it is only through exposure to new concepts, opposing views, and challenging topics that one truly grows in an academic setting. Preventing the free exchange of ideas restricts the generation of knowledge and the ability to discern between what is right and what is wrong. In this sense, Gettysburg College subscribes to the wisdom in the words of Justice Louis D. Brandeis:

*"If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence."*

*(Whitney v. California, 274 U.S. 357, 1927)*

Sections of this philosophy have been adapted from similar documents produced by the University of Chicago and Franklin & Marshall College.

**Equal Opportunity Declaration:**

(Approved by the Board of Trustees, December 5, 1992)

It is the policy of Gettysburg College not to discriminate improperly against any matriculated student, employee or prospective employee on account of race, color, religion, ethnic or national origin, gender, sexual orientation, or being differently abled.

**STUDENTS:**

The criteria for the admission of students are those qualifications judged necessary by Gettysburg College for the accomplishment of its educational purposes. The recruitment and admissions program of Gettysburg College is designed to provide a student body which reflects a broad range of backgrounds. Believing that a student body broadly composed adds an important dimension to the educational experience, Gettysburg makes a special effort to identify and recruit able students of differing racial, ethnic, and socio-economic backgrounds.

Gettysburg College students in good standing have equal access to College student facilities and, except for the usual educational and/or talent prerequisites, to all of its courses of instruction, and to its social and extracurricular organizations and activities.

**EMPLOYEES:**

Criteria for the recruitment and employment of faculty, administration and staff personnel are established on the basis of the requirements of the position. Granted its church-related nature, the College seeks to acquaint each prospective employee with this aspect of its character and the obligations which follow. In the selection of employees for certain positions (e.g. the Chaplaincy) commitments to certain perspectives are given preference. With these exceptions, the College's policy of non-discrimination will apply, and the College will not categorically discriminate against any individual seeking to associate with the College.

**AFFIRMATIVE ACTION**

Gettysburg College not only seeks to assure fair and equal employment opportunity and conditions of employment, but also actively recruits and invites minority group and women candidates to apply for available openings.

**FACULTY HANDBOOK**

The Faculty Handbook will be maintained by the Office of the Provost. Ongoing maintenance of the handbook may involve simple content updates, such as benefit changes communicated by Human Resources, or changes to language on policies and procedures legislated by the Faculty. [Passed by the Faculty on November 19, 2015.]

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## **I. THE CAREER PROCESS—RECRUITMENT THROUGH RETIREMENT**

(For a definition of the faculty to which this section applies see section IV., A.)

### **A. Recruitment Policies and Procedures** – replace with text from hiring memo? Delete text and refer to hiring memo?

(Passed by the Faculty on October 1, 1987; amended on April 21, 1988 and on April 8, 1999)

#### *1. Recruitment Goal*

Gettysburg College seeks to attract and retain the best possible faculty consistent with the basic aims, specific needs, and financial capability of the College.

Gettysburg College is an equal opportunity employer. It is also an affirmative action employer. See page [2] for a statement of the College's EEO policy and a statement of its Affirmative Action policy.

Gettysburg College is an equal opportunity employer subject to the provisions of Title VII of the Civil Rights Act of 1964. It is the College's obligation to assure fair and equal employment opportunity for applicants, and to assess a candidate's qualifications on the basis of his or her ability to perform a specified function at the College. Thus the College disavows all improper discrimination in hiring, notably discrimination based upon age, race, sex, creed, marital status, or family relationship of the applicant to members of the faculty and staff already employed by the institution.

Gettysburg College is also an affirmative action employer. The following affirmative action statement was approved by the Board of Trustees on June 1, 1973.

Gettysburg College not only seeks to assure fair and equal employment opportunity and conditions of employment, but also actively recruits and invites minority group and women candidates to apply for available openings.

The College policy in regard to discrimination in hiring of faculty and affirmative action was adopted by the faculty on March 1, 1973, and approved by the Board of Trustees on May 31, 1973. This policy also states that departmental policies and practices will reflect the above statements of College's policy by seeking to assure fair and equal employment opportunity and conditions of employment.

#### *2. Authorization to Recruit*

When a vacancy is anticipated or occurs in a department, the chairperson of the department is responsible for consulting with the Provost to obtain authorization to begin recruiting. No recruitment should begin without authorization from the Provost.

### *3. Process of Recruitment*

A national search is required for all full-time openings of one year or more in duration, except for visiting appointments. For appointments that are less than full time or less than one year in duration, the department chairperson consults with the Provost or the Vice-Provost concerning the appropriate recruitment process.

All full-time appointments are in the tenure track with the following exceptions: (1) term appointments of from one semester to three years duration; (2) visiting appointments (distinguished scholars or artists invited to join the Gettysburg College faculty for a specified term).

Under special circumstances, Gettysburg College may also offer appointment as Lecturer. This title is used for full-time, continuing, non-professorial instructional appointments. Though Lecturers serve as teachers, the total responsibilities of such positions must be defined as significantly different from those of regular faculty – e.g., they may include no expectations for research – and therefore the expected credentials may differ as well. Such appointments carry voting privileges and all benefits assigned to faculty, except eligibility for tenure.

A request to establish a position of Lecturer must originate with the department or program and requires the approval of the Provost. A national search is not required. The initial contract is normally for a one-year term; multiple-year contracts may be offered for subsequent appointments; appointments may continue beyond the seven-year maximum applied to untenured faculty. All renewals are based on teaching evaluations and program needs. Responsibility for the evaluation of Lecturers rests in the first instance with the appropriate department chair.

Promotion to Senior Lecturer may be awarded after a seven-year period of continuous employment in the position of Lecturer. The process followed for promotion consideration matches that for faculty, though the criteria are different (and related to the specific job description of the Lecturer).

#### a) Affirmative Action and Equal Opportunity Guidelines

The Provost's Office issues guidelines for recruitment to insure that appropriate efforts are made to assure fair and equal employment. These guidelines require that, before a search begins, the department chairperson must reach an agreement with the Provost Office about the strategies to be used. All advertisements placed for new positions should be cleared with the Provost's Office before they are placed.

b) References and Letters of Recommendation:

It is the duty of the chairperson to know where to look for candidates of the particular type the department needs and to be informed of quality persons available in each field. In reviewing the credentials of applicants, the chairperson in consultation with departmental colleagues should consider the candidates' academic records, teaching effectiveness, and scholarship and their promise in these areas. For candidates without professional experience in any or all of these areas, the chairperson must seek careful estimates of the candidate's future performance.

Confidential statements should be obtained from persons who know a candidate well because such statements provide information about the candidate's general acceptance as a scholar and teacher. If the chairperson and Provost determine that the result of the preliminary investigation is favorable, candidates should be brought to the campus at college expense.

c) Campus Interviews:

While on campus, such candidates are to be interviewed by the chairperson and other members of the department concerned and by the Provost. Candidates for tenure-track positions should be interviewed by the Provost. Candidates for Visiting/term positions should be interviewed by the Divisional Dean. The Provost after consultation with the President should inform candidates for each tenure-track position of any institutional considerations which may influence the final tenure decisions in their cases if those candidates are appointed to the faculty. The department is encouraged to involve students in this interview process and to seek their reactions and assessments. A formal presentation by the candidate or the teaching of a class often helps faculty members and students to make a more informed judgment about his or her qualifications. At the time they are invited to campus, candidates for tenure-track positions should be informed by the chairperson about the "institutional criteria for tenure" portion of the College's tenure and promotion policy.

4. *Special Procedures for Candidates Being Considered for Appointments at the Rank of Associate Professor or Professor*

The chairperson of a department with a candidate being considered for appointment as associate professor or professor shall present the credentials of such a candidate for review by the Faculty Personnel Committee, and shall arrange for such a candidate to be interviewed by at least two members of the Committee who will communicate their judgment to the chairperson of the department concerned and to the Provost. Candidates being considered for appointment to the rank of associate professor or full professor receive a tenure review sooner than those appointed to the rank of instructor or assistant professor. Therefore, the Faculty Personnel Committee becomes involved in the recruitment process with regard to the candidate's potential for being granted tenure.

### *5. The Hiring Decision*

Upon completion of the aforementioned interviews and the necessary consultations, the chairperson should submit in writing to the Provost a recommendation for any candidate to whom an appointment may be offered.

In the process of these consultations, the Provost may, for clearly specified reasons, question a recommendation on the grounds that the recommended nominee does not sufficiently meet the recruitment goals as stated in paragraphs one and two of section A., 1. above. In such cases, the Provost and the chairperson shall negotiate further recruitment efforts.

If the Provost approves the chairperson's recommendation, he or she refers it to the President of the College, who is responsible for making appointments to the Faculty and issuing the formal appointment letter. This letter should specify for the person hired in a tenure-track position any institutional considerations which may influence the final tenure decision in his or her case.

### *6. Special Procedures for Recruitment of Faculty for Joint Appointments in Faculty and Administration*

An ad hoc committee shall be appointed for each recruitment process connected with a joint appointment between Faculty and Administration. Nine persons shall serve on each ad hoc Search Committee: five faculty, appointed by the Faculty Governance Committee of the Faculty; two members of the Administration, designated by the Provost; and two students, designated by the Student Senate in consultation with the Dean of the College. The Provost will have overall supervision of the search process; the Search Committees will conduct the process.

The initial responsibility of each of these Search Committees will be to apply the definition of the position supplied by the Faculty or by a group designated by the Faculty, recognizing the appointee's responsibility and contribution to the academic department to which she or he will be appointed. As a consequence, each Search Committee will assure that the review of each candidate's credentials and references focuses on qualifications that include those appropriate to that academic connection.

Each Search Committee will locate, identify, and solicit applications from qualified candidates. Once each Search Committee has narrowed the list of candidates to twenty-five or fewer persons, the Committee will submit to the academic departments concerned for their review all of the letters of application, credentials, and references of all the candidates under consideration so that each department reviews the material of any candidate who might be appointed in that department.

After each concerned department has thoroughly reviewed the credentials of each appropriate candidate, each Department Chairperson shall provide the Search Committee with a summary of the departmental review and with a recommendation regarding the eligibility of each appropriate candidate. Should a Department Chairperson believe that additional information on a candidate's qualifications is needed, that Chairperson should request such additional information from the Search Committee; the Search Committee will make every effort to provide the requested information.

After receiving recommendations from the departments, the Search Committee will select three or four candidates whom departments have recommended. The Search Committee will invite those favorably reviewed candidates to the campus for the interviews necessary to assess each candidate's qualifications. The Chairperson of the Search Committee will work with the Chairperson of each concerned department in scheduling interviews. Each Department Chairperson will make sure that credentials and references for each candidate are sufficient for effective departmental review. Each Department Chairperson shall insure that her or his department's review process is as comprehensive in these cases as it would be for any candidate for appointment to that department. If no candidate receives a favorable review, the Search Committee will identify and process additional candidates, subject to reasonable constraints of time and resources.

Because these joint appointments include assignment of professional rank, duties and responsibilities in academic departments, and eligibility for tenure and promotion in the faculty career process, the recommendations of the chairpersons of concerned academic departments shall have the same standing in these recruitment processes as do their recommendations in the recruitment, review, and appointment of candidates in the normal pattern. The standing of these recommendations is stipulated in Sections 3.,b., 3.,c., and 5. above.

### *7. College-Church Relationships*

Prospective faculty members should be informed during the interview that Gettysburg College has been and remains an independent liberal arts college in the Christian tradition, related to the Evangelical Lutheran Church in America through five synods of that Church. The College is not, and never has been, church controlled. The agreements which the College enters into from time to time with the synods and with other supporting agencies of the Evangelical Lutheran Church in America describe the mutual expectations of each in behalf of the other.

## **B. Tenure and Academic Freedom**

### *1. Purposes of Tenure*

Historically and practically, academic tenure exists to protect and reinforce the freedom of the teacher and scholar to study, to teach, and to publish findings. Faculty and students must be free to form their own conclusions and to make their own decisions in light of the available information. The common good of both depends upon the free search for truth and the free exposition of the findings of that search.

That these ends might be assured, the Board of Trustees, on December 2, 1952, accepted the *1940 Statement of Principles on Academic Freedom and Tenure* officially endorsed by the American Association of University Professors and the Association of American Colleges. That statement has been endorsed by many other educational organizations and learned societies.

### *2. 1940 Statement of Principles on Academic Freedom and Tenure*

a) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

### *3. Academic Tenure*

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of voluntary retirement, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

a) The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

b) Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.

c) During the probationary period a teacher should have the academic freedom that all other members of the faculty have.

d) Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from the teacher's own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

e) Termination of a continuous appointment because of financial exigency should be demonstrably *bona fide*.

#### *4. Interpretation of the 1940 Statement*

Although many of the policies and procedures specified in this *Handbook* are adapted from those recommended by the American Association of University Professors (AAUP) and other organizations, Gettysburg College declares that its policies are

independent of those of any other agency and cannot be bound by interpretations of its policies suggested by such an agency. Gettysburg College is a member of an organization which has formally endorsed one or more policy statements of the American Association of University Professors. The College does not consider membership in endorsing organizations as binding the College to follow specific recommendations of the AAUP or any other agency or as placing obligation on the College to consider AAUP interpretations of the College's regulations or the interpretations of any other agency as valid.

### **C. Pre-Tenure, Tenure and Promotion Policy**

(The tenure and promotion policy below was approved by the faculty on March 1, 1984, and by the Board of Trustees on May 19, 1984; the section on "Tenure Reviews" was amended by the faculty on November 21, 1991, and by the Board of Trustees on December 7, 1991. It was further amended by the faculty on October 6, 1994. The faculty voted on March 18, 2010, that starting with all new tenure-track faculty hired for Academic Year 2010-2011, external evaluation of scholarship and creative work will be universal in all tenure cases. Language reflecting this change was approved by the faculty on October 20, 2016. The faculty approved the requirement that letters of evaluation be required for all faculty seeking promotion to full professor in Academic Year 2018-2019 onwards on February 2, 2017. The faculty approved on April 28, 2016, the requirement that that departments or programs develop guidelines describing the discipline-specific expectations for scholarship or creative activity for candidates for pre-tenure, tenure, or promotion. These guidelines will be reviewed periodically by the tenured members of the department or program and updated as needed. The guidelines will be published on the College website and shared with all faculty in the tenure track who are members of the department or program.)

Gettysburg College seeks to attract and retain the best possible faculty consistent with its basic aims, specific needs, and financial capability. Each faculty member is expected to discharge the particular duties of the position to which appointed and to share in the general work of the institution, both to the best of his or her ability. The College commits itself to supporting the faculty in meeting the expectations expressed in this document. Those charged with the responsibility of making periodic evaluations of faculty performance are guided by the criteria established within the categories of teaching, scholarship, and participation in the governance of the College. These categories are listed in the order of their relative importance.

**TEACHING.** The ability to teach in an effective and scholarly manner is the most valued quality in a faculty member. In the recruitment of faculty and in appraisal of performance, therefore, greatest weight is given to promise and performance as a teacher. The effectiveness of a teacher is recognizable by (1) solid command of the subject matter, teaching techniques, and methodology of the discipline; (2) the soundness of the presentation, including clear liberal arts teaching objectives, thoughtful course organization, content reflecting the best available scholarship, and teaching techniques appropriate to eliciting a high level of student understanding and learning; (3) the high standards which

are set for student effort and achievement; and (4) the time, effort, and imagination associated with course development. Further, an integral part of effective teaching is a faculty member's concern for students beyond the classroom in advising, consultation, and discussion.

**SCHOLARSHIP.** Although scholarship is considered here in a separate category, research and creative activities are intimately and necessarily related to effective teaching; indeed, they are inseparable. Faculty members are expected to engage in an ongoing program of scholarly activities because of the positive effects which these activities should have on general teaching performance. Scholarly activities are to be brought to conclusion from time to time by such means as publications, papers, reports, performances, compositions, and exhibits. Evaluation of these activities by departmental/program colleagues and the Faculty Personnel Committee should take into account the discipline-specific guidelines for scholarship/creative activity developed by the department/program considering the candidate's case. The College expects that the quality of these efforts will enable competent colleagues both from inside and beyond the campus to testify to the significance and originality of the scholarship of its faculty.

**PARTICIPATION IN GOVERNANCE OF THE COLLEGE.** Each faculty member is expected to participate in departmental and faculty meetings, to accept faculty committee and departmental assignments, and to discharge such duties with fidelity. Other areas of participation include certain aspects of the advising of student organizations and general support of College activities. In evaluating the faculty member in this area, the quality of the contributions which are made is the important consideration.

### *1. Tenure*

Historically and practically, academic tenure exists to protect and reinforce the freedom of the teacher and scholar to study, to teach, and to publish findings. Faculty and students must be free to form and announce their own conclusions in light of the available information. The common good of both depends upon the free search for truth and the free exposition of the findings of that search. That these ends might be assured at Gettysburg College, the Board of Trustees, on December 2, 1952, adopted the *1940 Statement of Principles of Academic Freedom and Tenure* officially endorsed by the American Association of University Professors and the Association of American Colleges.

Tenure is a long-term appointment in which it is understood that a faculty member's employment continues as long as he or she performs properly the work for which currently engaged and remains a morally acceptable member of the academic community. The evaluation for tenure is part of the College's search for excellence, and the awarding of tenure is the recognition of an individual's positive worth to the institution. The granting of tenure is the prerogative of the faculty and the President, acting in the best interests of the institution. Every addition to the tenure holding faculty must be calculated to increase the strength of the department concerned and of the institution as a whole. Therefore, tenure is

not a status which is automatically attained, nor is evaluation for tenure simply a matter of determining whether certain minimum requirements have been met. Tenure is a status which signifies that the candidate has clearly met the standards established by the College.

a) **TENURE REVIEWS.** Prior to the awarding of tenure, a faculty member must have a minimum of six years of full-time faculty status at the college or university level. Faculty members appointed at the rank of instructor, assistant professor, or associate professor must accumulate at least three probationary years of service at Gettysburg College. Those initially appointed in the rank of professor must accumulate at least two years of service at Gettysburg unless they are granted tenure at the time of initial appointment. Unless one or more years of full-time college teaching at another institution and/or in a non-tenure track appointment at Gettysburg have been waived by the faculty member in writing, and provided that the specific times of service to Gettysburg College have been accumulated, appointment beyond the seventh-year of full-time college teaching automatically confers tenure.

For those faculty members appointed at Gettysburg College in the rank of instructor or assistant professor, two thorough formal reviews (a preliminary and a final tenure review) are made during the tenure probation process. Only one such review is conducted for those appointed in the rank of associate professor or professor. For a successful preliminary review, there must be evidence that the candidate has clear potential to be a highly effective teacher and an active scholar who will make recognized contributions to the candidate's field of knowledge. Based on professional development to date and on plans for future growth, there needs to be a strong expectation that, prior to the final tenure review, the faculty member will reach or surpass the established levels of performance required for the granting of tenure. Additionally, by the time of the preliminary review it is expected that the candidate will have the earned terminal degree which the College determines is appropriate and which is stated in the appointment letter. Exceptions to the degree requirement would be rare and would be made by the President of the College only after consultation with the Faculty Personnel Committee, the Provost, and the candidate's department chair. Each candidate shall be fully informed in his or her initial letter of appointment of the degree requirements in his or her discipline and what is expected of him or her with regard to the degree.

b) **TENURE CRITERIA FOR INDIVIDUAL ACHIEVEMENT.** In order for an individual to be awarded tenure, there must be convincing evidence of (1) effective teaching that will result in the overall improvement of the instructional program, as well as evidence that this level of teaching will be maintained or steadily improved; (2) scholarship of high quality that extends beyond the completion of the work required for the degree appropriate for the position, as well as the demonstrated potential for continued development and productivity; and (3) effective participation in the governance of the College.

c) **INSTITUTIONAL CRITERIA FOR TENURE.** In addition to the criteria of individual achievement and promise, retention decisions of all types, including preliminary

and final tenure reviews, must involve full consideration of the probable effect of the resulting decisions on the department or departments involved and on the College in general. Tenure commits College resources over a long period of time to supporting a particular part of the curriculum and a particular individual competence. Therefore, each retention decision must take into account existing and prospective program enrollments and curricular needs, as well as the several stages of career experience reached by already tenured faculty members in a department.

It is the responsibility of the President to include the institutional criteria referred to in the preceding paragraph in his or her review of prospective tenure considerations. In exercising this responsibility, he or she makes known from time to time how, in his or her judgment, the current application of these criteria is most likely to provide the greatest support for the immediate and prospective needs of the academic program. Further, in exercising this responsibility, he or she consults with a committee chosen by the faculty.

While every effort will be made to consider fully current and prospective institutional needs when hiring occurs, it must be recognized that circumstances do change and unexpected elements may arise which will affect subsequent decisions. It is the responsibility of the Provost regularly to apprise all faculty on the tenure track, beginning at the time of hiring, of their current situation and of any institutional considerations which may influence the final tenure decision in their cases.

## *2. Promotion*

Promotion is a means by which Gettysburg College publicly recognizes the achievements of a faculty member. While there are many evaluations made during a faculty member's career, those provided for by the system of promotion give structure and focus to the ongoing process of evaluation. The appropriate earned terminal degree is regarded as the recognized demonstration of the candidate's mastery of the materials and methods of the discipline and is, therefore, normally required for promotion to any rank beyond that of instructor.

a) **PROMOTION TO ASSISTANT PROFESSOR.** Faculty members initially appointed as instructors who subsequently complete all requirements for the appropriate earned terminal degree will be promoted to the rank of assistant professor either on February 1 or September 1, whichever occurs first following completion of these requirements. All other instructors may be considered for promotion following established procedures.

b) **PROMOTION TO ASSOCIATE PROFESSOR.** Assistant professors will be promoted to the rank of associate professor on the date their tenure becomes effective.

c) **PROMOTION TO PROFESSOR.** Advancement to the rank of full professor requires a level of performance and promise in terms of all stated criteria greater than that

expected of members of other ranks. Promotion to professor is based upon convincing evidence of:

(1) high quality and effective teaching, as well as evidence that this level of teaching will be maintained;

(2) ongoing scholarship recognized as being of high quality by colleagues both inside and outside the College. Such scholarship must be beyond that required for promotion to associate professor and should show that the candidate has reached a high level of maturity as a scholar. Works that have passed the test of critical review--in being chosen for publication, in achieving recognition following publication, or both--must have resulted from this scholarship; an exception to this publication requirement is made for those faculty members in the performing and creative arts, for whom scholarship may be evidenced through performances, compositions, exhibits, or other appropriate ways. Such scholarship must demonstrate a level of accomplishment comparable to that expected of colleagues in the other fields. Exception to the publications requirement beyond that made for faculty members in the performing and creative arts would be rare and would be made by the President of the College only after consultation with the Faculty Personnel Committee, the Provost, and the candidate's department chair; and

(3) effective participation in the governance of the College at the departmental, committee, and faculty levels demonstrated, for example, by advancing and defending important ideas, preparing and presenting reports, and devising and implementing new programs and special events.

### *3. Ratification and Amendment of Tenure and Promotion Policies*

These policies shall become effective when approved by the faculty, the President of the College, and the Board of Trustees. They may be amended or superseded by action of the same agencies.

## **D. Pre-Tenure, Tenure and Promotion Procedures**

(The tenure and promotion procedures below were approved by the faculty on November 1, 1984, and amended by the faculty on November 21, 1991, April 16 and May 7, 1992, February 4 and April 1, 1993, and December 4, 1997. On March 2, 1985, the Board of Trustees approved the portion that had the effect of changing College policy from approval of promotion decisions by the Board of Trustees to approval of promotion decisions by the President. The President approved the procedures on April 4, 1985, at which time they became effective, as well as the amendments which appear in the procedures.)

### *1. Pre-Tenure and Tenure*

**TIMING OF EVALUATIONS.** Evaluations of those in tenure probation are made each academic year by the department chairperson in consultation with the tenured members of the department and the Provost. Formal evaluations of candidates for tenure appointed in the ranks of instructor or assistant professor and having no years of full-time college teaching elsewhere occur during the third and sixth academic years of full-time teaching at Gettysburg College. Credit for up to two years of full-time college teaching elsewhere is normally granted by the College. Under extraordinary circumstances a maximum of three years of credit for prior college teaching may be granted, but this should be done only in consultation with the Provost and the Department Chair. Where one year of such prior teaching service is credited, reviews will occur in the second and fifth years of teaching at Gettysburg. Where two such years are credited, reviews will occur in the second and fourth years of teaching at Gettysburg. Where the maximum of three such years is credited, the pre-tenure review will occur in the fall of the second year and the tenure review in the fall of the third year of teaching at Gettysburg. Formal evaluation of candidates for tenure appointed in the rank of associate professor occurs at the latest during the fourth academic year of full-time service at Gettysburg and at the earliest during the third academic year of full-time service at Gettysburg. Associate professors in the tenure probation process will consult with departmental colleagues and in particular the department chair, the chair of the Faculty Personnel Committee, and the Provost in determining the appropriate year for a tenure review. If the candidate formally requests a review after the second full year, that review will proceed to its conclusion and the results, subject to the Grievance Procedure described below, will be final.

Formal evaluations of candidates for tenure appointed in the rank of professor will occur during the second academic year of full-time service at Gettysburg. In exceptional cases, such as the hiring of a department chair from outside the College, the President may authorize tenure at the time of appointment. In such a case the Faculty Personnel Committee would conduct a thorough review of the candidate's accomplishments at other institutions of higher education in the areas of teaching, scholarship, and governance and make a formal recommendation to the President on the appropriateness of granting immediate tenure. As part of this review, the department chair will call a meeting of all department members for the purpose of discussing the candidate's credentials for tenure. Following this meeting, each of the tenured members of the department will provide a written recommendation to the Committee regarding the candidate's credentials for tenure, and the department chair will prepare a written recommendation on behalf of the department as a whole.

At a time prior to the expiration of the contract for the sixth year of full-time appointment (unless credit for all or some service elsewhere has been formally waived as stipulated above), faculty members appointed at the rank of instructor or assistant professor shall be notified either that the following year is on tenure or that tenure has not been granted and that the next year is the terminal year of full-time instruction at Gettysburg

College. (In the absence of such notification in the sixth year, the issuance of a contract in the seventh year of full-time teaching shall carry the grant of tenure unless the College explicitly states that the contract is for a terminal one-year appointment only.) At a time prior to the expiration of the contract for the fourth year, faculty members appointed at the rank of associate professor shall be notified either that the following year is on tenure or that tenure has not been granted and that the next year is the terminal year of full-time instruction at Gettysburg College. (In the absence of such notification in the fourth year, the issuance of a contract to a person appointed in the rank of associate professor in the fifth year of full-time teaching shall carry the grant of tenure unless the College explicitly states that the contract is for a terminal one-year appointment only.) At a time prior to the expiration of the contract for the second year, faculty members appointed at the rank of professor shall be notified either that the following year is on tenure or that tenure has not been granted and that the next year is the terminal year of full-time instruction at Gettysburg College. (In the absence of such notification in the second year, the issuance of a contract to a person appointed in the rank of professor in the third year of full-time teaching shall carry the grant of tenure unless the College explicitly states that the contract is for a terminal one-year appointment only.)

**STOPPING THE TENURE CLOCK.** (Passed by the Faculty, December 4, 1997)

During the tenure probationary period circumstances may arise that prevent a faculty member from assuming the professional responsibilities—teaching, scholarship and governance—which are an integral part of this evaluation process. Thus, it may be appropriate to stop the tenure clock. Stopping the tenure clock means that the candidate will delay the review process for one year. If the candidate delays the pretenure review one year, the tenure review also occurs one year later.

It is the candidate who initiates the request to stop the tenure clock, after consultation with his or her department chair. However, a chairperson may sometimes wish to encourage such a request if circumstances have prevented the department from carrying out its responsibilities in the evaluation process. All requests must be submitted in writing to the Provost. The candidate may make this request any time during the tenure probationary period but normally no later than September 1 of the semester in which the pretenure materials are due to the department and normally no later than March 1 of the calendar year in which the tenure review occurs.

Some of the reasons a candidate may stop the tenure clock include the following: extended personal leave; protracted illness; parental leave; fellowships; government service.

Financial compensation for the candidate would be decided by the policy, found in the *Faculty Handbook*, already established for each type of leave. It is possible for a candidate to continue teaching and, at the same time, have just cause for stopping the tenure clock.

Normally a candidate may stop the tenure clock for one year. However, extraordinary circumstances might warrant a second year. In this case, a candidate would, once again and after consultation with the department chair, submit a request in writing to the Provost.

It is essential to note that the intent of this policy is not to extend the probationary period to meet normal standards under normal conditions, but rather to help the candidate meet these standards under extraordinary conditions.

**THE CANDIDATE'S TASK.** Prior to each such formal evaluation, the chairperson of the Faculty Personnel Committee asks each candidate for tenure to work with the departmental/program chairperson and the Provost's office to develop a list of potential external evaluators in accordance with FPC standard operating procedures. The candidate submits the following to the department/program and the Committee: (1) a current *curriculum vitae*; (2) a written statement of teaching and research goals, including current efforts being made to achieve them, and of contributions to the governance of the department and the College; (3) evidences of effective teaching and research activity; and (4) any other information which might assist in assessing the candidate's qualifications for tenure. Evidences of teaching and research activity include such things as course materials (for example, syllabi, laboratory exercises, and examinations), systematic student evaluations of courses, manuscripts or publications, and peer evaluations. The candidate will send these materials to the Faculty Personnel Committee through the Provost. The candidate or the department chairperson may also ask colleagues outside the department to submit to the Faculty Personnel Committee an assessment of the candidate's performance in College governance.

**THE TASK OF DEPARTMENTAL COLLEAGUES.** Tenured members of the department, all of whom (including those on leave) are expected to prepare written evaluations of a candidate as part of the tenure probation process, form the departmental evaluation committee. In those cases where there are or may be fewer than three tenured members, the Provost, in consultation with the department chair and the candidate, will appoint additional members to serve on the departmental evaluation committee at the earliest possible time. Upon their own tenure, other members of the department/program shall join the departmental evaluation committee. When such additions occur, the Provost, in consultation with the department chair, will re-evaluate the composition of the departmental evaluation committee and the role of its appointed members. Candidates can, if they so desire, request that previous members of the departmental evaluation committee submit a written evaluation to the Faculty Personnel Committee.

Prior to each formal evaluation, the chairperson of the Faculty Personnel Committee shall ask the candidate's department to meet and discuss the candidate's performance during tenure probation. Depending upon whether this is the candidate's preliminary or final review, the department should concentrate upon the candidate's achievements in fulfilling the expectations for tenure. The departmental evaluation committee shall hold two

meetings. The first meeting will take place once the candidate and the departmental evaluation committee have collected the materials that will be forwarded to the Faculty Personnel Committee. This meeting shall consist of the candidate and the departmental evaluation committee. Untenured members of the department may be invited at the discretion of the department chairperson. This meeting will focus on questions and concerns about the tenure policy and procedure, and questions and concerns about the candidate's qualifications and performance. At the conclusion of this second meeting, where the candidate's qualifications are discussed but the candidate is not present, a vote on the candidate will take place. The result of the formal vote, which shall be made known to the voting members of the department, constitutes the departmental recommendation. The outcome of the vote will be communicated to the Faculty Personnel Committee in the department chairperson's letter.

The chairperson of the Faculty Personnel Committee shall consult with the department chairperson regarding the timing of these meetings and thereafter will request that each tenured member of the department submit to the Faculty Personnel Committee and to the chairperson a letter describing the candidate's progress in meeting the established criteria for tenure, and the degree to which they are being met at the time of writing. This letter should also include the author's personal recommendation as to whether or not tenure should be granted. In fairness to the candidate and the College, the letter should cite the best available evidence to substantiate the evaluations made. Accordingly, it should be based upon study of the materials which the candidate submits, observations over a period of time of the candidate's teaching of course work in the classroom, close acquaintance with the candidate's ongoing scholarship gained through reading manuscripts or published works and through attendance at meetings at which the candidate actively participates, and consideration of the information provided by the external evaluators of scholarship or creative activity. Departmental colleagues shall send their letters to the Committee through the Provost. Although candidates generally respect the confidentiality of these letters, recent court decisions suggest that the College cannot guarantee that these letters will never be read by the candidate.

**THE TASK OF THE CHAIRPERSON.** In an additional letter to the one he/she writes as a department member, the chairperson communicates to the Faculty Personnel Committee the departmental vote, summarizes and interprets the view or views of the candidate's department, including some of its nontenured members, provides an estimate of the ways in which the candidate is likely to contribute to the future needs of the department, and provides the department's specific recommendation and the reasons for it. The chairperson is also responsible for soliciting letters from the external evaluators and providing those letters to departmental/program colleagues and the Faculty Personnel Committee. If the chairperson is the candidate, the Faculty Personnel Committee designates some senior member of the department to supervise this process and provide the Committee with the summary cited above.

THE FACULTY PERSONNEL COMMITTEE. After studying the materials which the candidate and the department have submitted to it, the Faculty Personnel Committee considers the candidate's current qualifications for tenure. It is the primary task of the department to deal with the candidate's qualifications for long-term membership in the department; it is the primary task of the Committee to deal with his or her qualifications for long-term membership in the entire faculty. In carrying out their task, the department and the Committee shall only use those standards and criteria cited in the Tenure and Promotion Policy statement under "Tenure Criteria for Individual Achievement" to evaluate the candidate's qualifications. Since the Faculty Personnel Committee is elected by the faculty as a whole, the Committee is asked to think collegially, judging the individual in terms of her or his value in furthering the mission of the College. Factors such as the individual's special combination of talents which may go beyond particular disciplinary boundaries or the individual's contribution to the multitude of perspectives desirable in a liberal arts college may be considered as assets which contribute to the case for tenure. In meeting its responsibility, the Committee takes into consideration any particular expectations stated in the appointment letter. It decides whether to invite for an interview the candidate's chairperson or, if the chairperson is the candidate, the senior member of the department designated by the Committee. The Faculty Personnel Committee will also honor the request from the Chair or senior member for an interview. Subsequently, it invites the candidate for an interview for the purpose of clarifying any of the materials previously submitted. Although extending the invitation is required, the candidate may decline without prejudice; however, if the Committee has any concerns or questions about the candidate's file, the Committee must invite the candidate to meet with its members, and the candidate must accept the invitation. The Committee may, after informing the chairperson and the candidate, seek additional information from other sources, either within or outside the College. The Committee shall make this information available to the department and the candidate at the time it is considering the candidate. Should this information be confidential insofar as the candidate is concerned, it shall be made available to the department chairperson and to the tenured members of the department who submitted evaluations to the committee.

Should the committee disagree with the majority recommendation of the department about the candidate's qualifications for long-term membership in the faculty, the Committee shall meet with the tenured members of the candidate's department before the Committee's final vote on the candidate. It shall identify its position on the candidate's qualifications, and provide and request clarification on those points over which the two disagree. The department shall be given the opportunity to reiterate its position on the candidate. The Committee may request additional information and the department may provide additional information prior to this meeting. The disclosure of this information will follow the rules established above. The Chairperson of the Faculty Personnel Committee carries the recommendations of the committee to the President and explains to the President the reasons for the recommendations.

**THE PROVOST.** The Provost of the College is a non-voting member of the Faculty Personnel Committee and provides his or her independent recommendation concerning the candidate to the President. After the final decision about tenure is made, the Provost conveys that decision to the department chairperson and to the candidate. If the decision is not to reappoint, the candidate is given a one-year terminal contract.

**THE PRESIDENT.** The President receives the recommendations of the Faculty Personnel Committee from the Chairperson of that Committee as well as the Provost's independent recommendations and has available to him or her all materials submitted to the Faculty Personnel Committee. The President makes the final decision concerning tenure. However, the President's decision may be grieved in accordance with the procedures in I,E,3.

**INSTITUTIONAL CRITERIA.** When the President determines that institutional criteria (see section I, C.) should be applied to preliminary or final tenure decisions, he or she consults with a Joint Committee of the Faculty Personnel Committee and the Academic Policy and Program Committee concerning those criteria and how they shall be applied in any particular academic year. The Joint Committee shall be composed of two members of the Faculty Personnel Committee and two members of the Academic Policy and Program Committee chosen by the chairs of the respective committees. After such consultation, and after deciding that the criteria are to be applied, the President promptly informs the candidate (or candidates), the department chairperson (or chairpersons), and the Faculty Personnel Committee before the formal evaluation is scheduled to begin.

## *2. Promotion*

**ORIGIN AND TIMING OF NOMINATION.** A nomination for promotion may be made by the department, the department chairperson, or a person wishing to be considered. The nomination is presented in writing to the chairperson of the Faculty Personnel Committee through the Provost. Each year the Faculty Personnel Committee announces the period of time during which nominations will be received. Acting on their own initiative, the Provost or the Faculty Personnel Committee may also make nominations.

In view of expectations for teaching, scholarship and governance, nomination for promotion to professor does not normally occur before a faculty member's seventh year in rank as associate professor. At that time, the faculty member will meet with the department chairperson and the Provost to review his or her performance over the past seven years and to receive counsel on the likelihood of a successful promotion review. The faculty member is under no obligation to stand for promotion at this time. When a faculty member meets criteria in all three areas at an accelerated rate, that faculty member may consult with his/her department chairperson and the Provost about the appropriateness of an early promotion review.

**THE CANDIDATE'S TASK.** Prior to a formal promotion review the chairperson of the Faculty Personnel Committee asks each candidate for promotion to work with the department/program chairperson and the Provost's office to develop a list of potential external evaluators in accordance with FPC standard operating procedures. The candidate submits the following to the department/program and the Committee: (1) a current *curriculum vitae*; (2) a written statement of teaching and research goals, including current efforts being made to achieve them, and of contributions to the governance of the department and the College; (3) evidences of effective teaching and research activity; and (4) any other information which might assist in assessing the candidate's qualifications for promotion. Evidence of teaching and research activity includes such things as course materials (for example, syllabi, laboratory exercises, and examinations), systematic student evaluations of courses, and manuscripts or publications, together with peer reviews of either or both. The candidate will send these materials to the Faculty Personnel Committee through the Provost. The candidate or the department chairperson may ask colleagues outside the department to submit to the Faculty Personnel Committee an assessment of the candidate's performance in College governance.

**THE TASK OF DEPARTMENTAL COLLEAGUES.** Tenured members of the department are expected to prepare written evaluations of a candidate as part of the promotion process. Prior to this review, the chairperson of the Faculty Personnel Committee shall ask the candidate's department to meet and discuss the candidate's qualifications for promotion. The department shall hold two meetings. The first meeting will take place once the candidate and the department have collected the materials that will be forwarded to the Faculty Personnel Committee. This meeting will consist of the candidate and the tenured members of the department. This meeting will focus on questions and concerns about the tenure and promotion policy and procedure, and questions and concerns about the candidate's qualifications and performance. The second meeting shall consist of the tenured members of the department and it will be devoted to a discussion of the candidate's achievements. The chairperson of the Faculty Personnel Committee shall consult with the department chairperson regarding the timing of these meetings and thereafter shall request that each tenured member of the department submit to the Faculty Personnel Committee and to the chairperson a letter evaluating the candidate's qualifications for promotion that also includes the author's personal recommendation as to whether or not promotion should be granted. The chairperson or the candidate may request such letters from nontenured members of the department. When the candidate is the department chairperson, copies of the letters may be given to the senior member of the department chosen to supervise this process. In fairness to the candidate and the College, the letter should include the best available evidence to substantiate the evaluations made. Accordingly, it should be based upon study of the materials which the candidate submits, observations over a period of time of the candidate's teaching of course work in the classroom, close acquaintance with the candidate's ongoing scholarship gained through reading manuscripts or published works, through attendance at meetings at which the candidate actively participates, and consideration of the information provided by the external evaluators of scholarship or creative activity. Departmental colleagues shall send

their letters to the Committee through the Provost. Although candidates generally respect the confidentiality of these letters, recent court decisions suggest that the College cannot guarantee that these letters will never be read by the candidate.

**THE TASK OF THE CHAIRPERSON.** The chairperson has the responsibility for making the departmental recommendation to the Faculty Personnel Committee. The chairperson's letter summarizes the view or views of the candidate's department, including some of its nontenured members, and contains the department's specific recommendation as well as the reasons for it. The chairperson is also responsible for soliciting letters from the external evaluators and providing those letters to the departmental/program colleagues and the Faculty Personnel Committee. External evaluators should address whether the candidate's scholarly work or creative activity is grounded in methods or techniques considered appropriate for the discipline, whether the candidate's scholarly work or creative activity is published or presented in appropriate venues, and whether the candidate's scholarly work or creative activities demonstrate a continued engagement with the field. External evaluators will not be asked to evaluate teaching and service and will not be asked for a positive or negative recommendation about promotion. If the chairperson is the candidate, the Faculty Personnel Committee designates some senior member of the department to supervise this process and provide the Committee with the summary cited above.

**THE FACULTY PERSONNEL COMMITTEE.** After studying the materials which the candidate and the department have submitted to it, the Faculty Personnel Committee considers the candidate's current qualifications for promotion. It decides whether to invite for an interview the candidate's chairperson or, if the chairperson is the candidate, the senior member of the department designated by the Committee. The Faculty Personnel Committee will also honor the request from the Chair or senior member for an interview. It may, after informing the chairperson and the candidate, seek additional information from other sources either within or outside the College. Should the Committee disagree with the recommendation of the department about the candidate's qualifications for promotion to professor, the Committee shall meet with the tenured members of the candidate's department before the Committee's final vote on the candidate. It shall identify its position on the candidate's qualifications, and provide and request clarification on those points over which the two disagree. The members of the department shall be given the opportunity to reiterate their positions on the candidate. The chairperson of the Faculty Personnel Committee carries the recommendations of the committee to the President and explains to the President the reasons for the recommendations.

**THE PROVOST.** The Provost shall provide his/her independent recommendation concerning the candidate to the President. After the final decision about promotion is made, the Provost conveys that decision to the department chairperson and to the candidate.

**THE PRESIDENT.** The President receives the recommendations of the Faculty Personnel Committee from the chairperson of that committee, and receives independent

recommendations from the Provost. The President makes the final decision concerning promotion.

### *3. Ratification and Amendment of Tenure and Promotion Procedures*

These procedures shall become effective when approved by the faculty and the President of the College. They may be amended or superseded by vote of the faculty and approval of the President of the College.

## **E. Non-Reappointment**

### *1. Evaluation of Non-Tenured Faculty*

Yearly evaluation of non-tenured faculty during the probationary period shall be made according to the procedures discussed in the section on tenure above.

### *2. Making and Communicating the Decision of Non-Reappointment*

If on the basis of the evaluation made by the department, the Provost and the President determine that a non-tenured faculty member shall not be reappointed, notice will be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period. Such notice shall be given by the President of the College.

### *3. Grievance Procedure for Non-Reappointment of Non-Tenured Full-Time Faculty*

(Adopted by the Faculty on November 3, 1977, amended February 1, 1990, and amended December 15, 1994)

If a non-tenured faculty member thinks there is cause for grievance because of non-reappointment he or she may file a grievance with the Faculty Grievance Committee.

## **F. The Faculty Grievance Committee and Procedure**

[The faculty voted in April, 2017, that the Faculty Grievance Committee review the Employee Standards of Conduct and the College Grievance procedures to assure integration with the Faculty Grievance policies and other provisions of the Faculty Handbook; and that the committee consult with Human Resources staff and the Provost's Office in pursuing its charge, and prepare a report to the full faculty during the 2017-18 academic year.]

Grievances should be submitted in writing to the Faculty Grievance Committee within sixty days of the date on which the faculty member receives the negative decision. The grievance shall set forth in detail the nature of the grievance and shall include any material which the grievant deems pertinent.

The Faculty Grievance Committee is a six-member elected committee, with one member chosen from among the tenured faculty of each of the three voting divisions of the faculty and three being elected from the faculty at large; at least two of the members must be female and at least two male. The six members will serve three-year overlapping terms. Five of the six will be selected at random to hear a particular grievance, with the proviso that none of the five has been involved previously with the case. The grievant has the right to disqualify one member of the Grievance Committee prior to the selection of the hearing panel. If necessary due to the Grievance Committee members' prior involvement in the case and exercise of the grievant's right to disqualify one person, the Faculty Governance Committee can appoint additional member(s) to make up a five-person hearing panel.

The task of the Grievance Committee is to determine whether the decision which precipitated the petition was the result of adequate consideration in terms of the relevant criteria and procedures stated in the *Gettysburg College Faculty Handbook* (see sections I., C. and I., D.). It is understood that the Grievance Committee does not substitute its judgment for that previously reached. It seeks to answer questions such as whether the decision was made in accordance with established procedures, whether sufficient, proper, and reasonable evidence was brought to bear in making that decision, and whether the decision was made in accordance with the non-discriminatory policies of the College. This latter policy as stated in the *Faculty Handbook* is:

It is the policy of Gettysburg College not to discriminate improperly against any matriculated student, employee or prospective employee on account of age, race, color, religion, ethnic or national origin, gender, sexual orientation, or being differently abled. Such policy is in compliance with the requirements of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, and all other applicable federal, state, and local statutes, ordinances, and regulations.

In order to investigate the validity of the grievance, the Grievance Committee shall have access to the grievant, the Faculty Personnel Committee (meeting as a body), other persons directly involved in the decision, the minutes of the Faculty Personnel Committee, any written materials available to the Faculty Personnel Committee, the Chair's letter to the President and the Provost's recommendation to the President. Anyone whom the Grievance Committee chooses to interview will receive a copy of the grievance beforehand. The Grievance Committee shall complete its deliberations and make its decision no more than sixty days after being presented with the grievance. The committee shall report in writing its recommendation to the grievant, to the Faculty Personnel Committee, to the Provost, and to the President. In addition, a copy of the report will be provided to the chairperson of the grievant's department or program (or the person in charge of the review).

If the Grievance Committee determines that "adequate consideration" was not provided to the grievant, the Grievance Committee shall include in its report a clear

statement of the area(s) in which consideration was inadequate and a recommendation for a new pre-tenure or tenure review by a Review Board. The Review Board shall consist of five tenured faculty members selected by the Faculty Governance Committee. No current members of the Faculty Personnel Committee and no members of the grievant's department may serve on this committee; however, to the extent possible, these faculty will be recent former members of the Faculty Personnel Committee. The Grievance Committee as a group shall then meet with the President of the College to discuss the case. If the President is not persuaded that the Committee has found "inadequate consideration," the Committee and the President will explain their positions within 30 days of the Grievance Committee's presentation of its recommendation to the parties listed in the previous paragraph. If the Grievance Committee and the President agree that adequate consideration was not provided, the case will be reviewed by a Review Board. If the case is reviewed, the Review Board shall provide a written recommendation within 30 days of the agreement by the Grievance Committee and the President. If the Review Board is given the case after May 1, its report will be due no later than the following September 15. The President then makes the final decision, which is binding and not reviewable.

[The former Executive Committee has interpreted the procedure above to apply to tenure-track faculty. Faculty members on a term appointment who apply for and do not receive appointment to another position at the end of the term are not within the purview of this grievance procedure. (Executive Committee Minutes, April 16, 1984.)]

## **G. Dismissal for Cause**

(Approved by the Faculty on October 14, 1965, and by the Board of Trustees on March 5, 1966.)

### *1. Reasons for Dismissal*

Gettysburg College has adopted the *1940 Statement of Principles on Academic Freedom and Tenure* and the *1958 Statement on Procedural Standards in Faculty Dismissal Proceedings*. Both of these statements have been approved by the Association of American Colleges and the American Association of University Professors. The purpose of this document is to prescribe the specific procedures to be used in the event that it becomes necessary to institute dismissal proceedings against a faculty member whose annual appointment has not expired or a faculty member who has tenure.

The only reasons for dismissal of such a faculty member at Gettysburg College are professional incompetence, whether as a teacher or as a scholar, in his or her area of academic activity, gross neglect in fulfilling his or her responsibilities as a teacher or scholar, and moral turpitude. Grounds for dismissal exist only when such incompetence, neglect, or moral turpitude renders a faculty member unfit to be a member of an academic community which cherishes high professional performance and academic freedom as indispensable parts of the learning process. The termination of employment of a

tenure-holding faculty member may also occur as the result of financial exigency; the fact of financial exigency should be demonstrated to the satisfaction of the Faculty Personnel Committee. Finally, the termination of employment may result from changes in the educational program of the College. In either of these events, the College should make a reasonable effort to assist the faculty member in locating a new position.

## *2. Procedure for Dismissal*

If questions about the fitness of a faculty member cannot be resolved within his or her department or within the administration, the President of the College shall request in writing that the Faculty Governance Committee appoint an *ad hoc* committee charged with the function of rendering confidential advice in such situations. Within seven days of receiving the President's request, the Faculty Governance Committee shall select three faculty members, exclusive of members of the Faculty Personnel Committee and of the other elected committees of the faculty, to serve on the *ad hoc* committee. This Committee shall meet within seven days of its appointment and select one of its members as chairperson and another as secretary.

The *ad hoc* committee should informally inquire into the situation to effect an adjustment if possible and, if none is affected, to determine whether, in its view, formal proceedings to consider dismissal of the faculty member should be begun. If the Committee recommends that such proceedings should be begun, or if the President of the College, even after considering a recommendation of the Committee favorable to the faculty member, expresses his or her conviction that a proceeding should be undertaken, action should be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the President and the *ad hoc* committee; if there is disagreement, the President of the College should formulate the statement. Within ten days of the formulation of the charges, the President of the College should initiate a formal hearing.

To initiate a formal hearing, the President shall notify the faculty member by registered mail, return receipt requested, to be signed by the addressee only, giving him or her the following information:

A copy of the *1940 Statement of Principles on Academic Freedom and Tenure*; *1958 Statement of Procedural Standards in Faculty Dismissal Proceedings*; and a copy of Section G.2.

A complete and detailed statement of the charges against him or her.

A statement setting forth the substance of all evidence currently available to the President in support of the charges.

A list of all known witnesses and deponents.

The time and place of the hearing. (The hearing shall occur not less than fourteen days after mailing of notice of the charges.)

The faculty member should reply by registered mail to the President within seven days of receipt of the registered letter. The reply should include the following information: whether he or she denies or admits the charges; whether he or she intends to appear in person at the hearing, with or without counsel; the name of his or her counsel, or advisers if any; and the names of any witnesses who will appear on his or her behalf.

The Hearing Committee shall be the Faculty Personnel Committee (not including the President or Provost). The faculty member shall have the right to disqualify one of the six members of the Committee. Members disqualified shall be replaced from among the members of the other elected Faculty Committees. Members of the constituted Hearing Committee who are involved in the case shall be similarly replaced. These replacements shall be selected by the remaining members of the Hearing Committee. Members of the Hearing Committee shall continue in office until the case is completed, even though their terms as members of the Faculty Personnel Committee or of the other elected committees shall have expired.

The Hearing Committee shall meet at the designated time and place. It shall choose its own chairperson and secretary and, at the College's expense, secure such stenographic help as it deems necessary. The Chairperson of the Hearing Committee shall conduct the hearing. The Chairperson shall be guided by the principles and procedures of the *1940 Statement of Principles on Academic Freedom and Tenure* and the *1958 Statement on Procedural Standards in Faculty Dismissal Proceedings*, except as those principles and procedures are altered or amended by anything in this statement.

The President may designate an appropriate representative to assist in developing the case. Either or both the faculty member and President may be represented by legal counsel.

The Hearing Committee shall receive all relevant testimony, adhering as closely as possible to legal rules of evidence. At the College's expense the Hearing Committee shall, upon request, have the benefit of legal counsel of its own choosing. All testimony shall be stenographically recorded and copies shall be furnished to the faculty member and the President or his or her designee.

The following persons in addition to the Hearing Committee shall have the right to be present and to question witnesses during the hearing: the faculty member, his or her legal counsel (or other advisers), the legal counsel of the Committee, the President of the College, the legal counsel of the College, and two representatives of the administration

whom the President may designate. (The Chairperson of the Hearing Committee may invite an observer from the national office of AAUP to attend the hearing.) The Committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or the faculty member's counsel and the representative designated by the President to argue orally before it. The Committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. A minimum of five votes shall be required for dismissal. The Hearing Committee shall report its action to the President, the faculty member, and the Chair of his or her department in writing.

If the faculty member refuses to accept formal notification of the hearing or if he or she refuses to participate in the hearing, the Committee shall examine all available evidence, shall render explicit judgment on each charge, and shall decide for or against dismissal. A minimum of five votes shall be required for dismissal. The Committee shall report its action to the President in writing.

The process of review of the proceedings by the Board of Trustees shall be initiated only at the request of the accused faculty member. Within fifteen days of the receipt of the decision of the Hearing Committee, the faculty member may present a request for review to the President of the College, to be transmitted to the Chairperson of the Board of Trustees. If the Board of Trustees or its Executive Committee chooses to grant the petition, its review will be based upon the records of the Hearing Committee; such review should be promptly initiated. In addition, both the faculty member and the President, with their representatives, shall be given the opportunity to present supplementary written or oral argument. The Board of Trustees or its Executive Committee will either sustain the decision of the Hearing Committee or return the case, together with its specific objections, to the Hearing Committee for reconsideration. Within fifteen days of the date on which the case is returned, the Hearing Committee shall meet to reconsider its decision. Upon reaching a new decision or confirming the original decision, the Hearing Committee shall transmit its conclusions in the same manner as before. Only after study of the Hearing Committee's reconsideration will the Board of Trustees or its Executive Committee make a final decision that may overrule the Hearing Committee.

After all proceedings, including appeal and review, have been concluded, all records of the Hearing Committee shall be turned over to the President of the College for confidential storage.

## **H. Warnings and Disciplinary Action Short of Dismissal**

Few breaches of professional ethics or violation of institutional rules by a faculty member will be serious enough to raise the question of dismissal for cause. The College reserves the right to issue warnings or reprimands to faculty members for such breaches or violations. A faculty member who believes that a warning or reprimand was improperly given has recourse to the College's grievance procedures in section V. below.

## **I. Salary Adjustments—Systematic Evaluation and Periodic Review**

### *1. Criteria and Procedure for Salary Adjustments*

The annual adjustment of individual faculty salaries is based primarily on merit. The criteria for determining merit for purposes of the annual adjustment of individual faculty salaries shall be the same as the criteria for purposes of tenure and promotion. Faculty members are expected to provide an annual summary of activities to the Provost. Evaluations will be conducted in the fall for the year ending the prior August 31.

The judgment of merit thus defined begins with the evaluation of each staff member by his or her department chairperson. Chairpersons must discuss annual evaluation letters with the faculty member concerned. Annual evaluation letters should reflect the views of both the Chairperson and the tenured departmental colleagues (or the departmental evaluation committee). These letters are meant to be formative for the faculty member and should be addressed to him or her. After the letter has been discussed, both the Chairperson and the faculty member must sign it before it is sent to the Provost. The signatures signify that both Chairperson and faculty member being reviewed have read and discussed the letter. Signing does not signify agreement with its content. If the faculty member disagrees with the evaluation, s/he has the option to write his/her own letter to the Provost in response with a copy to the Chairperson within two weeks of signing the letter. This evaluation and subsequent discussions among the Chairperson, the Provost, the President, and on appropriate occasions, the Faculty Personnel Committee, provide the President the basis for the establishment of individual annual salary adjustments.

Evaluation of teaching effectiveness deserves special attention and should be carried on in a systematic fashion. Hopefully, such a systematic assessment would involve methods devised by each department. Both chairperson and department members have a responsibility to know one another well enough and to exercise mutual trust and confidence sufficient to assure that genuine understanding of the colleague's effectiveness is possible and that open expression of judgment can take place in the appropriate manner.

Clearly, it is the responsibility of a department chairperson, working in close consultation with departmental colleagues, to design and implement a system of evaluation of teaching effectiveness. Because the most reliable basis for judgments in the career

process is assessment by departmental colleagues, and because the most useful evidence to the colleague in such an assessment is direct contact with the teacher in the classroom, such a system must include some opportunity for colleagues to observe an individual as a teacher in classroom contact with students. However, an individual may choose to exclude classroom visitation from the methods employed when he or she is evaluated. A person who makes such a choice should clearly understand the risk involved of incomplete and/or inaccurate judgment. Any such system must allow the individual under consideration a role in the determination of procedures by which his or her teaching will be evaluated. The individual must also have the opportunity to comment on his or her purposes, methods, and performance.

Written evaluations by students are another important method of assessing teaching effectiveness. Under legislation adopted by the faculty on October 3, 1991, each department may develop or adopt a student's course and instructor questionnaire to be administered in all sections of all courses each semester in addition to the universal form used College-wide; that, beginning with the 1991/92 academic year, the questionnaire completed by the students be made available to department chairpersons, the Faculty Personnel Committee, and the Provost for interpretation in the faculty evaluation process.

It is also the responsibility of a chairperson, working in close consultation with departmental members, to implement means whereby colleagues may observe colleagues as students of their discipline and specialty. Such means might be regular departmental colloquia.

## *2. Multi-Year Review*

Once they have received tenure, faculty members will ordinarily be evaluated on their work during three-year periods. Faculty members will be asked to provide brief documentation of activities in teaching, advising, scholarship, and governance by submitting this documentation to the Chairperson. Following receipt of these materials, the Chairperson will prepare an evaluation of the faculty member's work over the last three years. These materials will include:

- a. Summary of Activities. This consists of:
  - i. courses taught (provide a syllabus for each different course)
  - ii. advising activities
  - iii. papers published, papers presented, presentations given, creative works produced and/or performances given (provide copies of published works and/or evidence of creative endeavors),
  - iv. governance activities.
- b. Reflection on Accomplishments. The faculty member should comment briefly on these four areas, highlighting the accomplishments bringing the most pride or satisfaction.

c. Goals for the next three years.

These materials will be due at the same time as the annual report. A separate annual report will not be required. The Chairperson, upon review of these documents and upon gathering other evidence (e.g., classroom visits, reviewing student evaluations, discussion with other colleagues) will prepare a letter of evaluation. As with the annual evaluation process, the faculty member and Chairperson will discuss the text of the letter and both will sign it. If the faculty member disagrees with the evaluation letter, s/he has the option to write her own letter to the Provost in response with a copy to the Chairperson. All materials will be forwarded to the Provost's Office by the date requested for evaluations. These materials will be used to determine salary increases until the next evaluation and to aid in faculty development efforts. Faculty members may receive commentary from a member of the Provost's Office regarding their work over the past three years. Information regarding salary will be communicated separately.

If the faculty member to be evaluated is the Chairperson, the Provost will designate two people in the department or related disciplines to serve the role of the Chairperson in the evaluation process.

Consistent with current practice, the Faculty Personnel Committee has the option to review these letters during reviews for Promotion.

## **J. Resignation**

Changes in the personnel of an educational institution, especially the resignation of a faculty member, may require important adjustments on the part of colleagues, administrative officials, and even students in a particular department. Clear standards of practice with respect to resignation of faculty members are important, therefore, to the best interests of all concerned. In general, the policy of Gettysburg College is in conformity with that adopted in 1961 by the Association of American Colleges and approved by the American Association of University Professors. See *Policy Documents and Reports*, published by AAUP, 1990, pp. 81-82.

Negotiations looking to the possible appointment for the following fall of persons who are already faculty members of other institutions, in active service or on leave-of-absence and not on terminal appointment, should be begun and completed as early as possible in the academic year. It is desirable that, when feasible, the faculty member who has been approached with regard to another position inform the appropriate officers of his or her institution when such negotiations are in progress. The conclusion of a binding agreement for the faculty member to accept an appointment elsewhere should always be followed by prompt notice to his or her institution.

A faculty member should not resign in order to accept other employment as of the end of the academic year, later than May 15 or 30 days after receiving notification of the terms of his or her continued employment the following year, whichever date occurs later. It is recognized, however, that this obligation will be in effect only if institutions generally observe the time factor set forth in the following paragraph for new offers. It is also recognized that emergencies will occur. In such an emergency the faculty member may ask the appropriate officials of his or her institution to waive this requirement; but he or she should conform to their decision.

To permit a faculty member to give due consideration and timely notice to his or her institution in the circumstances defined in paragraph 1 of these standards, an offer of appointment for the following fall at another institution should not be made after May 1. The offer should be a "firm" one, not subject to contingencies.

Institutions deprived of the services of faculty members too late in the academic year to permit their replacement by securing the members of other faculties in conformity to these standards, and institutions otherwise prevented from taking timely action to recruit from other faculties should accept the necessity of making temporary arrangements or obtaining personnel from other sources, including new entrants to the academic profession and faculty personnel who have retired.

Except by agreement with his or her institution, a faculty member should not leave or be solicited to leave his or her position during an academic year for which he or she holds an appointment.

### **K. Emeritus Status**

(Adopted by Board of Trustees, September 1985.)

Gettysburg College grants the title of Professor Emeritus to persons having full-time faculty status in recognition of service of significant length and effectiveness to education and to the College.

This honor may be granted upon retirement to a person who has spent ten or more years at Gettysburg College. This honor may also be granted to qualified persons with fifteen or more years of service at Gettysburg College who conclude their professional service to the College prior to the age established for early retirement (see section VII, F.) and through mutual agreement with the College.

During the last academic year of a person's employment, his or her eligibility for the title Emeritus is subject to review by the President and the Faculty Personnel Committee. Initiation of discussion may be by the President, Provost, Faculty Personnel Committee, or the Department of the faculty member concerned.

The President recommends to the Board of Trustees the granting of the title of Professor Emeritus.

## **II. THE FACULTY MEMBER AS A TEACHER**

### **A. Attendance at Classes**

Each member of the faculty has a right to teach freely according to high professional standards; each student has a right to receive instruction of high quality in each course for which he or she enrolls. Thus, a course description needs to match the intent of the instructor and his or her department with respect to its content.

One's responsibilities for teaching must come first except when the faculty member is on leave or on a special assignment for the College. Classes are to be met regularly except when one is ill or otherwise unable to be present. Teaching includes student advising and some departmental duties; thus, when a faculty member has to be absent at a time that interferes with his or her responsibilities to the College, the departmental chairperson should be informed.

#### *1. Academic Load*

The standard teaching load for a tenured or tenure-track faculty member is five courses per year, three courses during one semester and two during the second with adjustments made in such areas as science laboratories. Term appointment faculty typically teach six courses annually, three courses each semester. In addition, chairpersons receive a reduced teaching load based upon the size and complexity of their department.

#### *2. Emergencies in the Classroom*

If a student has an accident or becomes seriously ill in the classroom, the faculty member should first determine whether or not an ambulance is needed. If yes, call 911. Then call the Department of Public Safety at extension 6911. If no ambulance is required but help is needed, call Campus Security at extension 6911.

### **B. Attendance at Academic Occasions**

By faculty action (September 16, 1952) it is the obligation of all members of the faculty to attend, in academic costume, Baccalaureate, Commencement, and other occasions of unusual academic importance, such as the Opening Convocation or the inauguration of a president. The President has delegated to the Provost the responsibility for granting excuses from this obligation. Section IV., B. (Marching in Academic Processions) contains the rules for who is eligible to march in academic processions at the College.

### **C. Advising of First Year Students**

By faculty action (November 7, 1991) it is the obligation of all regular full-time faculty members to participate in the academic advising of first year students. Exceptions may be made for faculty members with term appointments, those on sabbatical leave, or those serving in their first year. Other exceptions may be granted by the Provost for cause.

### **D. Examination Policy and Honor Code**

#### *1. Examinations Other Than Final Examinations and Papers*

Each instructor has wide latitude in determining how he or she will test his or her students. Examinations extending over a class period should be announced several days, a week if possible, in advance.

Students should be aware of their academic standing in a class as soon as possible after submitting work to be graded. Faculty members should try to return all tests and short papers to the students within two weeks or two class periods before the next test, whichever comes first. Longer papers should be returned within three weeks of the date on which they were submitted.

#### *2. Final Examinations*

There will be a final examination (or its equivalent) in each course. There are no exemptions from finals. Finals must be given at the scheduled time unless permission is obtained from the Provost. Such changes cannot be made merely by a majority or even unanimous vote of the class. Instructors have the authority to reschedule examinations for individual students for reasons the instructors consider valid. Such permission should be granted sparingly. Since instructors have the authority to reschedule examinations for individual students, instructors should not refer students seeking to have an examination rescheduled to the Provost or any other administrative officer.

The final examination schedule for fall and spring semesters allows three hours for each examination. Normally, these examinations are written, but oral examinations may be given, for example, in advanced courses with small enrollments.

The Registrar prepares and announces the final semester examination schedule. The purpose of this schedule is to avoid conflicts, and any departure from the announced schedule must be approved in advance by the Provost. To protect himself or herself, the instructor should keep final examination papers about six months.

### *3. Honor Code*

In May of 1957, the Faculty approved in principle an Honor Code and accepted in fact a Constitution for the Honor Code at Gettysburg College. With these measures, the Faculty delegated to the Honor Commission responsibility for the regulation of student academic conduct. The final responsibility for the regulation of student conduct remains with the Faculty.

The current version of the Honor Code is the result of two processes of revision. The first was a substantial revision approved by the Faculty, Honor Commission, and Student Senate in 2006. The second was revision of Sections 4.4-4.5 and 6.5 approved by the Honor Commission in Fall 2013 and by Student Senate and the Faculty in Spring 2014.

The Gettysburg College Honor Code includes "all academic work submitted by a student" and applies to "examinations, papers, reports, daily class and laboratory work." Each instructor should explain to his or her classes at the beginning of the semester what academic work, if any, can be done cooperatively by the students.

#### **Honor Code: Faculty Responsibilities**

##### **General Responsibilities:**

Faculty are responsible for providing an adequate number of advisors to the Honor Commission, consulting with members of the faculty as requested by the Honor Commission, and assisting in the Orientation of new students and faculty to the principles and practices of the Honor Code.

##### **Discussions about the Honor Code with students in your courses:**

The revised Honor Code places much emphasis on these discussions and is explicit about matters to be discussed.

At the beginning of each course, faculty and students should renew their support for upholding the College's principles regarding academic integrity. (For example, by discussing the relationship between the College's mission, trust, and honesty, and reaffirming the pledge students make on entering the College. See below on pledges.)

Faculty and students should determine together classroom practices to be observed for supporting one another in promoting academic honesty, including practices specific to assignments, exam room conditions (e.g., maintaining silence, seating, placement of bags and books, leaving the classroom, the disposition of phones or other electronic devices, etc.), and practices both for interrupting while they are occurring or reporting afterwards actions, activities, or behaviors which appear to violate our principles of academic honesty. (See 2.3) (One object of these discussions is to create ways for students to share responsibility openly and get beyond their reluctance to act on their own in the face of behavior that appears to violate the honor code. A violation of these practices alone is not

considered a direct violation of the Honor Code and should be addressed appropriately by faculty.)

In particular, students are expected to write examinations in the room or rooms specified by the instructor. Instructors are encouraged to use more than one classroom if the size of the class makes this desirable. Faculty should inform students that they must take tests in the locations assigned unless they request and are granted permission to go elsewhere. (If a student violates this expectation without permission, the faculty member can impose appropriate sanctions. You could, e.g., require the student to re-take the test.)

Faculty must give clear instructions for assignments, and include them in writing on the course syllabi or separate assignment sheets and discuss these guidelines in class. (Since collaborative work tends to give rise to numerous ambiguities, it is especially important to be explicit about such assignments. Examples are always a good idea.)

### **Faculty presence during exams:**

The revised Honor Code sets new rules regarding faculty presence during exams. In general, faculty may visit the classroom periodically throughout the exam but are not to proctor or stay for the entire exam. However, there is a new procedure for those cases in which faculty have reason to be present throughout an exam. (See section 2.5 for more information.) This special procedure is not meant for the ordinary exceptions to the general rules, viz., the situation where the oral presentation of the question and an immediate response, oral or written, is an essential part of what is being tested (e.g., testing listening skills in the foreign languages) or where the test or quiz requires the presence of the professor to administer it (e.g., a music listening test where the professor plays excerpts of musical works).

**Honor Code Pledges:** the revised Honor Code contains *two* pledges.

The first pledge will be affirmed during opening Convocation as a part of our new students' acceptance into the College Community and may be reaffirmed in individual classes as part of the class discussions on upholding the Honor Code. This pledge refers to a broad responsibility for honesty and integrity and is not limited to academic matters: *I affirm that I will uphold the highest principles of honesty and integrity in all my endeavors at Gettysburg College and foster an atmosphere of mutual respect within and beyond the classroom.*

There is another pledge students are to sign on all submitted course assignments: *I affirm that I have upheld the highest principles of honesty and integrity in my academic work and have not witnessed a violation of the Honor Code.* All students are bound by the Honor Code whether or not they sign this pledge on their assignments. For some students the practice of signing this pledge on their assignments is helpful in their endeavors to uphold the principles and practices of the Honor Code and to this end the Code enjoins them to sign it. Faculty are NOT required or expected to enforce the students' placement of

this pledge on assignments or their signing it. If faculty wish, they may provide the pledge on or with assignments or exam pages the students will be returning when completed or students can add the pledge on their own.

### **If There Is A Suspected Violation:**

Suspected violations should be reported to the Chair of the Honor Commission or the Dean of Academic Advising. (Under the revised Honor Code there is no 24 hour waiting period.) The Dean of Academic Advising (or designee) will convene promptly and facilitate a Preliminary Conference. This process for investigating all complaints and resolving (with appropriate penalties if violations are established) those complaints that meet the guidelines for this process was established as part of the 2006 revision. Hearing Boards will adjudicate those cases not resolved through this process. Please see sections 3.3ff for more information about this process.

The revised Honor Code applies to all accusations regarding breaches of the College's principles of academic honesty and integrity, including, but not limited to, cheating, plagiarism, unauthorized collaboration, unauthorized aid, fabrication of data or documents, forgery on academic forms and documents, lying to gain academic advantage, failure to report actions which clearly indicate violations of the Honor Code, stealing or destroying library materials. (See section 3.10).

A faculty member should not assign any penalty to work suspected of a violation. Only the Preliminary Conference or a Hearing Board of the Honor Commission determines whether a violation has occurred and assigns a penalty.

It is natural for faculty to want to discuss with colleagues possible Honor Code violations. However, students' confidentiality is guaranteed through the Honor Code process, and faculty should NOT reveal the name(s) of potential violator(s) to colleagues.

**Printed copies of the Honor Code are available from the Office of Academic Advising, and the full text is also available on the Academic Advising web site:**

[http://www.gettysburg.edu/about/offices/provost/advising/honor\\_code/](http://www.gettysburg.edu/about/offices/provost/advising/honor_code/)

## **E. Grading System**

### *1. Midsemester Reports*

To give students ample warning that they may find themselves in serious academic difficulty at the end of a semester, the Office of Academic Advising calls for a mid-term grade report. Note that these grades are not sent to the Registrar. They do not become part of the student's permanent record but are used by advisers and others in counseling. Deficiency grades (D's and F's) for all students are reported at this time.

## 2 . *The Grade of Incomplete*

The Grading System is described in the *College Catalogue*. One feature of the grading system described in the catalogue needs to be stressed. The grade "I" or "Incomplete" is to be used only where emergencies such as illness prevent a student from completing the work in a particular course. In all other cases students who have not completed their work on time should receive a failing grade. Each faculty member faced with a situation which calls for the assignment of an "Incomplete" should, therefore, consult with the Office of Academic Advising to determine whether the student in question has been the victim of such a genuine emergency. Without the corroboration of this office, the faculty member should not assign the "Incomplete."

## 3. *The Satisfactory/Unsatisfactory Grading Option*

(Adopted by the Faculty on November 19, 1981.)

The College also offers a Satisfactory/Unsatisfactory grading option. This option is intended to encourage students to be intellectually adventurous in choosing courses with subject matter or approaches substantially distant from their prior academic experience or attainment. An S signifies satisfactory work, and is given if a student performs at the C-level or higher; a U signifies unsatisfactory work, and is given for work below the C-level. A student may elect to take a total of six courses on an S/U basis during his or her four years at Gettysburg College; however, no more than two S/U courses may be taken in any one year. Courses for which the grade recorded is S may not be counted toward meeting graduation requirements for distribution or for the major. Exceptions may be made with regard to the major in cases where a department specifies that a particular course is available under the S/U grading system only, and in cases where the major was declared after the course was taken and permission is granted by the department. Courses graded S/U do not affect a student's quality point average, but a course completed with an S grade will count toward the total number of courses needed for graduation.

The only exception to the two-courses-per-year S/U limit is for seniors who are enrolled in either Education 475 or 477. These students may take an additional course under the S/U option during the senior year, provided that their total number of S/U courses does not exceed six.

The deadline for electing to take a course under the S/U option will be the twenty-first calendar day after the first day of classes in the spring and fall semesters.

#### *4. Final Grades and Grade Changes*

Each instructor should inform his or her classes on what basis final semester grades are determined and how much weight will be given to tests and quizzes, term papers, class recitation, laboratory performance, or other academic work.

The final grades in each course should be reported to the Office of the Registrar, whenever possible, within 48 hours after the final examination of the course has been given (Faculty Legislation, January 7, 1954). In no case should a faculty member leave Gettysburg until all of his or her grades have been reported.

It is assumed that when an instructor reports a semester grade it is the result of his/her careful evaluation of a student's academic performance and that it is final. Consequently, after a grade has been reported to the Registrar, it cannot be changed unless there has been an error in computation or reporting. Such change must first be approved by the Provost. Should an instructor feel that a reconsideration is desirable in fairness to a student, he/she may give it before the grade is reported, not after.

The Registrar makes grades available electronically the Student Center (PeopleSoft) after a faculty member submits the grade. Students may also order a transcript from the Registrar's Office. No grades are given to students by the Registrar in any other way. Each instructor is free to determine whether or not he/she will post his/her grades, but they should not be posted in such a way as to disclose the grade of an individual student to persons other than this student.

#### *5. Grade Appeal Policy*

(Passed by the Faculty on March 4, 1999)

Free discussion, inquiry, and expression in the classroom are essential to the task of a liberal education at Gettysburg. Student performance, therefore, should be evaluated solely on the basis of academic achievement, not on opinions or conduct in matters unrelated to academic standards. Students are responsible for maintaining the academic standards established by the College and the respective instructor(s) for each course in which they are enrolled. Students have the right to know the criteria on which they are being evaluated and, where possible, an estimate of their standing in any course in which they are enrolled. Students have the right to be evaluated solely on the stated criteria in any course in which they are enrolled. They should never be subjected to prejudiced or capricious academic evaluation. Any student who feels he/she has been subjected to such evaluation should ask the professor involved to explain the grade. Students have 15 days from the start of the following semester to appeal a final grade to the instructor in writing. The instructor shall respond in writing to the appeal within 15 days of receipt. If the student still feels that the grade is unjustified, the student has an additional 15 days to appeal the grade, in writing, to the Department Chair. (In cases involving the Department Chair, the

appeal may be addressed to the Provost.) The Chair shall respond to the student within 15 days of receipt of the appeal. (A Department Chair may, however, at his/her discretion refer any grade appeal to the Provost for a decision.) If the student is still dissatisfied with a decision made by the Department Chair, the student may appeal in writing to the Provost within 15 days of the Chair's decision. The Provost's decision should be communicated to the parties involved within 15 days of receipt of the appeal. Any grade not changed during this appeal period shall be official.

## **F. Access and Accommodation for Students with Physical and Learning Disabilities**

Gettysburg College provides equal opportunities to students with disabilities admitted through our regular admissions process. The College promotes self-disclosure and self-advocacy for students with disabilities, recognizing that students with disabilities have the legal right and responsibility to present requests for reasonable accommodation directly to faculty and administrators. For students with physical disabilities, the College provides accessibility within its facilities and programs and will, within the spirit of reasonable accommodation, adapt or modify those facilities and programs to meet individual needs.

For students with learning disabilities, the College accommodates on a case-by-case basis provided the accommodation requested is consistent with the recommendations contained in documentation prepared by a psychologist, psychiatrist, or physician and that documentation was prepared within four years of the time of self-disclosure. Documentation presented to the College is reviewed by the College to assure that it is adequate and that the recommendations are consistent with the test results. Reasonable accommodation for students with learning disabilities may involve some curricular modifications without substantially altering course content or waiving requirements essential to the academic program. Some examples of reasonable accommodation are:

- Extended time on exams and assignments;
- Use of auxiliary equipment (tape recorders, lap top computers, calculators);
- Modified examination formats and/or oral examination.

Academic Advising will assist students with disabilities with their request for accommodation.

## **G. Class Attendance, Athletics and Other Extracurricular Activities**

“At the heart of Gettysburg College,” insists the College’s *Statement of Purpose*, “is the academic program.” Commitments to the academic program take priority over other College activities. But the College also offers students the opportunity to participate in extracurricular activities because it believes that these activities can make important

contributions to their education as whole persons. The following statement describes the appropriate relationship between academic and extra-curricular activities.

### *1. Gettysburg College's Policy on Class Attendance*

The College recognizes that regular attendance at all classes is an essential part of its academic purpose and clearly is the responsibility of the individual student. Each student is accountable for all work missed because of absences from class, and instructors are under no obligation to make special arrangements for students who are absent from classes. Instructors must explain their individual or departmental attendance policy during the first class meeting and/or in their course outlines. Instructors may contact a student who has accumulated excessive absences directly to remind the student of her/his obligation concerning class attendance and of the consequence of continued absence from class and may notify the Office of Academic Advising that such a warning has been given. If a student incurs further absences after being warned and exceeds the limit set by the instructor's policy or the departmental policy, she/he may be required to withdraw from the course with a failing grade.

Class absences will be dealt with on a case-by-case basis by the instructor of the course. If a student will miss class for any reason (for example, religious observances, college trips, family emergencies, or illness), the student must discuss this absence with her/his instructor in advance whenever possible. The student will be ultimately responsible for making up any missed work as a result of a class absence. *[Approved by the Faculty, December 3, 1992 and revised by the Faculty on May 1, 1997]*

### *2. Practice and Activities Times*

The period from 4:00 p.m. - 6:30 p.m. on Monday through Friday has traditionally been set aside for athletic practices and other extracurricular activities. It is intended that activities such as band, choir, theatre productions, community service activities, and athletic practices will ordinarily take place during this time without conflict with scheduled classes or with other academic obligations, including make-up tests.

It is a violation of NCAA regulations for a coach to require an athlete to attend a practice that conflicts with a class. Therefore, no student will be expected to miss a class or leave class early in order to be at practice.

Sometimes, especially early in the second semester, indoor athletic practices must be scheduled. Because the College lacks sufficient space for all teams to practice indoors between 4:00 and 6:30, practices will occasionally need to be scheduled at other times. No practice scheduled at a time other than 4:00-6:30 can be made mandatory for athletes. If such a practice conflicts with an assigned academic activity, the academic activity must take precedence. Apart from the condition just specified, no formal or informal team practices, training sessions, etc. should be scheduled at times other than 4:00-6:30 p.m.

It is especially important that faculty let students know if testing, review sessions, extra classes, etc. will be scheduled in the 4:00-6:30 p.m. period. Faculty members should make every effort to avoid the situation where the only opportunity for a student to make up a test or complete some other required activity occurs between 4:00 and 6:30 p.m.

An administrator from the College Life Division shall act as liaison between students, faculty, coaches, and advisors of extracurricular organizations should complaints or misunderstandings arise concerning the implementation of this policy. It will be the responsibility of coaches and advisors of extracurricular activities to be sure that all students involved in athletics and these activities are aware of this person and her or his function.

### *3. Absences Due to Athletic Contests or Other Extracurricular Activities*

As noted in the College's Policy on Class Attendance, it is the student's responsibility to request permission from faculty members to miss class because of scheduled events and to make arrangements with the faculty members to make up any work missed because of an athletic contest or other extracurricular activity. If the level of anticipated absences is so high that the student may have problems in reasonably meeting the requirements in the course for class attendance and other matters, the student has the responsibility to determine whether or not it is possible for him or her to continue to participate in the extracurricular activity. If it is not possible to continue to participate in the extracurricular activity and still meet the requirements of the class, the student must decide whether to withdraw from the activity or, in certain circumstances, to postpone the class to a later semester.

If, for any reason, (including injury or disciplinary sanction by a coach), a student will not be playing in an away game and this is known before the team leaves for the game, a student should be so informed and not required to travel with the team. Coaches will encourage students who will not be playing in a contest (where the trip to the contest requires them to miss a class) to attend class rather than miss the class.

## **H. Rights and Responsibilities of Students Concerning Their Evaluation by Faculty**

Faculty members should be familiar with the document, *The Rights and Responsibilities of Students* (Approved by the Board of Trustees, January, 1974), which is printed in the *Student Handbook*. The following section from this document is of especial interest to faculty members. Concerning the evaluation of students, the Rights and Responsibilities Statement provides:

Free discussion, inquiry, and expression in the classroom are essential to the task of a liberal education at Gettysburg. Student performance, therefore, should

be evaluated solely on the basis of academic achievement, not on opinions or conduct in matters unrelated to academic standards. Students are responsible for maintaining the academic standards established by the College and the respective instructor(s) for each course in which they are enrolled. Students have the right to know their standing and the criteria on which they are being evaluated in any course in which they are enrolled. Students have the right to be evaluated solely on the stated criteria in any course in which they are enrolled. They should never be subjected to prejudiced or capricious academic evaluation. Any student who feels he/she has been subjected to such evaluation should ask the professor involved to explain his/her grade. If not satisfied by such explanation the student may request the Chairperson of the department or the Provost to consider and resolve the issue.

A Common Course Evaluation Form has been adopted by the College (Approved by the Faculty on October 2, 2003; revised 2007). The Evaluation Form is made available to department chairpersons, the Faculty Personnel Committee, and the Provost for interpretation in the faculty evaluation process.

## **I. Federal and State Laws Affecting a Faculty Member as Teacher**

### *1. Pennsylvania Fair Educational Opportunities Act*

In 1961 the Pennsylvania General Assembly passed the Pennsylvania Fair Educational Opportunities Act (Act of July 17, 1961, P.L. 776). This measure affirmed as state policy that "all persons shall have equal opportunities for education regardless of their race, religion, color, ancestry, or national origin" and that "students otherwise qualified be admitted to educational institutions without regard to race, religion, color, ancestry, or national origin." At the same time, the Act acknowledged "a fundamental American right for members of various religious faiths to establish and maintain educational institutions exclusively or primarily for students of their own religious faith." In such institutions "students otherwise qualified should have equal opportunity to attend therein without discrimination because of race, color, ancestry, or national origin." In defining what are considered unfair educational practices the Act asserts "the right of religious or denominational educational institutions to select its students exclusively or primarily from members of such religion or denomination or of giving preference in such selection to such members."

Section 403.01 of the regulations of the Pennsylvania Human Relations Commission declares it to be an "unlawful discriminatory practice" for an institution to "permit the race, color, religious creed, ancestry or national origin of any student to be indicated on any transcript or record of such student or in any written or oral information given by said school when same is made available to any prospective employer, employment agency, or to any school of higher learning to which said student is applying for admission."

Please note that all members of the faculty and staff are to cooperate in not making information concerning the race, color, religious creed, ancestry, or national origin of any student available to anyone outside the College.

The College's Equal Opportunity Declaration is in conformance with the requirements of this Act.

## *2. Title IX of Education Amendments of 1972*

[See Chapter VII for more information on Title IX.]

Title IX of the Education Amendments of 1972 is a federal law prohibiting sex discrimination in the treatment of students in programs receiving any federal financial assistance. The federal Department of Education has issued extensive regulations interpreting and implementing Title IX.

Faculty members should be aware of their obligations under Title IX not to discriminate against any student on the basis of sex in areas such as: granting permission for entrance into a course; counseling students as to courses, departments, or major fields of study; hiring of student employees; and providing information or recommendations for students concerning outside sources of financial aid which discriminate on the basis of sex.

Title IX also forbids any discrimination on the basis of sex in the treatment of employees of the College.

Any questions concerning the effect of Title IX should be referred to the Title IX Coordinator at the College.

## *3. Harassment and Discrimination-Free Workplace Policy (see Section V.B). [For further information, see Chapter VII.]*

## *4. Whistleblower Policy and Reporting Process*

Gettysburg College is committed to high standards in all business practices. All individuals representing Gettysburg College are expected to observe certain standards of conduct, which have been established in the best interest of our faculty, employees, students, visitors and the College. These standards are noted in the Faculty Handbook, Employee Handbook, and Student Rights and Responsibilities Handbook.

This policy is approved by the President's Council, overseen by the Whistleblower Oversight Representative(s) and is administered by the Designated Authorities.

### **Policy Statement:**

- Employees and students with a reasonable concern relating to illegal or dishonest activity or other misconduct involving the College's financial or business affairs,

including the management of information, may file a Good Faith Report for investigation (as discussed more fully below under “Whistleblower Reporting Process”).

- The College will provide protection from retaliation for any whistleblower. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Any whistleblower who believes he/she is being retaliated against should contact a Designated Authority (see below). If retaliation is found to have occurred, immediate and appropriate action will be taken to stop the retaliation, prevent its recurrence, and correct its effects. The College may take disciplinary action (up to and including termination) against any employee who has engaged in retaliatory conduct in violation of this policy.
- Confidentiality will be maintained throughout the investigation to the extent practical and consistent with the College’s need to undertake a full and impartial investigation. If disclosure is considered necessary, the College will notify the Whistleblower.

Employment related concerns shall continue to be reported through normal channels such as an employee’s direct supervisor or Co-Directors of Human Resources and Risk Management.

In addition to employment-based action for illegal or dishonest activity or other misconduct involving the College’s financial or business affairs, including the management of information, students may also be subject to the provisions of the student code of conduct. The same set of circumstances filed in a Good Faith Report may also lead to code of conduct charges and sanctions if a student is found responsible for violating the student code of conduct. For more information, please see the Handbook for Student Rights and Responsibilities.

### **Whistleblower Reporting Process**

If an employee or student has knowledge of or concern about illegal or dishonest activity or misconduct involving the College’s financial or business practices including the management of information, the employee or student should prepare a written Good Faith Report and submit it to one of the following individuals (identified collectively as Designated Authorities):

Designated Authorities are:

Vice Provost  
Co-Directors of Human Resources and Risk Management  
Director of Student Rights and Responsibilities

A Good Faith Report should contain factual information, including dates, names or any

other information that can be corroborated to warrant an investigation. The report should list contact information for the individual submitting the report.

An employee who makes a complaint or charge must exercise sound judgment and act without malice to avoid baseless allegations or frivolous complaints. Any reports filed in good faith that prove to be unfounded will not be subject to any disciplinary actions. Any individual, however, who knowingly files a false or materially misleading report of illegal or dishonest activities or other misconduct involving the College's business or financial affairs, is subject to disciplinary action.

### **Good Faith Report Investigation Procedure**

The whistleblower is not responsible, nor is the whistleblower the appropriate party for investigating the activity or for determining fault or corrective measures. All complaints received under this policy will be promptly, thoroughly, and impartially investigated.

Designated Authorities will advise one or more of the following persons, collectively referred to as the Whistleblower Oversight Representative(s)(WOR): the Provost, if the whistleblower is a faculty member; the Executive Vice President of the College, if the whistleblower is an administrator or support staff member; or the Vice President for College Life, if the whistleblower is a student. If one of these administrators is a whistleblower or subject of investigation, the President will provide oversight for the investigation.

In cases where the respondent is a student, only the processes and policies in the Handbook for Student Rights and Responsibilities will apply in determining if a violation of the student code of conduct has occurred. In addition, student respondents may be subject to employment-based action from Human Resources or their departmental employer which will follow the provisions of this policy and any employee manuals/handbooks. A joint inquiry may be conducted by HR and Student Rights and Responsibilities, however, the processes determining an outcome will operate independently from one another.

The Designated Authority receiving the Good Faith Report reviews the complaint, determines the level of investigation the complaint warrants, identifies the appropriate party to perform the investigation, determines if the facts do or do not support the complaint, and recommends any corrective actions. The Designated Authority will pass this recommendation on to the WOR who then authorizes appropriate corrective actions, if any. At the discretion of the WOR or the Designated Authorities, a Good Faith Report's status and resolution may be shared with Legal Counsel.

When investigating Good Faith Reports, the College will protect the rights of all parties. Subjects of any investigation are not to interfere with an investigation. Subjects will be notified and given an opportunity to respond to any evidence found by the investigation before the investigation is closed.

All investigation findings will be recorded and maintained by the Office of Human Resources according to legal counsel guidelines. Records from student code of conduct proceedings will be maintained in accordance with FERPA and College policy. At the conclusion of any investigation, the individual who submitted the report will be notified that the investigation has been completed and whether the Good Faith Complaint was determined to be founded or unfounded.

Questions regarding this policy should be directed to the Designated Authorities.

## **J. Copyright Law**

Below are guidelines for photocopying for classroom use that were worked out by representatives of authors, publishers, and educational institutions and which are followed by the College as interpretations of the copyright law. A comprehensive overview of the copyright law can be found in the publication, Questions and Answers on Copyright for the Campus Community, which has been provided to each department chairperson, and the College cannot guarantee that the guidelines which follow are an absolutely correct interpretation of the law. Faculty should be aware that publishers are making spot checks of college stores and are actively looking for copyright violations. As the cited publication asserts, "One thing is certain...when in doubt, request permission!"

### *1. Photocopying of Single Copies for Teachers' Own Use*

Teachers may make or have made a *single copy* of any of the following for scholarly or teaching purposes:

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

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

Multiple copies can be made in the following circumstances (spontaneity factor):

- (a) The copying must be at the instance and inspiration of the individual teacher.

(b) The time of the decision to make the copies must be so close to the time of their use in the classroom that it would be unreasonable to expect the teacher to receive a timely reply to a request for permission to copy.

How much can be copied from given works (brevity factor):

If the work is prose,

(a) A complete article, story, or essay if less than 2,500 words.

(b) An excerpt from a longer work which does not exceed 1,000 words or 10% of the work (whichever is less) but such excerpt can always be at least 500 words.

If the work is poetry,

(a) A complete poem if less than 250 words and if printed on not more than two pages.

(b) From a longer poem, an excerpt of not more than 250 words.

Any copying under the rules above may be expanded to complete an unfinished line of a poem or unfinished prose paragraph.

If the work is an illustration, one chart, graph, diagram drawing, cartoon, or picture per book or periodical issue.

In the case of "Special" works, defined as 1) under 2,500 words in their entirety; 2) can be in poetry, prose, or in "poetic prose"; 3) often combine language with illustration; 4) sometimes intended for children and at other times for a general audience, may not be reproduced in their entirety. All that may be reproduced is an excerpt of not more than 2 published pages and containing not more than 10% of the work.

How often photocopied materials can be used for which no permission has been granted (cumulative effect):

(a) Material can be copied only for one course, i.e., the same article cannot be copied for use in two courses.

(b) During one semester.

(1) Not more than one short poem, article, story, essay, or two total excerpts from the same author.

(2) Not more than three excerpts from the same collective work or periodical volume.

(3) Not more than nine total instances of multiple copying in a course.

(4) The limitations in (2) above do not apply to newspapers, current news periodicals, and the current news sections of other periodicals.

(5) During successive semesters the same items may not be repeatedly copied by the same teacher.

General prohibitions applying to all multiple copying:

(a) Each copy **must** include a notice of copyright.

(b) No charge shall be made to the student beyond the actual cost of the photocopying.

(c) Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works.

(d) No copying shall be made from works intended to be "consumable" in the course of study or teaching such as workbooks, exercises, standardized tests, test booklets, and answer sheets.

### *3. Obtaining Permission to Photocopy Copyrighted Material*

If you wish to copy material either for your own use or for classroom use in a manner that does not qualify under the guidelines above, then you must obtain permission for such copying from the copyright owner. (If the copyright has expired, the material is in the "public domain" and may be copied without restriction.) There is also a Copyright Clearance Center in which some publishers participate. For copying articles from journals of publishers participating in the Center, no permission is necessary but a fee must be paid to the Center. There is a notice inside the front cover of each journal participating in the Center. Information Resources will assist any faculty member who has a question about payment of fees to the Center.

### *4. Videotaping of Television Programs*

In March of 1979, Congressman Robert Kastenmeier, Chairman of the House Subcommittee on Courts, Civil Liberties and the Administration of Justice, appointed a Negotiating Committee consisting of representatives of education organizations, copyright proprietors, and creative guilds and unions.

The following guidelines reflect the Negotiating Committee's consensus as to the application of "fair-use" to the recording, retention and use of television broadcast programs for educational purposes. They specify periods of retention and use of such off-air recordings in classrooms and similar places devoted to instruction and for homebound instruction. The purpose of establishing these guidelines is to provide standards for both owners and users of copyrighted television programs.

(a) The guidelines were developed to apply only to off-air recording by nonprofit educational institutions.

(b) A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a nonprofit educational institution for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately. "Broadcast programs" are television programs transmitted by television stations for reception by the general public without charge.

(c) Off-air recordings may be used once by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction within a single building, cluster or campus, as well as in the homes of students receiving formalized home instruction, during the first ten (10) consecutive school days in the forty-five (45) calendar day retention period. "School days" are school session days—not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions—within the forty-five (45) calendar day retention period.

(d) Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

(e) A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.

(f) After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for teacher evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum, and may not be used in the recording institution for student exhibition or any other non-evaluation purpose without authorization.

(g) Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

(h) All copies of off-air recordings must include the copyright notice on the broadcast program as recorded. Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines. The video facilities in the library may be used at any time by any member of the faculty. Any video recordings made and retained by the instructional media services staff will be governed by the guidelines above. All faculty are expected to comply with these guidelines.

### *5. Copying of Computer Software*

Copying of software without the permission of the developer of that software is theft of intellectual property, and Gettysburg College does not condone it. In addition to being in violation of the code of the academic community, copying of software that is protected by copyright or trade secret law is illegal and may be punishable under the Crime Codes of Pennsylvania. It also may be in violation of the Federal Copyright Act and the purchaser's sales agreement. Violations of state or federal laws may be prosecuted by local, state, or federal law enforcement agencies. In light of the above, Gettysburg College does not condone and takes the strongest stand against the unauthorized duplication of copyrighted software.

### *6. Photo-duplication at the Library and Placement of Photo-duplicated Items on Library Reserve*

It is the responsibility of faculty members to provide any photocopies that they wish to place on reserve, regardless of whether the originals are owned by the library or the faculty member. The library staff will make photocopies only under special circumstances (such as from microfilms and some materials from the Special Collections Library).

The library reserves the right to refuse to accept photocopies of copyrighted materials if there is a question of copyright compliance.

The current copyright law does not provide clear and specific guidelines covering the making of copies to be placed on reserve in the library. Rules for interlibrary loan copying and copying for classroom use have emerged, and to some extent the limits on library copying are understood. It remains unclear whether copying for reserve purposes is to be considered more closely related to "library copying" or copying "for classroom purposes." The following opinions are relevant however: In accepting a copy or copies, the library **must** have a clear record of the source of those copies, so as not to be made liable for an infringement merely because of possession of unauthorized copies. Furthermore, libraries cannot, under the current law, make multiple copies for reserve use, and should

ask faculty members to inform them well in advance of the need for multiple copies so that they have sufficient time to get the required permission or acquire additional copies.

The classroom copy guidelines in Section 107 of the law authorize multiple copies in certain cases, but emphasize that the item must be brief and the circumstances under which the copies are made for classroom purposes are spontaneous. For the protection of all parties, including the College, therefore, the library policy with respect to the making and placing of copies on reserve for courses shall be this:

(a.) The library will make only one copy of any journal article or brief segment of a book for any purpose, be it reserve, interlibrary borrower, or individual student or faculty member. Such copying will be in strict compliance with Section 108 of the law, and particularly subsection (g.).

(b.) Any copies of copyrighted materials made elsewhere and deposited with the library for reserve use *must* bear the name of the person making or causing to be made the copy, and the date when the copy was made, *or* be accompanied by evidence of permission to copy given by the copyright owner.

#### *7. Use of Copyrighted Films, Pre-recorded Video Cassettes, and Other Audio-Visual Materials*

Copyright law permits college-purchased films and videos intended for home use to be used also in face-to-face classroom instruction. For closed circuit TV or campus performances, the College must purchase or negotiate additional rights from the film or video's producer or distributor. Privately held copies of films and videos and off-air tapings used in the classroom or in campus performance must also adhere to copyright law.

The library has purchased performance rights for a number of our video holdings. Faculty should contact Instructional Media Services located in the library for assistance and information about permission for classroom, small group, and campus performance use of audio-visual materials.

#### **K. Confidentiality and Related Issues Regarding Student Records: consult with Registrar**

The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, is a federal law that governs how colleges and universities supervise and protect student records. FERPA: (1) assures access by students to their education records, (2) permits student review of those records for accuracy, (3) guarantees use of the records only for legitimate educational purposes, and (4) controls release and disclosure of such records. FERPA is not a records retention statute; it does not define what records a College must maintain but rather, it governs the confidentiality of, and access to, those records that are

maintained. Additionally, FERPA does not require the disclosure of records to third parties, but sets forth what may be disclosed to certain external parties under certain circumstances.

### What Records Are Included Within The Scope Of FERPA?

It is important that faculty and staff alike understand the broad scope of FERPA's mandates. FERPA protects "education records" which term is defined as records (in handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche) maintained by the College **or an agent of the College (including faculty members)** that are directly related or personally identifiable to a student, except:

1. A personal record kept by a faculty/staff member if it is kept in the sole possession of the maker of the records, used only as a memory aid, and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record of a student provided the record is used only in relation to the individual's employment with the College.
3. In most cases, records maintained by the Campus Security office.
4. Records maintained by the health or counseling services if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni records that contain information about a student after he or she is no longer in attendance at the College and that do not relate to the person as a student.

It should be noted that if the education record (i.e., the document) itself may not be disclosed under FERPA, then communication or dissemination of the contents of that record is also prohibited.

### Under What Conditions May Education Records Or The Information Contained Therein Be Released Without Student Consent?

Other than as described in this paragraph, most information contained in an education record may be released outside the College only with the written consent of the student. The law permits the release of most education records without the prior consent of the student to agencies acting on behalf of the federal or state Department of Education, to law enforcement agencies or third parties with a valid subpoena, to parents if the student is financially dependent (as defined by the Internal Revenue Service), or to appropriate College personnel. College employees must demonstrate a legitimate educational interest to request protected information, as opposed to personal or private interest, and such a determination will be made on a case-by-case basis.

In addition to the foregoing circumstances, under FERPA the College reserves the right to make public at its discretion, without prior authorization, the following directory information: name, address (home, campus, and e-mail), telephone number, picture, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent educational agency or institution attended. Any student wishing that such information about him/her not be released must notify the Office of Academic Advising.

#### What Rights Does A Student Have With Respect To His/Her Education Records?

The student has the right, on request to the appropriate College official, to review all materials that are in the student's education records (as defined above), except:

- Financial information submitted by the student's parents;
- Confidential letters and recommendations associated with admissions, employment or job placement, or honors, to which the student has waived rights of inspection and review;
- Education records containing information about more than one student, in which case the College will permit access only to that part of the record that pertains to the inquiring student.

Records covered by FERPA will be made available within forty-five days of the student's request.

The student also has the right to petition the College to amend or correct any part of the education record he/she believes to be inaccurate, misleading, or in violation of his/her privacy rights.

#### How Does FERPA Impact Me As A Faculty Member?

As described briefly above, most records directly related or personally identifiable to a student are "education records" to which FERPA applies. As a faculty or staff member you are an agent of the College. Thus, for the most part, other than a personal record maintained by you, that is kept in your sole possession, that is used only as a memory aid, and that is not accessible or revealed to any other person (except a temporary substitute for you), any document or information that you create or that is provided to you that contains information that is personally identifiable to one or more students, is an education record and is subject to FERPA's confidentiality, non-disclosure, and student (and often parent) access requirements.

You may not disclose to anyone, other than the student himself/herself or others at the College with a legitimate educational interest, any record or information directly related or personally identifiable to a student, unless it is directory information as defined above or

unless you have the written consent of the student. Faculty members from whom students request a letter of recommendation should feel free to discuss the student's performance in class and any "directory information." Without the written consent of the student, however, the faculty member should not disclose any information beyond the foregoing. If you receive a request to provide information about a student, you should consult with the Provost's Office or the Office of Academic Advising.

If more than one student is referred to in a given record, any information not applicable to the requesting student must be redacted. That is, you may not share information regarding a student with other students (unless it is directory information as defined above).

You should also understand that your students, and oftentimes their parents, may request access to their education records at anytime.

It is worth noting that the penalty for a FERPA violation is the imposition of a sanction by the United States Department of Education upon the College (as an institution, not upon any individual who may be responsible for disclosing the information). Specifically, FERPA provides that, upon finding a violation of FERPA, the U.S. Department of Education can (1) withhold federal funding from the College; (2) issue a cease and desist order to require FERPA compliance; or (3) terminate a College's eligibility to receive federal funding. Thus, if a faculty or staff member inappropriately discloses or releases an education record or the information contained therein, the College could be subject to monetary sanctions imposed by the federal government.

#### **L. Scientific Misconduct**

All faculty members in science areas funded by the National Institutes of Health (NIH) and the National Science Foundation (NSF) should be familiar with "Procedures for Dealing with and Reporting Possible Misconduct in Science" that the College adopted in April, 1990. These procedures cover cases of fabrication, falsification, plagiarism, and other serious deviation from accepted practices of proposing, carrying out, or reporting results for research. They also cover material failure to comply with federal requirements for protection of researchers, human subjects, or the public; for ensuring the welfare of laboratory animals; or failure to meet other material legal requirements governing research. A copy of the "Procedures" is available from the Provost's Office.

#### **M. Policy for Teaching Load of Part-Time Faculty**

It is the normal and preferred practice that persons hired as part-time (adjunct) faculty will teach no more than three courses per semester and five courses for the academic year; or no more than six laboratory sections per semester and ten sections for the year; or the equivalent in any combination of courses or laboratory sections.

Under certain extraordinary circumstances, temporary faculty members hired to teach three courses in one semester might be hired with full-time status, but these circumstances are rare. Such circumstances might include, but are not limited to, emergency situations, market factors, or the presence of duties above and beyond traditional course instruction.

The following clause will be inserted into the appointment letter for a person appointed as a part-time faculty member regardless of how many part-time sections the person is scheduled to teach:

It is understood that this appointment is a part-time appointment and no governance responsibilities, scholarship, supervision of independent studies or advising duties (except for those which occur as part of course instruction) are expected. Therefore, the time of this appointment does not count toward tenure at Gettysburg College even if at some point in the future you are appointed to a tenure-track position.

#### **N. Policy on Compensation for Independent Studies**

Full time faculty members are expected to teach independent studies in addition to their regular 3-2 teaching loads, normally without additional compensation. Under special circumstances, however, the Provost's Office may approve compensation for independent studies. These circumstances generally occur when independent studies are assigned as the result of an administrative decision (e.g., a course is cancelled for low enrollment and the course is required by one or more students for graduation). Because a faculty member must take on one or more independent studies in addition to his or her regular teaching load in order to enable students to graduate on time, compensation will be offered. Compensation in these cases will vary according to the number of students involved and the nature of the course, but will typically be about \$500 per student.

#### **O. Policy for Administrators Without Academic Rank Who Wish to Teach**

(Approved by President of College, August 24, 1987)

A full-time administrator without academic rank who wishes to teach courses should submit his/her application including course description and *curriculum vitae* to the Provost and the academic department involved. He/she should also submit a statement about his/her accessibility to students in the classes taught and indicate how he/she will maintain "office hours." The academic department shall determine whether or not the administrator may teach. If there is a positive decision, the department will forward the course proposal to the Academic Policy and Program Committee in accordance with established procedures. An administrator who is teaching will be listed as a lecturer in the relevant department.

The administrator should submit to the Provost a statement from his/her direct supervisor indicating support for the administrator's involvement in teaching. This statement should take into consideration the intensive time commitment required of teachers including class time, office hours, and preparation time. It is essential that the supervisor indicate his/her willingness to release the administrator to teach without asking for additional help for his/her administrative unit. Administrators are not compensated for teaching responsibilities.

### **III. THE FACULTY MEMBER AS SCHOLAR**

#### **A. Sabbatical Leaves**

The sabbatical leave policy provides for a leave of one semester at full salary or a leave for a full academic year at one-half salary.

Any person desiring a sabbatical leave should discuss the matter with his or her department chairperson. After proper arrangements have been made within the department, an application for such leave should be submitted to the Faculty Development Committee in the spring semester. The Committee must also receive a letter from the chairperson of the applicant's department expressing his or her judgment on the proposed request for sabbatical leave. The application should include detailed plans for the use of the time during the leave and indicate when the leave is desired. The Faculty Development Committee makes its recommendations to the President who grants the sabbatical leave.

#### **B. Procedures for Granting Sabbatical Leaves**

(Approved 1964; amended January 27, 1973)

The purpose of a sabbatical leave is to provide an occasion for scholarship, research, or creative activity which contributes to the professional competence and teaching ability of the recipient. The granting of a sabbatical leave is not automatic. A leave is not granted primarily as a reward for past services or for purposes of health or rest. The granting of a sabbatical leave is based on the merit of a proposed project. Leave time should not be used for travel unless such travel serves the purpose of the sabbatical. Preference is given to applicants who plan to devote their leave time to projects not connected with work leading to an advanced degree.

Members of the faculty who have completed six years of service to the College are eligible for a first sabbatical leave. They are eligible for subsequent leaves after the completion of six years of service following a sabbatical year. A sabbatical leave is not normally granted to a faculty member within three years of retirement.

The number of faculty members who may be on sabbatical leave in any one year is ten percent of the full-time faculty, rounded upward to the nearest unit. For example, in 1994-95 the number, based on a faculty of 156 (156 continuing positions), was 16 who could be on sabbatical leave.

Within three months after his or her return from a sabbatical leave, the recipient should submit to the Faculty Development Committee of the faculty a report of progress toward the objectives for which the sabbatical was granted.

The Faculty Development Committee has issued the following Guidelines and Criterion to assist faculty in applying for a sabbatical leave.

*1. Guidelines*

The application should describe the proposed project in detail in such a way as to reveal the *focus* of the project. There should be a clear indication of the relationship between the project and the likely benefits to the applicant and to the institution. Should there be a history of preparation for the project and progress made toward its goal, these should be summarized in the application. Finally, the Committee would find it useful to have a summary of those activities that in recent years have contributed to the applicant's professional growth.

*2. Criterion for Evaluating*

In considering proposals, the Committee feels that of paramount importance will be the answer to the question, "What is the promise of professional growth?" Involved in answering this question are the merits of the project for the individual and for the institution, the recent history of professional growth, the record of the success of previous sabbaticals, and recommendations of department or program chairpersons.

**C. Research Leave**

(Approved by Board of Trustees, May, 1989)

A tenured member of the faculty may request a research leave for either one year or one semester to carry out a research or scholarly project. A tenure-track faculty member who has been a full-time member of the Gettysburg faculty for at least three years may also request a research leave, but the candidate must have external funding (e.g., through a grant or fellowship program) during the leave. The purpose of this leave is to assure the continuance during the term of the leave of important insurance fringe benefits not directly related to salary. This leave is only available to faculty members who will not have available to them medical and dental insurance through employment elsewhere or through a grant. (A leave of absence with the continuance of Tuition Remissions and tuition grants fringe benefits is available through the College's regular leave of absence program.) The request must be made in writing at least ten months prior to the date on which the leave would begin or as soon as the faculty member is informed that outside support for the project has been granted.

The request must have the approval of the department chair and the Provost. The request for the research leave must be made to the President who will make the final decision on whether or not the leave will be granted.

No salary will be paid during the period of the leave. Those fringe benefits directly related to salary will not be provided during the period of the leave. All other fringe benefits will continue without reduction except those that are available to the faculty member on leave through employment elsewhere or through a grant. Included among these other fringe benefits that will continue are medical, dental, and long-term disability insurance and Tuition Remissions and tuition grants.

When faculty are hired to meet the staffing needs created by a research leave, they should have credentials and other qualities comparable to full-time members of the Gettysburg College faculty. Whether or not such replacement faculty are available will be considered by those who approve or disapprove the request for leave.

#### **D. Pre-Tenure Leave Programs**

##### *1. Purpose*

The primary purpose of this program is to offer qualified, tenure-track faculty the opportunity for dedicated time to pursue well-defined projects that will enhance their credentials for tenure. Designed to respond to the faculty member's pre-tenure review, this program should encourage each recipient to fulfill his or her potential as a teacher and scholarly researcher (or artistic performer). A secondary purpose is to provide an attractive professional development opportunity to assist competitive faculty recruitment.

Under this program, pre-tenure leaves are neither an entitlement, nor are they awarded on a competitive basis. Rather, faculty must qualify for them, and participation is optional.

##### *2. Eligibility and Qualifications*

To be eligible for a pre-tenure leave, the candidate must (1) be a full-time, tenure-track faculty member; (2) have claimed no more than one year of prior teaching experiences in establishing the tenure probationary period; and (3) have been approved for renewal as a result of the pre-tenure review. (The timetable to tenure review is simply too brief for a leave for those who have credited more than one year of prior experience.) Having "stopped the tenure clock" may also affect eligibility for a leave; this is at the discretion of the Provost after consultation with the Faculty Personnel Committee.

##### *3. Application Procedures*

An eligible candidate should prepare an application for leave following receipt of the Provost's pre-tenure review letter. The application should describe the purpose(s) and project(s) of the leave and the relation of these activities to the evaluative considerations raised in the pre-tenure review. It should also indicate clearly which of the options described below is requested and the academic term(s) involved. It should not address replacement staffing.

The Provost's pre-tenure letter which normally is issued in late spring will specify an early fall deadline for submission of the application. At the same time, a written endorsement of the application by the candidate's department chair(s) is required. The Faculty Development Committee reviews the applications. Based on the Committee's recommendation, and acting on behalf of the President, the Provost approves the leaves, normally by mid-fall.

#### *4. Leave Options*

The options for pre-tenure leave arrangements, all of which are offered with full salary and benefits, all involve a reduction of two courses and may be taken as follows:

- (a) a one-term leave, normally in the spring of the 4<sup>th</sup> year or the fall of the 5<sup>th</sup> year;
- (b) a one-course reduction in teaching assignments in each of two successive terms, either in the spring of the 4<sup>th</sup> year and fall of the 5<sup>th</sup> year or fall and spring of the 5<sup>th</sup> year.

Since taking a pre-tenure leave is optional and has implications described below, a candidate may also elect to take:

- (c) no pre-tenure leave.

There is no option for taking a full-year's leave at half salary, as there is with a standard sabbatical – that would represent a considerable time away from normal duties during the probationary process. In unusual circumstances, a candidate taking a one-semester pre-tenure leave can also apply for an additional one semester research leave only if external funding (e.g., through a grant or fellowship program) is available. As explained in the section on Research Leaves (see part III of section C in the Faculty Handbook), the request must be approved by the department chair, the Provost, and the President. The College does not allow candidates to take more than two semesters of leave (excluding personal leaves) while on the tenure track.

#### *5. Implications of the Pre-Tenure Leave*

Taking a pre-tenure leave does not affect the date of the candidate's tenure review; it does, however, affect the candidate's date of eligibility for the first regular sabbatical – which, with Option (c) is traditionally in the seventh year of full-time faculty status at Gettysburg. Taking Option (b) moves the date of the first sabbatical to the eighth year; and with Option (a), it is in the tenth year.

This leave program is not intended to alter the normal expectations or standards for tenure. There is no positive (or negative) weight given in the tenure review process for having received approval for a leave *per se* (or having declined to apply for a leave *per se*);

accomplishments during the leave are, of course, relevant to the candidate's tenure portfolio. A brief report of the leave and its accomplishments must be submitted to the Faculty Development Committee at the conclusion of the leave.

Taking a pre-tenure leave commits the candidate to return to full-time teaching at Gettysburg for at least one full academic year following the leave. Replacement faculty are not guaranteed to the candidate's department or program; the department/program chair must apply for replacement faculty through the usual channels.

### **E. Grants for Faculty Projects**

The College has a program of research and professional development grants for which faculty and administrators can compete. Proposals for such grants are submitted to the Faculty Development Committee. Proposals are for items such as support of research, development and introduction of new teaching methods, advanced study, etc. Guidelines for submitting proposals are issued yearly by the Office of the Provost and the Faculty Development Committee. Faculty members may also wish to seek funds from external sources to support research or faculty development activities. The Office of Foundation, Government and Faculty Grants keeps a library of materials on external sources of funds and assists faculty members in fashioning proposals for such funds. Any grant proposal to an external source which requires the signature of a College official or which in any way obligates the College to provide funds, facilities, release time, etc. must be reviewed by the Director of Foundation, Government and Faculty Grants so that the proper College officials can be notified that such a proposal is being submitted.

### **F. Attendance at and Presenting Papers at Professional Meetings**

Each department has a budget account to defray the expenses of attending professional meetings or other meetings closely related to the work of the department. Requests for travel advances and reimbursements should be made to the Finance Office through the department chairperson. It is understood that over a period of time this money is to be shared by all members of the department who wish to attend such meetings.

Faculty members who are presenting papers at professional meetings, acting as discussants on panels of professional meetings, or chairing such panels should contact the Office of the Provost if the funds available to them through the departmental budget to attend such professional meetings are insufficient to cover the costs of such attendance. The Provost attempts to provide, when possible, additional support in such instances.

### **G. Research on Human or Animal Subjects**

[The IRB and IACUC have established guidelines for research which are summarized here by Associate Provost Kristen Stuempfle.]

Research projects that use human or animal subjects must be reviewed and approved by the Gettysburg College Institutional Review Board (IRB; human subjects) or the Gettysburg College Institutional Animal Care and Use Committee (IACUC; animal subjects). The purpose of the review is to be sure that the rights and welfare of the subjects are adequately protected. Gettysburg College is committed to ensuring that all research involving human or animal subjects undertaken under the auspices of the institution (whether by faculty, students, or staff) meets the highest ethical standards for their protection.

Refer to the Gettysburg College IRB and IACUC websites for information about mandatory training through CITI, review categories, and how to submit a proposal to the IRB or IACUC.

## **IV. THE FACULTY MEMBER AND COLLEGE GOVERNANCE**

### **A. Definition and Powers and Duties of the Faculty**

#### *1. Definition of the Faculty*

According to Article VII, Section 1, of the College Bylaws, "The faculty of Gettysburg College shall consist of the President of the College, the Provost, the Professors, the Associate Professors, the Assistant Professors, and the Instructors. In addition, the President of the College shall have the authority to assign the titles of Adjunct Professor, Adjunct Associate Professor, Adjunct Assistant Professor, Adjunct Instructor, Lecturer, Private Instructor or Assistant to persons including visiting faculty members from other institutions engaged on a semester or annual basis for part-time teaching or for temporary full-time teaching. The President shall also have the authority to assign the titles of Distinguished Visiting Professor and Distinguished Research Professor and to assign faculty status without professorial rank to members of the administrative staff."

In recent years, the title "adjunct" has been reserved for faculty who teach less than full time. Full-time faculty teaching one semester or a full year or longer, who are not on the tenure track, are given the titles Professor, Associate Professor, Assistant Professor, and Instructor, as appropriate.

A professional scholar in the Gettysburg area who is presently without academic employment may be nominated by an academic department for appointment as an "Associate Fellow." Upon the positive recommendation of the Provost and the President of the College, an Associate Fellow will be appointed for a term of up to one academic year. The appointment may be renewed annually. "Associate Fellow" shall be an unsalaried position with library privileges but no departmental duties. Since it is important that the Associate Fellow be accepted as the professional equal of departmental colleagues, an application for the status of Associate Fellow should contain the same supporting information as an application for a regular position; and it should be rejected unless the applicant appears to be of professional caliber equal to the present members of the department. (Approved by the Faculty, April 1, 1993).

As indicated in the section on voting privileges and attendance at faculty meetings, part-time faculty members may attend faculty meetings. All part-time faculty may vote at faculty meetings except on items affecting the academic curriculum. As indicated in section C. below, some adjunct faculty may also vote on items affecting the academic curriculum.

## *2. Part-Time Faculty and the Career Process*

The section of this *Handbook* on "The Career Process—Recruitment Through Retirement" applies to faculty who are tenured or on the tenure track as defined in section A. above. With the exception of policies concerning non-discrimination and warnings and disciplinary action short of dismissal, these policies do not apply to part-time faculty or full-time non-continuous faculty. See Section VI. for policies governing employment of part-time faculty.

## *3. Powers and Duties*

The College Bylaws, Article VII., Section 4, declare that:

Subject to the provisions of the Charter and Bylaws, the faculty shall have the power to prescribe the academic program of the College, and in cooperation with the administrative officers, the duty to carry it into effect. It shall have the power to determine the requirements for admission to the College and for degrees in course. It shall have the power to choose its own officers (except that the President of the College shall be Chairperson of the Faculty) and methods of procedure to determine its own structures.

Additional duties, responsibilities, and authority of the faculty include:

- (a) Authority shared with the President and Provost of the College over the governance and discipline of the students (Charter: Article VI.);
- (b) Authority (shared with the Board of Trustees) to award and confer degrees (Charter: Article II., Bylaws: Article VIII.);
- (c) Authority to cooperate with the Provost in developing policies related to the curriculum, academic standing, instruction, and faculty personnel (Bylaws: Article VI., Section 2).

More specifically, duties of the faculty include determining the class hour schedule and passing regulations pertaining to the advising system, student attendance, examinations, grading, academic standing, honors in course, reinstatement, cooperative programs, extracurricular activities, student organizations, and social functions.

The faculty may make recommendations to the President with respect to any phase of College activity and may propose to the Board of Trustees, through the President, matters concerning the College for its consideration.

## **B. Marching in Academic Processions**

All faculty and administrators, full and part time, are eligible to march in academic processions of the faculty.

## **C. Voting Privileges and Attendance at Faculty Meetings**

(The material on voting privileges for faculty and administrators is based upon Memorandum from Faculty Parliamentarian dated August 31, 1981, as modified by faculty action on December 3, 1981, and on March 13, 1986, concerning Adjunct Faculty.)

All faculty members are expected to participate in faculty meetings. All persons listed, or eligible to be listed, under Administration, the Faculty, and Other Instructional and Administrative Personnel in the Register section of the College Catalogue can attend faculty meetings and participate in the discussion.

The privilege of voting at faculty meetings is determined according to whether the item subject to a vote affects the academic curriculum and/or the work of the faculty. Items affecting the curriculum include the advising system, degree requirements, required programs of study, preprofessional programs, off-campus study, cooperative programs, and courses of instruction. Items affecting the work of the faculty include but are not limited to those related to faculty governance and faculty personnel policies. The President is authorized to decide whether or not an issue under consideration affects the academic curriculum and/or the work of the faculty.

For items that affect the academic curriculum, voting privileges extend to all faculty with the rank of Professor, Associate Professor, Assistant Professor, Instructor, Lecturer, the President, and the Provost.

An adjunct faculty member who has taught at Gettysburg for two years at a minimum of three courses per year is eligible to vote on all matters brought before a faculty meeting during any subsequent academic year in which the adjunct is scheduled to teach at least three courses, provided that the adjunct has submitted a request to the President to be included in the quorum prior to the second regular faculty meeting of the year.

For items not affecting the academic curriculum, voting privileges extend to those listed as having voting privileges indicated above, Director of Admissions, Vice President for Student Life, Vice President for Finance and Administration/Treasurer, Vice President for College Relations, Vice President for Enrollment and Educational Services, Chaplain, Registrar, Executive Vice President, Director of Athletics, Dean of Intercultural Advancement, Vice President for Information Technology, Department Directors in Information Technology, Staff Librarians, all full-time members of the staffs in the Office of the Provost, the Office of the Vice President for Student Life, and the Office of Academic Advising, and all coaches with full-time appointments.

In order to provide further opportunities for faculty and students to exchange ideas and information with each other on a regular basis and for mutual benefit, the faculty extends the privilege of attending faculty meetings and of participating in the discussions (but not of voting) to six students and a representative of *The Gettysburgian*. For each fall and spring semester the Student Senate is invited to choose the six students to be extended the privilege of attending and participating during that semester and until their successors have qualified. In making its selection, the Senate is enjoined to take into consideration the need for including representatives of a variety of student interests and concerns as well as of two or more of the four classes. At the beginning of each fall and spring semester the names of the students selected shall be reported by the President of the Student Senate to the President of the College, who shall issue a formal invitation to each. The representative of *The Gettysburgian* shall be designated by the editor, who shall inform the President of the College of his or her choice.

In addition, the President of the Student Senate is invited to appoint up to three *ad hoc* representatives to attend, subject to the foregoing stipulations, for the purpose of facilitating discussion of particular questions.

Either upon his or her own initiative or at the request of any faculty member, the President of the College is authorized to declare specific meetings of the faculty closed in whole or in part to the student representatives.

Students may obtain copies of minutes of those faculty meetings which are open to student representatives in the Provost's Office. Business conducted at faculty meetings which are closed to students is to be treated as confidential among faculty members until such time as official announcement thereof is made by the President of the College or his or her designated representative.

#### **D. Meetings—Time of and Rules Governing**

During the academic year the faculty meets at 4:00 p.m. on the first and third Thursdays of every month. A different time may be determined by the faculty. Special meetings may be called by the President at any time. The President presides at all faculty meetings but may designate the Provost (or some other faculty member) to preside in his or her absence.

One of these two monthly meetings may be a Faculty Forum where faculty members discuss important issues and pending legislation. Because this meeting is devoted to discussion, no formal votes are taken and no business *per se* is conducted. A faculty member designated by the President serves as a convener of this session. This meeting will last no longer than one hour except by a vote of the majority of the faculty present.

The other monthly meeting is the Faculty Business Meeting. The President or someone designated by the President presides. Motions are brought to the floor, limited discussion is allowed on those motions, and votes are taken on pending legislation. Abbreviated reports from the President and the Provost may also be given during this meeting when they are needed. This meeting will last no more than one hour except by a vote of the majority of the faculty present.

A secretary, elected by the faculty for a term of one year, shall keep minutes of all proceedings and record the number of faculty present. The secretary shall audio-record faculty meetings and keep the recordings until the written minutes have been approved. These materials shall be submitted to a designee in the Office of the Provost, who shall deliver them to the College Archivist for central access and storage. Copies of the minutes of the previous meeting shall be distributed to each member of the faculty several days before the next regular meeting.

A parliamentarian appointed by the President rules on matters of parliamentary procedure. The procedural rules set out below are based upon a memorandum of the Parliamentarian dated August 31, 1981.

In all but a few instances, business at faculty meetings is governed by *The Modern Rules of Order: A Guide for Conducting Business Meetings*, published by the Pennsylvania Bar Institute (1992). The following operating rules apply:

(1) A quorum of the faculty shall consist of fifty percent plus one of those who have faculty status, who are eligible to vote on all matters which can come before a faculty meeting, and who are not on leave or not excused by the presiding officer because of a conflict of duties.

(2) Action involving a change of policy is deferred until the subsequent meeting except by unanimous consent of the members present.

(3) Proposals involving a change of policy and consequently held over for a vote at a subsequent meeting may not be amended except as follows:

Amendments offered for the first time in such subsequent meetings will require for adoption a 2/3rd vote. Amendments circulated electronically to the Faculty at least two days (48 hours) in advance of the meeting when the vote is to be taken may be adopted by simple majority vote.

## E. Faculty Committees

Below is the text of "The Rule Governing Faculty Committees" as approved December 6, 2001 and February 7, 2002.

In accordance with the provisions of the Charter and By-Laws of the College and the actions of its Board of Trustees, it is understood that each faculty member shall bear an active part in the immediate government of the College, share in the general work of the institution, and discharge effectively the particular duties of his or her position.

Considering the size of the College and of the faculty, some of these responsibilities can be performed with effectiveness through committees rather than by the faculty as a whole. The chief duties of the faculty committees are to study matters which are of direct concern to the faculty and of importance to the welfare of the College; to recommend to the faculty the adoption of policies consistent with these objectives; to implement its policies, whenever directed by the faculty; and to provide an adequate measure of faculty participation in the formulation of College policy. In the interest of clarity, all college committees other than standing committees and their subcommittees are designated as commissions.

### 1. College-Wide Governance Cycle

[Voted by the Faculty on April 19, 2018.]

The governance cycle applies to tenured faculty members and faculty members in tenure-track positions. College-wide governance operates on a seven-year cycle culminating in the year of sabbatical leave. Faculty will not be elected to more than one committee in a given governance eligibility cycle. Characterizing the academic year in which the sabbatical leave would normally fall as year 7, the expectations for college-wide governance service are as follows:

Year of cycle	1	2	3	4	5	6	7 sabbatical
Service phase	Inactive	Active	Active	Active	Active	Active	Inactive

Faculty members in special circumstances, such as faculty members who take a pretenure sabbatical leave or faculty members holding endowed chairs with five-year sabbatical cycles, shall communicate with the Faculty Governance Committee so that a cycle adjustment suitable to these circumstances can be arranged. Any faculty member in an inactive phase of the governance cycle may contact the Faculty Governance Committee to volunteer for college-wide governance assignment.

## 2. Councils and Committees

There shall be two councils and seven (four elected; three appointed) standing committees of the faculty at Gettysburg College with the membership and responsibilities listed below. It shall be the duty of all standing committees to exercise the powers and to fulfill the responsibilities delegated to them by the faculty.

FACULTY COUNCIL shall be composed of the President, the Provost, the convener of the Chairs and Coordinators Council, a faculty member elected at-large who may be tenured or untenured, and three tenured faculty members elected to represent the three divisions of the faculty. A faculty member shall serve as chair of Faculty Council. It shall be the duty of the Faculty Council: (1) to serve as the chief consultative body on campus devoted to faculty concerns; (2) to identify, delegate, and resolve issues of substantive faculty concern; (3) to play an integrative role by facilitating communication and action among other faculty committees, departments, programs, and administrative bodies; (4) to solicit suggestions and issues of concern from the faculty each semester; (5) to speak for the faculty of the College in situations where it is not possible or appropriate to consult the entire faculty, and to make interim decisions in the name of the faculty; (6) to build the agenda for Faculty Business Meetings and for Faculty Forums; (7) to set time limits for items on the agenda and devise rules for the smooth operation of all Faculty Meetings; (8) to nominate the Faculty Convener for discussion-based faculty meetings; (9) to meet as needed with chairs of standing committees; (10) to identify potential ramifications of proposed motions to existing language in the Faculty Handbook, and to report those ramifications to the faculty before the motion is presented for a vote; (11) to provide consultation and advice to the President of the College.

CHAIRS COUNCIL shall be composed of the Provost; Chairs of all academic departments; and Chairs of all academic programs. It shall be the duty of the Chairs Council: (1) to consider business that comes before the Council; (2) to serve as an initiator and advocate for faculty legislation; (3) to collaborate with the Provost to manage the system of periodic performance evaluation of faculty members. This does not pertain to pre-tenure, tenure and promotion evaluations. Development; (4) to collaborate with the Provost to review departmental/program discipline-specific guidelines for scholarship and creative activity to ensure broad consistency across departments/programs and congruence with College criteria for reappointment, tenure, and promotion.

### STANDING COMMITTEES OF THE FACULTY

FACULTY GOVERNANCE COMMITTEE shall be composed of four faculty members; the Provost or a representative appointed thereby (*ex officio*); and the Registrar (as needed). It shall be the duty of the Faculty Governance Committee: (1) to nominate candidates for election, to make appointments to standing committees of the faculty, and to recommend to the President candidates for appointments to all other committees where

faculty members serve; (2) to suggest to the Faculty Council global priorities to enable the Council to distribute evenly throughout the year the business that comes before the faculty at Faculty Meetings; (3) to create the academic calendar for the College taking into consideration concerns of various constituencies on campus, such as Student Senate, College Life, and the Center for Public Service; (4) to review the operation of the governance structure as described in the *Faculty Handbook* and determine the date upon which a new governance review commission shall be elected—no later than six years from the date of adoption of this motion. At that time, the *Faculty Governance Committee* shall nominate eight faculty members, from whom the faculty shall elect four. These four, together with the Provost or designee, shall constitute a commission whose function shall be to investigate the workings of the committee system under this Rule and to recommend to the faculty such changes as it shall deem useful.

FACULTY PERSONNEL COMMITTEE shall be composed of two tenured faculty members elected from each division and the Provost as a non-voting member. It shall be the duty of the Faculty Personnel Committee: (1) to oversee pre-tenure, tenure, and promotion reviews; (2) to make recommendations to the Provost and the President regarding these cases; and (3) to collaborate with the Provost to manage the policies and procedures relating to pre-tenure, tenure, and promotion reviews.

FACULTY DEVELOPMENT COMMITTEE shall be composed of one faculty member elected from each division; two faculty members elected at-large; the Provost or a representative appointed thereby. It shall be the duty of the Faculty Development Committee: (1) to consider with some frequency policy issues related to the professional development of the faculty member; (2) to oversee the faculty mentoring program for untenured faculty; (3) to assess Sabbatical proposals and make recommendations to the Provost and the President; (4) to act on funding proposals; (5) to elect one committee member to serve as a faculty representative to the College Relations Committee of the Board of Trustees.

ACADEMIC POLICY AND PROGRAM COMMITTEE shall be composed of one faculty member elected from each division; two faculty members elected at-large; the Provost or a representative appointed thereby; and two students appointed by Student Senate. The Dean of Academic Advising, the Librarian of the College or a representative appointed thereby; a representative from the Instructional Technology and Training (of Information Technology), and the Registrar serve as non-voting members. It shall be the duty of the Academic Policy and Program Committee: (1) to consider all policy matters related to the educational program of the College, especially new initiatives; (2) to make recommendations to the Provost concerning curricular priorities and allocation of faculty positions; (3) to assist academic departments and programs in their seven-year external reviews; (4) to provide oversight for the graduation requirements and the First-Year Seminar Program; (5) to encourage coordination among departments in curriculum development and revision; (6) to ensure that proposals for initiatives that may affect the funding of academic programs are communicated to the Faculty Finance Committee; (7) to

elect one committee member to serve as a faculty representative to the Academic Affairs Committee of the Board of Trustees.

ACADEMIC STANDING SUBCOMMITTEE shall be composed of three faculty members; the Dean of Academic Advising or a representative appointed thereby; the Provost or a representative appointed thereby; and the Registrar as a non-voting member. It shall be the duty of the Academic Standing Subcommittee: (1) to review and evaluate the academic performance of individual students; (2) to act on student petitions for exceptions to academic regulations; (3) to dismiss students with unsatisfactory academic records; (4) to act on applications for readmission of students; (5) to recommend policy reconsideration and revision to the Academic Policy and Program Committee and the Faculty Committee on Student Enrollment and Retention.

GLOBAL STUDY PROGRAMS SUBCOMMITTEE is a subcommittee of Academic Policy and Program Committee. Membership consists of the Dean of Global Initiatives/Director of the Center for Global Education (Chair), the Vice Provost, a representative from Financial Services, and three appointed faculty members, one of whom shall be an APPC representative. Responsibilities are (1) to oversee current global study programs and address issues brought forward by students and parents; (2) to review and report to APPC on the development and evaluation of new global study programs; (3) to report to the APPC any substantive changes to global study program which may impact the academic program; (4) to review policies and procedures related to the global study program participation and to recommend any academic policy reconsideration and revision to APPC; (5) to review and act on petitions by students who do not meet stated eligibility requirements to study globally (except Gettysburg College's academic requirements to be reviewed by the Academic Standing Committee); who wish to participate in a program not affiliated with Gettysburg College; or who otherwise seek policy exemptions.

FACULTY FINANCE COMMITTEE shall be composed of one faculty member appointed from each division, the Vice President for Finance & Administration, and the Provost or a representative appointed thereby. It shall be the duty of the Faculty Finance Committee: (1) to serve as the faculty voice in the budget-building process; (2) to ensure that academic programs are adequately funded; (3) to make independent recommendation to the faculty on the financial impacts of proposed academic initiatives; (4) to make an annual review of the salary and fringe benefit program for faculty; (5) to be the advocate for competitive financial compensation for all faculty members; (6) to elect one committee member to serve as a faculty representative to the Endowment Committee of the Board of Trustees; (7) to elect one committee member to serve as a faculty representative to the Finance Committee of the Board of Trustees.

FACULTY COMMITTEE ON STUDENT ENROLLMENT AND RETENTION shall be composed of two appointed faculty members; the Dean of Enrollment and Educational Services; the Dean of Admissions (as needed); the Dean(s) of Academic

Advising (as needed); the Dean of the College; and two students appointed by Student Senate. The voting membership shall consist of the three faculty members and two non-faculty members. It shall be the duty of the Faculty Committee on Student Enrollment and Retention: (1) to consider policy issues as they relate to student admission and retention; (2) to recommend to the faculty standards for student admission and retention; (3) to elect one committee member to serve as a faculty representative to the Enrollment and Educational Services Committee of the Board of Trustees.

STUDENT LIFE COMMITTEE shall be composed of three appointed faculty members; the Dean of the College; two additional members from the staff of the College Life division; and three students appointed by Student Senate. It shall be the duty of the Student Life Committee: (1) to review policy matters pertaining to student life; (2) to solicit concerns from the faculty at large in matters pertaining to student affairs; (3) to approve any changes to the *Student Handbook*; (4) to elect one committee member to serve as a faculty representative to the College Life Committee of the Board of Trustees.

#### REMAINING COLLEGE-WIDE GOVERNANCE GROUPS OF THE FACULTY

COMMITTEE ON LEARNING ASSESSMENT (COLA) (10 members) shall be composed of a representative of the Provost (Associate Provost for Academic Assessment; COLA chair); a representative of the Vice President for Enrollment and Educational Services (Director of Institutional Analysis); a representative of the Vice President for College Life; the Provost's representative from the Academic Policy and Programs Committee; one administrator appointed by the COLA chair based on committee needs; two faculty appointed by the Provost for their knowledge of assessment, teaching and learning, or curricular issues; two faculty members elected at large; and a student appointed by the Student Senate.

It shall be the duty of the Committee on Learning Assessment: (1) to create and support a "culture of assessment" (2) to monitor and coordinate all learning assessment activities at the institution (general education), department (majors and minors) and course level (3) to report learning outcomes to the President as the key component of the overall assessment of institutional effectiveness, and (4) to regularly review, amend, and implement the institutional assessment plan and to monitor the congruence of this institutional assessment plan to the learning assessment expectations of the Middle States Commission on Higher Education.

EDUCATIONAL TECHNOLOGY COMMITTEE shall facilitate the effective integration of technology into teaching, scholarship, and creative activity. The Committee is also charged with providing guidance on ways to advance the development of students' digital skills. The committee will: (1) make recommendations to the Vice President for Information Technology and the Provost, (2) provide input into policy making and planning related to academic applications of technology, (3) coordinate activities in support of the use of technology in pedagogy, (4) provide support for disciplinary uses of technology in scholarship and creative activity, and (5) elect one committee member to serve as a faculty

representative to the Information Technology Committee of the Board of Trustees. The Committee shall be composed of: (1) three appointed faculty members, including one from each of the three Divisions of the College, with at least one being a tenured faculty member; (2) the Associate Provost for Faculty Development; (3) the Director of Instructional Technology and Training; (4) an administrative representative specializing in instructional technology from the Instructional Technology and Training department, (5) the Director of the Johnson Center for Creative Teaching and Learning, and (6) an administrative representative from Musselman Library. The appointment process will give preference to faculty representatives who are deeply interested in or have some experience with the integration of technology in teaching, learning, and scholarship/creative activity. Only committee members with faculty status will be eligible to vote.

FACULTY GRIEVANCE COMMITTEE (See *Faculty Member As Professional*, Section I, E, of the *Faculty Handbook*).

INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (See guidelines in Section G of Chapter III, *The Faculty Members as Scholar* ).

EVENTS PLANNING AND COORDINATING COMMITTEE shall be composed of four faculty members and staff and students appointed to administer funding for artistic and academic events that enrich the academic and cultural life of the college community.

INSTITUTIONAL REVIEW BOARD FOR HUMAN SUBJECTS (See guidelines in Section G of Chapter III, *The Faculty Members as Scholar* ).

#### FACULTY LIAISONS

Faculty Athletics Liaison

#### LIAISONS TO TRUSTEE COMMITTEES:

Liaison to the Academic Affairs Committee – one faculty member from Academic Policy and Program Committee.

Liaison to the College Life Committee – one faculty member from the Student Life Committee.

Liaison to the College Relations Committee – one faculty member from the Faculty Development Committee.

Liaison to the Endowment Funds Management Committee – one faculty member from the Finance Committee.

Liaison to the Enrollment and Educational Services Committee – one faculty member from the Student Enrollment and Retention Committee.

Liaison to the Fiscal and Personnel Committee – one faculty member from the Finance Committee.

## JUDICIAL REVIEW BODIES

Faculty members of judicial boards such as the Honor Commission, Student Conduct Review Board, and the College Grievance Committee shall be assigned from the governance pool (see #1 above). The Faculty Governance Committee shall review the faculty members in the governance pool each year and designate representatives to the Honor Commission and Student Conduct Review Board. The College Grievance Committee shall be constituted as needed.

COLLEGE GRIEVANCE COMMITTEE (see *Faculty Handbook*, Grievance Procedures, Section V)

HONOR COMMISSION. At least four appointed faculty members shall serve as advisors to the Honor Commission and shall be selected from the governance pool (see #1 above) by the Faculty Governance Committee at the beginning of each academic year.

STUDENT CONDUCT REVIEW BOARD. Faculty members serving on the Student Conduct Review Board shall be selected from the governance pool (see #1 above) by the Faculty Governance Committee at the beginning of each academic year.

SEXUAL MISCONDUCT APPEAL BOARD. Faculty members serving on the Sexual Misconduct Appeal Board shall be selected from the governance pool (see #1 above) by the Faculty Governance Committee.

Additional standing committees may be established upon the recommendation of the Faculty Governance Committee and approval by the faculty. Whenever possible such responsibilities as the faculty delegates shall be exercised by existing standing committees.

### *3. Eligibility and Method of Selection*

Faculty members with the rank of Professor, Associate Professor, Assistant Professor, or Instructor are eligible to serve on committees and commissions of the faculty, subject to the restrictions and procedures given below. The President of the College is a member *ex officio* of all standing committees. Administrative officers of the College shall be appointed to faculty committees in those cases specified in #2 above. In addition, the Provost may attend meetings of any standing committees of which he or she is not a member. Students may serve on faculty committees in those cases specified in #2 above, subject to the restrictions and procedures given below.

Only persons with tenure shall be eligible for membership on the Faculty Personnel Committee. When a member of the Faculty Personnel Committee is nominated for promotion, that person shall remain a member of the Committee, but shall be excused from all discussion and deliberation both on his or her own case and on policy directly affecting the disposition of that case.

No faculty member shall be expected to serve concurrently on more than one standing committee and one other commission or subcommittee.

The Faculty Governance Committee shall take into consideration continuity and longevity in making appointments and in selecting faculty to stand for election on all committees and commissions. Therefore the length of service on committees and commissions may vary from one year to three years.

The terms of members of all standing committees, boards and commissions shall begin with the opening of the regular academic year.

Before the assignments are made to appointed committees, a faculty member may express to the Provost his or her interest in serving on a particular committee. Before these assignments are made, and before the nomination process begins for elected committees, a faculty member may request of the Provost that his or her name be removed from the list of those to be considered for the following year. Such request should be accompanied by an explanation of the extraordinary circumstances which led to the request. The Provost shall determine whether the request may be granted and shall inform the Faculty Governance Committee of his or her decision.

Exemption from appointment or election to faculty committees is available to the person serving as Secretary of the Faculty during the year of service.

For purposes of representation on the Academic Policy and Program Committee, the Faculty Development Committee, the Faculty Governance Committee, and the Faculty Personnel Committee, the faculty shall be divided into three groups as follows:

Group I: Asian Studies, Classics, English, French and Italian, German, Global Studies, Interdisciplinary Studies, Music, Spanish, Theatre Arts, Visual Arts.

Group II: Africana Studies, Anthropology, Economics, Education, History, Management, Philosophy, Political Science, Religious Studies, Sociology, and Women, Gender, and Sexuality Studies.

Group III: Biology, Chemistry, Computer Science, Environmental Studies, Health Sciences, Mathematics, Physics, and Psychology.

No two members of the Faculty Personnel Committee may be from the same department.

Early in the spring term, the Faculty Governance Committee shall nominate at least two candidates for each vacancy on the elected committees. In making its nominations, it shall observe the cycle of eligibility. The Faculty Governance Committee may choose a system of sequential elections if, for example, it is determined that the candidate pool for

the elected committees is smaller than desirable for simultaneous elections.

At least five days before a faculty election, the Faculty Governance Committee shall distribute electronically to the faculty a slate listing at least two nominees for each vacancy. Additional nominations may then be made by submitting, within 72 hours of the distribution of the original slate, a letter bearing the endorsement of six members of the faculty (the endorsement of the person or persons nominated must be included to signify acceptance of nomination) to the chairperson of the Faculty Governance Committee.

The Faculty Governance Committee shall mail a ballot to each eligible elector. The eligible electors shall be the Professors, Associate Professors, Assistant Professors, and Instructors, together with the President and the Provost. Accompanying the ballot will be a list of the continuing members of the elected committee concerned. After allowing a suitable interval for return of the ballots, the Faculty Governance Committee shall count the votes and announce the results.

Each elector may cast a vote for as many candidates as he or she wishes, but may not cast more than one vote for any single candidate. The candidate with the most votes is elected. In the event of a tie, the Faculty Governance Committee shall select the winning candidate by lot.

When a vacancy occurs in an elected committee position, the Faculty Governance Committee shall conduct an election in accordance with the above procedures to fill the unexpired term. In the event of a temporary vacancy of one year or less on any committee or commission, the Faculty Governance Committee shall appoint, from among those eligible in the Group concerned, a member to serve until the member returns or the term of office expires. In the event that a temporary vacancy of one year or less on the Faculty Personnel Committee is foreseen in the spring preceding the academic year during which the vacancy will occur, an election shall be held to replace the missing person for the entire academic year. Should the occurrence of a temporary vacancy of one year or less not be known until after the start of the academic year during which the vacancy will occur, an election shall be held, if feasible, as determined by the Faculty Governance Committee. Otherwise the Faculty Governance Committee shall appoint a suitable replacement for the remainder of the academic year.

The Faculty Governance Committee may assign faculty who are in the eligible part of the governance cycle and who have no other college-wide governance assignment to serve on judicial boards as needed.

Student members of standing committees shall be chosen for terms of one year by the Student Senate according to procedures developed in cooperation with the Faculty Governance Committee and mutually acceptable to both bodies. Student members must be in good academic standing.

#### *4. Curricular Advisory and Support Committees*

There are various groups on campus whose responsibility includes oversight of interdisciplinary curricular programs (e.g., African American Studies, Asian Studies, etc.). Membership on interdisciplinary curricular program advisory committees shall be primarily comprised of those faculty members who teach in the core courses of the programs. The terms of members of all interdisciplinary curricular committees shall begin with the opening of the regular academic year. It is the responsibility of the Coordinator of the Program to notify individual faculty members of their service on the committee. Other faculty members with demonstrated interests in the interdisciplinary program may volunteer for service as well by contacting the Coordinator.

The chairperson of the committee shall be appointed by the President on the recommendation of the Provost, shall hold the post of chairperson for a term of five years, and shall continue as a member of a department. Because the chairperson will have many of the same duties as persons who chair departments, his or her teaching load shall be the same as that assigned to those who chair departments.

Groups which support students' postgraduate opportunities (e.g., the Prelaw Advisory Committee, the Medical and Allied Health Professions Committee, etc.) shall be appointed by the Provost for terms of at least one year beginning with the opening of the regular academic year.

#### *5. General Procedures for Committees*

At the first meeting of the regular academic year, all standing committees shall elect a chairperson. Only members of the faculty with academic rank shall be eligible to serve as chairpersons of committees. It shall be the responsibility of the Faculty Governance Committee to ensure that each standing committee has a chairperson. If any standing committee is without a chairperson, the Faculty Governance Committee shall select a faculty member of that Committee who will call an organizational meeting for the purpose of electing a chairperson.

Each faculty council, committee and commission (hereafter "committee") shall keep minutes and/or records of their activities and produce an annual written report for the faculty. These materials shall be submitted to the Office of the Provost and the College Archivist for central access and storage. All committees shall keep the faculty informed of their activities through reports at Faculty Meetings or posting to the Faculty Governance Digest as necessary.

Whenever its activities affect specifically any department or administrative office, each faculty committee shall confer with one or more representatives of the department or administrative office.

When the records of applicants for admission, records of students, or records of

faculty members are examined, discussed, or acted upon, student members shall absent themselves from the committee unless permission has been secured from each individual under consideration.

Recommendations from committees to be presented to the faculty for action shall be distributed to the faculty at least forty-eight hours prior to the meeting at which they are to be presented and voted upon.

Each committee without student membership shall be available for consultation with students on matters of policy within the jurisdiction of the committee.

#### *6. Governance Review*

No later than three years after the adoption of this Rule, the Faculty Governance Committee shall review the operation of the governance structure described in sections 1-4 above and determine the date upon which a new governance commission shall be elected—no later than six years from the date of adoption (February 2002). At that time, the Faculty Governance Committee shall nominate twelve faculty members, from whom the faculty shall elect six. These six, together with the Provost, shall constitute a commission whose function it shall be to investigate the workings of the committee system under this Rule and to recommend to the faculty such changes as it shall deem useful.

#### **F. Department Chairpersons**

(Section 3 of Article VII of College Bylaws with modification of gender specific language)

Chairpersons of departments shall be appointed as such by the President of the College. The normal term for chairpersons shall be three (3) years, but this may be four (4) or five (5) years in individual cases to better meet the needs of a particular chairperson or department. Chairpersons shall be eligible for reappointment, but they should not normally serve more than three consecutive terms. Chairpersons of departments may be removed for cause by the President.

It is the responsibility of the chairperson to provide the leadership and direction necessary to maintain a high level of instruction in the department, to represent the interests of the department before the administration and the Faculty, and to insure that the department contributes to the academic program of the College. It is the chairperson's further duty to enlist the counsel and energies of other members of the department in the discharge of these responsibilities. (College By-Laws, as revised November 18, 1972.) Following is a more detailed description of the duties of a department chairperson by the Provost's Office.

An overview of the duties of the department chairperson prepared in the mid-1980s listed no less than 210 specific administrative duties that a chairperson performs in the course of his or her term of office. These duties fall into several clearly defined areas of responsibility which follow. (Much of the following has been borrowed liberally from a draft document prepared in 1978 by Leonard I. Holder.) Since there are so many responsibilities, it is logical to assume that chairpersons will delegate, where appropriate, some of these specific responsibilities to other members of the department while retaining overall responsibility to insure that the tasks are carried out.

### *1. Academic Affairs*

In consultation with departmental colleagues, establish degree program and curricula; evaluate and improve programs, curricula, and quality of instruction; oversee the periodic self-study which includes outside consultants; enforce academic standards; prepare schedule of courses and assignment of instructors and appropriate classrooms; oversee course pre-registration and registration processes; supervise placement examinations if appropriate; insure the department and its members contribute to College-wide academic programs.

### *2. Faculty Affairs*

Recruit new full-time faculty with close attention to affirmative action guidelines and keep in close contact with the Provost's office during the hiring process; establish, where appropriate, a pool of possible part-time faculty, hire and evaluate part-time faculty, orient new faculty members; mentor or assign a mentor to new faculty; support and encourage faculty growth and high performance in teaching, research, and other professional activities; encourage and assist faculty in applying for internal and external grants; enforce faculty responsibilities and protect faculty rights; evaluate faculty performance in accordance with established policy and procedures and make documented recommendations to the Provost and Faculty Personnel Committee for their retention, tenure, promotion; submit annual evaluations of faculty to the Provost to aid in the determination of salary increases; evaluate grant, leave, and sabbatical proposals and write letters of support as appropriate.

### *3. Departmental Affairs*

With the aid of departmental colleagues, develop and accomplish departmental goals and objectives within those of the College; establish departmental policies; conduct departmental meetings; involve faculty members in departmental decision-making and activities; establish internal communication; mediate conflict between department members; keep the Provost's office apprised of serious and potentially serious problems; be aware of the various college policies (grievance procedure, sexual harassment policy, for example) and know the special responsibilities of the chairperson; arrange for and oversee departmental receptions.

#### *4. Student Affairs*

Oversee curricular and career advising of students; establish and carry out procedures for awarding departmental prizes and honors; respond to student grievances and complaints; meet with students who are prospective majors and minors.

#### *5. Budgetary Affairs*

Prepare annual departmental budget requests; administer budgetary allocations; promote departmental cost-effectiveness; allocate faculty travel and research funds; request, allocate, and oversee library book budget.

#### *6. Office Management*

Administer departmental facilities and assign faculty offices in conjunction with the Vice-Provost; alert appropriate offices when dangerous or potentially hazardous situations exist; hire, supervise, and evaluate departmental secretary/assistant and other staff personnel; establish and maintain file and record systems; maintain equipment and other department properties; requisition supplies; see that textbooks are ordered in a timely manner.

#### *7. External Communication*

Convey College policies and actions to the department; represent the department in the College, to the Board of Trustees, and with external agencies; communicate departmental programs and activities to students, prospective students, and external constituencies; oversee the development and maintenance of the departmental web page, and any departmental publications.

#### *8. Personal Professional Performance*

Provide professional leadership in the department; set the example for personal professional behavior in interacting with department colleagues, other members of the faculty, students, and members of the administration and staff; demonstrate professional competence in teaching, research, and other professional activities; participate in professional associations.

Policies concerning teaching load of chairpersons and stipends are not part of the College Bylaws. In addition to a reduction in their teaching load, department chairs receive a small stipend. Both the amount of this stipend and the size of the reduction in teaching load depend upon the size and complexity of the department.

## **V. GRIEVANCE PROCEDURES**

[The faculty voted in April, 2017, that the Faculty Grievance Committee review the Employee Standards of Conduct and the College Grievance procedures to assure integration with the Faculty Grievance policies and other provisions of the Faculty Handbook; and that the committee consult with Human Resources staff and the Provost's Office in pursuing its charge, and prepare a report to the full faculty during the 2017-18 academic year.]

### **A. Non-Reappointment of Non-Tenured Full-Time Faculty**

(See Section I., E., 3)

### **B. Harassment and Discrimination-Free Workplace Policy**

This section does not match section L of Chapter VII. Variation in language and content. Replace this section with Chapter VII.L? Cross-reference without repeating?

### ***Introduction***

Gettysburg College is committed to maintaining an environment conducive to learning for all students and a professional workplace free from harassment and discrimination for its employees. Gettysburg College will not tolerate harassment or discrimination on the basis of sex, race, color, national origin, age, religion, disability, sexual orientation, or any other trait or characteristic protected by any applicable federal, state, or local law or ordinance. Harassment or discrimination on the basis of sex or any other protected characteristic may affect the terms and conditions of employment or interfere with a student's work or academic performance and create an intimidating or hostile environment for that employee or student. As such, harassment or discrimination on the basis of any protected trait or characteristic is contrary to the values of Gettysburg College, is a violation of College policy applicable to faculty, administration, and staff and is a violation of the Student Code of Conduct.

Harassment is a form of discrimination. There is a broad range of behavior that could constitute harassment. In general, harassment is any verbal or physical conduct that:

- has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
  - has the purpose or effect of unreasonably interfering with an individual's work performance; or,
  - adversely affects an individual's employment opportunities.
- Employees are expected to maintain the highest degree of professional behavior. All harassment or discrimination by employees is strictly prohibited. Further, harassing or discriminatory behavior of non-employees directed at College employees or students also is condemned and will be promptly addressed.

Examples of unacceptable behavior include, but are not limited to, the following:

- physical, emotional, or mental abuse
- racial, religious, ethnic, or gender-based or sexual insults
- derogatory ethnic, religious, or sexual jokes or slurs
- unwelcome sexual comments or advances
- taunting intended to provoke an employee
- requests for sexual favors used as a condition of employment or affecting any personnel decisions such as hiring, promotion, or compensation
- unwanted physical contact such as pinching, grabbing, rubbing, etc.

### ***Sexual Harassment of Employees and Students***

All members of Gettysburg College have the right to work and study in an environment free of discrimination, including freedom from sexual harassment. The intent of this policy is to foster responsible behavior in a working and academic environment free from discrimination and harassment. Thus, Gettysburg College strongly disapproves of and forbids the sexual harassment of employees or students, and will not tolerate sexual assault in any form, including rape.

*Sexual harassment of an employee by another employee* can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

*Sexual harassment of a student by an employee* can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a factor or condition of the employee's evaluation of the student or of any decision by the employee concerning the student's academic, co-curricular, or residential status at the College or (2) such conduct has the purpose or effect of unreasonably interfering with the student's performance or participation in the academic, co-curricular, residential, or other programs of the College. Where a student is a party to any grievance (either as the respondent or the complainant) involving a Gettysburg College employee, the Co-Directors of Human Resources and/or the Vice Provost will work collaboratively with the Director of Student Rights and Responsibilities to investigate and appropriately address the concerns. These concerns may also be addressed with a College Title IX Coordinator. The Co-Directors of Human Resources and the Director of Student Rights and Responsibilities serve as the College

Title IX Coordinators.

*Sexual harassment of a student by a student* is a violation of the Student Code of Conduct and consists of unwelcome sexual advances or threats, deliberate or careless use of offensive or demeaning terms that have sexual connotations or are gender-based, repeated and unwelcome requests for sexual favors or a romantic relationship, repeated and unwelcome letters, phone calls, or e-mails of a sexual or romantic nature, sexually motivated physical contact, or other verbal, electronic, or physical conduct or communication of a sexual nature. All reported sexual harassment of a student by a student will be referred to the Director of Student Rights and Responsibilities/Title IX Coordinator for adjudication, including the appeals process, under the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors. The Student Sexual Misconduct policy is accessible via the College Life website at [http://www.gettysburg.edu/about/offices/college\\_life/srr/student\\_handbook/](http://www.gettysburg.edu/about/offices/college_life/srr/student_handbook/).

### ***Reporting, Investigation, and Resolution of Harassment and Discrimination Violations***

Any individual who believes he or she has been a victim of harassment and/or discrimination in any form by an employee or visitor of the College should bring the matter to his/her supervisor, manager, and/or a Co-Director in the Human Resources Office and/or the Vice Provost. All members of the faculty and administration and all supervisors are required to report immediately incidents of harassment and/or discrimination, including those involving students that they observe or of which they become aware, to a Co-Director of Human Resources and/or the Vice Provost. The College also encourages other staff members and students to report immediately incidents of harassment and/or discrimination that they observe or of which they become aware, to a Co-Director of Human Resources and/or the Vice Provost. In a case of sexual harassment or gender discrimination, the report may also be made to the Title IX Coordinator.

Not only College policy but also federal and state anti-discrimination laws prohibit retaliation against anyone involved (complainant, respondent, witness, etc.) in the investigation of a claim of harassment and/or discrimination. No person will retaliate against any person who reports alleged sexual or other unlawful harassment and/or discrimination or who testifies, assists, cooperates, or participates in an investigation or other proceeding related to making a sexual or other unlawful harassment and/or discrimination complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

As soon as the complaint has been directed to a Co-Director of Human Resources/Title IX Coordinator or the Vice Provost, one of those officers of the College will inform the alleged respondent about the College's policy regarding such behavior, and advise respondent that retaliation is prohibited.

All complaints will be promptly, thoroughly, and impartially investigated. Upon completion of the investigation, both the complainant and respondent will be advised of the outcome of

the investigation. Confidentiality will be maintained throughout the investigation to the extent practical and consistent with the College's need to undertake a full and impartial investigation.

In determining whether the alleged conduct constitutes a violation of College policy, Gettysburg College will consider all relevant information and circumstances. Upon completion of the investigation, a Co-Director of Human Resources and/or the Vice Provost will make a final determination as to whether a College policy has been violated and, if appropriate, administer disciplinary action. If harassment is found to have occurred, immediate and appropriate action will be taken to stop the harassment, prevent its recurrence, and correct its effects.

### ***Misuse of Harassment and Discrimination-Free Policy***

In dealing with complaints of harassment and/or discrimination, the College will protect the rights of all parties. The College's commitment to eliminate harassment and/or discrimination from the workplace should not be viewed as a license for employees to engage in unfounded, frivolous, or vindictive actions that are not made in "good faith" in violation of the intent and spirit of this policy.

### **Grievance Procedure**

This College Grievance Procedure is available to employees and students after a determination has been made by a Co-Director of Human Resources and/or the Vice Provost as discussed above.

### ***Purpose***

*The College Grievance Procedure exists as a means to contest a determination that has been made regarding an alleged violation of the College's Harassment and Discrimination-Free Workplace Policy. There are three grounds for which the College Grievance Procedure can be applied:*

1. The complainant or the respondent believes that the discipline/sanction imposed was inappropriate for the violation of policy for which he or she was found responsible;
2. An error occurred during the investigative stage preventing either the complainant and/or the respondent a reasonable opportunity to prepare and present information to the investigator(s); or

3. There is a discovery of new information that was not available at the time of the investigative process and could have affected the outcome of the matter.

### ***What Categories of Grievance Are Not Covered by the College Grievance Procedure***

The College Grievance Procedure does not apply to issues concerning compensation, classification, work standards, stated College policy, matters that are beyond the control or jurisdiction of the College, or any disciplinary matter or termination unless the employee believes that such actions were the result of unlawful discrimination or harassment.

Additionally, dismissal of a faculty member for cause, non-reappointment of a non-tenured faculty member, or tenure/promotion issues may not be addressed with the College Grievance Procedure. These faculty issues, which may be addressed using procedures found in the *Faculty Handbook*, are under the purview of the Faculty Grievance Committee, a faculty committee that is distinct from the College Grievance Committee created under this policy.

This is not a legal proceeding but a Gettysburg College community procedure created with the health and welfare of the College's employees in mind. The College Grievance Procedure may be used freely without fear of retaliation, and the Co-Directors of Human Resources, working with the Vice Provost and/or the Director of Student Rights and Responsibilities, if appropriate, are available for assistance throughout the process.

### ***Composition of the College Grievance Committee***

Under this policy, Gettysburg College maintains a body called the College Grievance Committee. Members of this committee are appointed by the President of the College for terms of three years. The College Grievance Committee will be composed of three tenured faculty members, three administrators, and three support staff members. The Chair of the College Grievance Committee will be a tenured faculty member and may serve as one of the four voting members of a grievance hearing panel.

### ***Grievance Process***

1. The employee must file a *Notice of Grievance Form* within seven (7) business days of the final determination with (1) the Co-Directors of Human Resources in the case where the grievant is an administrator or support staff member, (2) the Vice Provost in the case where the grievant is a faculty member, or (3) the Director of Student Rights and Responsibilities in the case where the grievant is a student employee. This form will ask the

grievant to identify which of the three grounds (or combination of the three), referred to in the Eligibility discussion above, he or she seeks to have addressed. The grievant will be asked to make a formal statement outlining the specifics of his or her grievance. The *Notice of Grievance Form* may be found on the Human Resources Office website at: <http://www.gettysburg.edu/dotAsset/2530631.doc> (on the “Forms” section of the HR website) and is also available in the Human Resources Office and the Provost’s Office.

2. Upon receiving the *Notice of Grievance Form*, the Co-Directors of Human Resources, the Vice Provost, or the Director of Student Rights and Responsibilities will forward the Notice to the Chair of the College Grievance Committee. From the appointed College Grievance Committee members, the Chair will select a hearing panel of an additional three members, including one staff member and one administrator. If a student is a party to the grievance, the student may request of the Chair of the College Grievance Committee that the hearing panel include one student appointed by the Director of Student Rights and Responsibilities from the student members of the Student Conduct Review Board. The Chair will endeavor to have male and female representation on the hearing panel.
3. The hearing panel will meet to review the formal grievance within the context of the policy of the College Grievance Procedure. The hearing panel may decide on the basis of the written grievance that the challenge does not satisfy one of the three grounds for a grievance. In such cases, the hearing panel will promptly forward its decision to the Co-Directors of Human Resources, the Vice Provost, and/or the Director of Student Rights and Responsibilities, as appropriate.
4. If and only if the hearing panel decides that one or more of the three grounds for a grievance are met, the hearing panel will promptly schedule a hearing. The hearing will not revisit the entire matter, but will be limited to addressing the grounds for the grievance. At this hearing, the burden of proof will be on the grievant to establish the foundation for the grievance with clear and convincing evidence. The hearing will be a closed meeting, including only those persons whom the hearing panel deems necessary to address the grounds for the grievance. Witnesses will be present only when their testimony is being taken.
5. The grievant may have an advisor present. The grievant may choose any current faculty member, administrator, support staff member, or student who is not directly involved in the case to serve as his/her advisor. The role of an advisor is to support the grievant, but the advisor may not represent the grievant during the hearing. The grievant may speak quietly with his or her

advisor or request a short break in order to speak. There will not be attorneys present for the parties.

6. The hearing panel will make a recommendation concerning the allegations of the grievance based on a majority vote. When the hearing panel consists of four members, a clear majority is three. Promptly after the completion of the hearing, the grievant will be advised of the recommendation of the hearing panel. The hearing panel will also advise one or more of the following persons: the Provost, if the grievant is a faculty member; the Executive Vice President of the College, if the grievant is an administrator or support staff member; or the Vice President for College Life, if the grievant is a student. If one of these administrators is the complainant or the respondent in the original hearing, the hearing panel will advise the President of the College of its recommendation instead of that administrator. The hearing panel has no restrictions upon it as to what it may recommend: from a finding that the grievance is not established, to a reprimand, to further proceedings for dismissal of the employee.
7. The administrator, who is advised of the outcome of the hearing as set forth in paragraph 6 above, will review promptly the recommendation of the hearing panel. This administrator, who is not bound by the recommendation of the hearing panel, will determine any resolution of the grievance, including a sanction, within the authority of his or her position. The decision of this administrator is final.

## **VI. POLICY FOR PART-TIME FACULTY**

The following policy applies to instructional personnel who are not full-time faculty or full-time faculty on reduced load, and who are responsible for teaching one or more courses or sections of a course. Such persons are called adjunct faculty and are appointed with the title of adjunct instructor, adjunct assistant professor, adjunct associate professor, adjunct professor, or laboratory instructor.

### **A. Appointment Policy and Evaluation**

Part-time appointments shall be made on a semester or yearly basis. Payment for service will be made per instructional unit and determined with reference to rank assigned. At least partial reimbursement will be made for travel expenses of long-distance commuting.

Chairpersons will make substantial efforts to find and recommend the best qualified candidates residing within a reasonable traveling distance of the College.

Part-time appointments include eligibility for 1) faculty grants; 2) funds for attending professional meetings; and 3) funds for presenting papers at professional meetings.

An adjunct faculty member who has taught at Gettysburg for two years at a minimum of three courses per year is eligible to vote on all matters brought before a faculty meeting during any subsequent academic year in which the adjunct is scheduled to teach at least three courses, provided that the adjunct has submitted a request to the President to be included in the quorum prior to the second regular faculty meeting of the year. (Approved by faculty vote, March 13, 1986.)

Letters of reappointment should be sent to adjunct faculty within three weeks after spring registration, or as soon as it is reasonably certain that their services will be needed. All appointment letters will contain the proviso that the appointment is conditional upon adequate registration in the courses in question and in the College.

In addition to annual monitoring of performance, after every six terms of part-time employment, an adjunct faculty member will be evaluated by the department chairperson according to established procedures for annual evaluations. As a result of this evaluation the chairperson may recommend a promotion in rank according to policy and procedures established for full-time faculty, with the exception that the Faculty Personnel Committee's assessment will be based on achievements in teaching and, as appropriate, scholarship. (Approved by faculty vote, May 1, 1986.)

Part-time faculty are eligible to participate in the College's group medical program, at their own expense, if they are contracted to teach four or more courses per academic

year. There is no waiting period. Part-time faculty members, who teach at least four courses per academic year for two consecutive years, are eligible for enrollment in the college retirement plan with TIAA-CREF on the first of the month following the completion of two consecutive years if the faculty member continues to meet the eligibility requirements (at least four courses per academic year). The College's retirement annuity contribution is valued at 10% of salary. Part-time faculty who are contracted to teach four or more courses per academic year may contribute to a supplemental retirement annuity with TIAA-CREF effective with their employment at the College.

Part-time faculty who have carried a teaching load of four or more courses for a period of not less than eight of the previous ten academic years, will be eligible to participate in the group medical program on the same basis as a full-time faculty member. While participating in this benefit, should the part-time employee's teaching load drop below four courses, the employee will continue normal participation in the medical program until the end of the academic year (August 31) in which the reduction occurred. Future eligibility will be based on meeting the four-course criterion.

## **B. Rank and Promotion System for Laboratory Instructors**

Currently, all laboratory instructors are paid a flat rate per laboratory section taught. Instructors who began their service to the College prior to the 1987-88 academic year have been "grandfathered" so that they have received an additional \$50 per section for each additional five years of service to the College. Those hired after 1987 receive the simple base rate per section without regard to years of service to Gettysburg College. With the implementation of this promotion system for laboratory instructors, the current system of remunerating instructors—whether they are "grandfathered" or not—is null and void.

This new rank and promotion system for laboratory instructors should be regarded as an administrative policy.

### *1. Titles and Qualifications*

The title applied to new or entry-level laboratory instructors is "Laboratory Instructor." The basic qualifications for this position include a bachelor's degree in the appropriate field.

Promotion from the level of Laboratory Instructor is to the rank of "Laboratory Instructor II." The minimum qualifications required at the level of Laboratory Instructor II should include a bachelor's degree, at least seven years of continuous service as a laboratory instructor at Gettysburg College, and good performance in those years of service.

Promotion from the level of Laboratory Instructor II is to the rank of "Senior Laboratory Instructor." The minimum qualifications required at the Senior level include a master's degree, at least fourteen years of continuous service as a laboratory instructor at

Gettysburg College, and good performance in those years of service.

For these purposes, the phrase “years of continuous service as a laboratory instructor” means teaching at least four laboratory sections per year at Gettysburg College, with a break in service of no longer than one year. For these purposes, “good performance” is evaluated based upon student evaluations of the instructor, biennial evaluations of the instructor by the department chair, and letters of support from other faculty in the department.

## *2. Application Process for Promotion*

An individual laboratory instructor can petition the Provost, or his designated representative, for promotion in rank at any point after the years of service criteria has been met. This petition must be presented, in full, at least six months prior to the effective date of the next appointment for that instructor. The individual instructor should include all of the following materials in the petition for it to be considered complete: a summary statement of student evaluation data over the years of service, a letter of support from the department chair, and at least one letter of support from another faculty member in the department who can speak to the suitability of the candidate for promotion. For promotion to the Senior Laboratory Instructor rank, certification of attainment of the advanced degree is also required.

The Provost, or his designated representative, will review the petition and any other supplemental materials submitted by the candidate and provide a response within 90 days of the date of submission of the petition. If approved, the promotion in rank, along with any accompanying salary increment, will take effect with the next appointment.

## **VII. THE FACULTY MEMBER AS EMPLOYEE**

[Provided by Human Resources in August 2017]

### **A. Employment Eligibility**

On November 6, 1986, the Immigration Reform and Control Act of 1986 was signed into law. In accordance with this law, the College may employ only American citizens and aliens who are authorized to work in the United States. All new faculty members will be asked to sign the Federal Form I-9, Employment Eligibility Verification Form on their first day of work. Within the first three (3) days, the faculty member must also provide to the College original documents verifying their employment eligibility in the United States and their identity as required by federal law. Offers of employment will be contingent upon each prospective faculty member's ability to prove their eligibility to work in the United States.

### **B. Identification Card**

All employees are required to have an employee identification card (ID). This card is obtained from Dining Services. Contact the Dining Services Office for a schedule of available hours. ID cards can be used to check out materials in the Library, to charge purchases at the College Store and for entrance into the Jaeger Center for Athletics and Recreation.

Funds may be added to the ID card for at any dining register. These funds may be added through payroll deduction (see Dining \$).

Dependent ID cards are also available for faculty member's spouse/partner and/or dependent child(ren).

### **C. Compensation**

#### *1. Salary*

The annual salary for faculty members is paid biweekly over 26 pay periods every other Friday from September through August. Faculty members are paid through direct deposit. Arrangements for direct deposit can be made through the Provost Office, Human Resources, or Payroll Office. Pay statements can be viewed online by logging into PeopleSoft self-service or mailed to campus boxes. Instructions for viewing pay statements or changing default to receive paper statements are available on the Payroll Office's website.

#### *2. Salary Deductions*

Salary deductions include those required by law, those required by the College as a condition of employment, and those employees may authorize.

*Deductions required by law.* The federal government requires deduction of withholding tax from the salary of all employees. The federal government also requires deduction for the Social Security Tax and Medicare from the pay of all employees.

The Commonwealth of Pennsylvania, Virginia, and Maryland require a deduction from the pay of all employees toward the payment of state income tax. A local income tax deduction may also be required.

*Voluntary deductions.* Employees also may authorize, in writing, other deductions, i.e., participation in the College's health insurance program (medical and dental), additional contributions to the retirement program, voluntary life insurance premiums, and additional withholding tax. These will be deducted from pay until discontinuance is requested in writing and submitted to the Human Resources Staff.

### 3. Salary Reviews

The Board of Trustees authorizes salaries in their approval of the budget as recommended by the President. It is customary for the President and Provost to send salary notification letters to faculty members after the spring meeting of the Board of Trustees.

## **D. Insurance Coverages**

### *1. Health Insurance*

The College provides medical insurance to regular full-time employees and employees that work on average 30 hours per week.. This benefit is effective immediately upon employment. The cost and specific coverage details are based on plan choice and who is covered. Regular full time employees also have access to dental insurance. Employees must choose the type of medical coverage they desire within 30 days of employment. Full details about the medical and dental insurance are available on the website.

### 2. COBRA Benefits (Health Insurance)

Under the Consolidated Omnibus Budget Reform Act (COBRA), an eligible employee and/or the eligible employee's family has the right to continue health insurance protection when any of the following qualifying events occur:

- the employee terminates for any reason other than gross misconduct
- the employee has insurance for dependents and the insured dependent:
  - becomes a widow(er)
  - becomes an orphan
- the employee ceases to be eligible for coverage as a dependent under the terms of the plan, or
- the dependent is separated or divorced from the employee
- the employee's job or the employee's spouse's job changes in such a way that health insurance benefits are significantly changed or lost.

In order to be eligible for COBRA coverage, an employee must have been covered immediately prior to the qualifying event. Employees must let the College know of their divorce or legal separation or if a dependent ceases to be eligible under the College's group health insurance plan. Employees and their qualified beneficiaries are also responsible for notifying the College within 60 days of qualifying for social security disability benefits.

There may be other coverage options for the employee and their family. The employee will be able to buy coverage through the Health Insurance Marketplace. In the Marketplace, they could be eligible for a new kind of tax credit that lowers your monthly premiums right away, and they can see what their premium, deductibles, and out-of-pocket costs will be before they make a decision to enroll. Being eligible for COBRA does not limit their eligibility for coverage for a tax credit through the Marketplace. Additionally, they may qualify for a special enrollment opportunity for another group health plan for which they are eligible (such as a spouse's plan), even if the plan generally does not accept late enrollees, if they request enrollment within 30 days.

### *3. Domestic Partnership*

The College extends benefits to qualified domestic partners (same-sex and opposite-sex) of eligible benefited employees. Both the employee and the domestic partner must sign an Affidavit of Domestic Partnership. This affidavit outlines a specific set of criteria, which must be met to qualify for such benefits. It should be noted that some of our supplemental insurance providers may have additional requirements or may deny coverage for domestic partners.

Gettysburg College employees may enroll a domestic partner in the benefit plans offered to other Gettysburg College spouses. Domestic partners are subject to the same eligibility requirements and plan provisions, which govern all other participants in the benefit programs.

Electing this benefit may have tax implications to the employee. As a result, employees are strongly advised to seek guidance from a tax advisor before choosing whether or not to elect this benefit. It should also be noted that any contributions related to such coverage will be made on an after-tax basis.

Employees must notify the Human Resources and Risk Management Office within 15 days should a domestic partnership be terminated. Upon termination of the relationship, domestic partners covered under the College's health care plan would then be offered the opportunity to continue their health insurance under the Consolidated Omnibus Budget Reform Act (COBRA).

### *3. Group Life and Accidental Death and Dismemberment Insurance*

The College provides group term life and AD&D insurance to all regular full-time faculty members. The insurance is valued at one and one-half times the annual budgeted salary rounded to the next higher \$1,000, not to exceed \$400,000. The Internal Revenue Service imposes an imputed income tax on employer-provided group life insurance in excess of \$50,000. The employee must pay the tax on the value of the premium for the amount over \$50,000.

### *4. Long Term Disability Insurance*

## Eligibility

Gettysburg College provides long term disability (LTD) insurance for employees who meet the eligibility requirements. The LTD insurance plan coverage begins on the first of the month following the employee's one year anniversary date of entry into an eligible class. The eligible class, as defined by the plan, are employees who work at least 34 hours a week. The waiting period is waived for employees who show proof of continuous long term disability coverage prior to hire at Gettysburg College. An employee may elect to pay the premium for this benefit, and if they qualify for LTD the income is not taxable.

## Coverage

After six months of total disability, the LTD insurance plan provides a monthly income benefit equal to 60% of monthly salary up to a maximum monthly benefit of \$7,000. The monthly disability income will be reduced by other disability income benefits, (i.e. Social Security and or/workers compensation).

In addition to insurance of income, the LTD plan provides insurance for the Gettysburg College retirement annuity contribution made to the TIAA retirement annuity. Once eligible to receive the retirement annuity benefit the annuity insurance coverage will ensure continued contributions to the retirement annuity at the rate of 10% of annual salary at the time of disability until age 65.

### *6. Liability Insurance*

The College carries liability insurance covering its employees in the performance of their duties as employees of the College provided they are acting within the scope of their employment.

### *7. Workers' Compensation Insurance*

The College carries workers' compensation insurance as prescribed by law, which is designed to cover certain lost time, and medical expenses, which may result from an injury incurred during the course of employment. Injuries, no matter how minor, must be immediately reported to the Human Resources Staff. A report of all injuries should be made as soon as possible after the occurrence and in all cases, within 24 hours.

Faculty members should consult the College's panel of approved physicians prior to seeking treatment for a work-related injury. Faculty members failing to treat with a physician listed on the panel may not be eligible for reimbursement of payments to that physician under the Pennsylvania Worker's Compensation Act.

The College assumes no responsibility for medical expenses from an injury except as covered by the provisions of the Workers' Compensation Act.

## **E. Retirement Plan**

Regular full-time and part-time faculty members, who teach at least four courses per academic year for two consecutive years, are eligible for enrollment in the College retirement plan with TIAA on the first of the month following the completion of two

consecutive years if the faculty member continues to meet the eligibility requirements (at least four courses per academic year). An application must be completed in order to activate the contract. The two-year waiting period is waived if a faculty member has fully vested and funded benefits under the terms of a retirement plan of a qualified institution. The College currently contributes 10% on the portion of the base salary within the Social Security Wage Base and 15% on the base salary above the Social Security Wage Base to a retirement annuity with TIAA.

The faculty member who teaches at least four (4) courses per academic year, may contribute an additional amount to a tax deferred annuity immediately upon employment.

#### **F. Emeriti® Retirement Health Solutions**

Emeriti® Retirement Health Solutions is a practical and comprehensive solution to providing retiree health benefits for employees of Gettysburg College. The core design features of the Emeriti Program include:

\*A tax-advantaged way to invest and accumulate assets exclusively to help meet future retiree medical expenses – *the Emeriti Health Accounts* – with the services provided by TIAA-CREF.

\*A specially designed health insurance program for retirees and their dependents that complements Medicare – *the Emeriti Health Insurance Plan Options*.

\*An innovative, tax-free way to pay for other qualified out-of-pocket medical expenses – *the Emeriti Reimbursement Benefit*.

To qualify for the Gettysburg College contribution, a full-time employee must be age thirty-five (35) **and** have completed two (2) years of services. The contribution begins on the month after this criteria is met.

Full-time employees who are at least age twenty-one (21) may begin their own contributions immediately upon hire.

#### **G. Educational Benefits**

##### ***1. Tuition Remission and Grant Plans (For Qualified Children)***

Dependent children of full-time Gettysburg College employees who have met the eligibility rules listed below and have been admitted to an accredited four-year college or university as full-time candidates for a bachelor's degree, are eligible to participate in one of two tuition credit plans. Both the Gettysburg College Tuition Remission Plan and the Gettysburg College Grant Plan reimburse only tuition and mandatory fee expenses. These plans may not be applied toward room and board charges and other costs of attendance.

Gettysburg College Tuition Remission Plan. Dependent children of College employees who have been admitted to Gettysburg College in accordance with the same regulations as those applied to other applicants, are eligible to receive full remission of

tuition and mandatory fees. The tuition remission will be automatically processed based on information provided by the Financial Aid Office.

Dependent children and their parent(s) must submit a Free Application for Federal Student Aid (FAFSA) by February 15 during the initial admission process. The Financial Aid Office will notify the student if a FAFSA is required in subsequent years.

Gettysburg College Grant Plan. Dependent children of College employees who have been accepted for admission at another qualified institution will receive from the College as a payment on their tuition charges a grant paid to the student's institution. For persons employed on or after July 1, 1978, the amount of the grant will be 30% of Gettysburg College's tuition and mandatory fees. The total amount of such tuition grant, when added to all other financial aid grants awarded to such child, shall not exceed the total cost of attendance for tuition, mandatory fees, room, board, textbooks and required course materials. The benefits provided under any one or both of these programs are limited to four full-time academic years, or the equivalent thereof, of undergraduate work in an accredited four-year college or university while the student is in candidacy for the bachelor's degree. Distance learning is not covered by this benefit.

Children of eligible College employees may enroll at Gettysburg College as special students if they are approved by the Director of Admissions as meeting the standards required of other special students. During the regular academic year the College will remit tuition up to two courses per term taken for credit by such special students, but will charge all other fees applicable to such students. If the children are subsequently admitted to candidacy for the bachelor's degree at Gettysburg College or any other accredited four-year college/university, any course in any one term or summer taken as a special student under the provisions of this paragraph will be counted as a quarter semester against the student's eligibility for tuition aid as a degree candidate as defined above in this section.

Dependent children and their parent(s) must submit a Free Application for Federal Student Aid (FAFSA) by February 15 during the initial admission process. The Financial Aid Office will notify the student if a FAFSA is required in subsequent years.

Students receiving outside awards or grants must report these amounts to the Human Resources and Risk Management Office. These outside awards may be used to cover the cost of room, board, mandatory fees, required texts or other required course materials. If the total amount of aid received, including the Gettysburg College Tuition Remission or the Gettysburg College Grant exceeds the cost of attendance at Gettysburg College or another institution (tuition, room, board, mandatory fees, texts and required course materials), the Gettysburg College Tuition Remission or Gettysburg College Grant will be reduced accordingly.

Eligibility for these benefits is as follows:

*Dependent status*

For employees hired after August 1, 1998, dependent children must be either naturally born or legally adopted children in order to qualify for tuition benefits under either Plan.

#### *Age limitation*

The purpose of the tuition remission program is to assist College employees in the education of their children who complete secondary school and who shortly thereafter pursue with normal continuity a four-year college or university course of study before assuming the customary responsibilities of adulthood. Thus, eligibility of a student beginning his or her undergraduate education under either of these programs is without limitation, beyond that previously enumerated, to the age of twenty-one years. After that age the question of eligibility as it relates to each applicant will be decided by the Educational Benefits Committee, consisting of the Vice President for Enrollment and Educational Services, the Executive Vice President and the Provost. In reaching their decision, they shall consider the educational objectives of the applicant, the circumstances contributing to the delay in beginning undergraduate work (for example: delay was caused by military service), and his/her marital and dependency status.

#### *Employee classification*

**Faculty.** To receive this benefit on a tax free basis the parent must be a full-time faculty member and must have completed two years of service at Gettysburg College. Participation may occur immediately; however, the benefit will be considered taxable income if it is received prior to the completion of two years of service.

**Administrator.** To receive this benefit on a tax free basis the parent must be a full-time administrator and have completed two years of service at Gettysburg College. Participation may occur immediately; however, the benefit will be considered taxable income if it is received prior to the completion of two years of service.

**Staff.** The parent must be a regular full-time employee and must have completed two years of full-time service at Gettysburg College.

#### *Global Study*

Dependent children of employees who attend Gettysburg College may study globally on an affiliated program and receive the same tuition benefit as if they were in residence at Gettysburg College. In order to receive this benefit, the student must have been in residence at Gettysburg College as a full-time matriculated student for at least one year prior to studying globally and be approved by the Center for Global Education to study globally.

#### *Death or Long-term Disability of an Employee*

The children of qualified employees who have completed seven years of full-time continuing service and who die or who are totally disabled while in active service at the College, will be eligible to receive the tuition credit to which they would otherwise be entitled.

## ***2. Tuition Exchange for Qualified Dependent Children***

The purpose of the Tuition Exchange program is to facilitate the exchange of students among member institutions. Tuition Exchange membership confers only the right to apply for a scholarship; it does not guarantee either that the employing institution will be able to support all eligible employees in a given year or that the institutions to which a student applies will accept the student into the Tuition Exchange program.

### ***3. Educational Opportunities at Gettysburg College for Employees and their Spouses/Partners***

After one year of service, regular full-time employees and/or their spouses/partners become eligible for tuition benefits at Gettysburg College. Up to four (4) courses may be taken a year for credit and/or audit. The employee is admitted as a special student. Please contact the Admissions Office for more details.

#### **H. Leave Benefits**

##### ***1. Short Term Disability/Sick Leave***

Faculty members who are unable to perform their duties because of illness may receive up to six months (26 weeks) of sick leave with pay. When this leave is short-term disability, the leave will be limited to 26 weeks in a three-year period. Faculty members will only be paid for a maximum of 52 weeks of short-term disability leave (two 26-week leaves) during their employment at Gettysburg College. During a leave of absence for medical reasons, the faculty member will be under the same terms and conditions as would be applicable for a family and medical leave (reinstatement to his/her pre-leave position or to an equivalent position with equivalent pay, benefits, and terms and conditions of employment). In addition, faculty members on a paid leave under this policy are strictly prohibited from engaging in any other paid employment during the period of leave. Should the College learn that the faculty member engaged in any other paid employment during a period of paid leave under this policy, the faculty member will be subject to disciplinary action, up to and including termination of employment. Paid sick leave will not be counted towards the 16 weeks of Family and Medical Leave described in this section. The College reserves the right to require evidence from a physician concerning the extent and nature of the illness of any employee to the extent necessary to determine eligibility under the policy and consistent with state and federal law. Subsequently when the faculty member is able to return to work, the faculty member should provide Human Resources Office a note from their physician indicating they are released to return to work. Faculty on a one-year appointment normally are not eligible for sick leave. However, requests will be handled on a case-by-case basis.

##### ***2. Leaves of Absence for Faculty Members Related to Birth or Adoption of a Child***

Regular full-time faculty members, who have been actively working for one full year, are eligible for paid leave related to the birth or adoption of a child. For the primary care giver the leave will be granted for one academic semester. For the non-primary care giver, the leave is generally granted as a one-course reduction for one semester, although

several other options are available such as release from governance responsibilities or a revised teaching schedule. (Please consult with the Provost's Office.) When both parents are employed by the College, only one will be designated as the primary care giver. The faculty member will only be eligible for one paid leave in a two year period. This time will not be counted towards the faculty member's allotted 16 weeks of unpaid family and medical leave.

The faculty member will make a request in writing to the Provost and Department Chair as soon as possible after learning of the expected birth or adoption. After discussion with the Provost and the Department Chair, the specific details of the leave time or course release will be determined.

If the faculty member is adding the child to the health insurance, the Human Resources Staff must be notified of the birth within 14 days of the occurrence to assure enrollment in the health insurance program. To add the adopted child to the health insurance, the child must be "supported by the Subscriber or the Subscriber's spouse pursuant to a valid court order or a child for whom the Subscriber or the Subscriber's spouse is a legal guardian." The insurance company requires documentation, that has been filed through the court system, be submitted with the enrollment form.

### *3. Adoption Assistance*

Full-time faculty members eligible for benefits, who have been actively working for one full year, are eligible for up to \$3,000 in adoption assistance per adoption. In Pennsylvania, this is a taxable benefit. Receipts must be provided to validate expenses. An adoption certificate must be provided to the Human Resources Office prior to reimbursement of expenses.

### *4. Bereavement Leave*

Upon the death of a family member or spouse's family member, bereavement leave may be granted for up to five days for faculty members. A family member may be a spouse, partner, child, parent, spouse's/partner's parent, brother, sister, or grandparent. Up to one day off with pay may be granted for attendance of funerals of other near relatives..

### *5. Family and Medical Leave of Absence*

Employees who have been employed by the College for at least 12 months, and who have completed at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the leave may be eligible for an unpaid family or medical leave pursuant to this policy. The maximum amount of FMLA leave required is dependent upon the reason for the leave.

Eligible employees may be entitled to a total of up to 16 work weeks of unpaid leave during a 12 month period in the any of following situations:

Family Leave - A child is born, adopted or taken into the employee's immediate family for foster care and leave is requested;

Personal Medical Leave - The employee becomes unable to perform his or her job functions due to a serious health condition as defined below;

Medical Leave for Family Care - The employee is needed to care for a spouse, child or parent of the employee who has a serious health condition as defined below.

For purposes of this policy, "serious health condition" means an illness, injury, impairment or physical or mental condition that involves (1) inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with inpatient care; or (2) continuing treatment by a health care provider for a condition that either prevents the eligible employee from performing his or her job functions or prevents a qualified family member from participating in school or other daily activities. A serious health condition involving continuing treatment by a health care provider may include:

(a) a period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition which also involves:

(1) treatment on at least two occasions by a health care provider; or

(2) treatment on one occasion by a health care provider which results in a continuing regimen of treatment;

(b) any period of incapacity due to pregnancy or for prenatal care;

(c) any period of incapacity or treatment for such incapacity due to a chronic serious health condition;

(d) a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;

(e) any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of treatment.

Qualifying Exigency Leave. An eligible employee also may be entitled to use his or her 12-week FMLA leave entitlement for certain military-related "qualifying exigencies."

Qualifying Exigency Leave may be available to an eligible employee who needs leave due to a spouse, child, or parent being on active duty or called to active duty status (for foreign deployment) in support of a contingency operation as a member of the regular Armed Forces, National Guard or Reserves. (Does not apply to state service.) Qualifying exigencies may include:

- short-notice deployment activities;
- military events and related activities;
- childcare and school activities;
- financial and legal arrangements;
- counseling activities;
- rest and recuperation activities;\*

- care for the parent of a military member who is incapable of self-care
- post-deployment activities.

\* Employees requesting leave for rest and recuperation are limited to a maximum of 15 days and must provide a copy of the military member's rest and recuperation leave orders to the Human Resources Office for review.

**Military Caregiver FMLA Leave.** Eligible employees may be entitled to up to 26 weeks of unpaid leave during a 12-month period to care for a seriously ill or injured service member or covered veteran who is the employee's child, spouse, parent, or next-of-kin. FMLA leave taken for any reason noted above in #1 will reduce the amount of FMLA leave available for this reason.

A covered service member or covered veteran is:

(1) a current member of the Armed Forces (including a member of the National Guard or Reserves) who has a serious injury or illness incurred in the line of duty on active duty (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty) that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list; or

(2) a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) who suffered a serious injury or illness while in the line of duty on active duty (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty) and that manifested itself before or after the member became a veteran for which the veteran is undergoing medical treatment, recuperation or therapy, if the veteran was a member of the Armed Forces at any point during the five years prior to the start of the FMLA leave at issue and was discharged for reasons other than dishonorable.

In cases where the College employs both spouses, family leave may be limited to a combined total of 26 weeks between them for covered service member family leave and all other FMLA-qualifying reasons in a single 12-month period.

#### FMLA Procedures

Generally, eligible employees are limited to a total of 16 work weeks of leave during a 12 month period, unless leave is needed to care for a seriously ill or injured service member, when up to a combined total of 26 weeks of FMLA leave may be available. The College will calculate this 12 month period by measuring backward from the date an employee uses FMLA leave (i.e. leave is limited to the balance of 26 weeks not used during the past 12 months). When using paid leave during FMLA leave, employees must comply with the College's paid leave policies. As during any unpaid leave of absence, the accrual of paid leave benefits ceases during FMLA leave.

Requests for a family or medical leave must be submitted to your supervisor. An employee

who can anticipate the need for a family or medical leave of absence must provide the College with at least thirty days' notice if practicable or as early as possible thereafter.

Failure to request FMLA leave in the required time period may result in a delay in the start of your requested leave or the denial of leave. Employees requesting leave for treatment of a serious health condition must make reasonable efforts to schedule the treatment so as not to disrupt the College's operations.

FMLA leave can be taken all at once or, when medically necessary or for a qualifying exigency, on an intermittent or reduced leave schedule. Intermittent leave is leave taken in separate blocks of time for a single FMLA-qualifying reason.

Please note that employees requesting or using FMLA leave are subject to the same College policies concerning lateness or absences, including notification of such to their departments. An employee on leave is prohibited from engaging in other employment during the period of the leave of absence, unless the employee has received written authorization from the College to engage in such employment. Any employee who commits fraud or makes a misrepresentation in connection with any requested or actual FMLA leave will be subject to disciplinary action, up to and including discharge.

Health insurance will be maintained for any eligible employee on a family or medical leave under this policy on the same terms as would apply if the employee were on active duty (i.e., employees are responsible for paying their portion of health care premiums during leave). Any employee who fails to return to work upon completion of a family or medical leave shall be required to reimburse the College for all benefit premiums paid by it on the employee's behalf during such leave provided the employee's failure to return is not due to circumstances beyond the employee's control.

Except under certain specific circumstances, employees who are on leave pursuant to this policy shall be restored to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. Highly salaried "key" employees may have limited reinstatement rights. Any "key" employees shall be notified of their specific rights and obligations prior to beginning an FMLA leave.

An employee requesting a medical leave for personal or family care under this policy must submit a certification by his or her health care provider regarding the need for such leave. Certification forms may be obtained from the Human Resources Office. The College reserves the right to require second and third opinions at its own expense relating to an employee's medical certification. Any employee returning to work from a personal medical leave shall be required to submit a fitness for duty certification from his or her health care provider, stating that he or she is able to resume work. The College also reserves the right to require an employee on family or medical leave to report periodically on the employee's status and intent to return to work.

The employee must submit complete and sufficient medical certification within fifteen (15)

days of the request for the leave, or the leave may be denied. If the medical certification is submitted timely but is incomplete, the employee will be given a list of the deficiencies and the information needed to correct the deficiencies. The employee has seven (7) days to correct the deficiencies. Leave can be denied if the employee does not correct the deficiencies within the seven (7) days. Employees may be required to provide periodic recertification supporting the need for leave.

When leave is requested, eligible employees will receive a notice of their rights and responsibilities, and ineligible employees will be informed why they are not eligible for FMLA leave. After an employee submits the required forms, the College will notify the employee if the leave will be designated as FMLA-protected. If so, the notice will include the amount of leave counted against the employee's FMLA entitlement. The College also will notify an employee if the leave is not FMLA-protected.

An employee who requests FMLA leave because his or her spouse, parent or child is called up for or is on active duty in the Armed Forces will receive an Active Duty Certification form to complete and submit.

Failure to provide the required documentation in the time frame communicated to the employee when the employee requests FMLA leave may result in a delay to begin the requested leave or denial of the request for FMLA leave. When FMLA leave is denied, the protections afforded individuals under the FMLA may be lost, including but not limited to job protection and the continuation of benefits while on leave.

This policy shall be administered in a manner consistent with the terms of the Family and Medical Leave Act of 1993. The College reserves the right to impose any conditions or limitations upon any leave of absence as may be deemed consistent with the provisions of the Act. Any questions concerning this policy should be directed to the Human Resources Office.

The FMLA prohibits employers from interfering with, restraining, or denying the exercise of any right provided under the FMLA and from discharging or discriminating against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

#### *6. Jury Duty Leave*

Regular full-time and part-time faculty members will receive time off with full pay when they are required to perform jury duty.

#### *7. Military Leave*

Military leave without pay is provided for service in the armed forces of the United States in accordance with applicable requirements of state and federal laws. For more

information, please see the policy on the HR website at:  
[http://www.gettysburg.edu/about/offices/president/hr/benefits/military\\_leave.dot](http://www.gettysburg.edu/about/offices/president/hr/benefits/military_leave.dot)

#### *8. General Leave of Absence*

All faculty members are expected to be present for duty throughout the academic year. Arrangements for leaves of absence for no more than a week should be made with the chairperson of the department. Applications for any leave of absence for more than a week should be made to the Provost after consultation with the department chairperson.

During the time of any leave of absence without pay no payments will be made by the College to the member's retirement annuity. The retirement annuity simply stands to the member's credit during such time without any increase in his or her equity except for any interest which may accumulate. There will also be no payments made to a member's Social Security account while he or she is on leave of absence without pay. The group life insurance and medical insurance policies of a member remain in effect only if the member continues to make full (both employer and employee shares) regular payments. Such payments may be made to the College through the Human Resources Staff.

#### *9. Reduced Teaching Load for Full-Time Faculty*

(Passed by Gettysburg College Board of Trustees on May 17, 1986.)

Faculty with full-time appointments as Instructor, Assistant Professor, Associate Professor, or Professor may apply for a reduced teaching load for periods of one semester to two years. This policy is distinct from and in addition to any current practices which allow for reduction of course loads to enable an individual to assume specified non-teaching institutional duties or tasks.

(a) A full-time member of the faculty may request a reduction in teaching load after he or she has been a member of the Gettysburg faculty for at least three years. The request must be made at least ten months prior to the date on which the reduced load would begin.

(b) The reduction requested cannot exceed two courses in any semester. A faculty member on reduced load must teach at least one course per semester.

(c) The purpose of such a reduction will depend on the needs of the individual concerned. Possible reasons include active pursuit of a research or an artistic project, fulfillment of family responsibilities, health, and the transition into retirement.

(d) A reduced load for such purposes will result in a pro-rated reduction in salary corresponding to the percentage by which the teaching load is reduced and a pro-rated

reduction of those fringe benefits directly related to salary. All other fringe benefits will continue without reduction.

(e) Proposals must have the recommendation of the Department Chairperson and the Provost. The President will make the final decision on whether or not to grant the request. As a general rule, no more than 1/3 of the faculty members in any one department should be on reduced loads at any one time.

When faculty are hired to meet staffing needs created by this reduced-load plan, they should have credentials and other qualities comparable to full-time members of the Gettysburg faculty. Whether or not such replacement faculty are available will be considered by those who approve or disapprove the request.

## **I. Additional Benefits**

### ***1. Employee Assistance Program***

The Employee Assistance Program is provided by WellSpan. To learn about the program, please visit [www.wellspaneap.org](http://www.wellspaneap.org).

In recognition that everyone occasionally experiences problems that are difficult to manage without assistance, Gettysburg College provides an Employee Assistance Program (EAP) for use by employees. Participation in the EAP does not jeopardize job security or career opportunities. Likewise, participation does not exempt employees from their normal job requirements nor does it allow exceptions to standard work practices and policies.

The EAP is available to provide full-time employees assistance with such problems as depression, marital and family issues, grief, drug and alcohol problems, job-related stress, financial difficulties, and other personal matters. All full-time employees, regardless of performance, are eligible.

Gettysburg College agrees to pay up to the cost of three visits/evaluations for all full-time employees, and to provide a referral list of practitioners in specific fields of expertise. Depending on the situation, the initial evaluation may be a supervisory referral or a self-referral. Continued treatment will be coordinated with the employee's health insurance. Gettysburg College does not make the determination of what treatment is covered or the percentage of costs covered by the insurance company.

Gettysburg College agrees to provide employees up to a 30-day paid leave if the appropriate physician deems an inpatient stay necessary.

All information relating to an employee's EAP participation is strictly confidential. Only the EAP provider maintains EAP records. The EAP provider does not release specific information about an employee's use of EAP services, unless the employee gives his or her

advance written consent. Statistical data, such as gender, age, and dates of use, are provided to the employer by the EAP. This information is generic in nature and no names or other identifying statistics are provided. The data are provided to Gettysburg College so it can effectively evaluate the EAP's effectiveness.

In the case of a supervisory referral, an authorized Gettysburg College agent is provided with (a) whether the employee has contacted the EAP and kept scheduled appointments; and (b) when the counseling or treatment is terminated. All other details of the employee's treatment are confidential.

Generally, only the EAP keeps information regarding the employee's assessment and treatment. In the case of supervisory referrals, the agent for Gettysburg College might have reason to record information regarding the referral and its relationship to a corrective action plan. In such cases, the information related to the EAP referral must be kept in a separate confidential file established by the agent or the Human Resources Staff.

For additional information concerning EAP and/or leave associated with the EAP, please contact the Human Resources Staff.

For Comprehensive Assistance, call 1-866-227-6527, Monday thru Friday, 8:00 AM - 4:30PM (EST).

For Critical Situations, call 1-800-673-2496, anytime, 24 hours a day, 7 days a week.

## ***2. Computer Purchasing Program***

Full-time employees with two years of service at Gettysburg College are eligible for a loan for the purchase of a standard general purpose computer, such as a laptop, desktop, or tablet, and for associated devices (monitors, keyboards, printers). For the purpose of this program, consumer electronics, such as smart phones, iPods, music players, gaming consoles and entertainment devices, are not eligible. The minimum loan amount is \$300 and the maximum loan amount is \$2,500.

Payments are made via payroll deduction at 0% interest over 24 months (52 pay periods). Employees with less than two years of service are required to make a down payment of 1/3 of the purchase price, with the balance to be paid through payroll deduction over 24 months. The employee must be in good financial standing with the College, i.e. no outstanding payments owed for more than 30 days in the College Bookstore, no outstanding parking fines, library fines or travel advances.

Employees may only take out one computer loan at a time, even if the maximum allowed has not been met. The maximum number of standard general purpose computers per loan is two.

To begin your computer loan request, provide your original paid receipt/invoice or an official quote from the computer vendor. A "Note and Security Agreement" will be drawn up for your signature along with a check request that will be forwarded to Accounts

Payable. Accounts Payable has a 7 to 10 day window to process all check requests, so please plan accordingly.

### **Computer Purchase Benefit Guidelines**

Eligibility: Full-time College Employees

Loan Value: Minimum \$300; Maximum \$2,500

Program Types:

1. Full-time employees with at least two years of service.

Such employees may borrow a minimum of \$300 and maximum of \$2,500, interest free, for up to two years. The borrowed money will be repaid to the College through payroll deduction over two years (52 pay periods) or sooner if requested.

2. Full-time employees with less than two years of service who have successfully completed three month Orientation Period.

Such employees may borrow up to 2/3 of the purchase price of the item(s), interest free, for up to two years. The borrowed money will be repaid to the College through payroll deduction over two years (52 pay periods) or sooner if requested.

Methods of Payment:

1. Purchase Paid In Full

Provide an original receipt or invoice of the purchase to the Human Resources Office. Reimbursement will be made directly to the employee.

2. Purchase "On Order" or Quote

Provide the original invoice or quote on official company invoice or letterhead for the purchase "On Order" to the Human Resources Office. Payment will be made directly to the supplier.

General Information: Computers and associated devices may be purchased at retail, discount, computer, or office products stores. Information Technology may be contacted for recommendations on specific equipment that will meet your operational needs by calling ext. 7000 or 6601.

General information related to this benefit program may be obtained by calling the Human Resources Office at ext. 6202.

Copies of all invoices, sales receipts, etc. for equipment purchased through this benefit and the original Notes and Security Agreements will be maintained on file in the Human Resources Office in the borrower's personnel file.

### **3. College Store**

Faculty members receive a 10% discount on most items at the College Store. Full-time faculty members may set up a College Store charge.

### **4. Dining \$**

Employees who use dining \$ will receive a 10% discount at any dining register. This may be done by either setting up a payroll deduction (complete payroll form), E-

Services – Online Dining Services using a Credit Card, or visit the ID office in Dining Services with cash, credit card or a check to add Dining Dollars to your ID card.

### ***5. Optional Benefits***

AFLAC Health Insurance Plans  
Flexible Spending Accounts for Health and Dependent Care  
Global Insurance for Travel Outside the USA  
Long Term Care Insurance  
Supplemental Life Insurance for Employees, Spouses and Dependent Children  
United Legal Benefits

### **J. Emergency Preparedness Program**

The College's Emergency Operation Plan can be viewed on the Department of Public Safety Office's web site at  
[http://www.gettysburg.edu/about/offices/college\\_life/safety/emergency\\_preparedness.dot](http://www.gettysburg.edu/about/offices/college_life/safety/emergency_preparedness.dot)

### **Inclement Weather Policy**

As a residential college committed to providing a liberal arts education, Gettysburg College will try to remain open and encourage its faculty and staff to report to work even during periods of inclement weather. However, there may be times when weather conditions cause the College to delay the opening of College activities, to cancel classes and normal business hours, and/or to close the College early.

#### **ACADEMIC AND CO-CURRICULAR ACTIVITIES OPEN**

- Classes will be held at the discretion of faculty.
- All departments and offices are open with at least limited staffing.
- Moodle for individual Class Schedule.
- Designated emergency personnel may be scheduled as needed by their department head.
- Supervisors may approve flex time or work from home for their employees.
- Practices will be held at the discretion of the coach.

#### **DELAYED OPENING**

- Classes and offices can be delayed by 2 hour increments.
- Designated emergency personnel may be scheduled as needed by their department head.
- All departments and offices that do not provide direct student support will be closed until the posted time to open and then all departments and offices are required to be open even with minimum staffing.
- Supervisors may approve flex time or work from home for their employees.
- Student Support Areas will be open: Public Safety, Dining Center, Facilities Services, Library, College Union Building and CUB Desk.

#### **PARTIAL CLOSURE**

- ALL CLASSES, LABS, and PRACTICES ARE CANCELED FOR THE DAY.
- Designated emergency personnel may be scheduled as needed by their department head.
- Departments and offices that do not provide direct student support will be closed.
- Student Support Areas open: Public Safety, Dining Center, Facilities Services, Library, College Union Building and CUB Desk.
- Supervisors may approve flex time or work from home for their employees.
- Pay for support staff emergency personnel who work will be compensated as holiday pay.

#### **FULL CLOSURE**

- ALL CLASSES, LABS, and PRACTICES ARE CANCELED FOR THE DAY.
- All departments, offices and Student Support Areas are closed except for designated emergency personnel.
- Designated emergency personnel may be scheduled as needed by their department head.
- Pay for support staff emergency personnel who work will be compensated as holiday pay.

#### **EVACUATION**

- Designated emergency personnel may be scheduled as needed by their department head.
- Evacuation Shelter/s open.

#### **Inclement Weather Notification**

When adverse weather conditions lead to a delayed opening and/or cancellation of classes and offices at Gettysburg College, Communications and Marketing will be responsible to provide information to the community through a variety of sources.

Campus communications will be updated in the following order:

- An all-campus email will be sent.
- A message will be posted on the College's home page as the first news item and to social media.
- A message will be posted on the College phone number 337.6896.
- An all-campus voice mail message will be sent to College phones.
- If delayed or closed, traditional media outlets, such as TV and radio will be notified.
- If the College delays opening or closes, the emergency mass notification system (EMNS) may be used in extreme situations where traditional communications are ineffective. (i.e.: power outage).

Employees are encouraged to check College communications first since TV and radio stations often will not list specific details especially when they are complicated.

The messages will be brief and will start by giving the status of the College by indicating one of five conditions: academic and co-curricular activities open, delayed opening, partial closure, full closure and evacuation. The message will provide the criteria for each designation.

In some cases, there may be multiple messages needed: one for students, one for faculty, and one for administration and support staff. In these cases, specific information is provided to a particular campus group.

Messages about impending weather forecast, or a weather update, and safety related information, will not be included in the same message but can be referred to by a link or suggested location such as the National Weather Service or the College website.

### **Emergency Personnel**

Some administrative and support staff employees, due to the nature of their jobs, are identified as "emergency personnel" during times of inclement weather. Emergency personnel must be identified as such by supervisors.

Full-time and part-time support staff identified as emergency personnel, who work when the College is officially closed, will receive a premium of 2.5 times their regular hourly pay for all hours worked.

Casual support staff and student employees identified as emergency personnel, who work when the College is officially closed, will receive a premium of 1.5 times their regular hourly pay for all hours worked.

### **Flex-time**

During periods of inclement weather when the College remains open, supervisors will have the option of invoking flex-time for employees. For purposes of this policy, flex-time can be used as follows:

- Supervisors may permit staff to modify their normal work schedule to accommodate weather situations by coming into work late and leaving early and making up the lost time. This should be done within the same pay period for non-exempt employees.
- Support staff and administrative employees may choose to be paid for un-worked hours by using accrued sick or vacation leave.
- Support staff employees may take the hours off without pay and without the need to make up those hours.

### **Interpretations**

Questions regarding flex-time should be addressed to immediate supervisors.

Questions from faculty related to closings and/or delays should be directed to the Provost's Office staff, extension 6820.

Questions from support staff and administrators related to these closings or delays should be directed to the Human Resources and Risk Management Office staff, extension 6202.

The Provost will make policy interpretations concerning the faculty. The Co-Directors of Human Resources and Risk Management will make policy interpretations concerning support, administrative and student staff.

## **Classes and Other Academic Programming**

If the College remains open during inclement weather, the decision to cancel classes is made by the individual faculty member. It is the responsibility of the faculty member to arrange for the notification of students. Individual faculty will also determine whether and when to reschedule cancelled classes and to notify students.

## **K. Employee Standards of Conduct**

### *1. General Standards of Conduct*

Gettysburg College is committed to operating with integrity and in compliance with all applicable federal, state and local laws, regulations and policies. Additionally, all employees are expected to conduct themselves honestly and with a high degree of personal integrity. The mutual respect and collegiality that is gained as a result of adherence to these high standards encourages a positive and productive work environment. This not only involves sincere respect for the rights of others, but also requires that employees refrain from behavior in both their professional and personal lives that might be harmful to themselves, their coworkers and/or the College. To maintain the integrity of Gettysburg College and to protect the rights of its employees, its students, and the College itself, employees are expected to conduct themselves honestly, professionally, and ethically at all times.

Additionally, to make the College a safe and pleasant place to work, every employee is expected to observe certain standards of conduct. Certain conduct is of such serious nature that immediate dismissal may be warranted without prior warning or discipline. Examples of such conduct are as follows: gross insubordination; dishonesty; stealing property or merchandise belonging to the College, its suppliers, students, or other employees; private financial relations with customers or suppliers; deliberate damage to College property; fighting; falsifying or causing to be falsified information on an employment application, time card, or other College documents; unlawful possession, use or distribution of alcohol; intoxication; the illegal use, sale, manufacture, possession or distribution of drugs or narcotics; sexual misconduct, other inappropriate sexual conduct, illegal harassment and/or discrimination; the possession or use of firearms or other weapons on College premises including in an employee's own vehicle; or, the use or threat of violence.

The specific conduct described in this section does not include all of the possible grounds for discipline or discharge. These descriptions are intended as illustrations of the types of conduct that must be avoided for the good of our employees, students, visitors, and the College itself.

Because these rules are essential to our most important function - high quality service to our students - as well as to the efficient operation of our business, the provisions of this section will be promptly and fairly enforced. We appreciate the cooperation of every employee in the careful observance of these standards of conduct.

### *2. Abusive Language*

Profane and/or abusive language will not be tolerated.

### *3. Alcohol Policy*

Faculty members should note the College's alcohol policy concerning consumption of alcohol by students: Gettysburg College does not encourage the use of alcoholic beverages by students. In compliance with current Pennsylvania laws, the College does not approve of the consumption of alcohol by students (or their guests) who are under the age of 21, on or off the campus.

For College events in which students are present, it is recommended that departments consult the College's Alcohol Policy Review and Advisory Board (APRAB) for guidance.

### *4. Campus Smoking Policy*

There is extensive data within the scientific community that illustrates the harmful effects of secondhand smoke on non-smokers. In fact, the Environmental Protection Agency has classified second-hand smoke as a Class A carcinogen, a classification reserved for the most lethal environmental hazards, such as asbestos, benzene, formaldehyde and radon. Research has linked secondhand smoke to lung cancer, cardiovascular disease, asthma, bronchitis, pneumonia, middle ear infections, and nasal and eye irritation. The use of tobacco products is the leading cause of preventable illness and early death.

In an effort to promote a healthy, comfortable and productive work environment for the employees of Gettysburg College, the College has become a smoke-free workplace. Smoking in any form is prohibited inside all college-owned or leased buildings including both residential and non-residential buildings and all recognized student housing including fraternities. In addition, smoking is prohibited in any college-owned or rented vehicles. Individuals who choose to smoke must smoke outside and must stand at least 15 feet away from any campus building. For employees, the enforcement of this policy will rest with the individual supervisor in consultation with the College's Risk Manager. For students, enforcement of this policy will rest with the Office of College Life. Violations of this policy will result in disciplinary action for employees and students. Information about smoking cessation is available through the Human Resources Staff.

### *5. Drug-Free Workplace and Drug-Free Campus*

In compliance with the Federal Drug-Free Workplace Act, it is the policy of Gettysburg College to provide a work environment that is free from the use, sale, possession, or distribution of illegal drugs or the improper or abusive use of legal drugs or alcohol on Gettysburg College premises, and to require College or contract employees to perform all College-related job duties, either on or off the College premises, without the presence of illegal drugs or inappropriate legal drugs in their systems.

The objective of this policy is to ensure a safe, healthy, and work-efficient environment for Gettysburg College employees and the surrounding community. We are concerned about the well-being of employees whose drug or alcohol use, abuse, or dependency may affect their job performance as well as the safety and well-being of co-workers. Gettysburg College will utilize every reasonable measure to maintain a drug and alcohol-free work environment.

Definitions:

- *Illegal Drugs* - Illegal drugs, for the purposes of this policy, include narcotics, hallucinogens, depressants, stimulants, other substances capable of creating or maintaining adverse effects on one's physical, emotional, or mental state, and controlled medication not prescribed for current personal treatment by a licensed medical professional, in a medical setting, to address a specific physical, emotional, or mental condition.
- *Medication or Prescription Drugs* - Medication or prescription drugs, for the purpose of this policy, are drugs that an individual may be taking under the direction of a licensed medical professional in a medical setting to address a specific physical, emotional, or mental condition.
- *Supervisory Referral* - A process whereby supervisors require an employee to seek appropriate referral services through the Employee Assistance Program (EAP).

Awareness: In order to meet the objectives of this policy, Gettysburg College will provide to all employees information about the effects of drugs and alcohol through educational efforts and about the availability of information and services through the Employee Assistance Program (EAP). Additionally, the College will educate and train its management and supervisors to identify problems and symptoms of drug and alcohol abuse.

**Following are descriptions of the health risks associated with the use of illicit drugs and the abuse of alcohol:**

Alcohol

Although moderate alcohol use can be a healthy life-style choice for many, it is America's most abused drug. Each year, alcohol contributes to over one third of all traffic fatalities, over half of fires and half of burn injuries, almost half of hypothermia and frostbite cases and about 20 percent of completed suicides.

Chronic, excessive use causes cirrhosis of the liver, heart disease, cancer, gastrointestinal disorders, pancreatitis, respiratory ailments, neurologic and nutritional disorders.

Alcohol abusers risk two to six times the rate of the population at large for death from disease, accident or violence. Alcohol abuse is a major factor in child abuse, domestic violence, sexual assault and other crimes. Use during pregnancy is linked to early fetal death, decreased birth weight, increased infant mortality and Fetal Alcohol Syndrome.

### Nicotine

Nicotine is contained in tobacco products, nicotine chewing gum/skin patches and snuff. Overdose results in dizziness, weakness, nausea, and in rare cases tremors and convulsions. It is particularly risky when used in combination with other drugs, which increase heart rate and blood pressure.

Smoking causes lung cancer, chronic lung disease, heart and vascular system diseases. Smokers develop thinner skin, possibly due to decreased blood supply, and often appear to age more rapidly than non-smokers.

### Marijuana

Reactions to smoking marijuana depend on its strength, user expectations, mood, setting and other substances unknowingly mixed with the marijuana. It usually produces feelings of relaxation and mild euphoria, but an anxiety/panic reaction can also occur. Use results in cognitive impairment and perceptual distortions, making it very dangerous to drive or to operate machinery while under its influence.

Smoking marijuana increases heart rate, damages lungs and interferes with sex hormone production. Regular users can develop a psychological dependence on the drug. Heavy use in adolescence can interfere with the development of adequate social and coping skills necessary for dealing with normal frustrations and stresses of life. “Amotivational Syndrome” is characterized by lethargy, loss of interest in work, relationships, exercise and other key life components. Academic performance can be particularly adversely affected by marijuana use in students who have been diagnosed with Attention Deficit Disorder.

### MDMA (Ecstasy)

Although ecstasy users typically seek an increase in pleasurable sensations and emotional closeness with others, use can also result in anxiety, paranoia, and psychotic episodes. It appears that with repeated use, depression and memory loss may be significant and long-term. Research suggests that repeated use or use at high doses may be linked to *permanent* changes in levels of the neurotransmitter, Serotonin and brain activity. These changes may be more evident in women than men.

Ecstasy use has been associated with a number of deaths, especially in conjunction with intense physical exertion. Overdose, characterized by greatly increased body temperature, hypertension and kidney failure, is typical of a stimulant overdose. It has also been linked to liver failure. Early signs of overdose are jitteriness and teeth clenching.

### Hallucinogens

The effects of hallucinogens (e.g. LSD, psilocybin mushrooms, peyote) are often unpredictable, depending on what the drug is “cut” with, the user’s personality, mood, expectations and setting. Effects include disturbances in sensory perceptions, dilated pupils, increased heart rate, blood pressure and body temperature, sweating, loss of appetite,

insomnia, dry mouth and tremors. Combining PCP-like drugs with alcohol or sedatives can be fatal. Mescaline (peyote) taken with stimulants can also be very dangerous.

Negative psychological reactions (“bad trips”) are unpredictable and not uncommon. They may be mildly anxiety producing or terrifying. Sometimes they can unmask serious underlying psychiatric problems which may require long-term treatment. Flashbacks, in which a person experiences the drug’s effects without taking it again, can occur for months afterwards. Chronic use can result in mental confusion, difficulty with abstract thinking, and impaired memory/attention span/ concentration.

### Stimulants

Stimulant drugs include amphetamines (Dexedrine, “uppers”) diet pills, caffeine (found in products such as “No Doze”) and nicotine. Stimulant drugs are used relatively safely to medically treat overweight, mild depression, fatigue, narcolepsy and Attention Deficit Disorder.

When abused, stimulants are associated with exhaustion, irritability, heart and circulatory system damage (including cardiac arrest and strokes), mental fatigue and confusion, psychosis, convulsions, hallucinations, panic, dizziness, social withdrawal depression and increased suicidal risk. Abusers can become profoundly physically dependent.

### Sedatives

Sedatives include barbiturates, Rohypnol, Valium, Librium and other benzodiazapams (e.g., Xanax), GHB, “date rape drugs”.

Sedatives produce relaxation and at higher doses, lightheadedness, drowsiness, slurred speech and incoordination. Driving can be extremely dangerous. Overdoses, using combinations of sedatives or mixing sedatives with alcohol can be fatal. Rohypnol and GHB, the “predatory drugs,” can be added to drinks to facilitate a sexual assault. GHB is easy to manufacture, difficult to detect in a drink and can be fatal. Anyone who feels weak, dizzy, lightheaded or confused after a drink should obtain medical help immediately.

### Cocaine

Cocaine is a short-acting, stimulant drug which induces short-lived euphoria and increased energy and alertness. Use results in increased motor activity, respiratory rate, blood pressure and body temperature. Cocaine use leads to impaired perception, coordination and reaction times. It also can cause mood changes, impulsive behavior, risk-taking, nervousness, and perceived decreased need for food and sleep.

Cocaine may initially appear to energize the body, but in fact depletes energy by using it up faster. Even small doses of relatively pure cocaine can be fatal by causing hypertension, seizures, convulsions, respiratory and cardiac arrest. Nicotine, when used with cocaine, increases risk for sudden death from cardiac arrest.

Long-term effects can include restlessness, extreme mood swings, insomnia, paranoia, malnutrition, dehydration, constipation, rapid tooth decay and difficulty urinating. Male impotence and reduced female sexual response can also occur.

Addiction develops rapidly, especially when smoked in the form of “crack” cocaine. After the initial euphoria wears off, the user begins to feel depressed. The user then uses more cocaine to offset the depression. Soon, frequent users need the drug just to feel normal.

### Inhalants

Inhalants include nitrites, anesthetics (nitrous oxide), solvents, paints sprays and fuels (gasoline, glues). Risks are especially high with anesthetic agents and solvents which can cause cardiac arrhythmia/arrest and severe, sudden oxygen deprivation. Risks are compounded by the extreme flammability of some of these agents. These agents are also associated with accidents and suicides. A significant percentage of people who die from use, are first-time users. Inhalants are particularly dangerous when combined with alcohol, sedatives, and cold medicines.

Long-term use is associated with central nervous system damage, neurological damage and deficits in memory, attention and concentration.

### Ketamine (“Special K”)

Ketamine is an animal tranquilizer, sometimes used as a “club drug.” It is a disassociative drug, in that the user may lose the normal sense of connection between body and mind. In its tablet, powder, or liquid form it is similar in appearance to cocaine and methamphetamine, and may be mistaken for those drugs. In powder form, it may be sprinkled on tobacco or marijuana and smoked. Or it may be injected. Large doses can lead to convulsions, brain damage, heart attack, stroke, coma, or death.

**Sources:** C Kuhn, S Swartzwelder, W Wilson, Buzzed: The Straight Facts About the Most Used and Abused Drugs, W. W. Norton and Company, 1998.

NIDA (National Institute for Drug Abuse) website:

<http://www.drugabuse.gov/NIDAHome.html>

Prohibited Conduct (Drugs): Employees may not possess, use, purchase, sell, or transfer illegal drugs or controlled substances in any amount on College property (including parking lots), or in College vehicles (either owned by, leased to or used on behalf of the College), or while on College business or performing College-related duties on or off campus. Illegal drugs and substances are those which cannot be legally obtained, including controlled substances and controlled substance analogues, as well as those drugs which, although legal, have been illegally obtained (i.e., prescribed drugs not being used for prescribed purposes or not being used by the intended recipient of the prescription, including amphetamines and barbiturates). Examples of illegal drugs include marijuana, cocaine, “crack,” heroin, morphine, phencyclidine (PCP), hallucinogens, narcotics, etc.

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*Disciplinary Action:* Any employee found to be in violation of this policy will be subject to disciplinary action that may include warning, immediate suspension, and up to and including termination. All such action requires the joint review and approval by the immediate supervisor and the Co-Directors of Human Resources and Risk Management. Any illegal substance confiscated will be turned over to the appropriate law enforcement agency for additional investigating and handling. Illegal substances include medication or prescription drugs not being used in accordance with a legitimate prescription.

*Relapse by Employee:* Any employee who is rehabilitated through the EAP must abide by the terms of any last chance agreement and/or the terms and conditions of the EAP program. Any relapse by an employee will be considered a violation of this policy and the employee will be subject to disciplinary action, up to and including termination.

*Reporting Violations:* As a condition of continued employment with this College, any employee convicted in court of any workplace violation of any criminal drug statute must report the conviction to the College no later than five (5) days after such conviction. An employee who fails to report such a violation is subject to disciplinary action, up to and including discharge.

**Following is description of applicable legal sanctions under local, state, or federal law:**

*Pennsylvania Law/Borough Ordinances:*

Underage drinking 18 Pa. C.S.A. 6308

This includes consumption, or transportation of alcoholic beverages. Penalties include fines from \$300 to \$500, 90 days to one year in prison, and 90-day to two-year driver's license suspension. Parents will be notified for those under 18.

Requesting or inducing a minor to obtain alcohol 18 Pa. C.S.A. 6310

Penalties include fines of not less than \$300, up to \$2,500 and/or up to one year in prison.

Knowingly making, altering, selling, or attempting to sell a false ID:

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Noise Violations (Disorderly Conduct)

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1. We want to encourage employees who think they may have a drug or alcohol dependency problem to seek help voluntarily through the Employee Assistance Program.
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3. There are also a number of drug/alcohol related self-help groups, which meet regularly in the area. For a listing, contact Counseling Services, 337-6960.

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res with sex hormone production. Regular users can develop a psychological dependence on the drug. Heavy use in adolescence can interfere with the development of adequate social and coping skills necessary for dealing with normal frustrations and stresses of life. “Amotivational Syndrome” is characterized by lethargy, loss of interest in work, relationships, exercise and other key life components. Academic performance can be particularly adversely affected by marijuana use in students who have been diagnosed with Attention Deficit Disorder.

#### MDMA (Ecstasy)

Although ecstasy users typically seek an increase in pleasurable sensations and emotional closeness with others, use can also result in anxiety, paranoia, and psychotic episodes. It appears that with repeated use, depression and memory loss may be significant and long-term. Research suggests that repeated use or use at high doses may be linked to *permanent* changes in levels of the neurotransmitter, Serotonin and brain activity. These changes may be more evident in women than men.

Ecstasy use has been associated with a number of deaths, especially in conjunction with intense physical exertion. Overdose, characterized by greatly increased body temperature, hypertension and kidney failure, is typical of a stimulant overdose. It has also been linked to liver failure. Early signs of overdose are jitteriness and teeth clenching.

#### Hallucinogens

The effects of hallucinogens (e.g. LSD, psilocybin mushrooms, peyote) are often unpredictable, depending on what the drug is “cut” with, the user’s personality, mood, expectations and setting. Effects include disturbances in sensory perceptions, dilated pupils, increased heart rate, blood pressure and body temperature, sweating, loss of appetite, insomnia, dry mouth and tremors. Combining PCP-like drugs with alcohol or sedatives can

be fatal. Mescaline (peyote) taken with stimulants can also be very dangerous.

Negative psychological reactions (“bad trips”) are unpredictable and not uncommon. They may be mildly anxiety producing or terrifying. Sometimes they can unmask serious underlying psychiatric problems which may require long-term treatment. Flashbacks, in which a person experiences the drug’s effects without taking it again, can occur for months afterwards. Chronic use can result in mental confusion, difficulty with abstract thinking, and impaired memory/attention span/ concentration.

### Stimulants

Stimulant drugs include amphetamines (Dexedrine, “uppers”) diet pills, caffeine (found in products such as “No Doze”) and nicotine. Stimulant drugs are used relatively safely to medically treat overweight, mild depression, fatigue, narcolepsy and Attention Deficit Disorder.

When abused, stimulants are associated with exhaustion, irritability, heart and circulatory system damage (including cardiac arrest and strokes), mental fatigue and confusion, psychosis, convulsions, hallucinations, panic, dizziness, social withdrawal depression and increased suicidal risk. Abusers can become profoundly physically dependent.

### Sedatives

Sedatives include barbiturates, Rohypnol, Valium, Librium and other benzodiazapams (e.g., Xanax), GHB, “date rape drugs”.

Sedatives produce relaxation and at higher doses, lightheadedness, drowsiness, slurred speed and incoordination. Driving can be extremely dangerous. Overdoses, using combinations of sedatives or mixing sedatives with alcohol can be fatal. Rohypnol and GHB, the “predatory drugs,” can be added to drinks to facilitate a sexual assault. GHB is easy to manufacture, difficult to detect in a drink and can be fatal. Anyone who feels weak, dizzy, lightheaded or confused after a drink should obtain medical help immediately.

### Cocaine

Cocaine is a short-acting, stimulant drug which induces short-lived euphoria and increased energy and alertness. Use results in increased motor activity, respiratory rate, blood pressure and body temperature. Cocaine use leads to impaired perception, coordination and reaction times. It also can cause mood changes, impulsive behavior, risk-taking, nervousness, and perceived decreased need for food and sleep.

Cocaine may initially appear to energize the body, but in fact depletes energy by using it up faster. Even small doses of relatively pure cocaine can be fatal by causing hypertension, seizures, convulsions, respiratory and cardiac arrest. Nicotine, when used with cocaine, increases risk for sudden death from cardiac arrest.

Long-term effects can include restlessness, extreme mood swings, insomnia, paranoia,

malnutrition, dehydration, constipation, rapid tooth decay and difficulty urinating. Male impotence and reduced female sexual response can also occur.

Addiction develops rapidly, especially when smoked in the form of “crack” cocaine. After the initial euphoria wears off, the user begins to feel depressed. The user then uses more cocaine to offset the depression. Soon, frequent users need the drug just to feel normal.

### Inhalants

Inhalants include nitrites, anesthetics (nitrous oxide), solvents, paints sprays and fuels (gasoline, glues). Risks are especially high with anesthetic agents and solvents which can cause cardiac arrhythmia/arrest and severe, sudden oxygen deprivation. Risks are compounded by the extreme flammability of some of these agents. These agents are also associated with accidents and suicides. A significant percentage of people who die from use, are first-time users. Inhalants are particularly dangerous when combined with alcohol, sedatives, and cold medicines.

Long-term use is associated with central nervous system damage, neurological damage and deficits in memory, attention and concentration.

### Ketamine (“Special K”)

Ketamine is an animal tranquilizer, sometimes used as a “club drug.” It is a disassociative drug, in that the user may lose the normal sense of connection between body and mind. In its tablet, powder, or liquid form it is similar in appearance to cocaine and methamphetamine, and may be mistaken for those drugs. In powder form, it may be sprinkled on tobacco or marijuana and smoked. Or it may be injected. Large doses can lead to convulsions, brain damage, heart attack, stroke, coma, or death.

**Sources:** C Kuhn, S Swartzwelder, W Wilson, Buzzed: The Straight Facts About the Most Used and Abused Drugs, W. W. Norton and Company, 1998.

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## **L. Harassment and Discrimination-Free Workplace**

### **Introduction**

Gettysburg College is committed to maintaining an environment conducive to learning for all students and a professional workplace free from harassment and discrimination for its employees. Harassment and discrimination in all forms, including sexual harassment and sexual assault, and all other forms of sexual violence, are antithetical to the values of Gettysburg College, violations of College policy, and, in some instances, violations of state and federal law.

Gettysburg College will not tolerate harassment or discrimination on the basis of race, ethnicity, color, religion, national origin, disability, veteran status, marital/familial status, possession of a General Education Development Certificate (GED) as compared to a high school diploma, sexual orientation, gender identity, gender expression, sex, age, genetic information or any trait or characteristic protected by any applicable federal, state, or local law or ordinance.

Pursuant to Title IX of the Education Amendment of 1972, Gettysburg College prohibits discrimination on the basis of sex in all of its educational programs and activities. Harassment or discrimination on the basis of sex or any other protected characteristic may affect the terms and conditions of employment or interfere with a student's work or academic performance and create an intimidating or hostile environment for that employee or student. As such, harassment or discrimination on the basis of any protected trait or characteristic is contrary to the values of Gettysburg College, is a violation of College policy applicable to faculty, administration, and staff and is a violation of the Student Code of Conduct.

Inquiries concerning the application of these policies may be referred to the Title IX Coordinator or Intake/Investigative Offices or to the Office for Civil Rights, United States

Department of Education. For further information, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the U.S. Department of Education office that serves your area, or call 1-800-421-3481.

### **Section I: Employee and Student Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Sexually Inappropriate Behavior**

All members of Gettysburg College have the right to work and study in an environment free of discrimination, including freedom from sexual harassment, sexual misconduct, dating violence, domestic violence, stalking and other sexually inappropriate behavior. The intent of this policy is to foster responsible behavior in a working and academic environment free from discrimination and harassment. Thus, Gettysburg College strongly disapproves of and forbids the sexual harassment of employees or students, and will not tolerate sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and other sexually inappropriate behavior.

Sexual harassment, sexual misconduct, dating violence, domestic violence, stalking and other sexually inappropriate behavior as defined in Section II of this policy is prohibited when it involves any member of the campus community:

- towards a faculty member or employee by a faculty member or employee
- towards a student by a faculty member or employee
- towards a faculty member or employee by a student
- towards a student by a student
- towards a faculty member or employee or student by a visitor or guest of the College.

All members of the faculty, administration and support staff who have information regarding, are witness to, or become aware of, by any means, any form of sexual harassment, sexual misconduct, inappropriate sexual behavior, dating violence, domestic violence, stalking and/or criminal activity, are **required** to report the incident. Information on how to make a report can be found below in Section IV, **Reporting of Prohibited Conduct, Harassment and Discrimination Violations.**

### **Section II: Other Forms of Harassment/Discrimination**

Employees are expected to maintain the highest degree of professional behavior. All harassment or discrimination by employees is strictly prohibited. Further, harassing or discriminatory behavior of non-employees directed at College employees or students also is condemned and will be promptly addressed.

Discrimination occurs when race, color, national or ethnic origin, sex, sexual orientation, gender identity or expression, marital status, disability, religion, veteran status, age or any protected status is used as criteria for action. Discrimination is particularly condemned when it exploits and jeopardizes the trust that should exist among members of an educational institution. To preserve a work and study atmosphere that fosters such trust, the College affirms the principle that students, faculty, and staff must be treated equitably and evaluated on the basis of merit rather than irrelevant criteria. When a person intentionally or inadvertently abuses the power and authority inherent in his or her position, there can be negative consequences both to the individuals involved as well as to the educational and

working environment of the College.

Discrimination also includes harassment. Harassment may be based on a person's race, color, national or ethnic origin, sex, sexual orientation, gender identity or expression, marital status, disability, religion, veteran status, age or any protected status. It includes a wide range of abusive and humiliating verbal or physical behaviors that are directed against a particular person or persons. In some cases, the conduct may be such that it is clear that it is directed against a particular person or persons, even though the person(s) may not be explicitly identified.

Examples of unacceptable behavior include, but are not limited to, the following:

- physical, emotional, or mental abuse
- racial, religious, ethnic, or gender-based or sexual insults
- derogatory ethnic, religious, or sexual jokes or slurs
- unwelcome sexual comments or advances
- taunting intended to provoke an employee
- requests for sexual favors used as a condition of employment or affecting any personnel decisions such as hiring, promotion, or compensation
- unwanted physical contact such as pinching, grabbing, rubbing, etc. stalking, bullying, cyber-bullying, etc.

All members of the faculty, administration and support staff who have information regarding, are witness to, or become aware of, by any means, any form of harassment or discrimination are **required** to report the incident. Information on how to make a report can be found below in Section IV, **Reporting of Prohibited Conduct, Harassment and Discrimination Violations.**

### **Section III: Prohibited Conduct and Policy Definitions**

In addition to discrimination, this policy prohibits "Sexual Misconduct" and "Relationship Violence," broad categories encompassing the conduct defined below. Sexual Misconduct and Relationship Violence can be committed by anyone and can occur between people of the same gender or people of different genders.

#### **Prohibited conduct includes:**

##### *Sexual Misconduct:*

- Sexual Harassment
- Sexual Assault
- Sexual Exploitation
- Retaliation
- Complicity
- Harassment, Harm to Others, and Harassing Conduct

##### *Relationship Violence:*

- Domestic Violence
- Stalking
- Intimate Partner Violence
- Dating Violence

### **Federal and State Definitions**

*While Gettysburg College has our own set of definitions for certain conduct, we follow*

*federal and state definitions as well.*

The Federal definition (from VAWA) of sexual assault:

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- A) Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition also includes attempts to commit rape.
- B) Fondling: The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- C) Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D) Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

**Consent:** The state of Pennsylvania defines ineffective consent as:

- **Ineffective consent.**--Unless otherwise provided by this title or by the law defining the offense, assent does not constitute consent if:
  - (1) it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense;
  - (2) it is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense;
  - (3) it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or
  - (4) it is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

The state additionally provides descriptors commonly associated with consent as part of its full definition when describing the offense of Rape.

- **Rape Offense defined.**--A person commits a felony of the first degree when the person engages in sexual intercourse with a Reporting Party: (1) By forcible compulsion. (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution. (3) Who is unconscious or where the person knows that the Reporting Party is unaware that the sexual intercourse is occurring. (4) Where the person has substantially impaired the Reporting Party's power to appraise or control his or her conduct by administering or employing, without the knowledge of the Reporting Party, drugs, intoxicants or other means for the purpose of

preventing resistance. (5) Who suffers from a mental disability which renders the Reporting Party incapable of consent.

Further, under Clery and UCR (Uniform Crime Reporting) definitions, the Pennsylvania Crimes Code sections relating to sexual assault (PA CS Title 18, Subsection 3124.1), involuntary deviate sexual intercourse (PA CS Title 18, Subsection 3123) and aggravated indecent assault (PA CS Title 18, Subsection 3125) are considered rape for the purposes of Clery and PA UCR reporting.

**Other Sex offenses** (except forcible rape, prostitution, and commercialized vice)  
—Statutory rape, offenses against chastity, common decency, morals, and the like.  
Attempts are included.

### **Relationship Violence**

Relationship Violence is a violation of this policy and is defined as:

#### **A. Domestic Violence:**

The Federal definition (from VAWA) of domestic violence.

A Felony or misdemeanor crime of violence committed—

- A) By a current or former spouse or intimate partner of the victim;
- B) By a person with whom the victim shares a child in common;
- C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Definition of a Crime of Violence: According to Section 16 of Title 18 of the United States Code, the term “crime of violence” means:

- A) An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- B) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

**Pennsylvania law defines domestic abuse** as “knowingly, intentionally or recklessly causing bodily injury of any kind, causing fear of bodily injury of any kind, assault (sexual or not sexual), rape, sexually abusing minor children, or knowingly engaging in a repetitive conduct toward a certain person that puts them in fear of bodily injury. These acts can take place between family or household

members, sexual partners or those who share biological parenthood in order to qualify as domestic abuse.”

## **B. Stalking:**

The Federal definition (from VAWA) of stalking:

“Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A) Fear for the person’s safety or the safety of others; or
- B) Suffer substantial emotional distress.”

For the purposes of this definition—

- A) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person’s property.
- B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Pennsylvania law defines stalking when a person either:

- (1) Engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
- (2) Engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

**C. Dating Violence** is defined by the Federal Government (VAWA) as:

The term “dating violence” means violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of:
  - The length of the relationship;
  - The type of relationship;

- The frequency of interaction between the persons involved in the relationship.
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Dating violence includes intimate partner violence, causing or attempting to cause physical or emotional harm, , placing another in reasonable fear of serious bodily injury, restraining another's liberty or freedom of movement, where such conduct is directed against the Reporting Party by someone with whom they have been in a romantic or intimate relationship. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

## **Gettysburg College Definitions**

### **Sexual Harassment**

Sexual Harassment can be a single, serious incident or a series of related, repeated incidents. Sexual harassment is defined as unwelcome conduct of a sexual nature (verbal or physical conduct) when the conduct:

- is reasonably perceived as creating an intimidating or hostile work, learning or living environment,
- unreasonably interferes with, denies or limits someone's ability to participate in or benefit from any educational program and/or activities,
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

*In addition to the above, specific types of sexual harassment constituting violations of this policy include:*

**Sexual Assault:** Having or attempting to have sexual intercourse or oral sex, without Consent. Sexual intercourse means anal or vaginal penetration by a penis, tongue, finger, or inanimate object. Sexual assault includes rape, fondling, incest, and statutory rape.

**Non-Consensual Sexual Contact:** Any intentional sexual touching or attempted sexual touching, without Consent.

**Sexual Exploitation:** An act attempted or committed by a person for sexual gratification, financial gain, or other advancement through the abuse or exploitation of another person's sexuality. Examples of sexual exploitation include, but are not limited to, non-consensual observation of individuals who are undressed or engaging in sexual acts, non-consensual

audio- or video recording or streaming of sexual activity, prostituting another person, and allowing others to observe a personal consensual sexual act without the knowledge or consent of all involved parties.

**Coercion:** The use or attempted use of pressure and/or oppressive behavior, including express or implied threats, intimidation, or physical force such that the application of pressure or oppression causes the recipient of the behavior to engage in unwanted sexual activity. Coercion includes administering or pressuring another to consume a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in sexual activity.

**Complicity:** Assisting, facilitating, or encouraging the commission of a violation of the Sexual Misconduct and Relationship Violence Policy.

**Harm to Others:** Physical violence including (but not limited to) physical abuse, assault, threats of violence, striking, shoving or subjecting another person to unwanted physical contact.

**Harassing Conduct:** Intentionally or recklessly endangering, threatening, or causing emotional harm to any person. This may also include causing physical damage to their property.

**Harassment:** Harassment includes any written, verbal or physical acts (including electronically transmitted acts) that is reasonably perceived as creating an intimidating or hostile work, learning or living environment, particularly if questionable behavior is repeated and/or if it continues after the offending party is informed of the objectionable and/or inappropriate nature of the behavior. Harassment can be a single incident, or a series of repeated incidents.

**Sexually Inappropriate Behavior:** Conduct that is lewd or obscene, including sexually suggestive gestures or communication. Public masturbation, disrobing or exposure of one's self to another person without that person's consent is one example. This may be an isolated occurrence.

**Intimate Partner Violence:** Physical violence, sexual violence, and/or psychological abuse by a current or former intimate partner.

**Stalking:** "Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A) Fear for the person's safety or the safety of others; or
- B) Suffer substantial emotional distress."

### **Other Definitions**

**Advisor:** In cases involving an issue or concern outlined in Section I (*Employee and Student Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Sexually Inappropriate Behavior*) only, both the Reporting Party and/or the Responding Party may have an advisor of their choice present during the investigation. Once a complaint has been filed, the Reporting Party and Responding Party may each select an Advisor of their choice. The Advisor is permitted to be a part of any meetings their employee may have. College employees who have an actual or perceived conflict of interest (the Title IX Coordinator, Department of Public Safety, and Human Resources, for example) may not serve as Advisors. An employee should select as an advisor a person

whose schedule allows attendance at the scheduled date and time for any meetings because delays will not normally be allowed due to the scheduling conflicts of an advisor. The Advisor may not speak aloud during meetings involving the employee and an investigator, but may confer quietly or by means of written notes with their advisee.

The Reporting Party and Responding Party are not obligated to accept the counsel of an Advisor.

**Complaint:** A written statement submitted by a third party, Responsible Reporter or the Reporting Party to the College for the purpose of initiating disciplinary proceedings under this Policy. This includes complaints submitted through the Community Concern Form.

**Consent:** Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in, and continue to engage in, a specific sexual activity.

Consent must be informed and voluntary. To give Consent, a person must be awake, of legal age, and have the capacity to reasonably understand the nature of their actions. Individuals who are physically or mentally incapacitated cannot give Consent. Some indicators that an individual is incapacitated due to intoxication may include, but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, or inability to perform other physical or cognitive tasks without assistance. Silence, without actions evidencing permission, does not demonstrate Consent. Where force or coercion is alleged, the absence of resistance does not demonstrate Consent. The responsibility of obtaining Consent rests with the person initiating sexual activity. Consent to engage in sexual activity may be withdrawn by either person at any time. A previous or current dating or sexual relationship, by itself, is not sufficient to constitute Consent. Once withdrawal of Consent has been expressed, the sexual activity must cease. Consent is automatically withdrawn by a person who is no longer capable of giving Consent (due to falling asleep or passing out into a state of unconsciousness, for example).

**Discrimination:** Discrimination refers to the treatment or consideration of, or making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs rather than on individual merit. Discrimination can be the effect of some established practice that confers privileges on a certain class or denies privileges to a certain class because of race, color, national or ethnic origin, sex, sexual orientation, gender identity or expression, marital status, disability, religion, veteran status, age or any protected status. **Harassment is a form of discrimination and constitutes a violation of this Policy.**

**Investigator:** Any College trained administrative official or person or persons appointed by the College who will be responsible for coordinating any investigations into an alleged violation of the Harassment and Discrimination Free-Workplace Policy.

**Reporting Party:** An individual who invokes the College's processes to determine whether this Policy has been violated. The Reporting Party is normally the person who was the target of an alleged violation. If such a person chooses not to proceed with charges, the College may, at its discretion, serve as the Reporting Party.

**Responding Party:** Any individual or authorized student organization alleged to have violated this Policy and against whom a Complaint has been submitted.

**Responsible Reporters:** Responsible Reporters are persons who, as a result of their profession, may be aware of cases of abuse or violence. At Gettysburg College, all faculty, administrators, staff, and student staff (with the exception of psychological counselors and pastoral counselors) are designated as responsible reporters with regard to cases of suspected sexual assault/violence, sexual misconduct, and relationship violence. It is every person's responsibility to keep our community safe and free from discrimination and violence. Suspected incidents need to be immediately reported to the Department of Public Safety (DPS). In the State of Pennsylvania, employees of institutions of higher learning who suspect incidents of child abuse (including incidents of suspected child sex abuse) must report such incidents to the Department of Public Welfare's Child Line (800-932-0313), the police having jurisdiction, and to their supervisor. Pennsylvania recognizes matriculated students under the age of 18 as "children" for purposes of this law and, as such, the college is mandated to report a criminal complaint of abuse or sexual abuse involving anyone victim under the age of 18 immediately to ChildLine and the police having jurisdiction.

**Retaliation:** Acts or attempted acts to retaliate or seek retribution against anyone who has reported Sexual Misconduct or Relationship Violence or who has participated (or is expected to participate) in any manner in an investigation or proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination. **Retaliation constitutes a violation of this Policy.**

In dealing with complaints of harassment and/or discrimination, the College will protect the rights of all parties. The College's commitment to eliminate harassment and/or discrimination from the workplace should not be viewed as a license for employees to engage in unfounded, frivolous, or vindictive actions that are not made in "good faith" in violation of the intent and spirit of this policy.

**Title IX:** Title IX of the Educational Amendments of 1972, 20 U.S.C. §§1681 et seq., and its implementing regulations, 32 C.F.R. Part 106, which prohibit discrimination on the basis of sex, gender identity, or gender expression in education programs or activities operated by recipients of federal financial assistance. Gettysburg College is required to comply with Title IX.

**Trauma Informed Training:** This training is to help investigators and adjudicators understand, recognize, and respond to the effects of trauma. Sexual assault, domestic violence, dating violence, and stalking are deeply traumatic crimes that can cause severe damage to survivors' emotional, spiritual, and psychological well-being. Survivors can be harmed or retraumatized by insensitive, uninformed, or inadequate community and criminal justice system responses. BE Gettysburg College provides awareness training to incident responders, counselors, support personnel, and adjudicators on the impact trauma can have on the lives of survivors. This training helps inform the college's response to victim reports in a way that works to eliminate or significantly reduce the impact of retraumatization.

**Victim:** A person who has experienced sexual or relationship violence. A Victim may also be identified as a Survivor or as a Reporting Party.

**Witness:** Any individual who has seen, heard, or otherwise knows or has information about

a violation or attempted violation of this Policy. Witnesses are protected from retaliation, which includes retaliation from the Complainant, Responding Party, or from another party or parties.

#### **Section IV: Reporting of Prohibited Conduct, Harassment and Discrimination Violations**

Any employee or faculty member who believes he or she has been a victim of any form of prohibited conduct, harassment or discrimination in any form should bring the matter to a Co-Director in the Human Resources Office and/or the Vice Provost. Alternatively, the individual may complete the on-line Community Concern Webform located at:

[www.gettysburg.edu/reportconcern](http://www.gettysburg.edu/reportconcern).

All members of the faculty, administration and all support staff are **required** to report incidents of prohibited conduct, harassment and/or discrimination, including sexual harassment and gender discrimination, sexual misconduct, relationship violence and sexually inappropriate behavior, that they observe, that they are informed about, or of which they become aware, by any means, to a Co-Director of Human Resources and/or the Vice Provost. Alternatively, the individual may complete the on-line Community Concern Webform located at: [www.gettysburg.edu/reportconcern](http://www.gettysburg.edu/reportconcern).

***If you, or another individual, are in need of immediate assistance, please call the Department of Public Safety (DPS) at 717-337-6911 or the Gettysburg Police Department by calling 911. You should call DPS in the following circumstances:***

- The health, safety or well-being of any individual is in jeopardy
- An individual is in need of immediate medical assistance
- Criminal or questionable activity is in progress

For non-emergency reporting, all members of the community may also submit a concern using the Community Care Webform ([www.gettysburg.edu/reportconcern](http://www.gettysburg.edu/reportconcern)). Information provided on this form will be sent to the appropriate College official for review and follow-up. Generally, this form is used for non-emergency information (incident of concern is not in progress) for the following types of incidents:

- Bias incidents
- Crime tips
- Discriminatory Conduct
- General student, employee or faculty concern
- Hazing
- Sexual assault, sexual harassment, sexual misconduct, or relationship violence
- Child abuse - In the State of Pennsylvania, employees of institutions of higher learning who suspect incidents of child abuse (including incidents of suspected child sex abuse) must immediately report such incidents **first** to the Department of Public Welfare's Child Line (800-932-0313), then to the police having jurisdiction, and then to their supervisor.

***If you would like to speak directly with a trained member of the College community, you may also contact one of the individuals listed below (Names, Locations, Emails, phone #s):***

#### **Title IX Coordinator**

**Jennifer McCary**, Title IX Coordinator, Second Floor, College Union Building,

jmccary@gettysburg.edu, 717-337-6907.

**Intake/Investigative Offices:**

**Athletics:**

**Dave Wright**, Director of Athletics, Second Floor, Wright Building,  
dwright@gettysburg.edu, 717-337-6530.

**Department of Public Safety:**

**Bill Lafferty**, Assistant Dean of College Life/Executive Director of Public Safety, Second Floor, College Union Building, wlaftert@gettysburg.edu, 717-337-6321

**Human Resources:**

**Regina Campo**, Co-Director of Human Resources, First Floor, Pennsylvania Hall,  
rcampo@gettysburg.edu, 717-337-6207

**Jen Lucas**, Co-Director of Human Resources, First Floor, Pennsylvania Hall,  
jlucas@gettysburg.edu, 717-337-6211

**Provost's Office:**

**Jack Ryan**, Vice Provost, Third Floor, Pennsylvania Hall, jryan@gettysburg.edu, 717-337-6822

**Student Rights and Responsibilities:**

**Ron Wiafe**, Director of Student Rights and Responsibilities, Second Floor, College Union Building  
rwiafe@gettysburg.edu, 717-337-6907

Inquiries concerning the application of these policies may be referred to the Title IX Coordinator or to one of the offices identified above or to the Office for Civil Rights, United States Department of Education. For further information, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the U.S. Department of Education office that serves your area, or call 1-800-421-3481.

**Statement on Minors**

In accordance with Pennsylvania State Law, it is the legal obligation of the College to report incidents involving victims of sexual assault and/or sexual violence/abuse under the age of 18 immediately to local law enforcement and the PA Department of Human Services ChildLine and Abuse registry. Law Enforcement authorities may notify the victim's parents or guardians as stipulated by law.

Employees and/or matriculated students, in addition to youth camps, high-school overnight guests, other student juvenile guests, under the age of 18 are considered by State Law as "children." Therefore, if the College receives a report that a person under the age of 18 was the victim of sexual violence or abuse, the College will proceed with the reporting structure stated above.

**Role of the Title IX Coordinator:**

**The Title IX Coordinator's role includes providing leadership and direction in the following areas:**

- Coordinate Title IX efforts including the development, implementation, and monitoring of appropriate policies, procedures and practices designed to comply with federal and state legislation, regulation, and case law requiring the prompt and equitable resolution of all complaints pursuant to Title IX;
- Provide direction and oversight for all activities of the Title IX program including consulting with relevant policy-making bodies and senior management team members for the purpose of advising, clarifying and identifying necessary action to eliminate sex and/or gender-based discrimination in all educational programs and activities, to ensure that access to facilities, opportunities, and resources are gender equitable throughout campus;
- Provide oversight to the training effort on Title IX for students and employees (faculty, staff, and administrators), with specialized training for investigators/fact-finders;
- Partner with stakeholders and engage the campus community in strategic efforts aimed at the prevention of sexual violence and other forms of sex and/or gender-based discrimination;
- Oversee the intake and investigative process by ensuring that it is prompt, effective, and equitable. Appoint and supervise the Title IX investigators and oversee investigation efforts. Ensure provision of initial remedial actions; assure compliance with timelines; ensure delivery of appropriate notice of charge, notice of hearing, notice of outcome, duty to warn, and remedies, and ensure a repository for and source of institutional record-keeping;
- Ensure the institution maintains an organizational file of all complaints, and other records regarding Title IX compliance, including annual reports of the number and nature of filed complaints and the disposition of said complaints, data collection, climate assessment, pattern monitoring; and
- Serve as principal contact for government inquiries pursuant to Title IX.
- Chair the institutional Title IX/Clery Committee.

#### **Section V: Investigation of Reports**

All concerns will be taken seriously and directed to an intake office of the College which will then inform the Responding Party about the College's policy regarding such behavior, and advise the Responding Party that retaliation is prohibited.

The College's Title IX Coordinator will be notified of all Title IX/VAWA related claims. In those cases, the Title IX Coordinator will determine to whom to assign the responsibility to investigate. The investigation will typically involve interviewing the Reporting Party, the Responding Party, and any Witnesses and gathering any documents, including electronic documents, relevant to the report. The Responding Party generally has the right to know who has made an allegation against him/her. The supervisor of a Reporting Party and the supervisor of a Responding Party may be notified of the claim, if appropriate.

#### **Review:**

- When the Reporting Party or the Responding Party is a member of the faculty, the investigation will normally be assigned to the Provost's Office. Generally, the Vice Provost will conduct the investigation with a Co-Director of Human Resources.

Any corrective action toward a faculty member will be determined based on procedures set forth in the Faculty Handbook.

- When a claim involves an employee of the College other than a faculty member, the investigation will typically be assigned to a Co-Director of Human Resources. The Title IX Coordinator may delegate responsibility for the investigation to another member of the professional staff or person or persons authorized by the College as appropriate when the situation involves a Title IX/VAWA related claim. Any corrective action toward a member of the professional staff will be based on standard College procedures. The College, in its sole discretion, makes disciplinary decisions.
- Student complaints about a faculty member or another employee of the College will be reviewed by either the Vice Provost (in the case of a faculty member), the Title IX Coordinator (in situations involving Title IX/VAWA related claims) or a Co-Director of Human Resources (in the case of an employee).
- Faculty or staff complaints about a student will be reviewed by the Title IX Coordinator or trained designee. The judicial procedures for sexual harassment grievances are outlined in the Student Code of Conduct.
- Student complaints about other students will be reviewed and investigated per the Sexual Misconduct and Relationship Violence Policy by the Title IX Coordinator or Director of Student Rights and Responsibilities. The judicial procedures for sexual harassment grievances are outlined in the Student Code of Conduct.

During the course of an investigation, the individual conducting the investigation may consult with or notify the College President; the Provost; the Vice President of College Life/Dean of the College; the Co-Director of Human Resources; the Executive Director of Public Safety; and/or another administrator or outside legal counsel as appropriate.

Confidentiality will be maintained throughout the investigation to the extent practical and consistent with the College's need to undertake a full and impartial investigation. Only those with a business need-to-know will be involved in the investigation.

In cases involving an issue or concern outlined in Section I (*Employee and Student Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Sexually Inappropriate Behavior*) only, both the Reporting Party and/or the Responding Party may have an advisor of their choice present during the investigation. The role of an advisor is to support the parties, but the advisor may not represent the party during the investigation. Each party may speak quietly with his or her advisor or request a short break in order to consult with his or her Advisor.

Employees questioned by the College during the course of an investigation are expected to provide their full cooperation. In turn, it is the expectation of the College that all those involved in an investigation, including the Reporting Party, the Responding Party, and all Witnesses, will be treated with dignity and respect during the course of the investigation.

If criminal conduct has been alleged, the Reporting Party may elect to file a complaint with the appropriate authorities. The College will conduct its own investigation even if a criminal investigation occurs.

The College will normally conclude its investigation in a period of 60 days or less. In rare cases where the matter presents particular complexities or the unavailability of witnesses,

the time period may be extended. All investigations will offer an equal opportunity for the Reporting Party and the Responding Party to present relevant witnesses and other evidence. At the conclusion of the investigation, appropriate administrators of the College will determine whether a violation of this policy occurred using a “preponderance of the evidence” standard. This means that, based on the totality of the evidence, harassment more likely than not occurred (not a “clear and convincing evidence” standard).

The Reporting Party and the Responding Party will be apprised of the outcome of the investigation in writing. The College Grievance/Appeal Procedure is available to employees after a determination has been made by the appropriate administrator as discussed above (as long as it meets one of the three grounds identified in the policy). Please see Section VIII for more information about the College Grievance/Appeal Procedure.

If harassment or other violation is found to have occurred, immediate and appropriate action will be taken to stop the harassment or other violation, eliminate the hostile environment, prevent its recurrence, and remedy its effects.

Where a Responding Party has been found responsible, the College will take appropriate actions which may include disciplinary and corrective actions designed to prevent future occurrences. Sanctions may be issued individually, or a combination of sanctions may be imposed. The determination of sanctions is based upon a number of factors, including: the nature, severity of, and circumstances surrounding the violation; the harm suffered by the Reporting Party; any ongoing risk to either the Reporting Party or the community posed by Responding Party; the impact of the violation on the community, its members, or its property; any previous disciplinary history; previous complaints or allegations involving similar conduct; and any mitigating or aggravating circumstances. **Disciplinary measures may consist of actions including verbal warning, written warning, last chance agreement, suspension without pay, or termination of employment. Employees found responsible for incidents of sexual violence or assault will receive a more significant sanction, up to and including termination.** The determination of sanction is made by a Co-Director of Human Resources. Faculty disciplinary matters will be handled per procedures outlined in the Faculty Handbook.

In appropriate cases, the College may determine that the misconduct was motivated by bias, insofar as a Reporting Party was selected on the basis of his or her race, color, ethnicity, national origin, religion, sex, sexual orientation, gender expression, age or disability. Where the College determines that the misconduct was motivated by bias, the College may elect to increase the sanction imposed as a result of this motivation. Disciplinary sanctions may range from probation to permanent separation from the College. They may also include any educational, remedial or corrective actions as warranted.

Sexual assault allegations cannot be resolved through any voluntary or informal process.

#### **Statement on Privacy**

The College will take all reasonable steps to investigate and respond to the complaint consistent with any request for privacy or request not to pursue an investigation. However, its ability to do so may be limited based on the nature of the request by the Reporting Party. If the Reporting Party requests anonymity or that the College not pursue an investigation,

the College must balance this request in the context of its responsibility to provide a safe environment for all College community members. In cases where the College cannot respect the request of the Reporting Party, the College will consult with the Reporting Party and keep him or her informed about the College's course of action.

If the report of misconduct discloses an immediate threat to the College campus community, where timely notice must be given to protect the health or safety of the community, the College may not be able to maintain the confidentiality.

The College will assess any barriers to proceeding, including retaliation, and in cases where informal or formal resolution will take place, the College will inform the Responding Party that Title IX prohibits retaliation and the College will take strong responsive action to protect the Reporting Party.

The College will consult the Title IX Coordinator who is responsible for evaluating requests for confidentiality once the College has received a report of sexual violence.

## **Section VI: Interim Measures**

### **Overview**

During the investigation and prior to the final determination, the College may take appropriate Interim Measures to protect the parties involved. A Reporting Party or Responding Party may request an Interim Measure or other protection or the College may impose Interim Measures at its discretion to ensure the safety of all parties, the College community, and/or the integrity of the process. These actions are not a presumption of responsibility for violation of the Standards of Conduct Policy. Interim measures may be imposed whether or not formal disciplinary action is sought by the Reporting Party or the College.

### **Types of Interim Measures**

The College after consulting with the Reporting Party will determine which measures are appropriate to ensure the Reporting Party's safety and equal access to employment:

- Assistance in alternative College employment arrangements and/or changing work schedules, when possible
- A "no contact" directive pending the outcome of an investigation. Such directives serve as notice to both parties that they must not have verbal, electronic, written, or third party communication with one another
- Providing an escort to ensure that the employee can move safely across campus
- Assistance identifying an advocate to help secure additional resources or assistance including off-campus and community advocacy, support and services
- Issue a full, partial, or modified persona non grata (PNG) to the Responding Party if appropriate
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy

The College will work with the Reporting Party to identify what interim measures are appropriate in the short term, and will continue to work collaboratively throughout the College's process and as needed thereafter to assess whether the instituted measures are effective and, if not, what additional or different measures are necessary to keep the victim safe. The Reporting Party and Responding Party will be notified in writing of any or all Interim Measures.

## **Section VII: Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking**

### **Off-campus**

While Gettysburg College attempts to offer a number of on campus resources, we encourage employees to go to the hospital for medical care, as the staff there is trained in evidence collection.

DPS can assist a victim who is seeking out a Sexual Assault Nurse Examiner (SANE) at the Gettysburg Hospital Emergency Department. SANEs are trained to provide counseling, perform the examination to retrieve forensic evidence and screen the victim for pregnancy and sexually transmitted infections (STI).

Other off-campus resources are also available as listed below.

Gettysburg Hospital	717-334-2121
Survivors Inc.	717-334-9777
Mobile Crisis	866-352-0339

Survivors Inc. is a local organization providing a number of services around sexual assault and domestic violence including:

- 24 Hour Hotline that provides crisis counseling, safety planning, and arrangements for counseling, medical and legal accompaniment, and other referral services
- Supportive Individual Counseling
- Support Groups
- Emergency Shelter Services and Bridge Housing for those who are eligible
- Legal Advocacy
- Medical Accompaniment
- Bilingual and Bicultural Staff
- Systems Advocacy
- Community Education
- Mandated Reporter Training

For more information on Survivor's Inc. visit [www.enddvsa.org](http://www.enddvsa.org).

### **On-campus**

Gettysburg College is committed to treating all members of the community with dignity, care, and respect. Gettysburg College recognizes that deciding whether to make a report and choosing how to proceed can be difficult decisions. Gettysburg College encourages any individual who has questions or concerns to seek the support of campus and community resources. These professionals can provide information about available resources, and procedural options, and assistance to both parties in the event that a report and/or resolution under this policy are pursued. Individuals are encouraged to use all available resources, regardless of when or where the incident occurred.

The Employee Assistance Program	1-800-673-2514 * Confidential Resource
Department of Public Safety	717-337-6911

Title IX Coordinator	717-337-6900
Pastoral Counseling	717-337-6280 * Confidential Resource
Sexual Misconduct Resource Site	<a href="http://www.gettysburg.edu/sexualmisconductresource">www.gettysburg.edu/sexualmisconductresource</a>
Human Resources	717-337-6202
Provost Office	717-337-6821

### **Confidential and Anonymous Reporting**

Adams County, PA, which includes the borough of Gettysburg and surrounding area, has established an anonymous reporting protocol for victims of sexual assault. The purpose of this protocol allows Adams County, PA to develop an alternative to standard reporting procedures for sexual assault victims. If a sexual assault victim does not currently wish to involve police, there is still an option to have the forensic evidence collected in a timely manner. By providing victims with the opportunity to gather information, solidify their support system, and establish rapport with first responders, the county hopes to create an environment that encourages reporting, even for those victims who initially feel unable, unwilling or unsure about doing so. Victims choosing to have evidence collected while anonymously reporting the sexual assault can do so during the forensic exam at the Gettysburg Hospital. The Adams County District Attorney's Office manages the anonymous reporting protocol.

Gettysburg College also provides an Employee Assistance Program (EAP) for use by employees. The EAP is available to provide full-time support staff employees assistance with such problems as sexual or physical abuse, depression, marital and relationship conflict, stress, grief, critical incident stress, anxiety, and other personal matters. All full-time employees, regardless of performance, are eligible. The contact number the EAP is listed above.

All information relating to an employee's EAP participation is strictly confidential. Only the EAP provider maintains EAP records. The EAP provider does not release specific information about an employee's use of EAP services, unless the employee gives his or her advance written consent.

### **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint, the college will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights.

In Pennsylvania, when an abuser is a present or past member of the victim's household or family, the victim is eligible for a Protection From Abuse ("PFA") order. PFA orders are court orders a judge can issue that require an abuser to stay away from a victim of domestic violence, dating violence or stalking.

When an abuser is not a present or past member of the victim's household or family, adults and minors can petition for a Sexual Violence Protection Order ("SVPO"). For example, a SVPO could be granted for a victim who is sexually assaulted by a coworker, and who has no other relationship with the coworker – is not now or never was a family relation, spouse, dating partner, or member of the same household.

The Protection From Intimidation Order ("PFIO") was created to protect minors when the

offender is age 18 or older. For example, a PFIO could be granted for a child whose sports coach or an adult friend of the family is stalking or harassing him or her.

PFA's, SVPO's, and PFIO's could include the following:

- An order restraining the abuser from further acts of abuse;
- An order directing the abuser to leave your household/place of residence;
- An order directing the abuser to refrain from stalking or harassing you or other designated persons;
- Other protections based on issues related to cohabitation, residency, employment, and child custody.

DPS will help put victims who are interested in pursuing a PFA, an SVPO, or a PFIO in contact with local officials. Any employee who obtains a PFA, and SVPO, or a PFIO from Pennsylvania or any similar Order from a reciprocal State should provide a copy to DPS. A Reporting Party may then meet with DPS to develop a Safety Action Plan, which is a plan for DPS and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, etc. DPS will help facilitate the reporting of PFA, SVPO, or PFIO violations to the local police.

While not the same as the above-referenced Court Orders, the College can issue a No Contact Directive. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" directive may include additional restrictions and terms.

### **Section VIII: Additional information**

#### **The Violence Against Women Reauthorization Act of 2013**

The Violence Against Women Act (VAWA) incorporated with the Campus Sexual Violence Elimination Act (Campus SaVE) requires crimes of domestic violence, dating violence and stalking incidents to be reported to campus security authorities or local police agencies.

#### **TIMELY WARNING CAMPUS SAFETY ALERTS - NOTIFYING THE GETTYSBURG COLLEGE COMMUNITY ABOUT CRIMES:**

In an effort to provide timely notice to the Gettysburg College community in the event of a serious incident which may pose a serious or on-going threat to members of the campus community, a Campus Safety Alert (timely warning) that withholds the names of victims as confidential and that will aid in the prevention of similar crimes, is sent primarily by blast email to all students and employees on campus – alerts can also be sent/communicated via Gettysburg's text/voice messaging system and a variety of other notification methods as outlined in the emergency/immediate notification section of this brochure.

Campus Safety Alerts are generally written and distributed to the campus community by the Executive Director of Public Safety or a designee and they are routinely reviewed and approved by the Vice President for College Life and Dean of Students or a designee prior to distribution. The Executive Director of Public Safety has the authority to issue a Campus

Safety Alert without such consultation if consultation time is not available.

Timely warning Campus Safety Alerts are sent to the college community to notify members of the community about specific Clery Act crimes (as described below) that have been reported to DPS and that have occurred on campus or on non-campus property or public property, where it is determined that the incident may pose a serious or ongoing threat to members of the College community. Such timely warnings provide an opportunity for individuals to take reasonable precautions for their own safety.

Crimes that occur outside the campus' Clery geography as stipulated will be evaluated on a case-by-case basis. Gettysburg College is not required by law to issue a timely warning alert for off-campus crimes; however, if there is a crime that poses an ongoing or serious threat, this information may be distributed to the campus as a Public Safety Notice, as outlined and described in the below policy statement for Public Safety Notices. Updates to the campus community about any particular case resulting in a Campus Safety Alert may be distributed via blast email, may be posted on the college website, may be shared with the Gettysburgian newspaper for a follow-up story, and may be distributed by the Executive Director of Public Safety or other member of the campus emergency response team (CERT); as deemed necessary. Campus Safety Alert posters may also be posted by DPS in campus buildings when deemed necessary. When Campus Safety Alerts are posted in campus buildings, they are printed on red paper and posted in lobby/entrance areas of affected buildings for a time period determined by the Executive Director of Public Safety or designee.

Campus Safety Alerts (timely warnings) may be distributed for the following Uniform Crime Reporting (UCR)/National Incident Based Reporting System (NIBRS) classifications: murder and non-negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, arson, hate crimes, and motor vehicle theft.

Alerts for the crimes of aggravated assault, motor vehicle theft, burglary, sex offenses, domestic violence, dating violence, and stalking are considered on a case-by-case basis and depend upon a number of factors. These include the nature of the crime, the timeliness of the report, the continuing danger to the campus community—such as whether the perpetrator was apprehended—and the possible risk of compromising law enforcement efforts. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other Gettysburg College community members and a timely warning Campus Safety Alert would not be distributed.

In cases involving sexual assault that can be typically reported long after the incident occurred, there is no ability to distribute a timely warning Campus Safety alert to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the Department of Public Safety.

Typically, alerts or warnings are not issued for any incidents reported that are older than two weeks or 14 days from the date of occurrence as such a delay in reporting has not afforded the College an opportunity to react or respond in a timely manner.

The Executive Director of Public Safety or designee reviews all criminal and/or serious incidents to determine if there is an on-going threat to the community and if the distribution of a Campus Safety Alert is warranted. Campus Safety Alerts may be issued for other crime classifications, as deemed necessary.

Campus officials not subject to the timely reporting requirement are those with significant counseling responsibilities who were providing confidential assistance to a crime victim, such as pastoral counselors and professional counselors.

### **Ongoing Education and Awareness Programming**

The College offers programs to faculty and employees to raise awareness about Title IX and the Violence Against Women's Act.

- Online Education through Lawroom
- New employee and new faculty orientation
- Bystander intervention workshops

### **Section IX: Grievance Procedure**

This College Grievance Procedure is available to employees after a determination has been made by a College administrator as discussed above in Section IV.

Purpose: The College Grievance Procedure exists as a means to contest a determination that has been made regarding an alleged violation of the College's Harassment and Discrimination-Free Workplace Policy, including any Title IX related claims. There are three grounds for which either party may grieve under this procedure:

The complainant or the respondent believes that the discipline/sanction imposed was inappropriate for the violation of policy for which he or she was found responsible;

An error occurred during the investigative stage preventing either the complainant and/or the respondent a reasonable opportunity to prepare and present information to the investigator(s); or

There is a discovery of new information that was not available at the time of the investigative process and could have affected the outcome of the matter.

**What Categories of Grievance Are Not Covered by the College Grievance Procedure**

The College Grievance Procedure does not apply to issues concerning compensation, classification, work standards, stated College policy, matters that are beyond the control or jurisdiction of the College, or any disciplinary matter or termination unless the employee believes that such actions were the result of unlawful discrimination or harassment.

Additionally, dismissal of a faculty member for cause, non-reappointment of a non-tenured faculty member, or tenure/promotion issues may not be addressed with the College Grievance Procedure. These faculty issues, which may be addressed using procedures found in the Faculty Handbook, are under the purview of the Faculty Grievance Committee, a faculty committee that is distinct from the College Grievance Committee created under this

policy.

This is not a legal proceeding but a Gettysburg College community procedure created with the health and welfare of the College's employees in mind. The College Grievance Procedure may be used freely without fear of retaliation, and the Co-Directors of Human Resources, working with the Vice Provost and/or the Director of Student Rights and Responsibilities, if appropriate, are available for assistance throughout the process.

#### Composition of the College Grievance Committee

Under this policy, Gettysburg College maintains a body called the College Grievance Committee. Members of this committee are appointed by the President of the College for terms of three years. The College Grievance Committee will be composed of three tenured faculty members, three administrators, and three support staff members. The Chair of the College Grievance Committee will be a tenured faculty member and may serve as one of the four voting members of a grievance hearing panel.

#### Grievance Process

The employee must file a Notice of Grievance Form within seven (7) business days of the final determination with (1) the Co-Directors of Human Resources in the case where the grievant is an administrator or support staff member, (2) the Vice Provost in the case where the grievant is a faculty member, or (3) the Director of Student Rights and Responsibilities in the case where the grievant is a student employee. This form will ask the grievant to identify which of the three grounds (or combination of the three), referred to in the Purpose discussion above, he or she seeks to have addressed. The grievant will be asked to make a formal statement outlining the specifics of his or her grievance.

Upon receiving the Notice of Grievance Form, the Co-Directors of Human Resources, the Vice Provost, or the Director of Student Rights and Responsibilities will forward the Notice to the Chair of the College Grievance Committee. From the appointed College Grievance Committee members, the Chair will select a hearing panel of an additional three members, including one staff member and one administrator. If a student is a party to the grievance, the student may request of the Chair of the College Grievance Committee that the hearing panel include one student appointed by the Director of Student Rights and Responsibilities from the student members of the Student Conduct Review Board. The Chair will endeavor to have male and female representation on the hearing panel.

The hearing panel will meet to review the formal grievance within the context of the policy of the College Grievance Procedure. The hearing panel may decide on the basis of the written grievance that the challenge does not satisfy one of the three grounds for a grievance. In such cases, the hearing panel will promptly forward its decision to the Co-Directors of Human Resources, the Vice Provost, and/or the Director of Student Rights and Responsibilities, as appropriate.

If and only if the hearing panel decides that one or more of the three grounds for a grievance are met, the hearing panel will promptly schedule a hearing. The hearing will not revisit the entire matter, but will be limited to addressing the grounds for the grievance. At this hearing, the burden of proof will be on the grievant to establish the foundation for the grievance with clear and convincing evidence. The hearing will be a closed meeting, including only those persons whom the hearing panel deems necessary to address the

grounds for the grievance. Witnesses will be present only when their testimony is being taken.

In cases involving an issue or concern outlined in Section I only (Employee and Student Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Sexually Inappropriate Behavior), both the grievant and/or the respondent may have an advisor of their choice present during the grievance. In cases involving other forms of harassment or discrimination, the grievant may choose any current faculty member, administrator, support staff member, or student who is not directly involved in the case to serve as his/her advisor. There will not be attorneys present for the parties in cases involving other forms of harassment or discrimination. In all cases, the role of an advisor is to support the grievant/respondent, but the advisor may not represent the grievant/respondent during the grievance. In all cases, the grievant/respondent may speak quietly with his or her advisor or request a short break in order to speak.

The hearing panel will make a recommendation concerning the allegations of the grievance based on a majority vote. When the hearing panel consists of four members, a clear majority is three. Promptly after the completion of the hearing, the grievant will be advised of the recommendation of the hearing panel. The hearing panel will also advise one or more of the following persons: the Provost, if the grievant is a faculty member administrator or support staff member; or the Vice President for College Life, if the grievant is a student. If one of these administrators is the complainant or the respondent in the original hearing, the hearing panel will advise the President of the College of its recommendation instead of that administrator. The hearing panel has no restrictions upon it as to what it may recommend: from a finding that the grievance is not established, to a reprimand, to further proceedings for dismissal of the employee.

The administrator, who is advised of the outcome of the hearing as set forth in paragraph 6 above, will review promptly the recommendation of the hearing panel. This administrator, who is not bound by the recommendation of the hearing panel, will determine any resolution of the grievance, including a sanction, within the authority of his or her position. The decision of this administrator is final.

## **Section X: Consensual Sexual or Romantic Relationships**

In General: There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions of authority. At Gettysburg College, such positions include (but are not limited to) teacher and student, supervisor and employee, senior faculty and junior faculty, advisor and advisee, coach and athlete, and the individuals who supervise the day-to-day student living environment and student residents. Because of the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and/or the evaluation provided by those in authority, particularly in the teacher-student context. These relationships may be less consensual than the individual whose position confers power or authority believes. The relationship is likely to be perceived in different ways by each of the parties involved, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

**With Students:** It is a violation of College policy and strictly prohibited for a faculty, administrator, or support staff member to engage in an amorous, dating, or a sexual relationship with a currently enrolled Gettysburg College student except in the case of a relationship that begins before either the employee is employed by the College, or the student first enrolls at the College. Any faculty, administrator, or support staff member who is in such a pre-existing relationship with a student must disclose the relationship to the appropriate College official. In the case of an administrator or support staff member, disclosures must be made to Co-Director of Human Resources, and faculty members must disclose the relationship to the Provost. After one year of service, spouses and domestic partners of Gettysburg College employees are eligible for tuition benefits at the College.

This policy does not intend to alter this benefit; therefore, relationships with non-traditional students who are taking classes at Gettysburg College as a part of the employee tuition benefit are permitted.

**With other employees:** Amorous, dating, or sexual relationships between faculty, administrators, or support staff members are impermissible when the faculty, administrator, or support staff member has supervisory or evaluative responsibility for the other individual. It is a violation of College policy for a faculty, administrator, or support staff member to engage in an amorous, dating, or sexual relationship with a faculty member, support staff member, or administrator whom he/she evaluates, supervises, or over whom he/she can exercise employment authority in any way.

The College upholds that sexual or romantic relationships between faculty, administrators, or support staff members employed within the same department, even when consensual, and whether or not the faculty, administrator, or support staff members would otherwise be subject to supervision or evaluation by the faculty, administrator, or support staff member, is inconsistent with the proper role of the faculty, administrator, or support staff member, and should be avoided. Therefore, Gettysburg College strongly discourages such relationships.

Where such a relationship exists by virtue of marriage or partnership within the same department, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she does not exercise any supervisory or evaluative function over the other person in the relationship. Recusal is required and the

recusing party must also notify his or her supervisor, department chair or dean in writing, so that such chair, dean, or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be implemented. The chair, dean, or supervisor must utilize the alternative supervisory or evaluative arrangement. Administrators and support staff members must notify the Human Resources and Risk Management Office in writing when recusal is required. Faculty members must notify the Provost's Office in writing when recusal is required.

Responsibility: The Provost's Office will respond to issues arising from this policy involving faculty members. The Human Resources and Risk Management Office will respond to issues arising from this policy involving administrators or support staff members.

### **M. Ethics and Integrity Internal Reporting Process**

Gettysburg College is committed to ethics, integrity and high standards in all of its business practices ("Conduct Standards"). Individuals associated with Gettysburg College are expected to act in a manner that reflects these Conduct Standards. For purposes of this policy, the term "associated with Gettysburg College" means faculty, employees, students, and visitors (collectively "College Associate(s)"). The Conduct Standards are more specifically expressed in the Faculty Handbook, Employee Handbook, Student Rights and Responsibilities Handbook, and other policies that are part of the College's Ethics and Integrity Program. This policy has been approved by the Board of Trustees, the Audit Committee, and the President's Council. The College's Ethics and Integrity Officer oversees this policy, in coordination with the Designated Authorities (as defined below).

#### **Policy Statement:**

Any College Associate with a question or concern relating to potential illegal or dishonest activity or other misconduct involving the College's business affairs or the use and management of College resources and information (a "Concern") is encouraged to report the Concern using the process described below under the section on "Ethic and Integrity Internal Reporting Process."<sup>1</sup>

The College will not tolerate retaliation against any College Associate reporting a concern. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Any College Associate who believes he/she is being retaliated against should contact the Ethics and Integrity Officer. If retaliation is found to have occurred, immediate and appropriate action will be taken to stop the retaliation, prevent its recurrence, and correct its effects. The College may take disciplinary action (up to and including termination) against any employee who has engaged in retaliatory conduct in violation of this policy.

Confidentiality will be maintained throughout the investigation, to the extent permitted by law, and as otherwise may be reasonably required to conduct an investigation.

Ethics and Integrity Internal Reporting Process

Any College Associate with a Concern is encouraged to report it by calling the Gettysburg College Ethics and Integrity Hotline (1-844-362-9797). These reports will then be automatically directed to the College's Ethics and Integrity Officer, who will forward the information to one of the following individuals, depending on the nature of the Concern (identified collectively as Designated Authorities):

Designated Authorities are:

Vice Provost  
Co-Directors of Human Resources and Risk Management  
Director of Student Rights and Responsibilities

In the alternative, concerns may also be reported to an immediate supervisor, Human Resources, or directly to the Ethics and Integrity Officer.

Concerns about the Ethics and Integrity Officer or the President should be directed to the Chair of the Audit Committee or the Chair of the Board of Trustees.

Reports should contain as much factual information as possible, including dates, names and any other information that can be corroborated to support the investigation.

Concerns filed in good faith that prove to be unfounded will not be subject to disciplinary action. A College Associate who knowingly files a false or materially misleading Concern is subject to disciplinary action.

#### Investigation Procedure

The College Associate who reports the Concern is not responsible for, nor is the College Associate the appropriate party to, investigate the activity or for determining fault or the need for corrective measures. All Concerns reported under this policy will be promptly, thoroughly, and impartially investigated.

The Ethics and Integrity Officer will oversee and coordinate any investigations undertaken pursuant to this policy.

The Ethics and Integrity Officer will review the Concern with the Designated Authority, determine the level of investigation the Concern warrants, identify the appropriate party to perform the investigation, determine if the facts do or do not support the Concern, and recommend any corrective actions. Designated Authorities will coordinate action with the Ethics and Integrity Officer.

The College will take appropriate corrective action to ensure that the Conduct Standards are upheld. If an investigation determines that corrective action is necessary, the corrective action will be implemented in accordance with the applicable Conduct Standards, e.g., the Faculty Handbook, Employee Handbook, and/or the Student Rights and Responsibilities

Handbook.

Questions regarding this policy should be directed to the Ethics and Integrity Officer.

## **N. Religious Inclusion Policy**

Gettysburg College is fully committed to diversity, equity, and inclusion. If they choose, all students, faculty, administrators, and support staff have the right to engage in essential practices of their faith while minimizing conflict with work, academic or athletic requirements. The official Gettysburg College calendar recognizes and includes all major Christian, Jewish, Muslim, Hindu, and Buddhist holidays. Notations are made in the 25Live events management system to designate the official beginning and ending times of these holidays.

In order to recognize the practices of members of our Gettysburg College community, the College follows the following guidelines:

### **For Faculty/Administrators/Support Staff:**

Gettysburg College urges faculty, administrators, and support staff members to be sensitive to religious holidays when scheduling events or major assignments in order to avoid conflict.

Individuals in charge of scheduling campus-wide events, such as lectures and performances, should not schedule those to occur during religious holidays, with the exception of events in celebration of those holidays.

Requests by a faculty member for leave for religious accommodation, shall be considered under this Policy if the faculty member has made arrangements for any missed classes and the granting of the leave will not result in undue hardship for the College. Faculty that miss scheduled class time due to a religious observance must make appropriate alternate arrangements for that missed time to minimize impact on the students' learning and inform the department chair of those arrangements.

For Administrators and Support Staff, the use of vacation leave is governed by the Employee Handbook. Vacation days requested for the express purpose of religious observance will not be unreasonably denied by the staff member's supervisor if the staff member has accrued vacation leave and the granting of leave or vacation time will not result in undue hardship for the Department or the College.

### **Retaliation:**

Any attempt to retaliate against an individual who files a religious accommodation request

or otherwise utilizes this Policy is strictly prohibited.

Nothing in this Policy exempts a Gettysburg College student, faculty member, administrator, or support staff member from fulfilling their respective academic and job responsibilities. Violations of this policy will be reported to the Chief Diversity Officer and resolved with the assistance of the appropriate Vice President or the Provost.

### **Procedures for Accommodations**

Requests for accommodations due to participation or observance of religious holidays must be made through the Religious Observance Accommodation Form. As indicated on the form, students should submit the form to their faculty member, coach, or supervisor. Faculty and employees should submit the form to their department chair or supervisor. Submission of the form does not equal approval of the request.

### **O. Computer Network Use Policy**

**Introduction:** Gettysburg College provides a campus computer network, including access to the Internet (the "Gettysburg College Network"), for students, faculty, administrators, staff, alumni, parents, and friends of Gettysburg College in order to further the educational purposes of the College.

Use of the Gettysburg College Network is governed by this Network Use Policy and is subject to all applicable federal, state, and local laws as well as the rules and regulations of the College.

**College Authority:** By using the Gettysburg College Network, users are granting permission for authorized Gettysburg College personnel to monitor, review, and/or intercept electronic communications, electronic records and data, and user information (as further defined below). Access that is necessary to render services or to protect the property of the provider of the service is allowed under the Electronic Communications Privacy Act of 1986 (ECPA). Further, electronic mail and other forms of electronic communication (E-mail) are neither secure nor protected by the laws that apply to the United States Postal Service. E-mail, records, files, communications, generated meta data, voice mail, text messages, social media activity, and any other network activity created using, stored on, generated on, transmitted via, or received by the Gettysburg College Network are Gettysburg College property and are subject to review by authorized personnel designated by Gettysburg College.

### **Privileges of Network Users**

**Privacy:** As you use our network services we collect certain information about you and the services you use. The information we collect falls into two different categories: (1) information you give us; and (2) information we collect from you automatically when you use our services.

**Information You Give Us:** We collect information you give us when you use our services. The information you give us may include your first or last name, username, password, email address, postal address, phone number, demographics information, and any other information you choose to give us.

**Information We Collect When You Use Our Services:** When you use our services or install a Gettysburg College mobile application; or use a computer, tablet, smart phone, or other device on or near the Gettysburg College Network; or access our website we may collect information about the device that you use and how you use it. This user information may include the type of device, your operating system, your web browser, your internet protocol address, your device identifier, information about your physical location, the date and time that you accessed our service, and the web pages you accessed

**How We Use the Information We Collect:** We may use the aggregated information we collect about users in a variety of ways, including but not limited to communicating with you; responding to your service inquiries and requests for information; offering you personalized content, products, events, or other promotional purposes; maintaining and improving our business processes or systems; maintaining and improving your experiences with Gettysburg College; detecting, preventing, or investigating security breaches or fraud; enforcing our agreements or policies; and maintaining appropriate records for internal administrative purposes.

**How We Share Information:** We may disclose your personal information internally or to a third party if we believe that the disclosure is required by law, if we believe that the disclosure is necessary to enforce our agreements or policies, or if we believe that the disclosure will help us protect the rights, property, or safety of Gettysburg College students, employees, and/or visitors.

The College reserves the right to gain access to otherwise private Gettysburg College Network correspondence or files maintained on Gettysburg College Network. System administrators may also require access to otherwise private communications or files maintained on the Gettysburg College Network as part of regular system maintenance. An attempt will be made to notify the user of this access in advance whenever possible and appropriate. Such access is governed by applicable Federal, state, and local laws.

**Access:** The primary purpose of the Gettysburg College Network is to support academic endeavors. This priority is followed by the College's business requirements. Beyond these primary functions, all users of the Gettysburg College Network will generally be granted equitable access to network resources and services as technology and network capacities allow.

**Intellectual Freedom:** Gettysburg College encourages a free and open forum for personal expression. This includes viewpoints that are unorthodox or unpopular. Except for official statements from appropriate College officers, Gettysburg College does not officially endorse any opinions stated on the Gettysburg College Network.

**Protection from Harassment:** All users are encouraged to communicate differing perspectives. Community members are also, however, entitled to work and live in an environment free of harassment. Therefore, any Gettysburg College Network activity that violates the College's harassment policies as defined at the Gettysburg College Ethics and Integrity Program and Statement of Ethical Behavior web page is prohibited. Defamatory remarks and obscenity are also prohibited. The use of overt profanity is strongly discouraged. Use of the Gettysburg College Network must comply with applicable Federal, state and local laws.

### **Responsibilities of Network Users**

**Account Responsibility:** Access to the Gettysburg College Network is through individual accounts with password protection. Accounts and passwords are not to be shared. All violations of this policy that can be traced to an individual account name will be treated as the sole responsibility of the owner of that account..

**Network Degradation:** The running of programs, services, systems, processes or servers by a single user, or group of users, that may substantially degrade network performance or accessibility will not be allowed. Electronic chain letters, mail bombs, malware, spamming and excessive recreational use of the Gettysburg College Network are prohibited.

**Copyrights:** Network users must respect all copyrights and intellectual property laws, and always provide proper attributions of authorship. Commercial software licensed to Gettysburg College may be installed only on equipment and devices expressly covered by the licenses. Upon request from a network administrator, individuals who have software licensed to them and installed on a Gettysburg College computer shall produce original disks and/or documentation to verify compliance.

**Printing:** Network users are expected to use network printing in a responsible manner by printing only those materials essential to educational, academic, or College needs and by printing selected text rather than full text when possible.

**Business Transactions/Personal Use:** The conduct of occasional private business or financial transactions when such uses are de minimus and sporadic in nature is permitted, provided such use does not degrade the Gettysburg College Network performance.

**Remote Server Services:** Approval from the Vice President for Information Technology is required before any member of the Gettysburg College user community may install or use any remote access software or any server software on any computer connected to the Gettysburg College Network.

**Equipment and Configuration Control:** Without specific authorization, users of the Gettysburg College Network or College owned equipment, devices, or facilities must not maliciously cause, permit, or attempt any destruction, modification, deletion, or removal of any data, record, or communications stored on the Gettysburg College Network. In addition, the malicious destruction, modification, removal or attempted removal of College owned equipment, devices, documents or records is prohibited.

Without specific written authorization from the Information Technology Division, users must not physically or electronically attach any unauthorized device to the Gettysburg College Network or to any Gettysburg College owned equipment or device. Authorized devices are limited to the items listed on the Information Technology Approved Device List web page.

**A Note on Personally Owned Devices:**

When you attach any personally owned device identified in the Information Technology Approved Device List web page, you assume all risk, including but not limited to total loss of your data and personally owned device. Personally owned devices and storage media MAY NOT be backed up on the Gettysburg College Network, systems, or hardware.

No personally owned device as defined in the Information Technology Approved Device List web page may cause degradation or impairment to any system, hardware or software which is part of, or used in conjunction with, the Gettysburg College

Network. The Information Technology Division is the sole judge of degradation and/or impairment.

The Information Technology Division will not install, uninstall, or assist with the hardware or software configuration of any personally owned device.

The Information Technology Division will seek compensation for damages or services caused by, or the result of, any use of a personally owned device.

Authorized College staff may make appropriate changes to any computer connected to the Gettysburg College Network consistent with this Network Use Policy, or when necessary for maintenance, repair, or to protect the Gettysburg College Network.

**Prohibited Activities**

**Spreading Computer Viruses and Worms:** Deliberate attempts to degrade or disrupt the system performance of the Gettysburg College Network or any other computer system or network on the Internet by spreading computer viruses, worms, malware or similar programs may be criminal activity under Federal, state and local law, and is specifically prohibited by this policy. As a precondition for network attachment and use, all personal computers and devices capable of running antivirus software must have up-to-date virus protection software installed and operating.

**Impersonation:** Impersonation, false representation, forgery, pseudonyms, spoofing, deception, and other methods of hiding or cloaking the true identity of a user in order to mislead or avoid detection is prohibited. Gaining or attempting to gain unauthorized access to, or make unauthorized use of, accounts, files, records, equipment or networks is prohibited. Violating the privacy of others is also prohibited.

**Business Transactions:** The use of the Gettysburg College Network and/or personal web pages to offer goods or services of a business or commercial nature is not permitted except those consistent with the College's educational or business mission.

**Illegal Activities:** Use of the Gettysburg College Network for any activity contrary to Federal, state, or local laws is prohibited. Illegal activities include, but are not limited to, tampering with computer hardware or software, unauthorized entry into computer systems or computer data, willful vandalism or destruction of computer data or files, or any attempt to defeat the Gettysburg College Network security systems. All users are expected to abide by the Information Management Policy and the other Gettysburg College policies as list on the Gettysburg College Ethics and Integrity Program and Statement of Ethical Behavior web page.

## **Violations and Sanctions**

**Reporting Violations:** Users should report any knowledge or evidence of violations of the Network Use Policy to the Vice President for Information Technology or the Vice President for College Life. Incidents of harassment must be reported in accordance with the Student, Faculty, and Employee handbooks.

**Process:** Reported violations will be investigated. If the investigation yields evidence of a violation of the Network Use Policy, the case will be heard through the normal College processes for reviewing a violation of policy. For example, possible violations involving students would be heard through the Student Judicial System; those involving faculty members, through the Office of the Provost; and those involving other members of the College community, through the Department of Human Resources.

**Penalties:** Students who violate the Network Use Policy may be subject to the full range of sanctions as set forth in the Judicial System section of the Student Handbook, including, but not limited to, possible suspension or termination of network privileges. Other users who violate this policy will be subject to sanctions and/or network use limitations as determined by the Provost, Director of Human Resources, or other appropriate College official. Information Technology has the authority to temporarily revoke network access or take other appropriate action in order to maintain network security or health until the Vice President for College Life (or other designee) reviews an alleged infraction of the Network Use Policy.

## **P. Safety and Security**

### *1. Safety*

The Occupational Safety and Health Act requires that the College maintain a safe place to work. The College believes this law is designed to protect our employees and is committed to carrying it out.

Employees are urged to assist by observing and reporting any unsafe conditions wherever they exist to your supervisor and/or the Department of Public Safety. It must be understood that any employee who fails to follow safety rules may be subject to disciplinary action, up to and including termination.

### *2. Risk Management*

The College provides workers' compensation, unemployment compensation, general liability, property, automobile and casualty insurance to employees in the course of their work. Contact the Human Resources and Risk Management Office if you desire information regarding these coverages.

### *3. Fire Prevention*

The elimination of fire hazards protects, among other things, the personal safety of all employees, College property, and valuable records. Extreme caution must be exercised at all times to avoid causing a fire. To assist in fire prevention, each employee should become familiar with the location and operation of the fire extinguishers that are provided in their work areas. Fire hazards should be reported and eliminated at once.

### *4. First Aid*

In spite of precautions, accidents do happen. Emergency first-aid supplies and assistance are available in the College's Health Center or through the Department of Public Safety.

### *5. Housekeeping*

We take pride in the cleanliness and neatness of our facilities and the College strives to provide modern facilities demanded by our activity. Employees are expected to turn off all lights and equipment in their immediate area at closing time and leave the work area in an orderly manner.

### *6. Use of College Equipment*

The use of College equipment is restricted to authorized personnel. Use is further restricted to the premises during regular working hours or periods of authorized overtime. Any removal of equipment from the premises must be with prior authorization.

### *7. Borrowing Privileges of College-Owned and Rented Motor Vehicles*

There will be times when members of the campus community will request the use of a College-owned or rented motor vehicles to complete their employment, curricular or extra-curricular activities. Use of such vehicles will be granted when the driver has read and agreed to the fleet policy, passed the online defensive driving course with a score of at least seventy percent, and has an acceptable motor vehicle report as determined by the College. Motor vehicle reports compile all driving information including license issue date, restrictions, accidents, violations, suspensions, etc. For more information, please visit the Human Resources website, Guidelines and Procedures, Borrowing Privileges of College Owned and Rented Motor Vehicles.

## 8. *Security*

The College permits selected employees to have keys to the buildings and to offices. College keys may be obtained from the College Locksmith with written approval. Faculty members leaving the College must return all keys to their Academic Assistant who will notify the College Locksmith. Keys may not be given to new faculty members without approval of the College Locksmith.

It is the responsibility of all employees to ensure doors are locked when they leave their building at the end of the working day. Under no circumstances is it permissible to duplicate an access key or transfer a key to another person. A violation of this rule can be cause for dismissal. Loss of any key should be reported at once to the College Locksmith or to the Department of Public Service.

## **Q. Records Management**

### *1. Employee Records*

The Human Resources Staff maintains all pertinent information relative to employees, and it is important that the information be kept current. Employees, therefore, are requested to notify the Human Resources Staff of any change in the following information:

- Name
- Address
- Telephone Number
- Person to notify in case of accident or illness
- Marital Status
- Number of dependents
- Life Insurance beneficiary

### *2. Review of Personnel Records*

Employees are permitted to review and add corrective addenda to their official personnel file that is maintained in the Human Resources Office. Employees may review their file by contacting the Human Resources Staff for an appointment.

Except where required by law, subpoena or court order information contained in an employee's personnel file will not be released to external sources unless clear, written permission to release specific information is obtained from the employee while employed by the College.

### *3. Confidentiality of Information*

All employees must be aware that they are not to divulge confidential College or student information. Violation of confidentiality may result in disciplinary action, up to and including termination.

## **R. Miscellaneous Information**

### *1. Acceptance of Gifts and Favors by Employees*

No employee of the College or member of an employee's immediate family may accept any gift, services, special accommodations or other favors (valued at more than \$250.00) from any supplier or from any other party with which the College does business.

### *2. Animals on Campus and in Buildings*

With the exception of certified service animals and animals specially approved for the educational purposes of the College, the presence of animals in all college-owned or leased buildings, including residential and non-residential buildings is prohibited, with the possible exception of College rental housing. For rental properties, this issue will be addressed on a case-by-case basis. Dogs and other animals are permitted on campus roads, walks, and grounds, as they are in the local community, when they are on a leash and controlled by the owner. It is the owner's responsibility to clean up after the animal. All pets must be tagged, registered, and vaccinated in accordance with Pennsylvania State Law.

### *3. Bulletin Boards*

Bulletin boards are maintained throughout the campus to bring to the attention of employees matters of importance. Bulletin boards are for the posting of College information only, and only designated employees are authorized to place materials on the board. All employees are urged to check the bulletin boards periodically.

### *4. Campus Communications*

The *Gettysburgian* is a student newspaper that is published every week during the academic year. Accounts of activities, job openings, new appointments, transfers, and other announcements may be included.

*The Digest* is an on-line communication center published twice daily. The content of the information posted on the *Digest* comes from the Gettysburg campus community.

### *5. Children at the Workplace*

The presence of small children in the workplace on a regular basis can cause difficulty and awkwardness for co-workers and other members of the campus community.

While an occasional emergency may arise when a parent or guardian would have to bring a child to work for a limited period of time, the College does not expect this to occur on a regular basis, especially given the concern for possible injuries and accidents to the children and for the College's responsibility in the event of an accident or injury.

#### *6. Donations and Canvassing*

The College does not permit canvassing on school property without the permission of the Vice President for Development, Alumni and Parent Relations.

#### *7. Authorized Fund Raising*

As an independent educational institution, Gettysburg College is recognized by the public as a charitable organization and thus enjoys tax-exempt status under relevant state and federal statutes. This status enables the College to seek charitable gifts from individuals who are then able to benefit from the generosity through tax deductions that reduce their tax liability. Although it is well known that few individuals make charitable gifts solely to receive tax benefits, these benefits enable donors to give more than would otherwise be the case because they reduce the net cost of charitable gifts.

The College's status as a non-profit, charitable organization is, therefore, crucially important to its health and security. Accordingly, the College must exercise this privileged status with care and restraint. The College seeks to identify and obtain charitable support that advances the College's mission through the current operating budget, its endowed funds, and improvements in the physical plant. Such support must reflect needs that are identified as institutional priorities. The identification of these priorities is one of the responsibilities of the President and her senior administrative staff, who consult with the faculty and other College staff in arriving at such priorities on a regular basis. The Board of Trustees approves these priorities as part of its budget approval responsibilities each year. The institutional priorities thus identified guide the College's on-going fund-raising programs.

All fund-raising programs of the College will be conducted or at least coordinated by appropriate members of the staff in the Division of Development, Alumni and Parent Relations or others whom they will recruit, train and supervise. All fund-raising efforts conducted in the name of Gettysburg College must have the explicit approval of the Vice President of Development, Alumni and Parent Relations. All gifts to the College must be booked through the Advancement Services Department within the Division of Development, Alumni and Parent Relations and forwarded to the Financial Services Office for deposition.

#### *8. Outside Employment*

The College assumes that each faculty member will devote full time to their assigned duties. Accordingly, no faculty member is permitted to engage in any pursuit or occupation, with or without compensation, which interferes with the faithful discharge of College obligations. Before entering into any outside pursuit or occupation, a faculty member should discuss such plans with their Dean.

### *9. Parking*

On-premises parking is available to employees. In compliance with the College's parking regulations, all vehicles must be registered and must display a College identification hangtag obtained from the Department of Public Safety. The College assumes no liability for personal property left in vehicles. Employees park at their own risk.

The Department of Public Safety can issue special parking permits for employees with permanent or temporary disabilities. Employees possessing these valid permits may park in any authorized employee space on campus except loading docks, fire lanes, and service vehicle spaces. For questions about the parking policy, please contact the Department of Public Safety.