

Gustavus Adolphus College

Saint Peter, Minnesota

2024-25 Faculty Book

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Introduction

Letter to the Gustavus Community

We are pleased to share with you our All-College Policies. These policies were developed as a guide for members of the campus community.

As members of the College, we play an extremely important role in supporting the goals of the institution. These policies are not intended to be an implied or expressed contract but an informative document. The College may add to the policies or revoke or modify them from time to time. Administration will try to keep this material current, but there may be times when policy will change before this handbook can be revised.

The academic excellence of Gustavus comes about because of a concerted effort on the part of students, faculty and staff to maintain the highest standards and goals in all of our activities. Together we can nourish a campus environment that is respectful to all and is one that ensures that our commitment to the search for excellence will continue long into the future.

Sincerely,
The Office of the Provost

All-College Policy Adoption and Administration

Scope: Consistent with our Shared Governance Principles, this procedure sets forth the framework for review, consideration, and adoption of policies applicable to the entire College community (All-College Policies). It specifically deals with All-College Policies proposed by the Faculty (through the Faculty Senate), Administration (through the President), or Board of Trustees (through the Board Chair).

Academic Policies: Proposals for new academic policies for the *Faculty Manual* and *Faculty Handbook* are administered through the Faculty Senate and approved by the full faculty. The Board of Trustees must approve any changes to the *Faculty Manual*. Academic policies which affect the *Faculty Manual* are within the scope of this framework.

Non-Academic All-College Policies: Proposals for new non-academic All-College Policies will generally originate with the Administration through the President. However, such policies may originate with the Faculty (through the Faculty Senate) or the Board of Trustees (through the Board Chair).

Consultation Process: Proposed non-academic All-College Policies and academic policies to be contained within the *Faculty Manual* should be shared with the Vice President for Equity and Inclusion to ensure alignment of the policy with inclusion and equity efforts and the Shared Governance Committee. Both bodies will review and comment prior to consideration for policy approval and adoption. All comments received should be thoughtfully considered by the proponent of the policy.

If the faculty representatives on the Shared Governance Committee deem that the proposed policy substantially impacts the compensation, benefits, responsibilities, or rights that are specific to faculty (as defined in the *Faculty Manual* and/or *Faculty Handbook*), the proposed policy will be forwarded for review and endorsement by the Faculty Senate.

Once endorsed by the Faculty Senate (if necessary), the proposed policy shall be finally reviewed and adopted by the Administration (i.e., President's Cabinet) and Board of Trustees (as necessary). If the policy is not approved, suggested revisions and/or concerns will be shared with the policy proponent who may choose to re-initiate the consultation process.

In the event that anything in this policy conflicts with state or federal law, the state or federal law takes precedence.

Interim Policies: Under extraordinary circumstances, a situation may arise in which an All-College Policy must be established, and the time required to act does not accommodate the process outlined above. In these instances, the Administration, through the President or Board of Trustees, may adopt an interim policy with immediate effect. Such interim policies shall not extend for more than one-year and shall, immediately after adoption be subject to the process described herein for adoption as an All-College Policy.

Communication: All policies adopted through this process shall be communicated broadly to the campus community and published as appropriate for the greatest awareness.

Approved by the Gustavus Adolphus College Board of Trustees: February 11, 2022.

College Organizational / General

Cancellation/Delay/Closure Policy

Purpose of Policy

This policy pertains to the decision-making process prior to the potential canceling or delaying of college-related activities due to threat of inclement weather or other catastrophic event. It also addresses cancellation of ongoing college activities when a potential threat is anticipated or discovered.

Owner(s)

CFO and VP for Finance and Treasurer (co-owner), Provost (co-owner), VP for Student Life and Dean of Students (backup), Director of Campus Safety, Director of Physical Plant, and Director of Environmental Health, Safety and Risk Management.

Scope

Over 2100 students reside in residential facilities on campus at Gustavus Adolphus College. Therefore, the campus is de facto always “open” even when certain extreme circumstances may force the College administration to cancel or delay College activities such as:

- Teaching conducted by faculty
- Work conducted by staff
- Other activities such as worship services, sporting events, concerts, lectures, performing arts, and/or civic events

This policy applies to all on-campus events, including those that are not included on the on-campus calendar and those arranged by on- and off-campus entities.

Process

Information Gathering Phase¹: On-campus Campus Safety Staff will initiate the process of considering campus conditions. On-campus Physical Plant and Campus Safety staff shall report details of current campus environmental conditions to their respective department leaders (Director of Physical Plant and Campus Safety Director and/or Assistant Directors). Department leaders shall discuss conditions and communicate a common recommendation to the Director of Environmental Health, Safety and Risk Management. The Director of Environmental Health, Safety and Risk Management shall take this on-campus recommendation, along with information from external sources (i.e., weather radar, road conditions, etc.) and make a recommendation to the CFO and Provost.²

Decision Making Phase: The CFO and Provost will consider the final recommendation of the Director of Environmental Health, Safety and Risk Management and discuss the recommendation with the VP for Student Life and Dean of Students^{2,3}. In the event of a cancellation, delay, or closing recommendation, the CFO and Provost shall take into account mandatory functions on campus, weather forecast and DOT recommendations. The CFO or Provost will discuss the deliberations with the President prior to issuing a final decision.

Dissemination of Information Phase: Once a decision has been made, the CFO or Provost will notify the VP for Marketing and Communication, including information garnered from the Associate VP of Auxiliary Services, Library Chair, and Athletics Director about the Marketplace, Lund Center, and Library hours and others as needed. The Office of Marketing and Communications shall broadcast the final decision within the Gustavus community and to other appropriate external media.

¹ For weather-related events, this process will generally begin approximately 3:30 a.m. and conclude with decision and communication, either way, by approximately 4:30 a.m., or as needed to monitor conditions throughout the day.

² If the CFO or Provost is off-campus or unavailable, the VP for Student Life and Dean of Students will serve as part of the primary decision-making team.

³ The VP for Marketing and Communication is consulted as early as possible in the decision-making process.

Cancellation Categories

Type 1: Cancellation/Delay/Closing Due to Weather

1. Certain employees' presence on campus is mandatory regardless of cancellation or delay of college functions (referred to as weather-essential employees). Each department leader shall maintain and regularly update a list of such individuals to assure timely communication during these circumstances.
2. Individuals normally scheduled to work during a time of canceled activities are expected to be paid for regularly scheduled hours. If the College activities are not canceled and individuals choose to leave early due to inclement weather, the time off should be taken as unpaid leave, vacation, or PTO time with supervisor approval.
3. In the interest of personal safety, with the exception of those weather-essential employees or those specifically called upon by a department leader, all other Faculty, Staff, and Administrators shall remain off campus until notified that buildings have reopened and classes and activities have resumed.
4. The target time to finalize weather-related decisions will be between 4:00 a.m. and 5:00 a.m., with announcements prior to the start of official college business hours.

Type 2: Cancellation/Closing Due to Catastrophic Event

1. When College facilities will be closed, classes cancelled or delayed during a work day due to catastrophic circumstances (e.g. chemical spill, major fire, building flooding, system outages, etc.), announcements will be made as outlined above under dissemination of information.
2. Certain departments or individuals may be requested or required to remain on duty at the College during emergency closures due to a catastrophic event. These individuals may be on the 'weather-essential' employee list or may be other individuals deemed essential, due to the nature of the event. In the interest of personal safety, with the exception of those individuals whose presence is mandatory or specifically called upon by a department leader, all other Faculty, Staff, and Administrators shall remain off campus until notified that buildings have reopened and classes and activities have resumed.

Policy Implementation Assistance

Contact the Director of Environmental Health, Safety and Risk Management, CFO, Provost, or VP for Student Life and Dean of Students for questions and comments on this policy.

Policy Authority

The President's Cabinet has responsibility for this policy and will obtain necessary approvals and changes to this policy.

Related Policies or References

Administrative and Support Staff Handbook; All College Policies.

Attachments: Flow Chart Links

- https://gustavus.edu/facultybook/concertFiles/media/Cancellation_Delay_Policy_Flow_Charts.pdf

Approved by the President's Cabinet: October 31, 2017; revised November 2019.

Condolence Policy

Upon learning of the death of a current or retired member of the College community, including a faculty member, staff member, Board member, or donor, an employee should, as soon as possible, [alert the Office of Human Resources](#) and provide a link to the obituary, if available. Similar notification should be made when a spouse, child, or parent of members of the community pass away. In the case of a death of a current student or a student's immediate family member, an employee should, as soon as possible, alert the Dean of Students Office.

The Office of Human Resources will alert employees and offices who need to know of the death, including the Marketing and Communication Office for inclusion in appropriate publications. In addition, Campus Safety will be contacted by the Office of Human Resources, and the Gustavus Flag will be flown at half-staff for a period of three days in memory of deceased faculty and staff (current or retired) and current students. An announcement regarding a death will not be sent unless the person affected, or that person's family or representative, gives permission.

The Office of Human Resources or the Office of the President typically will send flowers or a fruit basket on behalf of the College when a current or retired faculty member, staff member, Board member, or significant donor passes. Floral arrangements shall be sent to the funeral home or location of the memorial service or a fruit basket will be sent to the immediate family. In some circumstances when a death has occurred, the family may request a donation in lieu of flowers or a fruit basket. College policy prohibits using institutional funds for charitable donations. The Dean of Students Office will coordinate all arrangements when a current student or a current student's immediate family passes.

If departments or individuals would like to send a condolence for a faculty or staff member or a member of their family in addition to the condolence being sent by the College, they are encouraged to do so by using funds personally contributed by members and friends of the department.

Approved by the President's Cabinet: October 15, 2013. Revised August 27, 2019.

Fundraising Guidelines for Faculty, Staff, and Campus Organizations

I. Purposes

1. To distinguish between (a) fundraising efforts in which Gustavus Adolphus College (hereafter "the College") is an intended beneficiary and (b) fundraising activities in which the College is not a beneficiary but members of the College community may be participants,
2. To set limits and offer assistance for members of the Gustavus Adolphus College community who wish to engage in fundraising activities outside those conducted in support of the College's established priorities for philanthropic support,
3. To clarify the College's legal, fiduciary and moral responsibilities for acknowledging and stewarding the gifts it receives, and
4. To provide education and guidance that will help prevent actions that could jeopardize Gustavus Adolphus College's tax-exempt status.

II. Background

1. **The Office of Institutional Advancement**

The purpose of the Office of Institutional Advancement is to enable Gustavus Adolphus College to fulfill its mission by communicating its distinctiveness, facilitating life-long relationships and securing human and financial resources. Accordingly, the Office of Institutional Advancement must strive at all times to ensure that its policies and procedures are in compliance with local, state and federal regulations in regard to the solicitation and acceptance of gifts. Any deviation from the Internal

Revenue Code could result in fines, public embarrassment and/or the loss of the College's tax-exempt status.

For these and many other reasons, all fundraising requests made in the name of Gustavus Adolphus College must be approved in advance by the Vice President for Institutional Advancement or the Vice President's designate.

2. **Gustavus Adolphus College's Tax-Exempt Status**

The ability of Gustavus Adolphus College to seek and receive philanthropic gifts and grants is dependent upon the continuing recognition of its tax-exempt status by the IRS. The College must protect this status by abiding by all relevant laws and regulations, including using its tax-exempt status solely for its own benefit and by not sharing it with other organizations. The Office of Institutional Advancement is charged by the College with responsibility for monitoring and protecting its tax-exempt status.

III. Policy

This Policy shall apply to any and all members of the Gustavus Adolphus College community, as well as to any other individuals or organizations who may represent themselves to be members of the College community or who claim to be acting on behalf the College. This Policy does not apply to members of the College community when they are engaged in fundraising activities for other organizations and/or when they have explicitly stated that their fundraising activities are unrelated to the College.

1. **Definition of "College Fundraising" Activities**

A College fundraising activity is one that employs the name, image or reputation of Gustavus Adolphus College in an effort to secure financial contributions and also meets at least one of the following criteria:

- The activity claims to be for the benefit of Gustavus Adolphus College,
- The activity does in fact benefit the College,
- Checks will be made payable to Gustavus Adolphus College,
- Donors will expect gift receipt for tax purposes or will be promised a gift receipt.

2. **Advance Approval of Fundraising Activities**

All fundraising activities meeting the definition of "College fundraising activity" (see Section C1 above) must be approved in advance by the Vice President for Institutional Advancement or the Vice President's designate.

3. **Gift Receipting**

The only College office authorized to issue an official gift receipt on behalf of Gustavus Adolphus College is the Office of Institutional Advancement. Such receipts will be issued only when a donor's gift has been given for a purpose consistent with the College's mission and when the donor has not retained any control over the gift's use or demanded goods or services in consideration for their gift.

4. **Process for Seeking Approval**

Any potential fundraising activities on behalf of a College program or initiative must first be formally communicated to the appropriate divisional director or vice president before a request for assistance is directed to the Office of Institutional Advancement. Examples of proposed fundraising activities might include, but are not limited to: departmental grants, underwriting of conference participation, sponsorship of an on-campus symposium, student or faculty travel, equipment, or departmental awards and banquets.

If a divisional director or vice president, or their designate, endorses a proposed fundraising project, it may then proceed to the Office of Institutional Advancement.

5. **Appeal Process**

Any fundraising activity or solicitation that is not approved by the Office of Institutional Advancement may be appealed, in writing, to the Vice President for Institutional Advancement.

6. **Counsel and Training**

The Institutional Advancement staff will offer assistance to members of the College community interested in advancing the College through fundraising techniques; however, no formal planning for specific fundraising projects will be conducted without the approval of the appropriate vice president(s). Once approval for a fundraising activity is received, the Institutional Advancement team is available to consult with faculty, staff and student leaders on strategies and tactics for their College-endorsed initiatives. Responsibilities for follow through will also be assigned and an appropriate Institutional Advancement contact person may be identified.

7. **Lists of Donors and Potential Donors**

The Office of Institutional Advancement will not share lists of donors or other constituents with individuals and organizations. The lists will be processed and sent directly to the mailroom for completion. The College will honor the wishes of donors who ask that their giving to the College be anonymous.

8. **Processing of Gifts**

Contributions received in response to an approved fundraising initiative must be submitted to the Office of Institutional Advancement within 48 hours. Cash contributions must be accompanied by the original envelope in which they are received. The donor's name and address must be clearly written on the envelope.

IV. The College and Non-College Fundraising Initiatives

The College is aware that students and employees often engage in fundraising activities for which the College is not the intended beneficiary. These activities may range from campus-based efforts to raise funds for groups such as the Susan G. Komen Breast Cancer Foundation or Habitat for Humanity to employee or student participation in their local churches or clubs.

As stated above, when the activities are intended to benefit Gustavus Adolphus College, they must be approved in advance by the Vice President for Institutional Advancement or the Vice President's designate. When an activity is not intended to benefit Gustavus Adolphus College, administrative approval is not required, but the utmost care must be taken to make that distinction clear and to not lead outsiders to believe the activity is a College-supported effort.

1. **Actions that suggest College participation and support:**

- Asking that checks be made payable to Gustavus Adolphus College
- Employing the College's name or logo in promotions or solicitations
- Using College stationery
- A volunteer stating, "As a Gustavus Adolphus College student/faculty/staff member, I am asking you...."

2. **Actions that avoid confusion:**

- Stating that "This is an event that will benefit [Name of Charity]"
- Asking that checks "Be made payable to [Name of Charity]"
- Stating that "This event is not affiliated with Gustavus Adolphus College"

3. **When is College Approval Needed?**

Here is a simple test to determine if College approval is needed: If it appears that the contemplated fundraising activity cannot be conducted without making contribution checks payable to Gustavus Adolphus College, then the activity is one that will require prior approval by the Vice President for

Institutional Advancement or the Vice President's designate and organizers should follow the process outlined in Section C.4. above.

4. **Prohibited Activities**

Even when a fundraising activity is not one that benefits the College directly or is sanctioned by the College, members of the College community are prohibited from engaging in the following tactics and activities:

- Using home addresses from the College telephone directory to compile calling or mailing lists*
- Using the Gustavus Adolphus College Alumni Directory to compile calling or mailing lists*
- Using one's status as a Gustavus Adolphus College employee or student to secure a gift commitment
- Using "blast e-mails" on the campus intranet system to solicit gifts
- Conducting lotteries or similar games of chance, which the State of Minnesota defines as gambling.

* Note: The publishers of these directories also consider these activities to be violations of their copyrights.

Approved by the President's Cabinet: November 10, 2010.

Minor Protection Policy

Purpose

Gustavus Adolphus College is committed to the safety of all individuals in its community. The Policy for the Protection of Minors ("the Policy") establishes guidelines for all faculty, staff, students and volunteers in the College community who may work or interact with individuals under 18 years of age, with the goal of promoting the safety and well-being of minors. The Policy is applicable to College-affiliated programs. Non-College affiliated program requirements will be outlined in a facility use agreement (contract) with each respective program.

Definitions

A Child is a person under the age of thirteen (13) years. A Minor is a person under the age of eighteen (18) years.

Policy Statement

It is the policy of Gustavus Adolphus College that the behavior of all faculty, staff, students and volunteers of our community is expected to align, at all times, with the College's mission and appropriate documents that guide our community life. Any Gustavus Adolphus College event with minors involved must be pre-approved by the appropriate Vice President. Any Gustavus faculty, staff, student or volunteer participating in events with minors must complete an online Sexual Abuse Awareness Training. In addition, faculty, staff, student or volunteers with potential to have one-on-one contact with minors must successfully pass a background check prior to the event occurring. This Policy does not apply when minors attend an event open to the public, with their parents or guardian, and who are not left in the care of Gustavus Adolphus College employees or students.

This policy is not intended to apply to current, full-time Gustavus students who are not yet 18 years old. With regard to this policy, College faculty and staff on campus who only interact with Gustavus Adolphus College undergraduate students under the age of 18 in classes or other traditional academic settings are not required to undergo the training or background check. However, faculty and staff affiliated with the College who knows or suspects that an undergraduate student under the age of 18 has been abused or neglected MUST make reports as required by this Policy.

Procedures

Faculty, staff, and volunteers affiliated with the College who host an event with minors in attendance must receive approval before hosting minors on campus or participating in a Gustavus Adolphus College event off campus with minors. The approval can be requested by submitting a **Request to Host Minors Form**. * *This does not apply to students who are hosting family members.* Whenever possible, the request should be submitted at least two weeks prior to the event.

If the event is approved, the following steps must be completed:

1. All employees, students or volunteers participating in the event must complete the online Sexual Abuse Awareness Training prior to the event occurring.
2. The following categories of adults involved in a College-affiliated program or activity are required to undergo a background check prior to their participation in College activities or programs involving minors:
 - a. Directors, supervisors and faculty members for programs involving minors, including those who are responsible for supervising those who interact with minors;
 - b. Those who stay overnight with minors as part of their job responsibilities in a program or activity involving minors; and
 - c. Those who regularly spend time with minors as part of their job responsibilities or role in a program involving minors.

The Vice President of Student Life and/or the Title IX Coordinator can request that a background check be performed on any faculty, staff, student or volunteer involved with a College affiliated program that does not fit in the aforementioned categories.

The Office of Human Resources will oversee the processing of background checks for all College-affiliated programs and activities involving minors. Background checks should be completed every five years or re-checked if an employee separated employment for more than one year, unless they were working consecutive short-term or temporary assignments, in which case the five-year policy applies. The cost of the background check will be the responsibility of the department hosting the event.

3. The program director/instructor is responsible for collecting the **Parent Permission and Registration Form** and **Child Behavior Agreement** for every minor left in Gustavus's care for their program. If minors are participating as part of a group, such as a school, the **Group Guest Policies and Behavioral Expectation Agreement** should be completed by the group instead of filling out a form for each child. If minors are attending an event and will be under the care of their parent or guardian, neither form needs to be completed. (The completed forms should be turned in to the Dean of Students Office).

4. An appropriate number of adult supervisors will be present at each event based upon the activity. Whenever possible, allow for two individuals to be present for circumstances such as taking a minor to the restroom or taking a minor aside if they get hurt.

Residential Camps, Conferences and Events

- Residential camp, conference and event staff must successfully complete an approved background check.
- Residential camp, conference and event staff must fully complete online Sexual Abuse Awareness training.
- Event staff with access to room keys must be in compliance with appropriate laws.
- Residences will be staffed at a ratio recommended by Gustavus Adolphus College. (staff ratio 20:1)
- Posted signs in each residence hall will give clear direction on how to contact staff or Campus Safety if a guest feels unsafe.

- Residence hall bathrooms will be assigned by age when appropriate, as well as gender.
- Campers and guests will be directed and expected to lock rooms at night.
- Residential areas will be off limits to anyone who is not a camper/guest or appropriate staff.
- Program leaders must include a safety session during their event orientation meeting.

Prospective Student Admission Visits

- All overnight admission guests must adhere to and comply with the College's behavioral expectations and rules.
- All overnight admission guests must complete an emergency contact form.
- Guests will be given clear direction on how to contact staff or Campus Safety if they feel unsafe.
- The Dean of Students Office must approve that a student can serve as a residential host, following a check of College records.
- All residential hosts must complete the online Sexual Abuse Awareness training prior to serving as a residential host.

One-to-one Instruction or Tutoring of Minors on Campus

- All College employees or students who are giving lessons, instruction or tutoring to minors on campus must submit the **Request to Host Minors Form** for approval prior to starting lessons. If the lessons are approved, the Instructor must complete and satisfactorily pass an approved background check and complete the online Sexual Abuse Awareness Training.
- Rooms or studios used for instruction or tutoring must have a window that allows unobstructed views into the space. If no window is available, the door must remain open throughout the session.
- Tutoring should be conducted in a public area such as open library areas and should not be conducted in a residence hall or off-campus home.
- Parents or guardians will not be restricted from attending sessions with their minor children.

Oversight

The Vice President for Student Life is the primary point of contact for this Policy. The following individuals are responsible for oversight of minors on campus in their applicable areas:

- Associate Vice President of Auxiliary Services: Events involving minors that run through the Summer Programs Office
- Vice President for Enrollment: Admission events and prospective student visits
- Provost of the College: Any academic department event involving minors
- Director of Campus Activities: Any student organization or event involving minors
- Director of Community Engagement: Related programs involving minors
- Church Relations: Related programs involving minors
- Director of Athletics: Any event related to athletics involving minors
- Vice President for Student Life: All other Gustavus Adolphus College events involving minors that are not listed above

This oversight includes:

- Approving or denying Requests to Host Minors
- Ensuring that online training is complete for all required individuals
- Ensuring any necessary background checks are completed and approved through the Office of Human Resources.
- Retaining all documents.

Reporting of Sexual Abuse, Neglect or Misconduct

Faculty, staff, students and volunteers affiliated with the College who are participating in a program or activity that involves minors, who know, suspect, or receive information indicating that a minor has been abused or neglected, MUST notify the Nicollet County Department of Human Services by calling 507-386-4528 or by calling the Nicollet County Sheriff at 507-931-1570.

Additionally, ANY reporter of known or suspected abuse or neglect of a minor must promptly inform the College's Title IX Coordinator by phone at 507-933-6360 or email at jwatter2@gustavus.edu. A written report must also be submitted to Nicollet County within 72 hours of the oral report. The Title IX Coordinator will assist the reporter in this process. For more information on reporting requirements or definitions of physical abuse, sexual abuse or neglect, please see the Minnesota Department of Human Services website: <https://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/>

Upon receipt of a report of alleged abuse or neglect of a minor in a College-affiliated program or activity, the College's Title IX Coordinator (or designee), shall:

- Take immediate steps to prevent further harm to the alleged victim or other minors.
- Facilitate the College's cooperation with any investigation conducted by the Nicollet County Sheriff, Nicollet County Department of Human Services, or other governmental agency.
- Investigate the report and resolve the matter in a way that safeguards the minor, protects the interests of victims and reporters and affords fundamental fairness to the accused.

If a report identifies/alleges that someone involved in an activity on campus who is not a member of the College faculty, staff, volunteer or student body has abused or neglected a minor, the person receiving the report shall report to the Title IX Coordinator, even if they believe the Coordinator has already been notified. The College's Title IX Coordinator will coordinate with the reporting party the appropriate reporting structure as outlined above to ensure that all reporting obligations are accomplished.

Upon being notified of a sexual misconduct or abuse incident involving a minor, the College's Title IX Coordinator shall notify the Gustavus Adolphus College Risk Manager who will in turn notify the liability insurance company of the incident.

Enforcement

Any report of abuse of a minor by any faculty, staff, volunteer or student of the Gustavus Adolphus College community will be investigated by the appropriate College campus authority. Sanctions for violations of this Policy will depend on the circumstances and the nature of the violation, but may include the full range of available College sanctions applicable to the individual including suspension, dismissal, termination, and, where appropriate, exclusion from campus. The College may also take necessary interim actions before determining whether a violation has occurred.

Approved by the Gustavus Adolphus College Board of Trustees: May 15, 2020.

Notice of Nondiscrimination in Admission and Financial Aid

Within the limits of its facilities, the College shall be open to all applicants who are qualified according to its admission requirements.

1. The College shall make clear to all applicants the characteristics and expectations of students that it considers relevant to its program.
2. Under no circumstances may an applicant be denied admission or financial aid because of race, color, creed, religion, age, sex, sexual orientation, national origin, marital status, disability, veteran status,

status with regard to public assistance or other categories protected by federal, state or local anti-discrimination laws.

3. Financial aid administered by the College shall be disbursed on the basis of financial need and academic promise and/or academic ability.

Approved by the Gustavus Adolphus College Board of Trustees: June 21, 2009.

Purchase Card Policy and Procedures

Purpose of Policy

The purpose of the WellsOne Commercial Card Program is to simplify the purchasing and payment process for Gustavus transactions. This document will provide you with specifics of the program. Please read this document carefully as you will be held accountable for its contents.

Owner

CFO and VP for Finance and Treasurer.

Card Issuance and Activation

To obtain a card, you must complete the following steps:

- Department Chair, Budget Officer, and/or Approver must initiate request for issuance of new P-card.
- Attend a brief, mandatory training session where card policies and procedures will be reviewed.
- Sign the Cardholder Agreement.
- Obtain your new card and login information to access the Wells Fargo online system.
- Sign the back of the card and keep the cardholder information in a secure location.
- Activate your card by calling the toll-free number on your card. For verification purposes, you will be asked to provide your unique identifier (last four digits of your social security number).

Using your Purchase Card

- Once you activate your card, you can begin making purchases immediately.
- A monthly credit limit has been placed on your card. If you feel this amount is inadequate for your purchase needs, contact a program administrator in the Finance Office. Once approved, adjustments in credit limits will be effective immediately.
- All accounts payable policies and procedures established by the College still apply and include:
 - All purchases are the property of the College and must be delivered to the College's address.
 - For entertainment expenses, you must document who, what, why, when and where to comply with IRS regulations.
 - For year-end purchases, your item must be received on campus by May 31.
 - Before traveling on College-related business, review the travel policy to ensure you are familiar with the College's policies and procedures.
- Certain merchant category codes (MCC) have been blocked which may result in a denied transaction.
- Cash withdrawals are not allowed, except in rare circumstances.
- Personal expenses are not allowed.
- Misuse of your card may result in disciplinary action, including revocation of card by Finance Office and/or in extreme cases, termination.

Misuse of Purchase Card and Related Consequences

When the Cardholder Agreement is signed, the cardholder states that they agree to comply with the policy as laid out by Gustavus in this manual. Failure to do so is referred to as an "infraction". Some examples of infractions include (but are not limited to) the following items:

- Personal Purchases not reimbursed to Gustavus within eight days of the end of the month of purchase.
- Failure to meet reconciliation deadlines as specified in the ‘Reconcilement of Monthly Statement’ section in this document.
- Failure to resolve being charged State of Minnesota sales tax.
- The purchase of unauthorized items.
- Negligence in preventing the loss or theft of a card or in the reporting of a loss or theft.

The Finance Office reserves the right to cancel or suspend a purchase card at any time. However, the standard escalation process of the consequences for infractions is as follows:

- Email to cardholder
- Second email to cardholder with copy to supervisor
- 60-day card Suspension
- One year card suspension (must reapply after one year)

Sales Tax Exemption

Merchants are usually required by tax authorities to include sales and use tax at the time you purchase goods. The amount is dependent on a variety of factors, including the state, county and city where you are purchasing goods. **It is the cardholder’s responsibility to notify the vendor that Gustavus is tax exempt.** For your convenience, the sales tax-exempt number is printed on the purchase card. The sales tax-exempt number may not be used for any other purpose than for purchases for the College. Cardholders may not share this number with other individuals. Cardholders who neglect to provide the sales and use tax exempt number to merchants may find themselves personally obligated to repay said charges to the College. Generally, sales tax exemptions are on items purchased in or delivered to Minnesota. In the event the merchant refuses to remove the sales tax, the cardholder should ask to speak to a manager and direct them to <https://gustavus.edu/finance/> where they can access a copy of our MN ST-3 Certificate of Exemption.

Reconcilement of Monthly Statement

The billing cycle ends on the last business day of each month, but it is strongly recommended that you review and code your expenses throughout the month so errors can be detected immediately. If someone else codes and reconciles your expenses, we ask that you bring your receipts to them as your expenses are incurred. On the 8th day of each month (or the first business day thereafter), all coding needs to be complete. On the 12th day of each month (or the first business day thereafter), the previous month’s period will be closed and there will be no access to make changes to or approve expenses. If there are outstanding expenses that have not been approved by that day, the Finance Office will contact the proper approver and notify them that they need to come to the Finance Office to sign the hard copy of the statement. On the 15th day of each month (or the first business day thereafter), the statements and supporting documentation are due in the Finance Office.

Listed below are the procedures for completing the review and approval of your statement:

- Review postings to your card during the last statement period. It is strongly encouraged that you review this on an ongoing basis rather than waiting until the end of the month.
- Review fund number, department code, and object code for accuracy.
- Receipts are required for all transactions regardless of dollar amount. Attach all original detailed receipts to your statement and check box that receipt is attached. If you are using the internet to make your purchase, make sure you print and attach the confirmation of your purchase.
- If a receipt is missing and you have done your due diligence in trying to obtain one, you will need to fill out a missing receipt declaration. You will also need to add a note to the transaction description

stating that you cannot obtain a receipt and the reason why. Note description of items purchased. If your purchase is for entertainment expenses, you must document who, what, why, when, and where as required by IRS regulations. You will not be allowed to forward your expenses to your approver until a description is noted.

- Submit your expenses to your supervisor for approval.
- Print a copy of your statement and attach your original receipts. Send to the finance office for review by the 15th day of the month. All statements and receipts will be retained for seven years.

Payment of Charges

Gustavus makes a single payment to Wells Fargo each month for all purchases. Cardholders do not have to submit a request for payment.

Cards issued under the WellsOne Commercial Card Program are individually issued to cardholders; however, use of the card or payment by the College does not affect the cardholder's personal credit rating.

Cardholder Maintenance

Contact the Finance Office to:

- Cancel a card (must call Wells Fargo to report lost or stolen).
- Change of the name on a card (i.e., change in status).
- Change of employee job responsibilities.
- Change credit limit on a card.
- Request a replacement card (i.e., numbers wearing off).

Transaction Dispute Resolution

Transactions may be placed in dispute when charges appear on the statement that the cardholder did not make, the amount of the charge is incorrect or there is a quality or service issue with the purchase.

The cardholder is responsible for contacting the merchant involved to resolve the error. If the merchant agrees that an error has been made, the merchant will credit the account. Cardholders are advised to keep detailed notes including dates, times, name of person contacted, etc.

Cardholders are required to initiate the dispute process within 60 days of the transaction date in order to protect your rights. Failure to notify the financial carrier of a disputed charge on an account within 60 days will prevent the College from reversing the charges on the account. Cardholders may be held personally responsible for failure to comply with this component. Wells Fargo will resolve disputed transactions within 90 days.

Lost or Stolen Cards

Cardholders are responsible for the safety and security of the purchase card issued to them. For lost or stolen cards:

- Notify Wells Fargo immediately at 800-932-0036
- Notify a program administrator: Kelly Mans 507-933-7508 or Chris Germscheid 507-933-7201
- Notify Campus Safety and the appropriate local authorities, if applicable

Policy Implementation Assistance

Contact the CFO, Controller, Senior Accountant, or Accounts Payable Specialist for questions and comments on this policy.

Policy Authority

The Executive Leadership Team has responsibility for this policy and will obtain necessary approvals and changes to this policy.

Related Policies or References

Travel and Entertainment Policy; All College Policies.

Approved by the President's Cabinet: January 1, 2005. Updated and approved by the Executive Leadership Team September 2024.

Tax Exempt Bonds Policy

Purpose of Policy

Tax exempt debt used for the benefit of Gustavus Adolphus College (“the College”) by the Minnesota Higher Education Facilities Authority (“MNHEFA”) is a lower cost alternative to taxable debt and a valuable tool for financing capital projects. The interest on the bonds that is paid to bondholders is excluded from Federal and Minnesota income tax if applicable Federal tax laws are satisfied. The requirements fall under two categories – prior to issuance and after issuance. A signed bond counsel opinion at closing is assurance that the requirements that must be satisfied on or prior to issuance have been addressed. In order for the bonds to remain tax exempt through maturity, certain other requirements must be met.

Who Needs to Know This Policy

College staff involved in some aspect of any bond issue who direct or influence the following processes:

- Pre-issuance processes and decision-making including identification of eligible projects and due diligence on tax aspects of the project(s)
- The use of bond proceeds and timing of expenditures
- Investing of bond proceeds and arbitrage yield restriction and rebate processes
- Private use of property financed by tax-exempt bonds, including leases, and management and services agreements
- The creation and retention of documentation relating to use of proceeds, investment restrictions and arbitrage rebate calculation, return filings, and private usage
- Recording and reporting of financial transactions related to tax-exempt bonds and bond financed projects

Definitions

Qualified 501 (c)(3) bonds – Tax-exempt bonds, the proceeds of which are used by a 501 (c)(3) charitable organization in furtherance of its exempt purpose. The bonds are issued by a state or local government agency such as the Minnesota Higher Education Facilities Authority and are supported by a repayment obligation from the charitable organization to the governmental agency.

Private business use – Examples of private business use include: 1). Unrelated trade or business use and 2). Private use by parties other than the charitable organization of the tax-exempt debt-financed property. Generally, no more than 5% of the proceeds of tax exempt bonds may be used for private business use of the tax-exempt financed property. For purposes of the 5% limit on private business use, bond issuance costs financed with bond proceeds (approximately 2%) are included as private business use, so typically, private business use is limited to 3%.

Arbitrage – Investment earnings on bond proceeds in excess of bond interest paid to bondholders during the construction period, adjusted for certain expenses.

Applicable Federal law – Includes the Internal Revenue Code and regulations promulgated thereunder, including IRC sections 145-150 and related regulations. Note: IRS Publication 4077, Tax-Exempt Bonds for 501 (c)(3) Charitable Organizations Compliance Guide provides guidance and explanation for most areas of tax-exempt financing relevant to the College.

Tax certificate – The loan agreement and certificate as to tax matters signed by the College at the closing of the bond issue in which the College makes certain representations, warranties and covenants relating to its 501 (c)(3) status, the tax eligibility of the project(s) and the College’s operations.

Treasurer’s Office – The employee of the College holding the title of Vice President for Finance and Treasurer.

Policy

It is the College’s policy to comply with applicable Federal tax laws to ensure that bonds issued for its benefit maintain their tax exempt status. The College will incorporate the guidelines of the office of Tax-Exempt Bonds of the Internal Revenue Service, Tax Exempt and Governmental Entities division, in Publication 4077 and the Article “TEB Post Issuance Compliance: Some Basic Concepts” to establish post issuance compliance procedures. The procedures will be reviewed annually and updated as needed to reflect changes in requirements or the IRS guidelines for post issuance compliance procedures.

Use of bond proceeds and project eligibility - The College will comply with all applicable Federal, State and contractual restrictions regarding the use and investment of bond proceeds. Bond proceeds shall be disbursed for:

- Project costs
- Capitalized interest
- Bond issuance costs, including arbitrage rebates

To be an eligible project, the property being funded must be owned or, under certain circumstances, leased by the College and the intended use must be consistent with the College’s 501 (c)(3) exempt purposes. In addition, the project’s address must be listed in the TEFRA notice. The Treasurer’s Office will apply additional technical criteria to determine eligibility of the project(s) (e.g. useful life of project(s)).

Timing of the use of bond proceeds – At the time that the bonds are issued, it must be intended and expected that the project(s) will be completed within three years of issuance.

Private business use of tax-exempt financed property – Five percent or less of bond issue proceeds may be used for private business purposes, and such use may only occur if in accordance with tax certificate provisions and in compliance with applicable Federal law. Costs of issuance are counted against the 5% limit. The Treasurer’s Office annually analyzes the status of the tax-exempt financing with regard to the private use limitations.

Change of use – Change of a project’s use or contemplated change of use must be reported to the Treasurer’s Office prior to the implementation of the proposed change in use to ensure compliance with applicable regulations.

Arbitrage – The Internal Revenue Code (Section 148 and the Regulations thereunder) provides that interest on bonds is not exempt from tax if the bonds are arbitrage bonds. To the extent required by applicable laws, regulations and bond covenants, the College will comply with all arbitrage rebate requirements. The Treasurer’s Office will annually determine any accrued rebate liability, record the liability in the financial statements, and make provisions for reserving funds for rebate purposes.

Sale of property involving bond proceeds – Prior to the time that property involving bond proceeds is sold, the Treasurer’s Office will contact the Executive Director of MNHEFA and bond counsel of the College to discuss potential ramifications.

Filing of returns – The Treasurer’s Office works with Springsted Incorporated, the financial advisor for the MNHEFA, to prepare and file returns with the IRS relating to arbitrage.

Annual monitoring – The Treasurer’s Office will monitor for compliance of College debt with bond covenants and Minnesota and Federal laws and regulations. A debt covenant spreadsheet is updated on an annual basis by the Treasurer’s Office.

Education – The Treasurer’s Office will seek education and training on updates to Federal tax law regarding tax-exempt bonds from MNHEFA.

Record retention – The records relating to tax-exempt bonds (use and investment of proceeds) shall be maintained for the entire term of the bonds issue plus three years, or in the case of an issue refunded by one or more subsequent issues, for the combined term of the issues plus three years.

Noncompliance – If discovery that any applicable tax restrictions regarding use of bond proceeds and bond-financed assets may be violated, the College will consult promptly with bond counsel and the Executive Director of MNHEFA to determine a course of action to remediate all non-qualified bonds, if such counsel advises that a remedial action is necessary.

Approved by the President’s Cabinet: December 17, 2013.

Unpersoned Aircraft Systems (Drones and Model Aircraft) Policy

I. Scope

This policy applies to:

- Gustavus Adolphus employees and students operating Unpersoned aircraft systems (UAS) in any location as part of their College employment or as part of College activities;
- The operation by any person of Unpersoned aircraft system or model aircraft on or above Gustavus Adolphus property;
- The purchase of Unpersoned aircraft systems with funding through Gustavus Adolphus, including College accounts, grants, or foundation accounts and;
- The hiring for or contracting for any Unpersoned aircraft services by a Gustavus Adolphus unit.

II. Purpose of Policy

Gustavus Adolphus must comply with Federal Aviation Administration (FAA) requirements, Gustavus Adolphus College policy, and any other locally applicable laws or regulations regarding Unpersoned aircraft systems. Inherent risks in the operation of such equipment require additional insurance provisions and policy considerations.

III. Policy Statement

The operation of Unpersoned aircraft systems including drones and model aircraft is regulated by the FAA and relevant state law. Therefore, all individuals who operate UAV or UAS systems on the Gustavus Adolphus College campus are personally responsible for complying with FAA regulations, state and federal laws, and College policies regarding use of Unpersoned aircraft systems. Gustavus Adolphus has established procedures to ensure compliance with those legal obligations and to reduce risks to safety, security and privacy considerations.

IV. Procedures

A. The operation of a drone, UAV or UAS over and/or inside Gustavus Adolphus College property is prohibited without the written approval of the Gustavus Director of Campus Safety (or his/her designee).

B. Individuals wishing to operate an UAS as part of their College employment or as part of a College program must obtain a 333 exemption or Certification of Waiver or Authorization (COA) issued by the FAA and submit it with an application for UAS use*. Application forms may be obtained at the Campus Safety Office, 035 Norelius Hall.

C. Any College employee, student, or unit purchasing a UAS (or parts to assemble a UAS), or UAS services with College funds or funds being disbursed through a College account, or grant funds, must contact the Director of Campus Safety in order to assess the College's ability to obtain a COA, other necessary FAA exemptions, or meet local compliance requirements.

D. College owned UAV's and UAS's need to be registered with the campus safety office and reported to the College's insurance carrier. Application forms may be obtained at the Campus Safety Office, 035 Norelius Hall.

E. Any third party or hobbyist wishing to use a UAS or model aircraft over and/or inside Gustavus College property must first receive approval through the Director of Campus Safety. In order to obtain approval, any operator that is not a College employee or student conducting work on behalf of a College program, must file an application and submit a \$1,000,000.00 general liability insurance certificate to the Director of Campus Safety at least 72 hours prior to the planned operation.** Application forms may be obtained at the Campus Safety Office, 035 Norelius Hall.

F. Third parties or hobbyists planning the use of UAS must also provide proof of FAA approval. In addition, operation of UAS by a third party or hobbyist over College property must be under a contract which holds the College harmless from any resulting claims or harm to individuals and damage to College property and provides insurance as required by the Director of Campus Safety. In operating a UAS for purposes of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of areas normally considered private. Minnesota law provides that a person who surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events through the window or other aperture of a sleeping room in a hotel, as defined in section [327.70, subdivision 3](#), a tanning booth, or other place where a reasonable person would have an expectation of privacy and has exposed or is likely to expose their intimate parts, as defined in section [609.341, subdivision 5](#), or the clothing covering the immediate area of the intimate parts; and commits a gross misdemeanor.

G. Once approved for the use of a UAS device by the Director of Campus Safety, Campus Safety should ensure proper notification of local law enforcement and aviation agencies.

H. All data collected from a UAS through an agreement between Gustavus Adolphus College and a third party, is the intellectual property of Gustavus Adolphus.

I. Any operator of a UAS (i.e., person actually flying the UAS, whether College employee, student, hobbyist or third party) must be at least 17 years old, passed an aeronautical knowledge test (to be taken every 24 months to maintain certification) and has an FAA UAS operator certificate. In addition,

- a. Flights are limited to daylight hours and in good weather.
- b. Flights are limited to 500 feet altitude and no faster than 100 mph.
- c. UAS must weigh less than 55 pounds.
- d. Operator is responsible for ensuring an aircraft is safe before flying (i.e., perform a preflight inspection that includes checking the communications link between the control station and the UAS, assess weather conditions, location of people, etc.).
- e. Operator must maintain visual line of sight of the UAS with unaided vision (except for eyeglasses).
- f. Operator must discontinue the flight when continuing would pose a hazard to other aircraft, people or property.
- g. UAS cannot be flown over people, except for those directly involved in the flight.
- h. Operating the UAS in a careless or reckless manner is prohibited.
- i. Dropping any objects from the UAS is prohibited.

- j. Operator must respect the privacy of others- avoid flying over private property or taking photos or videos without permission.

* The Gustavus Director of Campus Safety is the FAA account holder for COAs for the College; the Director reviews and processes all applications on a case-by-case basis.

** An application may be denied if an individual fails to provide proof of insurance, FAA registration of their device (if required) or proof of a remote pilot certificate.

V. Appropriate and Prohibited Uses

A. UAS shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include but are not limited to restrooms, locker rooms, individual residential rooms, changing or dressing rooms, and health treatment rooms.

B. UAS shall not be used to monitor or record residential hallways or residential lounges.

C. UAS shall not be used to monitor or record sensitive institutional or personal information that may be found, for example, on an individual's workspace, on computer or other electronic displays.

VI. Definitions

Gustavus Adolphus Property – Buildings, grounds, and land that are owned by Gustavus Adolphus College or controlled by Gustavus Adolphus College via leases or other formal contractual arrangements to house ongoing Gustavus operations.

COA – Certificate of Authorization or Waiver. According to the FAA, the COA is an authorization issued by the Air Traffic Organization to a public operator for a specific UA activity. After a complete application is submitted, FAA conducts a comprehensive operational and technical review. If necessary, provisions or limitations may be imposed as part of the approval to ensure the UAS can operate safely with other airspace users. In most cases, FAA will provide a formal response within 60 days from the time a completed application is submitted.

333 Exemption – FAA exemption based on Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA) which grants the Secretary of Transportation the authority to determine whether an airworthiness certificate is required for a UAS to operate safely in the National Airspace System.

Unmanned Aircraft Systems (UAS) – UAS are also known as or may be characterized as Drones. According to the FAA, a UAS is the Unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the Unmanned aircraft. UAS may have a variety of names including quadcopter, quadrotor, etc. FAA regulation applies to UAS regardless of size or weight. Model aircraft are not considered by the FAA as UAS and have different regulations.

Model Aircraft – Model aircraft are considered differently by the FAA than other UAS and have different regulations. Model aircraft are not for business purposes, only for hobby and recreation. (Use of UAS related to Gustavus Adolphus College does not qualify as model aircraft regulations.) Model aircraft must be kept within visual sightline of the operator, and should weigh under 55 pounds unless certified by an aeromodeling community-based organization. Model aircraft must be flown a sufficient distance from populated areas.

VII. Sanctions

Any violations of College policies by an individual will be dealt with in accordance with applicable College policies and procedures, which may include disciplinary actions up to and including termination from the College. Students who violate this policy may be subject to discipline through the Gustavus Adolphus College disciplinary conduct system. Disciplinary action for employees who are in violation this policy will be

determined by their supervisor, in consultation with the Director of Campus Safety and any other affected parties.

Legal prohibitions regarding physical presence on campus/trespassing and other legal action may also be pursued against third parties that operate UAS in violation of this policy.

Fines or damages incurred by individuals or units that do not comply with this policy will not be paid by Gustavus Adolphus College and will be the responsibility of those persons involved.

Approved by the President's Cabinet: October 11, 2016.

Complaints

Institutional Complaint Policy and Procedure

A Gustavus Adolphus College student, parent, employee or guest may feel the need to lodge a formal complaint with the College, which they wish to have addressed.

To be considered a formal complaint, the complaint must meet the following criteria:

1. Be written; (complaints received via email would qualify as written)
2. Be identified as a formal complaint;
3. Be received by the College President, Provost, or one of the Vice Presidents; and
4. Include a complainant's name and signature.

All formal complaints will be reviewed by the senior administrator to whom it was sent for credibility. Senior administrators may respond to the complaint or forward it on to appropriate parties within the College for response. All formal complaints will be responded to by written answer to the complaining party within one week. If the response to the complaint takes longer to answer than one week, a written timeline will be sent to the complaining party outlining when they could expect a response. All answers shall be deemed final and shall have no appeal process.

When applicable, responses to formal complaints will inform the complaining party of how the institution will integrate the complainant's concerns into plans for college process and/or improvement.

All formal complaints and documentation of responses will be maintained within the Office of the Provost for a period of ten years.

This Institutional Complaint Policy is not a substitute for the more specific grievance and appeal processes maintained by college offices (such as the Office of the Registrar, Academic Affairs, Human Resources, etc.), Faculty Personnel Files policy 2.1.3 in the *Faculty Handbook* or the Student Conduct Policies and Procedures.

Unresolved complaints may be brought to the Minnesota Office of Higher Education, 1450 Energy Park Drive, Suite 350, St. Paul, MN 55108 / <https://www.ohc.state.mn.us> / / 651-642-0533. If you reside in a state other than Minnesota, your unresolved complaint can be directed to your state's Office of Higher Education using this list of state contacts: <https://www2.ed.gov/about/contacts/state/>

Approved by the President's Cabinet: January 8, 2013. Revised January 13, 2023.

Conduct and Discipline

Consensual Relationships Policy

1. Employee-Student

Due to the inherent risk of favoritism, conflicts of interest, sexual harassment, and coercion, Gustavus Adolphus College employees are prohibited from engaging in any dating, romantic, or sexual relationship with a currently enrolled Gustavus student. This policy applies even to relationships considered to be consensual. This policy does not apply to previously existing employee/student marriages or domestic partnerships, as defined by College policy, or to a student worker in a consensual relationship with another student over whom they exercise no supervisory or evaluative authority.

An employee who violates this all-college policy will be subject to discipline up to and including dismissal. Furthermore, should any legal claims arise out of a relationship violation of this policy, Gustavus Adolphus will not indemnify the offending employee and will seek to recover its legal fees and expenses incurred to defend such claims.

As with other violations of college policies, anyone who becomes aware of such a relationship is expected to use one of the following reporting mechanisms to share this information:

- Contact the Director of Human Resources (507-933-6535)
- Contact the Campus Conduct hotline (866-943-5787)
- Make a report through Campus Safety (507-933-8888)

2. Employee-Employee

To the extent possible, dating, sexual, or romantic relationships between employees working within the same department or unit should be avoided even when the relationship is considered to be consensual.

Consensual dating, romantic, or sexual relationships between Gustavus Adolphus College employees in a supervisory relationship are prohibited. Where an amorous relationship previously exists or develops during the course of employment, the person in the position of greater authority or power will bear the primary burden of accountability. The superior must ensure that he or she does not exercise any supervisory or evaluative function over the other person in the relationship. In such instances, the superior must promptly notify his or her supervisor or dean in writing of the relationship and the dean or supervisor must implement alternative supervisory or evaluative arrangements.

An employee who fails to follow this policy will be subject to discipline up to and including dismissal. Furthermore, should any legal claims arise out of a relationship violation of this policy, Gustavus Adolphus College will not indemnify an employee accused of harassment or other unlawful conduct and will seek to recover its legal fees and expenses incurred to defend against such claims.

Approved by the Gustavus Adolphus College Board of Trustees: April 22, 2016. Updated and approved by the Executive Leadership Team October 29, 2024.

Disclosure of Misconduct (Whistleblower Policy)

Purpose and Applicability

The purpose of this policy is to set forth the policy of Gustavus Adolphus College (“Gustavus” or “the College”) on disclosure of misconduct and to protect individuals from retaliation in the form of an adverse employment action for disclosing what they believe evidences certain unlawful or unethical practices. This policy is applicable to all employees of Gustavus and to applicants for jobs at the Gustavus.

Statement of Policy

It is the policy of Gustavus that employees and applicants shall be free without fear of retaliation to report conduct within the College that they reasonably believe may constitute misconduct including, but not limited, to the following: wire fraud, mail fraud, bank fraud, securities fraud or questionable accounting and internal controls, auditing matters, harassment, discrimination, hostile workplace, safety and security issues, illegal or unethical business practices, wrongful termination, hate messages, *Faculty Manual* violations, administrative and staff manual violations, violations of laws, mismanagement, waste of College resources, and abuse of authority.

A representative of Gustavus shall not take or refuse to take any employment action in retaliation against an employee or applicant who reports possible misconduct under this policy in good faith, or who, following such disclosure, seeks a remedy provided under this policy or any law or College policy. However, employees or applicants who knowingly file false or misleading reports, or without a reasonable belief as to truth or accuracy, will not be protected by this policy, and in the case of an employee, may be subject to discipline, including termination of employment.

Process for Disclosure

1. An employee or applicant shall disclose all relevant information regarding evidenced misconduct to the President or his/her designee in a signed written document within ninety (90) days of the day on which he or she first knew of the misconduct. If the employee or applicant would rather contact a source outside of the College, he or she may contact the confidential Campus Conduct Hotline service as established by the College (866-943-5787).
2. The President or his/her designee shall consider the disclosure and take whatever action he or she determines to be appropriate under the law and circumstances of the disclosure.
3. In the case of disclosure of misconduct involving the President, the disclosure shall be directed to the Chair of the Board of Trustees. The Chair shall consider the disclosure and take whatever action he or she determines to be appropriate under the law and circumstances of the disclosure.
4. The disclosure recipient will be responsible for:
 - a. Ensuring all investigations are carried out in a fair and unbiased manner.
 - b. Ensuring that those making complaints and/or reporting compliance concerns are treated fairly, their confidentiality is protected to the extent the law allows, and no retaliation takes place.

Complaints of Retaliation as a Result of Disclosure

1. If an employee or applicant believes that he or she has been retaliated against in the form of adverse employment action for reporting possible misconduct under this policy, he or she may file a written complaint requesting an appropriate remedy.
2. For purposes of this policy, an adverse employment action shall be defined as actions including: discharge, demotion, suspension, being threatened or harassed, or in any other manner discriminated against with respect to compensation, terms, conditions or privileges of employment. This policy

does not prohibit an employment action that would have been taken regardless of a disclosure of information.

Process for Adjudication of Complaints Stemming from Disclosure

1. An employee or applicant must file a complaint with the President or his/her designee with ninety (90) days from the effective date of the adverse employment action or from the date on which the employee or applicant should reasonably have had knowledge of the adverse employment action.
2. Complaints shall be filed in writing and shall include:
 - a. Name and address of the complainant;
 - b. Name and title of the College's official(s) against whom the complaint is made;
 - c. The specific type(s) of adverse employment action(s) taken;
 - d. The specific date(s) on which the adverse employment action(s) were taken;
 - e. A clear and concise statement of the facts that form the basis of the complaint;
 - f. A clear and concise statement of the complainant's explanation of how his or her report of possible misconduct is related to the adverse employment actions; and
 - g. A clear and concise statement of the remedy sought by the complainant.
3. Within sixty (60) calendar days of receipt of complaint, the President or his/her designee (or the Chair of the Board of Trustees of Gustavus Adolphus College in the case involving the President) shall consider the written complaint, shall conduct or have conducted an investigation which, in his or her judgment, is consistent with the circumstances of the complaint and disclosure, and shall report to the complainant the conclusions of the investigation absent overriding legal or public interest reasons. The identity of the complainant and the subject of the complaint shall be kept confidential to the extent possible within the legitimate needs of law and the investigation.
4. The determination shall be in writing and shall include the findings of fact, the conclusions of the investigation, and if applicable, a specific and timely remedy consistent with the findings. The decision of the President or Chair of the Board of Trustees shall be final.

False Allegations of Wrongful Conduct

Any employee who knowingly makes false allegations of alleged wrongful conduct shall be subject to discipline, up to and including termination of employment, in accordance with College rules, policies and procedures.

Policy is Not a Contract

This policy is not a contract and it can be modified at any time, with or without notice. It does not provide greater or lesser rights than applicable law provides.

Approved by the Gustavus Adolphus College Board of Trustees: June 21, 2009.

Hazing Policy

Minnesota Statute

Subdivision 1. Definitions. (a) "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person in order for the student to be initiated into or affiliated with a student organization.

(b) "Student organization" means a group, club, or organization having students as its primary members or participants.

Introduction

From a legal perspective, hazing is a crime. From an individual student's perspective, hazing damages the self-esteem of those being hazed. From an organizational perspective, hazing degrades the values of the organization. From a campus community perspective, hazing creates an environment of disrespect that contradicts the College's values of excellence, community, justice, service, and faith in our community. For all these reasons, the College takes a strong position against any and all forms of hazing.

Hazing is typically understood to be activity in which high-status group members require or suggest that members engage to join or continue affiliation with the group. Individuals, organizations and groups affected by this policy are expected to take primary responsibility for implementing the policy and for periodically reviewing their activities with respect to compliance with it. Officers and members of the organization may be held individually responsible for violation.

College Policy

Gustavus Adolphus College does not tolerate hazing in any form by any individual, group, or organization. Hazing is defined as any action taken or situation created, intentionally or unintentionally, whether on or off campus premises, to produce mental or physical discomfort, fatigue, humiliation, intimidation, embarrassment, harassment or ridicule or that disrupts community life or academic commitments regardless of the intent or end result. Such actions may be perpetrated by an individual, group, or organization against an individual or individuals.

This list of examples is not exhaustive because many things can be hazing or non-hazing activities depending upon the context and many other factors.

- Break laws or college policies
- Compromise personal morals or values
- Endure physical abuse or harm
- Endure psychological abuse or harm, such as deception of members which is designed to convince a member that s/he will not be accepted to the organization or that s/he will be hurt during the activity
- Submit to abuse of power or power differential
- Undergo branding, tattooing, or any mutilation of the skin
- Have substances thrown at, poured on, or otherwise applied to the body
- Consume alcohol, drugs, food or beverages
- Undergo exposure to the environment without appropriate dress
- Exercise that serves no purpose (e.g., calisthenics)
- Undergo physical detention, kidnapping, being held against one's will, or abandonment
- Perform or participate in dangerous, degrading, or embarrassing public stunts, dares, displays, games, or activities
- Undergo prevention or deprivation of sleep, normal amounts of food or water, or adequate study time
- Perform an excessive number of tasks such that they encroach upon time needed for sleeping, studying, and attending to personal matters
- Participate in activities that interfere with scheduled class meetings, study sessions, or school-sponsored extracurricular activities
- Wear uncomfortable or inappropriate apparel or otherwise alter appearance which is conspicuous and/or atypical
- Experience public degradation

- Experience verbal harassment (such as degrading nicknames, derogatory references, yelling or screaming)
- Create or use explicit songs or perform sexist or racist acts
- Assume a submissive role
- Perform acts of personal servitude (such as cleaning, buying gifts, or making meals)
- Make excessive purchases (such as gifts, food, and clothing)
- Implementing ambiguous rules that serve no purpose, including but not limited to:
 - Keep silent or refrain from visiting non-group members
 - Not permitting members to talk for extended amounts of time
 - Carrying items for any period of time
- Having members line up to report facts, count off, or perform other unnecessary acts
- Learn trivia about members and about the group; ask members to learn chapter history or information if such a request interferes with academic study

Hazing can take place with or without the consent of the hazed. The consent of those hazed will not be accepted as a justification for hazing activities. Apathy or acquiescence in the presence of hazing are not neutral acts.

Consequences

Gustavus Adolphus College takes violations against the college hazing policy very seriously. Individuals, groups, and organizations are held accountable for acts of hazing. Furthermore, the College will treat the hazing action of even one member of a group as constituting hazing by the group. Those found responsible for hazing may be subject to severe sanctions including suspension or expulsion of the individual, group, or organization from the College.

Additionally, anyone who knew or who reasonably should have known of the hazing and did not make an attempt to prevent it may be adjudicated through the College's conduct system. Every member of the campus community is required to report any incidents of hazing or suspicions of hazing that come to their attention.

Reporting

Campus community members are expected to report any practice or action believed to constitute hazing immediately. Reports may be made 24 hours a day to the Dean of Students (507-933-7526) or Campus Safety (507-933-8888). The college will not tolerate harassment of or retaliation towards individuals who have reported hazing incidents and will investigate any allegations of hazing that are reported.

Adopted Fall 2005; Revised Spring 2014. Updated and approved by the Executive Leadership Team October 29, 2024.

Non-Discrimination, Harassment, and Other Unwelcome Misconduct

Gustavus Adolphus College aspires to be a community of persons from diverse backgrounds who respect and affirm the dignity of all people, where mutual respect, courtesy, kindness, and cooperation prevails. As such, and consistent with our core values and responsibilities, respect for each individual is central to how we conduct our work and build relationships within our community. Behavior that fails to respect the dignity of others is not compatible with this shared vision of our identity and our mission.

The policy of Gustavus Adolphus College is that every employee has the right to work and every student has the right to study and live in an environment free from unlawful discrimination, harassment, and other unwelcome behaviors that cause harm to another individual or group.

To Whom This Policy Applies

This Policy applies to all Gustavus students, employees (including faculty and staff) and volunteers. This Policy pertains to acts of prohibited conduct committed by students or employees when:

- The conduct occurs on College grounds or other property owned or controlled by the college; or
- The conduct occurs in the context of a College-sponsored employment, education program, or other activity, including, but not limited to, College-sponsored study away, research, online, or in internship programs; or
- The conduct occurs outside the context of a College employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for students, employees, or third parties while on College grounds or other property owned or controlled by the College or in any college employment or education program or activity.

The College will also take appropriate steps to remedy situations when students or employees are the subject of harassment by third parties on College grounds or associated with the College.

Prohibited Conduct Under This Policy

Gustavus, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this Policy in accordance with the following definitions and guidelines:

Discrimination: Gustavus prohibits discrimination on the basis of actual or perceived race, color, ethnicity, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, familial status, military service and veteran status, physical or mental disability, genetic information, status with regard to public assistance, local human rights commission activity, or any other characteristic protected by applicable federal, state, or local law (“Protected Characteristics”) with regards to all aspects of an individual’s employment (recruiting, hiring, placement, promotion, transfer, training, compensation) and access to educational opportunities.

- Discriminatory behavior is behavior that involves biased treatment of an individual or group based upon their characteristics (see aforementioned list).
- Some examples of discriminatory behaviors include:
 - Hiring practices that exclude an individual or group due their protected characteristics
 - Compensation practices that favor an individual or group due to their protected characteristics
 - Grading practices that favor an individual or group due to their protected characteristics

Harassment: The College will not tolerate harassment of any member of the College community based on that member’s Protected Characteristics. “Harassment” consists of unwelcome or offensive conduct, whether verbal, physical, or visual, that is based on a protected group status. The College will not tolerate harassing conduct that:

1. Affects tangible job or academic benefits;
2. Interferes unreasonably with an employee’s work performance or a student’s academic progress or success;
3. Creates an intimidating, hostile, or offensive environment.

Such harassment may include, for example:

1. Epithets, slurs, or negative stereotypes;
2. Intimidating or hostile acts based upon protected classification;

3. Written or graphic material that denigrates or shows hostility or aversion to persons of a protected classification and that is posted or circulated on College property.

“Harassment” may also include sexual harassment or sexual misconduct, and such prohibitions are addressed under the College’s Sex Discrimination Policy (under Title IX) (<https://gustavus.edu/facultybook/allcollegepolicies/#con>).

Bullying. Bullying involves aggressive, typically repetitive, and often deliberate behavior which imparts physical, mental, or emotional harm to a person or group through intimidation, coercion, force, hurtful teasing, threat, abuse, or causing discomfort. These types of bullying behaviors will not be tolerated. The College encourages constructive and thought-provoking dialogue and seeks to promote the open exchange of ideas and the independent pursuit of learning. The prohibition against bullying is not intended to prohibit individuals from raising concerns, either collectively or individually to College leadership, or individuals in leadership positions, and is not intended to create a “civility code” on campus.

- In some cases, but not all, bullying may also rise to a level that is deemed unlawful harassment or discrimination. In other cases, bullying may be based upon differences not protected by law (e.g., body size, socioeconomic class, political affiliation, etc.), yet still work to undermine an individual’s sense of belonging at the College.
- Bullying can occur as a single, severe incident or repeated incidents, has the purpose or effect of unreasonably causing harm to, interfering with or sabotaging an individual's work or academic performance, reputation, and/or career, and may manifest itself in a form including, but not limited to, the following:
 - Physical bullying includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person’s work area or personal property; and/or damaging or destroying a person’s work/academic product.
 - Verbal and written bullying can come in the form of slandering, ridiculing, insulting or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; abusive, threatening, derogatory or offensive remarks to a person; demeaning or dismissing an individual’s academic work due to disciplinary or sub-disciplinary area; and/or attempting to exploit an individual’s known intellectual or physical vulnerabilities.
 - Nonverbal bullying includes directing threatening gestures toward a person; invading personal space after being asked to move or step away; continual disrespectful facial expressions and glances that may convey a threatening message.
 - Cyber bullying is defined as bullying an individual using electronic forms, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- Bullying does not include, for example:
 - A supervisor addressing unsatisfactory job performance; or
 - Employee concerted activity protected under the National Labor Relations Act; or
 - A professor addressing unsatisfactory academic performance.

Reporting and Addressing a Suspected Violation

If a member of the campus community believes he or she has experienced or witnessed a violation of this Policy, he or she should contact one of the following:

Human Resources Department, 507-933-6075
Office of the Provost, 507-933-7541
Office of the Dean of Students, 507-933-7526

While, generally, students will report concerns to the Dean of Students, faculty will report concerns to the Office of the Provost, and staff will report concerns to the Office of Human Resources, all three avenues are available to any member of the campus community.

The complaint should be as detailed as possible so that the College may take appropriate steps to look into the facts and circumstances of all claims of a perceived violation of this Policy. The College reserves the right to enforce this Policy related to off-campus behavior when affiliated with a college-sponsored event and/or circumstances that are related to other on-campus conduct.

The College will take prompt and appropriate steps to both investigate the allegations and implement a remedy, as appropriate, when a complaint is made. An investigation may range anywhere from a simple fact-finding inquiry to a formalized exploration process involving an external investigator. The timeline for the College actions will be governed by the complexity of the matter, including the time of year when the complaint is brought forward. The investigation and remedial steps will vary depending on the circumstances of the complaint.

Such steps may include: facilitating an informal resolution between the parties, making interim accommodations where applicable, redirecting the complaint to another policy/procedure at the college, conducting an internal investigation, or bringing in an outside third-party to assist with investigating the allegations. Each situation is unique, and the College retains discretion to determine how best to proceed under the circumstances:

- **Title IX:** If the allegation is based on gender or sexual harassment or sexual misconduct, the College will review the initial complaint and make a determination as to whether the allegations meet the definition of Sex Discrimination (under Title IX) and, if so, will proceed under the Sex Discrimination Policy for conducting an investigation.
- **Accused Faculty Members:** When a formal investigation warranted and completed, and the fact-finding report is shared with the Provost, if the Office of the Provost concludes that a faculty member's alleged conduct justifies a minor sanction or may be sufficiently grave to merit a major sanction, the Office of the Provost will initiate proceedings outlined in the *Faculty Manual* (Section 3.2.4) (<https://gustavus.edu/facultybook/>).
- **Accused Staff, Volunteer, or other Non-Faculty Personnel:** The Office of Human Resources will determine if an investigation is warranted, and if so, the method of investigation, the manner in which a complaint will be addressed, and the level of applicable progressive discipline to apply to bring the complaint to resolution.
- **Accused Students:** The Office of the Dean of Students will utilize the College Student Conduct Procedures (<https://gustavus.edu/deanofstudents/policies/gustieguide/>) to bring a complaint to resolution. The College reserves the right to invoke the College Student Conduct System for student behavior occurring off-campus.

No Retaliation

See the College's Retaliation Policy (<https://gustavus.edu/facultybook/allcollegepolicies/#con>).

Gustavus is committed to enforcing this Policy against all forms of unlawful harassment, unlawful discrimination, and other allegations under this Policy. However, the effectiveness of the College's efforts depends largely on employees, students, and other members of the campus community to report inappropriate workplace and campus conduct. If a member of our campus community feels that they or someone else may have been subjected to conduct that violates this Policy, they should report it immediately. If individuals do not report discriminating, harassing, bullying or other unwelcome misconduct, the College

may not become aware of a possible violation of this Policy, and appropriate corrective action cannot be taken.

Approved by the President's Cabinet: April 16, 2013; updated August 14, 2018; revised and approved by the Gustavus Adolphus College Board of Trustees: October 7, 2022; updated October 11, 2024.

Retaliation Policy

Gustavus Adolphus College expressly prohibits retaliation against any individuals who make complaints (e.g., discrimination) against the College, their witnesses, supporters, and any advisors regardless of the outcome of the complaint. If a member of the campus community believes that he or she is experiencing retaliation (e.g., discipline, reprisal, intimidation, etc.), the individual may pursue a grievance through the Office of Human Resources, Dean of Students, Office of the Provost, or other appropriate senior supervisor, as appropriate.

Approved by the Administrative Council July 15, 1999; revised and approved by the Board of Trustees, October 7, 2022.

Sex Discrimination Policy

Policy effective date: August 1, 2024

Nothing in this Policy is intended to create or define the terms of a contract between Gustavus Adolphus College and any student, employee, independent contractor, vendor, or other individual or entity. The College reserves the right to alter, amend, or deviate from the provisions and procedures in this Policy at any time, with or without notice to the College community.

I. Introduction

Members of Gustavus Adolphus College (“Gustavus” or the “College”) community, guests and visitors have the right to be free from all forms of Sex Discrimination. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College will not tolerate any violation of this Policy.

This Policy outlines the College’s community expectations to ensure a campus free from Sex Discrimination, the steps for recourse for those individuals who have been subject to Sex Discrimination, and the procedures for determining whether a violation of College policy has occurred. This Policy applies to the following forms of Sex Discrimination: Non-Harassment Discrimination (Differential Treatment, Retaliation, and Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions) and Sex-Based Harassment (Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Sexual Exploitation), as those terms are defined in this Policy. For the College’s nondiscrimination policy regarding other protected class statuses, see the All-College Policy on Non-Discrimination, Harassment, and Other Unwelcome Misconduct. Where the content of this Policy conflicts with other similar policies set forth in the student and/or Faculty and Employee handbooks, the requirements of this Policy shall prevail.

This Policy supersedes any previous policies regarding sex discrimination, sexual misconduct and/or retaliation under Title IX and will be reviewed and updated, as needed, by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect, and shall be applicable immediately to faculty, staff, and students, with or without notice. If government laws or regulations change, or court decisions alter, the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

II. Notice of Non-Discrimination

In accordance with applicable federal and state laws, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act, and the Americans with Disabilities Act and ADA Amendments, the College does not unlawfully discriminate on the basis of sex, race, color, national origin, religion, age, disability, marital status, genetic information, veteran status, citizenship status, ancestry, or any other protected status under federal, state or local law applicable to the College, in its education programs and activities, in employment policies and practices, and all other areas of the College.

Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The College is required by Title IX and its regulations not to engage in sex discrimination in its education program or activity, including admissions and employment. Sex discrimination is conduct based upon an individual’s sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that excludes an individual from participation in, denies the individual the benefits of, or treats the individual less favorably in an education program or activity. Sex-Based Harassment is a form of sex discrimination. In accordance with Title IX and its regulations, the College’s Title IX Policy addresses the College’s prohibition of the following forms of sex discrimination: Non-Harassment Discrimination (Differential Treatment, Retaliation, and Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions) and Sex-Based Harassment (Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Sexual Exploitation).

The College prohibits unlawful sex discrimination in any form. The College will promptly and equitably respond to all reports of Sex Discrimination. To report information about conduct that may constitute Sex Discrimination or to make a complaint of Sex Discrimination, please contact the Title IX Coordinator.

Questions or concerns about Title IX and/or Sex Discrimination, including Sex-Based Harassment, may be directed to the College’s Title IX Coordinator:

Amy Pehrson
Title IX Coordinator
Gustavus Adolphus College
Campus Center, 201A
800 W. College Ave
Saint Peter, MN 56082
507-933-6360
titleix@gustavus.edu

Questions or concerns regarding Section 504 compliance may also be directed to the College’s Title IX Coordinator in her role as Assistant Dean of Students.

Questions or concerns may also be directed to the U.S. Department of Education’s Office for Civil Rights:

The Office of Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: (800) 421-3481
Facsimile: (202) 453-6012

Email: OCR@ed.gov
<http://www.ed.gov/ocr>

III. Scope

This Policy applies to all College community members, including but not limited to, students, employees, faculty, administrators, staff, applicants for admission or employment, and third parties, such as trustees, volunteers, vendors, independent contractors, visitors, and any individuals or entities that do business with the College or are regularly or temporarily employed, studying, living, visiting, conducting business or having any official capacity with the College or on College property. This Policy may also apply to individuals who interact with College community members under certain circumstances. All College community members are required to follow College policies and local, state, and federal law.

This Policy applies to Sex Discrimination committed by or against a College community member, including conduct occurring on campus or College property, conduct that occurs at College-sanctioned events or programs that take place off campus, such as study abroad and internships, and off campus conduct that may (1) have continuing adverse effects on campus, College property, or in a College program or activity, (2) substantially and unreasonably interfere with a community member's employment, education or environment on campus, College property, or in a College program or activity, or (3) create a hostile environment for community members on campus, College property, or in a College program or activity.

This Policy applies regardless of the sexual orientation or gender identity of any of the parties.

IV. Title IX Coordinator and Title IX Team

The Title IX Coordinator is responsible for the coordination of the College's Title IX compliance efforts, including the College's efforts to end Sex Discrimination, prevent its recurrence, and address its effects. The Title IX Coordinator oversees and monitors the College's overall compliance with Title IX-related policies and developments and the administration of this Policy; the implementation of complaint resolution processes, including investigation and adjudication of complaints of Sex Discrimination; the provision of educational materials and training for the campus community; and all other aspects of the College's Title IX compliance. These responsibilities include, but are not limited to:

- Coordinating specific actions to prevent Sex Discrimination and ensure equal access to the College's education program or activity;
- Ensuring College policies and procedures and relevant state and federal laws are followed;
- Informing any individual, including a complainant, a respondent or another individual, about the procedural options and processes used by the College and about resources available at the College and in the community;
- Monitoring the College's education program or activity for barriers to reporting information about conduct that reasonably may constitute Sex Discrimination and taking steps reasonably calculated to address such barriers;
- Training and assisting College employees regarding how to respond appropriately to a report of Sex Discrimination;
- Monitoring full compliance with all procedural requirements and time frames outlined in this Policy;
- Evaluating allegations of bias or conflict of interest relating to this Policy;
- Determining whether grounds for appeal under this Policy have been stated;
- Ensuring that appropriate training, prevention and education efforts, and periodic reviews of the College's climate and culture take place;
- Coordinating the College's efforts to identify and address any patterns or systemic problems revealed by reports and complaints;

- Recordkeeping of all incidents reported to the Title IX Coordinator;
- Complying with written notice requirements of the Violence Against Women Act; and
- Assisting in answering any other questions related to this Policy.

Questions regarding this Policy should be directed to the Title IX Coordinator: Amy Pehrson

Title IX Coordinator
 Gustavus Adolphus College
 Campus Center, 201A
 800 W. College Ave
 Saint Peter, MN 56082
 507-933-6360
titleix@gustavus.edu

The College's Title IX Team includes appointed staff and faculty designees. These team members have a shared responsibility for consulting with, and supporting, the Title IX Coordinator and may serve as the Title IX Coordinator's designee. When this Policy refers to actions of the Title IX Coordinator, these actions may be fulfilled by the Title IX Coordinator or the Title IX Coordinator's designee. Members of the team may also be called upon to investigate or adjudicate complaints of Sex Discrimination, decide appeals, and/or facilitate informal resolutions. The Title IX Coordinator has authority to consult with each individual appointed to serve in a role in the complaint resolution process to ensure compliance with the law and this Policy and to promote consistency in the College's processes.

The Title IX team includes but is not limited to the Deputy Title IX Coordinators:

Tommy Valentini
 507-933-6446
tvalentini@gustavus.edu

Martin Lang
 507-933-6899
mlang3@gustavus.edu

The College also reserves the right to outsource actions under this Policy to third parties, including actions of the Title IX Coordinator, investigator, decisionmaker, and appeal board.

V. Definitions

Complainant refers to an individual who is alleged to have been subjected to conduct that could violate this Policy.

Respondent refers to an individual who is alleged to have violated this Policy.

A **report** is an account of Sex Discrimination that has allegedly occurred that has been provided to the College by the complainant, a third party, or an anonymous source.

A **complaint** is an oral or written request to the College that objectively can be understood as a request for the College to investigate and make a determination about an alleged violation of this Policy. A complaint generally begins the complaint resolution process as set forth in Section XI. General Provisions for Complaint Resolution Process below.

Sex Discrimination as used in this Policy means the following forms of misconduct: Non Harassment Sex Discrimination (Differential Treatment, Retaliation, and Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions) and Sex-Based Harassment (Quid Pro Quo

Harassment, Hostile Environment Harassment, Sexual Exploitation, Sexual Assault, Domestic Violence, Dating Violence, and Stalking), as each of those terms is defined below in Section VI. Prohibited Conduct.

Non-Harassment Sex Discrimination as used in this Policy means the following forms of misconduct: Differential Treatment, Retaliation, and Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions, as each of those terms is defined below in Section VI. Prohibited Conduct.

Sex-Based Harassment as used in this Policy means the following forms of misconduct: Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Exploitation, Sexual Assault, Domestic Violence, Dating Violence, and Stalking, as each of those terms is defined below in Section VI. Prohibited Conduct.

On the basis of sex as used in this Policy means when conduct is sexual in nature or is referencing or aimed at a particular sex. On the basis of sex includes on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Consent means words or overt actions by a person in advance clearly communicating a freely given present agreement to participate in a particular sexual contact or activity. Words or overt actions clearly communicate consent when a reasonable person in the circumstances would believe those words or actions indicate a willingness to participate in a mutually agreed-upon sexual contact or activity. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent. It is the responsibility of the person initiating the specific sexual contact or activity to obtain consent for that contact or activity.

The definition of consent is subject to the following:

- Consent to one form of sexual contact or activity does not, by itself, constitute consent to any other forms of sexual contact or activity.
- Consent can be withdrawn at any time. When consent is withdrawn, the sexual contact or activity for which consent was initially provided must stop.
- Consent is active, not passive. Silence or the absence of resistance or saying “no,” in and of themselves, cannot be interpreted as consent.
- Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent.
- Previous relationships or previous consents do not, by themselves, constitute consent to future sexual contact or activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may be factors in determining whether there was consent.
- An existing sexual, romantic, or marital relationship does not, by itself, constitute consent.
- Prior sexual activity with other individuals does not imply consent.
- Consent cannot be procured, expressly or implicitly, by use of force, intimidation, threats, or coercion, as that term is defined below.
- An individual known to be—or who should be known to be—incapacitated, as defined below, cannot consent to sexual contact or activity initiated by another individual.
- Use of alcohol or other drugs will never function to excuse behavior that violates this Policy.
- Consent can only be given if one is of legal age. In Minnesota, the legal age of consent is 16.

Coercion is conduct or intimidation that would compel an individual to do something against their will by: (1) the use of physical force, (2) threats of severely damaging consequences, or (3) pressure that would reasonably place an individual in fear of severely damaging consequences. Coercion is more than an effort to persuade or attract another person to engage in sexual activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone uses to obtain consent from another.

Incapacitation is the physical and/or mental inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. With respect to incapacitation due to the ingestion of alcohol or other drugs, incapacitation requires more than being under the influence of alcohol or other drugs; a person is not incapacitated just because they have been drinking or using other drugs. Where alcohol and other drugs are involved, incapacitation is determined based on the facts and circumstances of the particular situation, looking at whether the individual was

able to understand the fact, nature, or extent of the sexual situation; whether the individual was able to communicate decisions regarding consent, non-consent, or the withdrawal of consent; and whether such condition was known or reasonably should have been known to the respondent or a reasonable, sober person in the respondent's position.

Use of drugs or alcohol by the respondent is not a defense against allegations of Sex Discrimination. Regardless of their own level of intoxication, individuals who are initiating sexual contact are always responsible for obtaining consent before proceeding with sexual activity.

Unwelcome conduct occurs when the individual did not request or invite and regarded it as undesirable or offensive. The fact that an individual may have accepted the conduct does not mean that they welcomed it. On the other hand, if an individual actively participates in conduct and gives no indication that they object, then the evidence generally will not support a conclusion that the conduct was unwelcome. That a person welcomes some conduct does not necessarily mean that person welcomes other conduct. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion. Whether conduct was unwelcome may be determined based on the context and circumstances of the encounter or incident.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant, considering the ages, abilities, and relative positions of authority of the individuals involved in an incident.

Course of conduct means two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through others (by any action, method, device, or means), follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or professional treatment or counseling.

Relevant evidence means evidence related to the allegations of Sex Discrimination under investigation in a complaint resolution process under this Policy. Questions are relevant when they seek evidence that may aid in showing whether the alleged Sex Discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged Sex Discrimination occurred.

Impermissible evidence means the following types of evidence: (1) evidence that is protected under a privilege as recognized by Federal or state law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is

owed has voluntarily waived the privilege or confidentiality; (2) a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the College obtains that party's or witness's voluntary, written consent for use in the complaint resolution process; and (3) evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is

evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to provide consent to the alleged Sex-Based Harassment.

Credibility is in dispute when the decisionmaker must choose between competing narratives to resolve a complaint.

Inculpatory evidence is a statement or other evidence which tends to establish that a respondent has engaged in Sex Discrimination in violation of this Policy.

Exculpatory evidence is a statement or other evidence which tends to establish that a respondent has not engaged in Sex Discrimination in violation of this Policy.

VI. Prohibited Conduct

The College prohibits the following forms of Sex Discrimination: Non-Harassment Sex Discrimination (Differential Treatment, Retaliation, and Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions) and Sex-Based Harassment (Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Exploitation, Sexual Assault, Domestic Violence, Dating Violence, and Stalking), as each term is defined below. Aiding others in acts of Sex Discrimination also violates this Policy.

When the terms in Section IV. Definitions are used as part of the Prohibited Conduct definitions below, the above definitions apply.

A. Non-Harassment Sex Discrimination

i. Differential Treatment

Differential Treatment is conduct on the basis of sex that excludes an individual from participation, denies the individual the benefits of, treats the individual less favorably, or otherwise adversely affects a term or condition of an individual's employment, education, living environment, or participation in a program or activity.

Examples of Differential Treatment include:

- Giving prohibited consideration to an individual's sex in deciding whether to offer an applicant a job interview or an employee a promotion;
- Requiring that members of a particular sex meet higher standards for advancement or promotion;
- Denying a student the opportunity to participate in an educational activity because of his or her sex.

Differential Treatment includes discrimination on the basis of sex stereotypes, pregnancy or related conditions, sexual orientation, and gender identity.

ii. Retaliation

Retaliation is any act of intimidation, threat, coercion, or discrimination or any other adverse action or threat thereof against any individual for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Encouraging or assisting others to engage in Retaliation or to interfere with the process are also considered Retaliation and violate this Policy.

The following acts are examples of conduct that may constitute Retaliation if done for the purpose of interfering with a right or privilege secured by Title IX or this Policy or because an individual has made a report or complaint or participated or refused to participate in a complaint resolution process: acts or comments that are intended to discourage a person from engaging in activity protected under this Policy or that would discourage a reasonable person from engaging in activity protected under this Policy; acts or

comments that are intended to influence whether someone participates in the complaint resolution process, including a live hearing; acts or comments intended to embarrass the individual; adverse changes in employment status or opportunities; adverse academic action; and adverse changes to academic, educational, and extra-curricular opportunities. Retaliation may be in person, through social media, email, text, and other forms of communication, representatives, or any other person. Retaliation may be present against a person even when the person's allegations of Sex Discrimination are unsubstantiated.

iii. Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions

Failure to Provide a Student Reasonable Modifications for Pregnancy and Related Conditions means failure to make reasonable modifications to College policies, practices, or procedures for a student's pregnancy or related condition as necessary to prevent Sex Discrimination and ensure equal access to the College's education program or activity.

Reasonable modifications are based on a student's individualized needs. Modifications that would fundamentally alter the nature of the College's education program or activity are not reasonable. Certain modifications may be reasonable in some circumstances but unreasonable in others depending on the particular course and other relevant circumstances.

B. Sex-Based Harassment

Sex-Based Harassment means sexual harassment and other harassment on the basis of sex, including on the bases of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that satisfies one or more of the following definitions:

i. Quid Pro Quo Harassment

Quid Pro Quo Harassment occurs when an employee, agent, or other person authorized by the College to provide an aid, benefit, or service under the College's education program or activity, including a student-employee, explicitly or implicitly conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. Such unwelcome sexual conduct could include, but is not limited to, sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal, nonverbal, or physical conduct or communication of a sexual nature.

ii. Hostile Environment Harassment

Hostile Environment Harassment is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity.

The following conduct, or other unwelcome sex-based conduct, may constitute Hostile Environment Harassment:

- Sexual flirtations, advances, or propositions;
- Requests for sexual favors;
- Verbal abuse of a sexual nature, obscene language, gender- or sexually-oriented jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations;
- The display of derogatory or sexually suggestive posters, cartoons, drawings, or objects, or suggestive notes or letters or e-mails or text messages or in a public space;
- Visual conduct such as leering or making gestures;
- Sexually suggestive comments about an individual's body or body parts, or sexual degrading words to describe an individual;
- Unwanted kissing;

- Touching of a sexual nature such as patting, pinching or brushing against another's body;
- Cyber or electronic harassment of a sexual nature;
- Degrading comments about a particular sex.

The circumstances that may be considered when determining whether conduct was so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity include, but are not limited to:

- The degree to which the conduct affected the complainant's ability to access the College's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the College's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred;
- Other Sex-Based Harassment in the College's education program or activity;
- Whether the conduct was merely a discourteous, rude, or insensitive statement; and
- Whether the speech or conduct deserves the protection of academic freedom.

iii. Sexual Exploitation

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another person for the benefit of anyone other than the one being exploited. Examples of Sexual Exploitation may include, but are not limited to:

- Intentional and repeated invasion of sexual privacy without consent (e.g., walking into the other person's room or private space without consent);
- Prostituting another person;
- Taking of or distribution of photographs/images, video or audio recording, or electronically broadcasting (e.g., with a web cam) a sexual activity without consent;
- Intentional removal or attempted removal of clothing that exposes an individual's bra, underwear, genitals, buttocks, or breasts, or that is otherwise sexual in nature, without consent;
- Intentionally allowing others to view/hear a sexual encounter (such as letting individuals hide in the closet or watch consensual sex) without consent;
- Viewing or permitting someone else to view another's sexual activity or intimate body parts, in a place where that person would have a reasonable expectation of privacy, without consent;
- Engaging in voyeurism without consent;
- Exposing one's genitals, buttocks, or breasts in non-consensual circumstances;
- Inducing another to expose his or her genitals, buttocks, or breasts in non consensual circumstances;
- Knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person without his or her knowledge and consent;
- Ejaculating on another person without consent;
- Distributing or displaying pornography to another in non-consensual or unwelcomed circumstances.

While conduct may meet the definition of Sexual Exploitation and also be part of a finding of Hostile Environment Harassment, if the decisionmaker finds that conduct meets the definition of Sexual Exploitation or Hostile Environment Harassment, the decisionmaker generally will not separately analyze the same conduct under the other definition.

iv. Sexual Assault

Sexual Assault is any actual or attempted sexual contact, including penetration and contact with any object, with another person without that person's consent. As used in this Policy, sexual contact includes intentional

contact by the accused with the victim's genital area, groin, inner thigh, buttocks, or breasts, whether clothed or unclothed; touching another with any of these body parts, whether clothed or unclothed; coerced touching by the victim of another's genital area, groin, inner thigh, buttocks, or breasts, whether clothed or unclothed; or forcing another to touch oneself with or on any of these body parts. Sexual Assault includes but is not limited to an offense that meets any of the following definitions:

- Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, oral penetration by a sex organ of another person, or oral contact with the sex organ of another person, without the consent of the victim.
- Fondling: the touching of the intimate parts (including the genital area, groin, inner thigh, buttocks, or breast) of another person for the purpose of sexual gratification, without the consent of the victim.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory rape: sexual intercourse with a person who is under the statutory age of consent; in Minnesota, the age of consent is 16.

Sexual Assault is also prohibited by Minnesota law. See Section XVIII. State Law Definitions below for applicable criminal law definitions.

v. Domestic Violence

Domestic Violence includes a felony or misdemeanor crime committed by a person who (a) is a current or former spouse or intimate partner of the victim under the Minnesota family or domestic violence laws (or if the crime occurred outside of Minnesota, the jurisdiction in which the crime occurred), or a person similarly situated to a spouse of the victim, (b) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner, (c) shares a child in common with the victim, or (d) commits acts against a victim who is protected from those acts under the Minnesota family or domestic laws.

While not exhaustive, the following are examples of conduct that can constitute Domestic Violence when committed by a current or former spouse or intimate partner of the victim or a person similarly situated to a spouse of the victim: (1) physical harm, bodily injury or assault; (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or (3) terroristic threats, criminal sexual conduct, or interference with an emergency call.

For purposes of this Domestic Violence definition, consent will not be a defense to a complaint of physical abuse.

Domestic Violence is also prohibited by Minnesota law. See Section XVIII. State Law Definitions below for applicable criminal law definitions related to Domestic Violence.

vi. Dating Violence

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined with consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse, such as physical harm, bodily injury, or criminal assault, or the threat of such abuse. For purposes of this Dating Violence definition, consent will not be a defense to a complaint of physical abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

Dating Violence is also prohibited by Minnesota law. See Section XVIII. State Law Definitions below for applicable criminal law definitions relating to Dating Violence.

vii. Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress.¹

Stalking behavior may include, but is not limited to:

- Repeated, unwanted and intrusive communications by phone, mail, text message, and/or email or other electronic communications, including social media;
- Repeatedly leaving or sending the victim unwanted items, presents, or flowers;
- Following or lying in wait for the victim at places such as home, school, work, or recreational facilities;
- Making direct or indirect threats to harm the victim, or the victim's children, relatives, friends, or pets;
- Damaging or threatening to damage the victim's property;
- Repeatedly posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth, that would cause a person to feel threatened or intimidated;
- Unreasonably obtaining personal information about the victim.

For the purposes of this Stalking definition, not all communication about a person will be considered to be directed at that person.

Stalking is also prohibited by Minnesota law. See Section XVIII. State Law Definitions below for applicable definitions of criminal stalking.

¹Some instances of Stalking may not be on the basis of sex. This Policy prohibits all forms of Stalking, regardless of whether it is based on sex.

C. Consensual Relationship Policy

In light of the power differential inherent in the relationship between faculty and students and between a supervisor and subordinate, and in light of the potential for either intentional or unintentional misuse of that professional power differential, College employees (faculty and staff) are prohibited from engaging in any dating, romantic, or sexual relationship with a currently enrolled Gustavus student. Similarly, consensual dating, romantic, or sexual relationships between College employees who are in a supervisory relationship are also prohibited. It should be noted that in such cases "consent" may not constitute a defense if a Title IX issue arose. Even if the prohibited relationship does not implicate a Title IX issue, the relationship itself may violate other College policies including, but not limited to, the College's Consensual Relationships Policy. Such relationships pose a risk of real or perceived favoritism among other potential issues. Here you will find the [Gustavus Consensual Relationships Policy](#).

VII. Student Requesting Reasonable Modifications for Pregnancy and Related Conditions

The College will make reasonable modifications to the College's policies, practices, or procedures for a student's pregnancy and related conditions as necessary to prevent Sex Discrimination and ensure equal access to the College's program or activity. Students who want to request a reasonable modification due to pregnancy or a related condition should contact the Title IX Coordinator who will coordinate with the appropriate faculty or staff to evaluate and implement reasonable modifications. The Title IX Coordinator, appropriate faculty or staff and the student will engage in a good faith interactive process to identify appropriate reasonable modifications. Reasonable modifications are based on a student's individualized needs.

Modifications that would fundamentally alter the nature of the College's education program or activity are not reasonable. Certain modifications may be reasonable in some circumstances but unreasonable in others depending on the particular course and other relevant circumstances.

Given the time sensitive nature of requests for reasonable modifications, a student must reach out to the Title IX Coordinator to request a reasonable modification and engage in a good faith interactive process to identify and implement reasonable modifications before seeking action under this Policy. If, after participating in a good faith interactive process with the Title IX Coordinator and the appropriate faculty or staff member, a student believes they have been denied reasonable modifications necessary to prevent Sex Discrimination and ensure equal access to the College's program or activity, they may file a complaint under this Policy.

VIII. Confidentiality

The College encourages individuals who have experienced Sex Discrimination to talk to someone about what happened. Privacy and confidentiality have distinct meanings under this Policy. Different people on campus have different legal reporting responsibilities, and different abilities to maintain privacy or confidentiality, depending on their roles at the College.

In making a decision about whom to contact for support and information, it is important to understand that most College employees are not confidential employees, and are therefore obligated to report to the College any information they receive about Sex Discrimination. Persons who have experienced Sex Discrimination are encouraged to consider the following information in choosing whom to contact for information and support, and are encouraged to ask about a person's ability to maintain confidentiality before offering any information about alleged Sex Discrimination.

A. Confidential Employees and External Confidential Resources

The College recognizes that some individuals may wish to keep their concerns confidential. Confidential communications are those communications which cannot be disclosed to another person, without the reporter's consent, except under very limited circumstances such as allegations involving the physical abuse, sexual abuse, or neglect of a child (under the age of 18) or vulnerable adult or an imminent threat to the life of any person. Individuals who desire the details of Sex Discrimination to be kept confidential should speak with a medical professional, professional counselor, minister or other pastoral counselor, or trained victims' advocate.

Individuals that desire the details of the incident be kept confidential should contact any of the following confidential employees and other external confidential resources:

Confidential Employees

- Advocates with the Gustavus Sexual Assault Response team (SART/CADA) 507-933-6868
- Counselors with the Gustavus Counseling Center 507-933-7027 (students only)
- Health professionals with the Gustavus Health Service 507-933-7630
- Campus Chaplains 507-933-7446

Some confidential resources serve in multiple roles on campus. If you are seeking assistance of one of the confidential resources in their role as a confidential resource, you should contact them through the office contact information listed above and should make clear prior to disclosing any information that you are seeking their assistance as a confidential resource.

Other External Confidential Resources

- Committee Against Domestic Abuse (CADA) 800-630-1425

Please note that if a concern is reported only to a confidential employee or other external confidential resource and not to a non-confidential employee at the College, the College will be unable to provide certain supportive measures that would require involvement from the College (such as issuing a no-contact directive), conduct an investigation into the particular incident, or pursue disciplinary action. Individuals who first speak with a confidential employee may later decide to make a complaint to the College or report the incident to local law enforcement.

B. Non-Confidential Communications

Non-confidential communications are those communications with any College employee who is not a confidential employee as identified above. Only confidential employees can promise confidentiality. All other College employees who become aware of information about conduct that reasonably may constitute Sex Discrimination are required to report the matter to the Title IX Coordinator. College employees who are not confidential employees will strive to remind an individual of their reporting obligations before the individual has disclosed a situation that requires reporting to the Title IX Coordinator.

Although most College employees cannot promise confidentiality, the College is committed to protecting the privacy of individuals involved in a report of Sex Discrimination and will take reasonable steps to protect the privacy of the parties and witnesses during the complaint resolution process. The College will not disclose personally identifiable information related to a report or complaint of Sex Discrimination, except in the following circumstances:

- To carry out the College's obligations under Title IX, including action taken to address conduct that may reasonably constitute Sex Discrimination and to carry out the complaint resolution process;
- When the College has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- As required by Federal law, Federal regulations, or the terms and conditions of a Federal award; and
- As required by state or local law, when permitted by FERPA.

Allegations of policy violations will be considered private and will only be shared with other College employees on a need to know basis, as permitted by law. The allegations will not be shared with law enforcement without the consent of the individual who has alleged the Sex Discrimination, unless the allegations relate to physical abuse, sexual abuse, or neglect of a child under the age of 18 (see Section X.A.iii. Mandatory Reporting

Concerning Minors and Vulnerable Adults below for more information) or unless compelled to do so pursuant to a subpoena or court order.

In addition, although the College will strive to protect the privacy of all individuals involved to the extent possible consistent with the College's legal obligations, the College may be required to share information with individuals or organizations outside the College under reporting or other obligations under federal and state law, such as reporting of Clery Act crime statistics and mandatory reporting of child abuse and neglect. In addition, if there is a criminal investigation or civil lawsuit related to the alleged misconduct, the College may be subject to a subpoena or court order requiring the College to disclose information to law enforcement and/or the parties to a lawsuit. In these cases, personally identifying information will not be reported to the extent allowed by law and, if reported, affected students will be notified consistent with the College's responsibilities under FERPA, as allowed by law.

C. Requests for Confidentiality or Non-Action

When the College receives a report of Sex Discrimination, it has a legal obligation to respond in a timely and appropriate manner. Making a report to the College does not require an individual to begin or participate in a complaint resolution process or to report to local law enforcement. However, based on the information gathered, the College may determine that it has a responsibility to move forward with a complaint resolution process (even without the participation of the complainant).

In a situation in which the complainant requests that their name or other personally identifiable information not be shared with the respondent or that no action be taken against the respondent, or otherwise does not make a complaint of Sex Discrimination, the Title IX Coordinator will make a fact-specific determination considering the following factors:

- the complainant's request not to proceed with initiation of a complaint;
- the complainant's reasonable safety concerns regarding initiation of a complaint;
- the risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- the severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- the age and relationship of the parties, including whether the respondent is an employee of the College;
- the scope of the alleged discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- the availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- whether the College could end the alleged sex discrimination and prevent its recurrence without initiating its complaint resolution process; and
- other relevant factors.

If, after considering these factors, the Title IX Coordinator determines that: (1) the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or (2) the conduct as alleged prevents the College from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator will generally initiate a complaint. The Title IX Coordinator initiating a complaint does not make the Title IX Coordinator a party to the complaint resolution process or adverse to the respondent.

If the Title IX Coordinator will be initiating a complaint, the Title IX Coordinator will notify the complainant before proceeding and will appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures. At the complainant's request, the Title IX Coordinator may communicate to the respondent that the complainant asked the College not to investigate and that the College determined it needed to do so. A complainant can choose not to participate in any complaint resolution process. In instances where the College moves forward with a complaint resolution process without the participation of the complainant, the complainant will have the same rights as provided to a complainant under this Policy.

Regardless of whether the Title IX Coordinator initiates a complaint, the College will take other appropriate prompt and effective steps to ensure that Sex Discrimination does not continue or recur within the College's education program or activity. However, the scope of the response by the College may be impacted or limited based on the nature of the complainant's request. The College will likely be unable to conduct an investigation into the particular incident or to pursue disciplinary action against the respondent and also maintain confidentiality.

D. Statistical Reporting and Clery Act Warning

Pursuant to the Clery Act, the College includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education and the Minnesota Officer of Higher Education in a manner that does not include any personally identifying information about any individual involved in an incident.

In addition, the Clery Act requires the College to issue a crime alert (timely warning) to the campus community about certain reported offenses which may represent a serious or continuing threat to students and employees. The timely warning may include that an incident has been reported, general information surrounding the incident, and how incidents of a similar nature might be prevented in the future. The timely warning will not include any identifying information about the complainant.

Publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and daily crime log, will not include names or other information that may personally identify either party, to the extent permitted by law. To ensure that a complainant's personally identifying information will not be included in publicly available recordkeeping, the Title IX Coordinator will describe the alleged incidents by removing the complainant's and respondent's names and any other identifiers that would enable the public to identify the complainant or respondent in the context of the incident report.

Minnesota law requires institutions to collect statistics, without inclusion of any personally identifying information, regarding the number of reports of Sexual Assault received by an institution and the number of types of resolutions. Data collected for purposes of submitting annual reports containing those statistics to the Minnesota Office of Higher Education under Minn. Stat. 135A.15 shall only be disclosed to the complainant, persons whose work assignments reasonably require access, and, at the complainant's request, police conducting a criminal investigation. Nothing in this paragraph is intended to conflict with or limits the authority of the College to comply with other applicable state or federal laws.

E. Public Awareness Events

From time to time the College may hold public events to raise awareness about Sex Based Harassment. Employees who attend a public awareness event on College campus or through an online platform are legally required to report information regarding Sex Discrimination, including Sex-Based Harassment, to the Title IX Coordinator.

If the Title IX Coordinator is notified of conduct that reasonably may constitute Sex-Based Harassment that was shared at such a public awareness event, the College generally will not respond to the information, unless the Title IX Coordinator, in consultation with other appropriate College officials, determines the information indicates an imminent and serious threat to the health or safety of a complainant, any students, employees, or other persons. Regardless, the College will use the information to inform its efforts to prevent Sex-Based Harassment.

F. Steps to Protect Privacy of Parties and Witnesses

The College does not prohibit the parties from obtaining and presenting evidence (including by speaking to witnesses), consulting with family members, confidential employees or external confidential resources, or advisors, or otherwise preparing for or participating in the complaint resolution process. However, the College is legally required to take reasonable steps to protect the privacy of the parties and witnesses during the complaint resolution process. Pursuant to this legal obligation, the College takes the steps described throughout this Policy to protect the privacy of the process. These steps include:

Prior to receiving access to the relevant and not otherwise impermissible evidence and investigation report, the parties and advisors (if any) are required to sign a non-disclosure agreement agreeing to use the evidence

and investigation report only for purposes of participating in the complaint resolution process and not to disseminate or otherwise share the evidence or investigation report with any other individual. See Section XII.F.iii. Access to Relevant Evidence and Investigation Report below for more information.

The College prohibits parties and witnesses in a complaint resolution process from making widespread disclosures via social media or other media regarding the allegations or the complaint resolution process while the process is pending.

The College will take steps to address any unauthorized disclosure of information or evidence, including but not limited to taking disciplinary action. An allegation of a violation of this Section will be handled pursuant to Section XV. Complaints of Related Misconduct below.

IX. Immediate and Ongoing Assistance Following an Incident of Sex Discrimination

The College seeks to support any person adversely impacted by Sex Discrimination. Both the College and the local community provide a variety of resources to assist and support individuals who have experienced Sex Discrimination or are affected by allegations of Sex Discrimination. These resources, both immediate and ongoing, are available to all persons irrespective of their decision to report to the College or to law enforcement.

Support services that may be available include, but are not limited to, connecting the individual with appropriate on-campus and off-campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and support services; making changes to academic, living, transportation, and/or working arrangements; assistance in filing a criminal complaint; and providing information about

restraining orders and other available protections and services. Additional information about ongoing assistance is in Section XI.G. Supportive Measures below. To receive information about obtaining support services, individuals should contact the Title IX Coordinator.

The College will provide written notification to affected individuals about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the College and in the community.

A complete description of College and community resources, both confidential and non confidential, and additional information regarding what to do if you experience Sex Discrimination is provided in Section XVII. Resources at the end of this Policy and on the College's website. Individuals who believe they have been subjected to any form of Sex Discrimination are encouraged to seek support from these resources.

X. Reporting Sex Discrimination

A. Reporting to the College

The College encourages anyone who has experienced or knows of Sex Discrimination to report the incident to the College. An individual may report Sex Discrimination to the College by contacting the following:

- Amy Pehrson
Title IX Coordinator
Gustavus Adolphus College
Campus Center, 201A
800 W. College Ave
Saint Peter, MN 56082
507-933-6360
titleix@gustavus.edu
- Tommy Valentini
Deputy Title IX Coordinator
Phone: 507-933-6446
Email: tvalentini@gustavus.edu
- Martin Lang
Deputy Title IX Coordinator
Phone: 507-933-6899
Email: mlang3@gustavus.edu

Reports can be made by telephone, via email, via mail, or in person. Reports may be made at any time, including non-business hours by phone, email, mail, or online via the College's [Sex Discrimination Reporting Form](#).

Reports to the College should include as much information as possible, including the names of the complainant, respondent, and other involved individuals, and the date, time, place, and circumstances of the incidents, to enable the College to respond appropriately.

Upon receiving a report of Sex Discrimination, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures and to explain the process of making a complaint and the complaint resolution process. In addition, when a student or employee reports to the College that they have been a victim of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, whether the offense occurred on or off campus, the College will provide the student or employee with a written explanation of the student's or employee's rights and options, along with the procedures victims should follow.

If an individual has made a report to a College employee who is not a confidential employee and has not yet heard from the Title IX Coordinator, please report directly to the Title IX Coordinator.

i. Employee Reporting Obligations

All College employees who are not confidential employees and who obtain or receive information about conduct that reasonably may constitute Sex Discrimination must report that information to the Title IX Coordinator. Student employees who receive such information in the course of their work position or duties also must report the information to the Title IX Coordinator. Student leaders (including Collegiate Fellows, Gustie Greeters, and other students in a leadership role) also must report any information they obtain or receive regarding possible Sex Discrimination to the Title IX Coordinator. Student leaders have a reporting obligation regardless of whether they are a College employee. Individuals who are unsure whether they are a student leader with an obligation to report under this Policy should contact the Title IX Coordinator.

Incidents that must be reported by College employees include:

- Incidents personally observed;
- Incidents/allegations that are reported to the employee; and
- Incidents/allegations of which the employee otherwise becomes aware.

Such reports should be made as soon as possible and should include all relevant details needed to assess the situation. This includes, to the extent known, the names of the complainant, respondent, and others involved in the incident, as well as relevant facts, including the date, time, and location of any incident.

Employees who receive such reports of Sex Discrimination should not attempt to "investigate" the allegation or require the complainant/reporting individual to provide all of the details surrounding the alleged misconduct. To the extent the complainant/reporting individual provides details, that information should be provided to the Title IX Coordinator. Upon receiving a report of alleged or possible Sex Discrimination, the Title IX Coordinator will evaluate the information received and determine what further actions should be taken, consistent with the complaint resolution process and this Policy.

College employees who are not confidential employees and receive a report of Sex Discrimination should bring the report directly to the Title IX Coordinator and should not share information about the report with any other individual. If the employee is uncertain whether the information should be reported to the Title IX Coordinator, the employee should seek guidance from the Title IX Coordinator before providing the Title IX Coordinator with any identifiable information regarding the report.

Failure of a College employee who is not a confidential employee to report allegations of Sex Discrimination to the Title IX Coordinator may result in disciplinary action.

ii. Anonymous Reports

The College will accept anonymous reports of Sex Discrimination. Reports may be filed anonymously using the [online reporting form](#). The College will likely be limited in its ability to investigate an anonymous report or take responsive action unless sufficient information is provided to enable the College to conduct a meaningful investigation. The individual making the report is encouraged to provide as much detailed information as possible.

iii. Mandatory Reporting Concerning Minors and Vulnerable Adults

Any College employee who knows or has reason to believe a child is being maltreated or has been maltreated within the preceding three years on campus or College property or in connection with any College event, program, or activity must report it immediately to the Title IX Coordinator. In addition, as a mandatory reporter under Minnesota law, such individual must also immediately report the abuse or neglect to the local welfare agency or police department. Additional information regarding county offices can be found [here](#). Additionally, any College employee who becomes aware of the abuse or neglect of a vulnerable adult on campus or College property or in connection with any College event, program, or activity must report it immediately to the Title IX Coordinator and to the state Adult Abuse Reporting Center at 1-844-880-1574.

B. Reports to Law Enforcement

Some types of Sex Discrimination prohibited by this Policy, such as Sexual Assault, Domestic Violence, Dating Violence, Stalking, and certain forms of Sexual Exploitation, also may constitute criminal conduct. Individuals who believe they may have been subjected to criminal sexual conduct are strongly encouraged to notify local law enforcement authorities or Campus Safety. If the individual requests, campus authorities will assist in notifying law enforcement authorities. The College will, at the direction of law enforcement, provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with criminal conduct that violates this Policy. Individuals also have the option to decline to notify law enforcement.

Individuals may file a criminal complaint and make a complaint under this Policy simultaneously. Reporting to law enforcement is not necessary for the College to proceed with a complaint resolution process.

If you would like to report criminal sexual conduct to law enforcement, the St. Peter Police can be contacted by calling 911 or 507-931-1550.

C. Orders for Protection, Criminal No-Contact Orders, and College No Contact Directives

Individuals who would like to avoid contact with another individual have several options available to them, including seeking a protective order from a civil court or requesting a no-contact directive from the College.

Orders for Protection

Orders for protection, sometimes called protective orders or restraining orders, are legal orders issued by a state court that provide protection from domestic or family violence, stalking, harassment, or a sex offense. The Minnesota Judicial Branch is responsible for issuing orders for protection. A victim may seek an order for protection by going to the District Court in their county. See Minnesota Statutes Section 518B.01, subd. 4.

Additional information regarding seeking an order for protection can be found [here](#). Additionally, Violence Free Minnesota maintains a [directory of domestic violence services and programs](#) statewide. The organization also has a 24-hour hotline for voice calls at 866-223-1111, or for texts at 612-399-9995.

Criminal No-Contact Orders

Criminal no-contact orders are legal orders issued by a court against a defendant in a criminal proceeding, including for domestic battery, a violent crime, a sex offense, or other crimes involving domestic or family violence. A criminal no-contact order is requested by the prosecutor and may be issued before the end of the criminal case or following a conviction.

College No-Contact Order

A no-contact order is a College-issued directive that prohibits one or both parties from communication or contact with another. No-contact orders may be mutual or one-sided. Generally, no-contact orders issued prior to the conclusion of a complaint resolution process will be mutual and serve as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another. To request a no

contact order from the College, individuals should contact the Title IX Coordinator.

The College is responsible for honoring requests for information about available options for orders for protection and College no-contact orders and has a responsibility to comply with and enforce such orders. To request additional information about available options for orders for protection and College no-contact orders, contact the Title IX Coordinator. An order for protection or criminal no-contact order can be enforced by contacting local law enforcement. A College no-contact order may be enforced by contacting the Title IX Coordinator or the Dean of Students. The College will fully cooperate with any protective order issued by criminal, civil, or tribal court.

D. Crime Victims Bill of Rights

Pursuant to state law, victims of crime must be informed of their rights under the Crime Victims Bill of Rights. The following is a summary of crime victims' rights under Minnesota law.

When a crime is reported to law enforcement, victims have the right to:

- Request that their identity be kept private in reports available to the public;
- Be notified of crime victim rights and information on the nearest crime victim assistance program or resource;
- Apply for financial assistance for non-property losses related to a crime;
- Participate in prosecution of the case, including the right to be informed of a prosecutor's decision to decline prosecution or dismiss their case;
- Protection from harm, including information about seeking a protective or harassment order at no cost;
- Protection against employer retaliation for taking time off to attend protection or harassment restraining order proceedings; and
- Assistance from the Crime Victims Reparations Board and the Commissioner of Public Safety.

Victims of domestic abuse also have the right to terminate a lease without penalty. Victims of Sexual Assault have the right to undergo a confidential Sexual Assault examination at no cost, make a confidential request for HIV testing of a convicted felon, and are not required to undergo a polygraph examination in order for an investigation or prosecution to proceed. In cases of domestic abuse and violent crime where an arrest has been made, victims also have the right to be provided notice of the release of the offender, including information on the release conditions and supervising agency.

Complete information about [crime victims' rights can be found here](#). Information about victims' rights is also available from the Title IX Coordinator or from the Minnesota Department of Public Safety, Office of Justice Programs, and in Minnesota Statutes Chapter 611A.

E. Amnesty

The College community encourages the reporting of Sex Discrimination by complainants and other individuals. The integrity of the process is dependent upon the honesty of all involved in the complaint resolution process. Sometimes, individuals are hesitant to report to College officials or participate in complaint resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking, that may have been occurring at the time of the incident. To encourage transparency, individuals who make a good faith report of Sex Discrimination, and individuals who participate in a Sex Discrimination complaint resolution process, will not be disciplined by Gustavus for their own personal consumption of alcohol or drugs in connection with the reported incident, except as outlined in this section.

Amnesty will not apply to engaging in the distribution of illegal drugs. In addition, amnesty may not be extended in instances where any individual is harmed by the conduct constituting a violation of College drug and alcohol policies, where the individual engaging in a violation of College drug and alcohol policy holds a leadership role on campus, including a leadership role over students or employees, or where an employee is engaging in a violation of College policy with a student. In those cases the College may still pursue disciplinary action for the alleged violation of other College policies. When amnesty is provided, the College may still impose educational or programming requirements or other non-disciplinary prevention measures to assist in avoiding further violations. The participation in such training or educational programming will not be reflected on a community member's official records.

F. Emergency Removal

The College reserves the right to remove a student respondent, in whole or in part, from the College's education program or activity on an emergency basis. Prior to removing the student respondent on an emergency basis, the College will undertake an individualized safety and risk analysis and will determine that an imminent and serious threat to the health or safety of any student, employee or other individual arising from the allegations of Sex Discrimination justifies removal. If a student respondent is removed on an emergency basis, the College will provide the student respondent with notice and an opportunity to challenge the decision immediately following the removal.

G. Administrative Leave

The College reserves the right to place an employee respondent on administrative leave during the pendency of the complaint resolution process.

An employee may also be assigned other duties during the pendency of the complaint resolution process.

XI. General Provisions for Complaint Resolution Process

When the College receives a complaint of an alleged violation of this Policy, the College will promptly and equitably respond to the complaint in accordance with the provisions and procedures set forth below. The College will provide a prompt, fair and impartial complaint resolution process. A fair process is one that treats the parties equitably, provides complainant an opportunity to file a complaint alleging a violation of this Policy and an opportunity to present evidence of the allegations prior to a decision on responsibility, provides respondent notice of the allegations and an opportunity to respond to and present evidence related to those allegations prior to a decision on responsibility, and, when credibility is in dispute and relevant to evaluating the allegations, provides a process that enables the decisionmaker to question parties and witnesses to

adequately assess a party's or witness's credibility. In matters when credibility is in dispute and relevant to evaluating the allegations, the process for enabling the decisionmaker to assess a party's or witness's credibility differs depending on the allegations and identities of the parties, as is further described below.

Each complaint resolution process will require an objective evaluation of all relevant and not otherwise impermissible evidence, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. The burden to conduct an investigation that gathers sufficient evidence to determine whether Sex Discrimination occurred rests on the College and not on the parties.

The College will not use impermissible evidence or questions seeking impermissible evidence, as defined above.

This Policy provides different procedures depending on the particular circumstances of a case, including the type of Sex Discrimination that is alleged and the status of the parties involved. The General Grievance Procedure described below applies to: (1) allegations of Non-Harassment Discrimination involving one or more individuals as the respondent and (2) allegations of Sex-Based Harassment where neither party is a student. The Heightened Grievance Procedure described below applies to allegations of Sex-Based Harassment involving at least one student party. In matters involving a student

employee, whether an individual is considered a student or an employee for the purpose of determining which grievance procedure applies will be determined on a case-by-case basis considering: (1) whether the party's primary relationship with the College is to receive an education; (2) whether the alleged Sex-Based Harassment occurred while the party was performing employment-related work; and (3) other relevant factors at the College's discretion. When a complaint of Sex Discrimination alleges that a College policy or practice discriminates on the basis of sex, the College is not considered a respondent and the College has discretion to follow a different process as determined appropriate at the College's discretion.

If a complaint includes both an allegation that implicates the General Grievance Procedure and an allegation that implicates the Heightened Grievance Procedure, the College reserves the right to process the allegations in the same complaint resolution process or to separate the allegations into separate complaint resolution processes.

A. Trained, Impartial Officials

Each complaint resolution process will be conducted by individuals, including coordinators, investigators, decisionmakers, any person who facilitates an informal resolution process, persons with authority to modify or terminate supportive measures, and any other person responsible for implementing the grievance procedure, who do not have a conflict of interest or bias for or against complainants or respondents generally or for or against the individual complainant or respondent. Additionally, all individuals involved in the complaint resolution process will receive training as described below in Section XIV.B. Training for Individuals with Heightened Responsibilities.

B. Equal Rights of the Complainant and Respondent

In all Sex Discrimination complaint resolution processes under this Policy, the complainant and respondent are entitled to:

- Respect, sensitivity, and dignity;
- Appropriate support from the College;
- Privacy to the extent possible based on applicable law and College policy;
- Information regarding all applicable policies and procedures;
- Written explanation of available resources;

- The right to participate or decline to participate in the complaint resolution process, with the acknowledgement that not participating, either totally or in part, may not prevent the process from proceeding with the information available;
- Equitable procedures that provide both parties with a prompt and impartial complaint resolution process conducted by officials who receive annual training on conduct prohibited by this Policy;
- The right to be accompanied to any complaint resolution process meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The College will not limit the choice or presence of an advisor for either the complainant or respondent in any meeting related to the complaint resolution process. See Section XI.E. Right to an Advisor below for additional information and requirements regarding the conduct of advisors.
- Notice of the allegations and defenses and an opportunity to respond;
- Written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings at which the party's participation is invited or expected, with sufficient time for the party to prepare to participate;
- Timely notice of meetings that are part of the complaint resolution process at which the complainant or respondent may be present;
- An equal opportunity to identify relevant witnesses and other evidence and to suggest possible topics to be covered with witnesses during the complaint resolution process;
- For the complainant, not to be questioned or have evidence considered regarding the complainant's prior sexual conduct with anyone other than the respondent, unless such questions or evidence are to prove that someone other than the respondent committed the alleged Sex Discrimination;
- An equal opportunity to access the evidence that is relevant to the allegations of Sex Discrimination and not otherwise impermissible, as set forth in Section XII.F.iii. Access to Relevant Evidence and Investigation Report below;
- The right to notification, in writing, of the resolution, including the outcome of any appeal;
- For the complainant, the right to report the incident to law enforcement at any time or to decline to do so;
- The right to be free from Retaliation as defined in this Policy;
- For the respondent, the right to not be subject to discipline for Sex Discrimination prior to the conclusion of a formal or informal resolution process as set forth in this Policy;
- The right to assistance of campus personnel (during and after the complaint process), in cooperation with the appropriate law enforcement authorities, in shielding the complainant or respondent, at their request, from unwanted contact with the complainant or respondent, including but not limited to a no-contact order issued by the College, transfer to alternative classes or to alternative College owned housing (if alternative classes or housing are available and feasible), change in work location or schedule, or reassignment (if available and feasible); and to receive assistance with academic issues;
- The right to the assistance of campus authorities in preserving materials relevant to a campus complaint proceeding; and
- The right to be provided access to their description of the incident, as it was reported to the College, including if the individual transfers to another post secondary institution, subject to compliance with FERPA, the Clery Act, Title IX, and other federal or state law. Requests for an individual's description of the incident should be made to the Title IX Coordinator.

C. Additional Rights in Cases Implicating the Heightened Grievance Procedure

In cases under the Heightened Grievance Procedure (allegations of Sex-Based Harassment involving at least one student party), the following additional rights will be afforded to the complainant and the respondent:

- The parties will have the same opportunities, if any, to have persons other than the advisor of the parties' choice present during any meeting or proceeding. Additional persons will only be permitted to be present if required by law.
- The complaint resolution process will include a live hearing, at which each party may propose questions and follow-up questions the party wants asked of any party or witness. At the live hearing, the decisionmaker will consider the proposed questions and follow-up questions and will ask any relevant and not otherwise impermissible questions of the parties and witnesses, as set forth in Section XII.F.iv. Live Hearing below.
- The complainant has the right to decide when to repeat a description of an incident of Sex-Based Harassment, and the respondent has the right to decide when to repeat a description of a defense to such allegations.

In addition, a complainant who alleges Sex-Based Harassment, has the following rights:

- To be informed by the College of options to notify proper law enforcement authorities of an incident of Sex-Based Harassment, and the right to report to law enforcement at any time or to decline to notify such authorities;
- To the complete and prompt assistance of campus authorities, at the complainant's request, in notifying the appropriate law enforcement officials and College officials of a Sex-Based Harassment incident and filing criminal charges with local law enforcement officials in criminal Sex-Based Harassment cases;
- The right to the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a Sexual Assault incident;
- Not to be treated by campus authorities in a manner that suggests that they are at fault for the Sexual Assault or that they should have acted in a different manner to avoid the Sexual Assault;
- To be offered fair and respectful health care, counseling services, or referrals to such services and notice of the availability of campus or local programs providing Sexual Assault advocacy, Dating Violence, Domestic Violence, or Stalking services;
- To be offered assistance from the Crime Victim Reparations Board and the Commissioner of Public Safety; and
- For students who choose to transfer to another post-secondary institution, at the student's request, the right to receive information about resources for victims of Sex-Based Harassment at the institution to which the student is transferring.

D. Additional Rights in Cases Involving Allegations of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Where Neither Party Is a Student

In cases involving allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, where neither party is a student, the following additional right will be afforded to the complainant and the respondent:

- The complainant has the right to decide when to repeat a description of an incident of Sexual Assault, Domestic Violence, Dating Violence, or Stalking, and the respondent has the right to decide when to repeat a description of a defense to such allegations.

In addition, a complainant who alleges Sexual Assault, Domestic Violence, Dating Violence, and Stalking where neither party is a student, has the following rights:

- To be informed by the College of options to notify proper law enforcement authorities of an incident of Sexual Assault, Domestic Violence, Dating Violence, or Stalking, and the right to report to law enforcement at any time or to decline to notify such authorities;
- To the complete and prompt assistance of campus authorities, at the complainant's request, in notifying the appropriate law enforcement officials and College officials of a Sexual Assault, Domestic Violence, Dating Violence, or Stalking incident and filing criminal charges with local law enforcement officials in Sexual Assault, Domestic Violence, Dating Violence, and Stalking cases;
- The right to the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a Sexual Assault incident;
- Not to be treated by campus authorities in a manner that suggests that they are at fault for the Sexual Assault or that they should have acted in a different manner to avoid the Sexual Assault;
- To be offered fair and respectful health care, counseling services, or referrals to such services and notice of the availability of campus or local programs providing Sexual Assault advocacy, Dating Violence, Domestic Violence, or Stalking services; and
- To be offered assistance from the Crime Victim Reparations Board and the Commissioner of Public Safety.

E. Right to an Advisor

The complainant and the respondent in a complaint resolution process have the right to be accompanied to meetings by an advisor of their choice, who may be, but is not required to be, an attorney. If a member of the College community is serving as an advisor, the advisor should generally be free of conflicts in his or her position in the community. An individual has the right to decline a request to serve as an advisor in the College's complaint resolution process.

Guidelines and requirements for advisors are:

- The purpose of the advisor is to support an individual during the complaint resolution process. An advisor is permitted to accompany the individual to interviews or other meetings or proceedings throughout the complaint resolution process. In selecting an advisor, each party should consider the potential advisor's availability to attend interviews and meetings, which may occur in-person. As a general matter, the College will not delay its process to accommodate the schedules of advisors.
- Advisors may confer with their advisee but advisors may not actively participate in the complaint resolution process. The advisor may accompany the complainant or respondent to all meetings relating to the complaint resolution process. The advisor may not appear in lieu of the complainant or respondent or speak on their behalf in either in-person or written communications to the College. The advisor may not communicate directly with the investigator, decisionmaker, appeal board, the Title IX Coordinator, or any other school official involved in the complaint resolution process and may not interrupt or otherwise delay the complaint resolution process.
- Advisors may have access to information as is described further below in Section XII.F.iii. Access to Relevant Evidence and Investigation Report.
- Individuals involved in the process other than a complainant or respondent, such as witnesses, generally will not be allowed to have an advisor present absent special circumstances as allowed by law.
- If a party selects an attorney as an advisor, the advisor's participation in the complaint process is in the role of an advisor and not as an attorney representing a party. The advisor will have access to highly confidential information and is prohibited from sharing information obtained as an advisor

during the complaint process with anyone, including other individuals who may be part of an attorney client relationship with the party.

- Parties must notify the Title IX Coordinator who they have selected as their advisor. Advisors will be required to sign an Advisor Agreement acknowledging receipt and understanding of these requirements. Failure to comply with these requirements, including violations of confidentiality, or other forms of interference with the complaint resolution process by the advisor may result in disqualification of an advisor. The College reserves the right to dismiss an advisor.
- The College will notify a party to a complaint resolution process if another party involved in the complaint resolution process has obtained an advisor and will indicate whether the other party's advisor is an attorney.

F. Requests for Reasonable Accommodations

Individuals who need a reasonable accommodation should contact the Title IX Coordinator. The College will consider requests for reasonable accommodations submitted to the Title IX Coordinator on a case-by-case basis. Accommodations the College may provide include:

- Providing reasonable accommodations as required by law to an individual with a disability who requests an accommodation necessary to participate in the complaint resolution process.
- Providing an interpreter for individuals who are limited English-language proficient.

G. Supportive Measures

After receiving a report of alleged Sex Discrimination, the Title IX Coordinator will consider whether supportive measures are appropriate to (1) restore or preserve a party's access to the College's education program or activity, including measures designed to protect

the safety of the parties or the College's educational environment; or (2) provide support during the College's formal or informal resolution process. Such supportive measures will be available without fee or charge to the complainant, respondent, and others adversely impacted by the complaint resolution process, if requested and reasonably available. Such measures will not unreasonably burden the complainant or respondent and will not be for punitive or disciplinary reasons.

The College will provide written notification to affected individuals about options for, available assistance in, and how to request changes to academic, living, transportation and working situations, or protective measures. The College will comply with a student's reasonable request for a living and/or academic situation change following an alleged incident of Sex Discrimination. The College will make such accommodations and provide such protective measures, with or without a complaint, even when an individual asks to keep a reported violation of this Policy confidential or requests that the College not investigate the matter, and regardless of whether an individual chooses to report to law enforcement.

Examples of possible supportive measures may include, without limitation:

- Establishing a "no contact" directive prohibiting the parties involved from communicating with each other;
- Changing an individual's on-campus residency, dining, or transportation arrangements;
- Special parking arrangements;
- Assistance in finding alternative housing;
- Changing an individual's student or employee status or job responsibilities; • Changing an individual's work or class schedule;
- Leaves of absence;
- Providing academic accommodations or providing assistance with academic issues;

- Providing security escorts;
- Increased security and monitoring of certain areas of campus;
- Providing a temporary cell phone;
- Access to counseling and medical services;
- Training and education programs related to Sex-Based Harassment;
- Making information about protective orders and criminal no contact orders available and providing assistance with respect to obtaining and enforcing such orders;
- Assistance in identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services, legal assistance, visa and immigration assistance, and student financial aid;
- For students who choose to transfer to another institution, at the student's request, providing information about resources for victims of Sexual Assault at the institution to which the student is transferring.

The College determines which measures are appropriate for a particular individual on a case-by-case basis. Such measures will vary based on the particular facts and circumstances, including, but not limited to, the specific need expressed by the individual, the age of the individuals involved, the severity or pervasiveness of the allegations, any continuing effects on the individual, whether the complainant and respondent share the same residence hall, dining hall, class, transportation, or job location, and whether other judicial measures have been taken to protect the individual. The Title IX Coordinator will be responsible for determining what measures will be put in place.

To request an accommodation or supportive measure, individuals should contact the Title IX Coordinator. Individuals also should contact the Title IX Coordinator to request modification or termination to an accommodation or supportive measure if circumstances change materially.

The College will maintain as confidential any supportive measures provided to an individual, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures. The College will only disclose information necessary to provide the accommodations or protective measures in a timely manner to individuals who need to know the information in order to effectively provide the accommodations or protective measures. The Title IX Coordinator will determine what information about an individual should be disclosed and to whom this information will be disclosed based on the facts and circumstances of the specific situation and the accommodation to be provided. The College will inform the individual before sharing personally identifying information that the College believes is necessary to provide an accommodation or protective measure. The College will tell the individual which information will be shared, with whom it will be shared, and why it will be shared.

The College may, as it determines appropriate, continue, modify, or terminate supportive measures at the conclusion of the formal or informal resolution process or following other material changes in circumstance.

Additional services are available on campus and/or in the community, as described in Section XVII. Resources at the end of this Policy and on the College's website.

Any concern about a violation of a supportive measure should be reported to the Title IX Coordinator promptly. Complaints of a violation of a supportive measure will be handled as discussed in Section XV. Complaints of Related Misconduct below.

Opportunity to Seek Modification of Supportive Measures

A complainant or respondent may seek modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures available to that party. To seek modification or

reversal, the party must submit an objection, in writing, to the Dean of Students, within two (2) calendar days of the Title IX Coordinator communicating the applicable decision regarding the supportive measure.

The Dean of Students or designee will review the party's concern and determine whether the Title IX Coordinator's decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures.

H. Non-Participation and Silence

Either party may decline, at any time, to provide information or participate further in the complaint resolution process. If, at any time during the complaint resolution process, a party decides not to participate, the College may still proceed with the complaint resolution process and make a determination based upon the information available. If at any time the complainant declines to participate in the process, the College's ability to meaningfully investigate and adjudicate a complaint may be limited. In such cases, the College may proceed with the complaint resolution process and make a determination based upon the information available. The respondent also has the right to decline to participate in the complaint resolution process. In such cases, the College may proceed with the complaint resolution process and make a determination based upon the information available. A complainant's silence in response to a respondent's denials or defenses will not necessarily be viewed as an admission of the denials or defenses, but may leave the respondent's denials or defenses undisputed. Similarly, a respondent's silence in response to a complainant's allegation will not necessarily be viewed as an admission of the allegation, but may leave the complainant's allegations undisputed.

Even if a party decides not to participate or chooses to stop participating at a phase of the process, the party will still be given the option to participate during additional phases of the process.

The decisionmaker will not draw an inference about the determination regarding responsibility based solely on a party's lack of participation or refusal to answer questions during the complaint resolution process. However, the decisionmaker may consider a party's or witness's refusal to answer one or more questions when determining how much weight to give the party's or witness's statements.

I. Obligation to Act in Good Faith

Reports and complaints of alleged Sex Discrimination should be made only in good faith.

An allegation that a person has violated the obligation to act in good faith will be handled through the procedures identified below in Section XV. Complaints of Related Misconduct.

J. Obligation to Be Truthful

All parties and witnesses have an obligation to be truthful in this process. Comments or actions intended to influence other individuals to not be truthful in the complaint resolution process also violate this Policy. A determination as to whether Sex Discrimination occurred, alone, is not a sufficient basis to find that a party, witness, or others participating in the complaint resolution process violated the obligation to be truthful. An allegation that a person has violated the obligation to be truthful will be handled through the procedures identified in Section XV. Complaints of Related Misconduct below.

K. Conflicts of Interest and Bias

If a complainant or respondent has any concern that any individual acting for the College under this Policy has a conflict of interest or bias, for or against complainants or respondents generally or for or against the individual complainant or respondent, such concern should be reported in writing to the Title IX Coordinator. Any concern regarding a conflict of interest or bias must be submitted within two (2) calendar days after receiving notice of the person's involvement in the process. The Title IX Coordinator will review

the concerns and take appropriate steps to ensure that no conflicts of interest or bias exist on the part of anyone investigating or adjudicating a complaint under this Policy.

If a complainant or respondent has any concern that the Title IX Coordinator has a conflict of interest or bias, such concern should be reported in writing to the Dean of Students. If the Title IX Coordinator has a conflict of interest or bias with respect to a complaint, the Dean of Students shall appoint another person to oversee adherence to the Policy with respect to the complaint at issue.

The parties should be mindful that the College has a small and close-knit campus community. That a party simply knows an individual acting for the College under this Policy or has had some limited interaction with such individual generally will not be deemed a disqualifying conflict of interest or bias in most instances. However, the College encourages the parties to bring any concern of conflict of interest or bias to the Title IX Coordinator's attention for consideration.

L. Time Frames for Resolution

The College is committed to the prompt and equitable resolution of allegations of Sex Discrimination. As is discussed in more detail above and below, this Policy provides different procedures depending on the particular circumstances of a case, including the

type of Sex Discrimination that is alleged and the status of the parties involved. The time frames for each phase of the different procedures are as follows:

i. General Grievance Procedure (Allegations of Non-Harassment Sex Discrimination and Allegations of Sex-Based Harassment Where Neither Party Is a Student)

Specific time frames for each phase of the complaint resolution process for complaints involving allegations of Non-Harassment Sex Discrimination and allegations of Sex Based Harassment where neither party is a student are set forth in Section XII. Procedures for Sex Discrimination Complaint Resolution below. Each phase of the process will generally be as follows:

- Review of complaint and notice of allegations to the parties: ten (10) calendar days
- Investigation: fifty (50) calendar days
- Decisionmaker review of preliminary investigation report, meetings with parties and witnesses (if applicable), and issuance of investigation report: twenty-one (21) calendar days
- Review of relevant and not otherwise impermissible evidence and investigation report and written response: ten (10) calendar days
- Determination: twenty-five (25) calendar days
- Appeal: twenty (20) calendar days

ii. Heightened Grievance Procedure (Allegations of Sex-Based Harassment Involving At Least One Student Party)

Specific time frames for each phase of the complaint resolution process for complaints involving allegations of Sex-Based Harassment involving at least one student party are set forth in Section XII. Procedures for Sex Discrimination Complaint Resolution below. Each phase of the process will generally be as follows:

- Review of complaint and notice of allegations to the parties: ten (10) calendar days
- Investigation: fifty (50) calendar days
- Review of relevant and not otherwise impermissible evidence and investigation report and written response: ten (10) calendar days
- Live Hearing (if applicable) and Determination: twenty-five (25) calendar days
- Appeal: twenty (20) calendar days

In any Sex Discrimination complaint resolution process, the process may include additional days between these phases as the College transitions from one phase to another.

Circumstances may arise that require the extension of time frames based on the complexity of the allegations, the number of witnesses involved, the availability of the parties involved, the addition of new parties or new allegations to an amended notice of allegations, the availability of witnesses, the effect of a concurrent criminal investigation, unsuccessful attempts at informal resolution, any intervening school break, the need for language assistance or accommodation of disabilities, or other unforeseen circumstance.

In cases where an alleged incident has also been reported to law enforcement, the College will not delay its complaint resolution process in order to wait for the conclusion of a criminal investigation or proceeding. The College will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation. As such, the College may need to temporarily delay an investigation under this Policy while law enforcement is in the process of gathering evidence. This process typically takes seven (7) to ten (10) calendar days. Once law enforcement has completed its gathering of evidence, the College will promptly resume and complete its investigation and resolution procedures.

To the extent additional time is needed during any of the phases of the process discussed above and further below, the College will notify all parties of the delay and the reasons for it. When a time frame for a specific phase of the process, as set forth below, is less than five (5) calendar days, the College may, in its discretion, use business days to calculate the time frame deadline. Efforts will be made to complete the process in a timely manner balancing principles of thoroughness, fundamental fairness, and promptness.

Complainants are encouraged to begin the complaint resolution process as soon as possible following an alleged Sex Discrimination incident. There is no statute of limitation for reporting prohibited conduct to the College under this Policy; however, the College's ability to respond may diminish over time, as evidence may erode, memories may fade, and respondents may no longer be affiliated with the College. If a complaint is brought forward more than four (4) calendar years after an alleged incident, the College, in its discretion, may decline to process a complaint under these procedures, but reserves the right to take other administrative action as appropriate depending on the specific circumstances of the complaint, and will provide reasonably appropriate supportive measures, assist the complainant in identifying external reporting options, and take reasonable steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. If the respondent is still a member of the College community as a student or employee, the complaint generally will be processed under these procedures.

M. Presumption of Non-Responsibility

The presumption is that the respondent is not responsible for a policy violation. The respondent is presumed not responsible until a determination regarding responsibility is made at the conclusion of the complaint resolution process. The respondent will be deemed responsible for a policy violation only if the appointed decisionmaker concludes that there is sufficient evidence, by a "preponderance of evidence," to support a finding that the respondent more likely than not engaged in Sex Discrimination.

N. Application of Policy

When the College receives a complaint of a violation of this Policy, the College will generally apply the prohibited conduct definitions from the policy that was in effect at the time of the alleged prohibited conduct.

For prohibited conduct alleged to have occurred from August 14, 2020, to July 31, 2024, the College will conduct a grievance procedure that complies with the regulatory requirements in place during that time

period. For conduct alleged to have occurred outside of that time period, the College will generally apply the complaint resolution procedures that are in effect at the time the complaint is made.

O. Reservation of Flexibility

The procedures set forth in this Policy reflect the College's desire to respond to complaints in good faith and in compliance with legal requirements. The College recognizes that each case is unique and that circumstances may arise which require that it reserve some flexibility in responding to the particular circumstances of the matter. The College reserves the right to modify the procedures or to take other administrative action as appropriate under the circumstances.

In instances where a complaint is made against an individual who is not a student or employee of the College, in instances when the alleged conduct took place outside of the United States, and in instances when the conduct alleged, if true, would meet only the Sexual Exploitation definition and not any other Prohibited Conduct definitions in this Policy, the College reserves discretion to use a process or procedures other than those outlined below, as appropriate under the circumstances.

XII. Procedures For Sex Discrimination Complaint Resolution

When the College receives a complaint of potential Sex Discrimination, the College will promptly and equitably respond pursuant to the guidelines and procedures set forth below.

As discussed above in Section XI. General Provisions for Complaint Resolution Process different procedures apply to the complaint resolution process depending on the particular circumstances of a case, including the type of Sex Discrimination that is alleged and the status of the individuals involved. Further information about the different procedures is provided below.

A. Initial Meeting Between Complainant and Title IX Coordinator

In most cases, the first step of the complaint resolution process is a preliminary meeting between the complainant and the Title IX Coordinator. The purpose of the preliminary meeting is to allow the Title IX Coordinator to gain a basic understanding of the nature and circumstances of the report or complaint; it is not intended to be an investigation interview.

As part of the initial meeting with the complainant, the Title IX Coordinator will:

- Assess the nature and circumstances of the allegation;
- Address immediate needs of the complainant and the campus, in consultation with appropriate campus officials;
- Notify the complainant of the right to contact law enforcement and seek medical treatment, if applicable;
- Notify the complainant of the importance of preservation of evidence;
- Provide the complainant with information about on- and off-campus resources;
- Notify the complainant of available supportive measures with or without filing a complaint;
- Provide the complainant with an explanation of the procedural options, including how to file a complaint (if the complainant has not already done so) and the complaint resolution process, including the informal resolution process and, as applicable, the General Grievance Procedure or Heightened Grievance Procedure;
- Advise the complainant of the right to have an advisor of choice, as applicable under this Policy;
- Discuss the complainant's expressed preference for the manner of resolution and any barriers to proceeding; and
- Explain the College's policy prohibiting Retaliation.

The Title IX Coordinator will assess any report or complaint received to determine the applicable College policy, if any. If the alleged conduct, if true, would not be a violation of this Policy, but would violate another College policy, the Title IX Coordinator will generally refer the matter to another applicable disciplinary procedure. The Title IX

Coordinator also has discretion to take no further action if it is determined that the alleged conduct, if true, would not violate any College policy.

B. Complaint and Notice of the Allegations

The filing of a complaint typically begins the complaint resolution process under this Policy. Generally, the complainant files a complaint with the Title IX Coordinator. However, as is discussed further above in Section VIII.D. Requests for Confidentiality or Non-Action, in some cases, the College may move forward with a complaint resolution process even if the complainant chooses not to make or move forward with a complaint. Additionally, complaints of Non-Harassment Sex Discrimination may be brought by any student, employee, or other person who was participating or attempting to participate in the College's education program or activity at the time of the alleged discrimination.

Complaints of Sex Discrimination should be made through the Title IX Coordinator.

As discussed above, when the Title IX Coordinator has received a complaint, the Title IX Coordinator will assess the complaint to determine if it states any allegations of Sex Discrimination. If the complaint alleges Sex Discrimination, the Title IX Coordinator will provide a written notice of allegations to the parties who are known. The written notice will include:

- Notice of the College's complaint resolution process, including the informal resolution process;
- Notice of the allegations, including the identities of the parties involved in the incident(s), if known, the conduct allegedly constituting Sex Discrimination, and the date and location of the alleged incident, if known;
- A statement that Retaliation is prohibited;
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence;
- A statement that the respondent is presumed not responsible for the alleged conduct until a determination is made at the conclusion of the complaint resolution process;
- A statement that prior to the determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- A statement that parties may have an advisor of choice and that advisor may be, but is not required to be, an attorney;
- Notice of policy provisions that prohibit knowingly making false statements or knowingly submitting false information during the complaint resolution process, including in Section XI.J. Obligation to Be Truthful above.

If the College decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the notice will be updated to provide notice of the additional allegations to the parties whose identities are known.

In addition, upon receiving a complaint, the Title IX Coordinator will make a preliminary determination of the procedures that will apply to the complaint resolution process.

When the Title IX Coordinator has received a complaint of Sex Discrimination, the Title IX Coordinator will also meet with the respondent and will:

- Notify the respondent of the complaint and alleged policy violations;

- Provide the respondent an explanation of the complaint resolution process, including the informal resolution process and, as applicable, the General Grievance Procedures or Heightened Grievance Procedures;
- Notify the respondent of the importance of preservation of evidence;
- Notify the respondent of any supportive measures that have been put in place that directly relate to the respondent (i.e., no-contact directive);
- Notify the respondent of available supportive measures;
- Provide the respondent with information about on- and off-campus resources;
- Advise the respondent of the right to have an advisor of choice, as applicable under this Policy; and
- Explain the College’s policy prohibiting Retaliation.

This stage of initial review of the complaint by the Title IX Coordinator and initial notice of the allegations to the parties generally will take no more than ten (10) calendar days. In some cases, more time may be required. If the College has reasonable concerns for the safety of any person as a result of providing the notice of allegations to the parties, the College may reasonably delay providing written notice of the allegations in order to address the safety concern appropriately.

C. Investigation of Other College Policy Violations

If a complaint of Sex Discrimination also implicates alleged violations of other College policies, the Title IX Coordinator, in coordination with other appropriate school officials, will evaluate the allegations to determine whether the investigation of the alleged Sex Discrimination and the other alleged policy violations may be appropriately investigated together without unduly delaying the resolution of the Sex Discrimination complaint. Where the Title IX Coordinator, in coordination with other appropriate school officials, determines that a single investigation is appropriate, the determination of responsibility for each of the alleged policy violations will be evaluated under the applicable policy. The adjudication may be conducted in accordance with this Policy or the adjudication of the

other policy violation may be conducted separately from the adjudication of the alleged Sex Discrimination.

Note that individuals who make a good faith report of Sex Discrimination, and individuals who participate in a Sex Discrimination complaint resolution process, will not be disciplined by the College for certain violations of College policies in which they might have engaged in connection with the reported incident, consistent with Section X.D. Amnesty above.

D. Consolidation of Complaints

The College reserves the right to consolidate complaints into one complaint resolution process as to allegations of Sex Discrimination against more than one respondent, by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of Sex Discrimination arise out of the same facts or circumstances. If one of the complaints to be consolidated is a complaint implicating the Heightened Grievance Procedure, the Heightened Grievance Procedure will apply to the consolidated complaint resolution process. When more than one complainant or more than one respondent is involved in a matter, references in this Policy to a party, complainant, or respondent include the plural, as applicable.

E. Informal Resolution Process

At any time prior to reaching a determination regarding responsibility, the College may facilitate an informal resolution process. In cases involving allegations of Sexual Assault or more serious Sex Discrimination, informal resolution may not be appropriate.

If the complainant, the respondent, and the College all agree to pursue an informal resolution, the Title IX Coordinator will attempt to facilitate a resolution that is agreeable to all parties. The Title IX Coordinator will not be an advocate for either the complainant or the respondent in the informal resolution process, but, rather, will aid in the resolution of the complaint in a non-adversarial manner. Under the informal process, the College will only conduct such fact-gathering as is useful to resolve the complaint and as is necessary to protect the interests of the parties, the College, and the College community.

The College will not compel a complainant or respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the complainant and respondent have the option to discontinue the informal process and request a formal resolution process at any time prior to reaching an agreed upon resolution. In addition, the College also always has the discretion to discontinue the informal process and move forward with a formal resolution process. If at any point during the informal resolution

process prior to reaching an agreed upon resolution, the complainant or respondent or the College wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined below will be invoked.

Prior to engaging in an informal resolution process, the College will provide the parties with a written notice disclosing: the allegations; the requirements of the informal resolution process; that, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the formal resolution process; that the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming a formal resolution process arising from the same allegations; the potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and what information the College will maintain and whether and how the College could disclose such information for use in the complaint resolution process if those procedures are initiated or resumed. In addition, the College will obtain the parties' voluntary, written consent to the informal resolution process.

Any informal resolution must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of the College to stop, remedy, and prevent policy violations. Informal resolution may involve the imposition of individual and community remedies designed to maximize the complainant's access to the educational and extracurricular activities of the College. Examples of potential remedies are provided above in Section XI.G. Supportive Measures. The proposed resolution may also include other institutional responses, requirements, or sanctions imposed on the respondent, including but not limited to restrictions on contact and restrictions on the respondent's participation in one or more of the College's programs or activities or attendance at specific events.

The informal resolution process ends when a resolution has been reached or when the complainant, the respondent, or the College terminates the process. A successful informal resolution results in a binding agreement between the parties. If the parties to the complaint and the College agree in writing to the terms and conditions of a proposed resolution within five (5) calendar days of the Title IX Coordinator presenting the proposed resolution to the parties, the case will be resolved without further process under this procedure. If all parties to the complaint and the College do not agree in writing to the terms and conditions of the proposed resolution within five (5) calendar days of the Title IX Coordinator presenting the proposed resolution to the parties, the complaint will generally be referred to the formal resolution process.

Appeals are not allowed in cases where the parties have agreed to an informal resolution of the matter.

The informal resolution process generally will take no more than fifteen (15) calendar days. In some cases, more time may be required.

If the College facilitates an informal resolution process, the Title IX Coordinator will also take other appropriate prompt and effective steps to ensure that Sex Discrimination does not continue or recur within the College's education program or activity.

F. Formal Resolution Process

If the complaint is not processed or resolved through the informal resolution process discussed above, the complaint will be processed according to the formal resolution process outlined below.

i. Investigation

The Title IX Coordinator will designate one or more investigators to conduct an adequate, reliable, and impartial investigation. When more than one investigator is appointed, references in this Policy to an investigator include the plural, as applicable.

The College will ensure that the investigator has received the appropriate training, is impartial, and is free of any conflict of interest or bias for or against complainants and respondents generally and for or against the complainant and respondent in the case. The College reserves the right to appoint any trained investigator who is free of conflict of interest or bias, including a third-party investigator. The parties will receive written notice of the investigator appointed. If any party has a concern that the investigator has a conflict of interest or bias, the party should report the concern in writing as indicated in Section XI.K. Conflicts of Interest and Bias above.

The investigator will conduct the investigation in a manner appropriate to the circumstances of the case, which will typically include audio-recorded interviews with the complainant, the respondent, and any witnesses. The complainant and respondent will have an equal opportunity to advise the investigator of any witnesses they believe should be interviewed, other inculpatory and exculpatory evidence they believe should be reviewed by the investigator, and questions they believe the investigator should ask the other party or witnesses, including questions challenging credibility. In cases under the Heightened Grievance Procedure (allegations of Sex-Based Harassment involving at least one student party), any witness that a party wishes to call at a hearing must be suggested as part of the investigation process, prior to the issuing of the investigation report, unless extraordinary circumstances exist as determined by the decisionmaker, in consultation with the Title IX Coordinator.

The investigator, in consultation with the Title IX Coordinator, has discretion to assess the relevancy of any proposed witnesses, evidence, and questions, and to determine which interviews to conduct, including the discretion to conduct interviews of individuals not identified by the parties. The investigator may also decline to ask a question or questions suggested by the parties. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available.

The parties will be informed of a close of evidence date. The parties must submit any and all information and evidence they would like considered as part of the investigation by the close of evidence date. After the close of evidence date, the parties will not be permitted to submit new or additional evidence that existed prior to the close of evidence date, unless the investigator, in consultation with the Title IX Coordinator, determine(s) otherwise. In cases under the Heightened Grievance Procedure (allegations of Sex

Based Harassment involving at least one student party), all evidence a party wishes to offer or refer to at the hearing must have been provided as part of the investigation process, prior to the close of evidence, unless extraordinary circumstances exist as determined by the decisionmaker, in consultation with the Title IX Coordinator.

General Grievance Procedure: For matters under the General Grievance Procedure, the investigator generally will compile a preliminary investigation report for the decisionmaker's review in determining

whether credibility is in dispute and relevant to evaluating one or more allegations in the complaint. The preliminary investigation report will fairly summarize the relevant and not otherwise impermissible evidence and, at the investigator's discretion, may include, as applicable: the complaint; the notice of allegations; any other relevant and not otherwise impermissible evidence obtained during the investigation; and the investigator's report of the investigation.

Heightened Grievance Procedure: For matters under the Heightened Grievance Procedure, the investigator generally will compile an investigation report that fairly summarizes the relevant and not otherwise impermissible and, at the investigator's discretion, may include, as applicable: the complaint; the notice of allegations; any other relevant and not otherwise impermissible evidence obtained during the investigation; and the investigator's report of the investigation.

The preliminary investigation report, if applicable, and investigation report will be forwarded to the Title IX Coordinator. The Title IX Coordinator will review and has the discretion to ask the investigator for clarification, additional investigation, and/or to have information added, removed, or redacted from the preliminary investigation report and/or investigation report.

The College will strive to complete the investigation within (i) fifty (50) calendar days from the date the investigator is appointed or (ii) if, after the date the investigator is appointed,

the parties receive an amended notice of allegations that includes new allegations or new parties, fifty (50) calendar days from the date of the amended notice of allegations. This time frame may be extended depending on the circumstances of each case.

ii. Decisionmaker Review and Individual Meetings (General Grievance Procedure Only)

In cases under the General Grievance Procedure (allegations of Non-Harassment Sex Discrimination and allegations of Sex-Based Harassment where neither party is a student), at the conclusion of the investigation, the Title IX Coordinator will designate a decisionmaker to complete a prompt and equitable adjudication. Typically, a panel of three decisionmakers will be appointed to each case. References in this Policy to a decisionmaker include the plural, as applicable. The College reserves the right to appoint any trained decisionmaker who is free from conflict of interest or bias, including third-party decisionmakers. If any party has a concern that the decisionmaker has a conflict of interest or bias, the party should report the concern in writing as indicated in Section XI.K. Conflicts of Interest and Bias above.

The decisionmaker will review the preliminary investigation report to determine whether credibility is in dispute and relevant to evaluating one or more allegations in the complaint.

If the decisionmaker determines credibility is not in dispute or is not relevant to evaluating any allegations in the complaint, the matter will proceed to the next phase as described below in Section XII.F.iii. Access to Relevant Evidence and Investigation Report.

If the decisionmaker determines credibility is in dispute and relevant to evaluating one or more allegations in the complaint, the decisionmaker will conduct individual meetings with each party and witness whose credibility is relevant and will ask questions to adequately assess each individual's credibility.

In cases where the decisionmaker conducts individual meetings, the preliminary investigation report will be updated to reflect the information obtained during those meetings. The Title IX Coordinator will review the investigation report and has the discretion to ask the investigator for clarification, additional investigation, and/or to have information added, removed, or redacted from the investigation report.

The College generally will strive to complete the decisionmaker review of the preliminary investigation report, questioning of parties and witnesses (if applicable), and issuing the investigation report within twenty-one (21)

calendar days from the date the decisionmaker receives the preliminary investigation report. This time frame may be extended depending on the circumstances of each case.

iii. Access to Relevant Evidence and Investigation Report

The parties will have an equal opportunity to access: (1) the evidence that is relevant to the allegations of Sex Discrimination and not otherwise impermissible and (2) the investigation report. Each party's advisor will also receive access to the evidence that is relevant to the allegations and not otherwise impermissible and to the investigation report. The Title IX Coordinator will provide access to such evidence and the investigation report to each party and advisor, if applicable, in electronic format. The parties will have ten (10) calendar days to review the evidence and investigation report and prepare a written response to the evidence (the "Written Response Statement"). The Written Response Statement may not exceed 1,500 words.

The Written Response Statement may be used as an opportunity to clarify information contained in the relevant and not otherwise impermissible evidence and investigation report, to identify evidence previously provided to the investigator that was not included in the relevant and not otherwise impermissible evidence or investigation report which the party believes is relevant, and to respond to evidence submitted by the other party or witnesses. While the parties in a Heightened Grievance Procedure and employees in a case involving allegations of Sexual Assault, Domestic Violence, Dating Violence, and Stalking may be assisted by their advisors in preparation of the Written Response Statement, the Written Response Statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. The parties may not address each other in the Written Response Statement.

The parties and parties' advisors (if applicable) may use the evidence and investigation report reviewed at this step only for purposes of participating in the complaint resolution process and are prohibited from disseminating or otherwise sharing the evidence or investigation report with any other individual. Prior to being provided the relevant and not otherwise impermissible evidence and investigation report, the parties and parties' advisors (if applicable) will be required to sign a non-disclosure agreement agreeing to such terms. The College will take steps to address any unauthorized disclosure of information or evidence obtained solely through the complaint resolution process which may include but is not limited to disciplinary action. See Section XV. Complaints of Related Misconduct below.

The Title IX Coordinator and/or the investigator will review the parties' Written Response Statements. Based on the statements, the Title IX Coordinator has the discretion to ask the investigator for clarification, additional investigation, and/or to have information removed or redacted from the investigation report. In addition, the Title IX Coordinator may remove or redact any portions of the parties' Written Response Statements that exceed the word limit of the statements or that otherwise exceed the permitted scope of information that may be considered in the complaint resolution process (such as treatment records without consent, information subject to a legal privilege without a waiver, or evidence relating to the complainant's sexual interest or prior sexual conduct if an exception does not apply).

iv. Live Hearing (Heightened Grievance Procedure Only)

In matters under the Heightened Grievance Procedure (allegations of Sex-Based Harassment involving at least one student party), the Title IX Coordinator will typically designate a panel of three individuals to serve as the decisionmaker. References in this Policy to a decisionmaker include the plural, as applicable. The College reserves the right to appoint any trained individual who is without conflict or bias as decisionmaker, including third-party decisionmakers. If any party has a concern that a decisionmaker has a conflict of interest or bias, the party should report the concern in writing as indicated in Section XI.K. Conflicts of Interest and Bias above.

The Title IX Coordinator will compile the adjudication file including the investigation report and attachments and other information at the Title IX Coordinator's discretion.

The decisionmaker will review the adjudication file to determine whether credibility is in dispute and relevant to evaluating one or more allegations in the complaint.

If the decisionmaker determines credibility is not in dispute or is not relevant to evaluating any allegations in the complaint, the matter will proceed to the determination phase described below in Section XII.F.v.

Determination.

If the decisionmaker determines credibility is in dispute and relevant to evaluating one or more allegations in the complaint, the decisionmaker will conduct a live hearing.

At the live hearing, each party may propose questions the party wants asked of any party or witness. The decisionmaker will determine whether each proposed question is relevant and not otherwise impermissible. If the question is relevant and not otherwise impermissible, the decisionmaker will ask the question of the party or witness, unless the question is unclear or harassing of the party or witness being questioned. The decisionmaker will explain any decision to exclude a question as not relevant or otherwise impermissible. If the decisionmaker determines a question is unclear or harassing, the decisionmaker will give the party an opportunity to clarify or revise the question. If the party sufficiently clarifies or revises a question so that the question is relevant and not otherwise impermissible and not unclear or harassing, the decisionmaker will ask the question.

The hearing will generally be held by videoconference with the parties, witnesses, and decisionmaker located in separate locations and technology enabling the decisionmaker and parties to simultaneously see and hear the party or the witness who is speaking. The College reserves the right to determine that a hearing will instead be conducted with all participants, including the parties, witnesses, and the decisionmaker physically present in the same location. In the event that the live hearing is held with the participants in the same location, at the request of either party, the College will provide for the parties to be located in separate rooms with technology enabling the decisionmaker and parties to simultaneously see and hear the party or witness who is speaking.

The College will create an audio or audiovisual recording, or transcript, of any live hearing and, upon request, will make it available to the parties for inspection and review.

Additional procedures for the live hearing will be provided to the parties in advance of a live hearing. Please contact the Title IX Coordinator for more information.

v. Determination

The decisionmaker will evaluate the relevant and not otherwise impermissible evidence for its persuasiveness. In matters under the General Grievance Procedure, this will include the investigation report and attachments, including information gathered at the decisionmaker meetings (if any), and other information at the Title IX Coordinator's discretion provided to the decisionmaker. In matters under the Heightened Grievance Procedure, this will include the investigation report and attachments, the information gathered during the live hearing (if any), and other information at the Title IX Coordinator's discretion provided to the decisionmaker. The decisionmaker may, in their discretion, request additional information from the investigator or another appropriate individual, request additional investigation by the investigator, schedule additional decisionmaker meetings with one or more parties or witnesses for the purpose of assessing credibility (if applicable), or schedule an additional live hearing for the purpose of assessing credibility (if applicable). If additional information is shared with or gathered by the decisionmaker, the parties will be notified and provided access to that information.

The decisionmaker will apply the preponderance of the evidence standard to determine whether it is more likely than not that the respondent engaged in a violation of the policy. The presumption is that the respondent is not responsible for a policy violation. The respondent will be deemed responsible for a policy violation only if the decisionmaker concludes that there is sufficient evidence, by a “preponderance of evidence,” to support a finding that the respondent engaged in Sex Discrimination.

The decisionmaker will not draw an inference about the determination regarding responsibility based solely on a party’s lack of participation or refusal to answer questions

in the complaint resolution process. However, the decisionmaker may consider a party’s or witness’s refusal to answer one or more questions when determining how much weight to give the party’s or witness’s statements.

Lie detector test results will not be considered credible by the decisionmaker in the decision-making process. Character evidence and allegations of prior bad acts by a party without a finding of responsibility by the College or a court of law will generally be given little weight, if any, by the decisionmaker in the decision-making process.

If the decisionmaker determines that the respondent is responsible for a policy violation, the decisionmaker typically will then determine what sanctions and remedies are warranted. The Title IX Coordinator has discretion to appoint a different sanctioning officer as he or she determines appropriate. The College reserves the right to appoint any trained sanctioning officer who is free from conflict of interest or bias, including third

party sanctioning officers. As part of that determination of sanctions/remedies, the Title IX Coordinator may, in his or her discretion, provide the decisionmaker/sanctioning officer with information regarding previous violations of this Policy or other College policies by the respondent, if any. If such information is shared with the decisionmaker/sanctioning officer, the parties will be notified and provided access to that information.

When a respondent is found not responsible for a Policy violation, but nevertheless is found to have engaged in inappropriate conduct—for example, inappropriate remarks that do not rise to the level of a violation of this Policy—the College may, in its discretion, require the respondent to receive appropriate education and/or training. The College may also recommend counseling or other support services for the respondent.

vi. Sanctions and Remedies

The decisionmaker or sanctioning officer will impose sanctions and/or remedies as necessary to end the misconduct, prevent its recurrence, and address its effects. The College reserves the right to take whatever measures it deems necessary in response to an allegation of Sex Discrimination in order to protect the rights and personal safety of the complainant, students, faculty, staff, and other College community members and to ensure that Sex Discrimination does not continue or recur within the education program or activity. These measures may be both remedial (designed to address a complainant’s safety and well-being and continued access to educational or workplace opportunities) and/or sanctions (involving action against a respondent). Not all forms of Sex Discrimination will be deemed to be equally serious offenses, and the College reserves the right to impose different sanctions depending on the severity of the offense. The College also reserves the right to impose different sanctions if the respondent has previously been found responsible for a violation of College policy.

Individuals who are found responsible under this Policy may face sanctions as appropriate for students, employees, visitors, or others, including, but not limited to the following sanctions. Each of these sanctions

and other sanctions may be imposed alone or in combination for a respondent found responsible for Sex Discrimination:

- Required assessment, education, counseling, or training;
- Disciplinary probation;
- Verbal or written warnings;
- Loss of privileges;
- Fines;
- Payment of restitution or costs incurred;
- Behavioral contracts;
- Community service hours;
- Campus housing suspension, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at College events;
- Temporary or permanent restricted access to areas of campus, and campus events, activities, organizations, or courses;
- Conditions upon presence on campus or at College events;
- No trespass or no-contact directives;
- Removal or non-renewal of scholarships or honors;
- Suspension from the College with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at College events;
- Expulsion from the College;
- Withholding of diploma or degree for a defined period of time or until the completion of assigned sanctions;
- Temporary or permanent revocation of degree;
- Revocation of admission to the College;
- Loss of salary or benefit such as sabbatical or research or travel funding;
- Suspension of promotion and salary increases with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at College events;
- Suspension or withdrawal of faculty privileges with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at College events;
- Transfer or change of job or responsibilities;
- Reassignment or removal from an elected or appointed position;
- Disciplinary censure;
- Demotion; and/or
- Termination of employment.

When an investigation reveals that a campus organization (such as a student club, athletic team, campus academic department, or staff/faculty committee) has committed or promoted behavior involving Sex Discrimination, the organization may be sanctioned. Sanctions to the organization may include, but are not limited to, loss of College privileges (including, but not limited to, prohibition on the organization's participation in certain activities and the use of College facilities), educational requirements for organization members, required additional oversight of organization activities, temporary loss of funding and/or loss of recognition by the College, and permanent loss of organization recognition, in addition to individual members of the organization who are determined responsible for a Policy violation being subject to the

sanctions listed above. All campus organizations/departments are responsible for the actions of its members when they are operating on behalf of the organization/department.

Any concern about a violation of an imposed sanction should be reported to the Title IX Coordinator.

Remedies for the complainant are designed to restore or preserve equal access to the College's education program or activity. Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. Remedies, accommodations, and protective measures for the complainant include implementing or extending all or some of the following actions, without limitation:

- A mutual or one-sided no-contact directive;
- Prohibiting an individual involved from being on College property;
- Prohibiting an individual involved from participating in College-sponsored events;
- Changing an individual's on-campus residency, dining, or transportation arrangements, or prohibiting an individual from residing in a College residence;
- Special parking arrangements;
- Assistance in finding alternative housing;
- Changing an individual's student or employee status or job responsibilities;
- Changing an individual's work or class schedule;
- Providing academic accommodations or providing assistance with academic issues;
- Providing security escorts;
- Providing a temporary cell phone;
- Access to counseling and medical services;
- Making information about protective orders and criminal no-contact orders available to a complainant; and/or
- Assistance identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services.

Remedies designed to address the College community include but are not limited to increased monitoring, supervision, and/or security at locations or in connection with activities where the prohibited conduct occurred or is likely to reoccur and targeted or broad-based educational programming or training for relevant persons or groups.

The Title IX Coordinator is responsible for effective implementation of any remedies.

vii. Notice of Determination

The College will simultaneously send a written notice of the determination of the complaint to the complainant and respondent.

For complaints under the General Grievance Procedure (allegations of Non Harassment Sex Discrimination and allegations of Sex-Based Harassment where neither party is a student): The written notice will include the determination as to whether Sex Discrimination occurred; the rationale for such determination; any disciplinary sanctions (if applicable); and the College's procedures for the complainant and respondent to appeal.

For complaints under the Heightened Grievance Procedure (allegations of Sex Based Harassment involving at least one student party): The written notice will include a description of the alleged Sex-Based Harassment; information about the policies and procedures that the College used to evaluate the allegations; the decisionmaker's evaluation of the relevant and not otherwise impermissible evidence; the determination of whether Sex-Based Harassment occurred; the rationale for such determination; any disciplinary sanctions

(if applicable); whether remedies will be provided to the complainant or any other students; and the College's procedures for the complainant and respondent to appeal.

In cases under the General Grievance Procedure, the written notice of determination will generally be received within twenty-five (25) calendar days from the date the decisionmaker received the adjudication file. In cases under the Heightened Grievance Procedure, the written notice of determination will generally be received within twenty

five (25) calendar days from the date the live hearing concluded or the date the decisionmaker received the adjudication file in the event that no live hearing is conducted. In some cases, more time may be required. The determination of the decisionmaker may

be appealed as provided below. In the event that no appeal is filed within the time periods prescribed below, the decision will be final and the sanctions, if any, will be effective.

viii. Dismissal of Complaint Prior to Adjudication

The College may dismiss a complaint of Sex Discrimination for any of the following reasons:

- The College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the College's education program or activity and is not employed by the College;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the College determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute Sex Discrimination; or
- The College determines the conduct alleged in the complaint, even if proven, would not constitute Sex Discrimination. Prior to dismissing on this ground, the College will make reasonable efforts to clarify the allegations with the complainant.

If dismissing an allegation of Sex-Based Harassment involving at least one student party based on the complainant's withdrawal of the complaint or allegations, the College will obtain the complainant's withdrawal in writing.

If the College dismisses a complaint, the College will promptly send written notice of the dismissal and the reasons for the dismissal to the complainant. If the dismissal occurs after the respondent has been notified of the allegations, then the College will also send written notice of the dismissal and the reasons for the dismissal to the respondent simultaneously.

The complainant and, if applicable, respondent, will also be notified of the opportunity to appeal the dismissal, as set forth in Section XII.F.ix. Appeal below.

In the event that the College dismisses a complaint, the College will offer supportive measures to the complainant and to the respondent, if the respondent has been notified of the allegations. Additionally, the Title IX Coordinator will take other appropriate prompt and effective steps to ensure that Sex Discrimination does not continue or recur within the College's education program or activity.

ix. Appeal

The parties may appeal in the following circumstances:

- Either the complainant or the respondent, if the respondent has received notice of the allegations, may appeal the College's decision to dismiss a complaint of Sex Discrimination.
- Under the General Grievance Procedure and Heightened Grievance Procedure, either the complainant or the respondent may appeal the decisionmaker's decision regarding responsibility.

Grounds for appeals are as follows:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination of responsibility or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest

or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

a) Submitting an Appeal

A party may request an appeal by submitting a written appeal statement, not to exceed 2,000 words, challenging the outcome of the complaint resolution process. The written appeal statement must explain which of the grounds above the party is invoking for the appeal and how those grounds are met and must be received by the Title IX Coordinator within two (2) calendar days following the date that the notice of determination or dismissal was sent to the complainant and respondent. While the parties may be assisted by their advisors, if any, in preparation of the appeal, the appeal statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. Failure to file a timely appeal constitutes a waiver of any right to an appeal.

The Title IX Coordinator will review the appeal statement to determine whether the appeal states a permissible ground for appeal (as set forth above), such that the appeal will be considered. The Title IX Coordinator may remove or redact any portions of the appeal statement that exceed the word limit or that otherwise exceed the scope of information that may be considered in the complaint resolution process (such as treatment records without consent, information subject to a legal privilege without a waiver, or evidence relating to the complainant's sexual interest or prior sexual conduct if an exception does not apply).

If the Title IX Coordinator determines that the appeal states a permissible ground for appeal, the non-appealing party will be notified of the appeal and provided an opportunity to review the appeal statement and submit a written response in support of the outcome. In the case of an appeal of a dismissal made prior to notifying the respondent of the

allegations, the respondent will also receive the notice of allegations. Any written response from the non-appealing party in support of the outcome must not exceed 2,000 words and must be submitted to the Title IX Coordinator within two (2) calendar days of receiving notice of the appeal. While the party may be assisted by their advisors, if any, in preparation of the responsive appeal statement, the responsive appeal statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf.

The Title IX Coordinator will review any responsive appeal statement and may remove or redact any portions of the statement that exceed the word limit or that otherwise exceed the scope of information that may be considered in the complaint resolution process (such as treatment records without consent, information subject to a legal privilege without a waiver, or evidence relating to the complainant's sexual interest or prior sexual conduct if an exception does not apply).

The Title IX Coordinator generally will compile an appeal file, which may consist of any information, documents, or other evidence that is provided to the appeal board. Such information may include, the written appeal statement, the responsive appeal statement, the notice of determination, the adjudication file in its entirety or in part, any previously undiscovered evidence (if discovery of new evidence is a ground for the appeal), and any other information determined to be necessary for the appeal board's decision, at the Title IX Coordinator's discretion.

The appeal file will be made available for review by the complainant and respondent. The Title IX Coordinator will provide a two (2) calendar day period for the complainant and respondent to have access to review the appeal file.

The parties and parties' advisors, if any, may use the appeal file reviewed at this step and any additional information reviewed during the consideration of the appeal (see below), only for purposes of participating in the complaint resolution process and are prohibited from disseminating or otherwise sharing the appeal file or additional information with any other individual. Prior to being provided access to the appeal file or any additional information, the parties and parties' advisors, if any, will be required to sign a non disclosure agreement agreeing to such terms. The College will take steps to address any unauthorized disclosure of information or evidence obtained solely through the complaint resolution process which may include but is not limited to disciplinary action. See Section XV. Complaints of Related Misconduct below.

Appeals generally will be considered by an appeals board designated by the Title IX Coordinator. Generally the appeals board will consist of the Associate Provost (or a designee) and two trained College employees. The College reserves the right to appoint any trained individual who is free of conflict of interest or bias, including a third-party

appeal board member. The parties will receive written notice of the appeal board appointed. If any party has a concern that an appeal board member has a conflict of interest, the party should report the concern in writing as indicated in Section XI.K Conflicts of Interest and Bias above. The appeal board members will not be the Title IX Coordinator nor one of the decisionmakers or the investigator on the same matter.

b) Consideration of Appeal

The appeal board will not rehear the case but will review the appeal file and consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied. The appeal board may, in their discretion, seek additional information from the Title IX Coordinator, investigator, or another appropriate individual. If the appeal board receives any additional information, the parties shall have an opportunity to review the additional information.

The appeal board has the authority to affirm the findings or remand the findings for reconsideration. If the appeal board determines there is sufficient evidence to conclude that it is more likely than not that one of the above grounds for appeal is satisfied, the matter will generally be remanded for further investigation and/or deliberations by the decisionmaker, and/or an additional live hearing, as determined by the appeal board.

If remanded, the appeal board, in consultation with the Title IX Coordinator, will determine whether the matter should be remanded to the original decisionmaker or whether a new decisionmaker should review the matter. The appeal board may not change the decisionmaker's determination of whether the respondent was responsible or not responsible for a Policy violation. Only the decisionmaker reviewing the matter on remand from an appeal may change the determination of the original decisionmaker of whether the respondent was responsible or not responsible for a Policy violation. If the reasons for remand relate to the investigation or warrant additional investigation, the appeal board in consultation with the Title IX Coordinator, will determine whether the matter should be remanded to the previous investigator or whether a new investigator should be appointed.

Upon remand, the investigator and decisionmaker shall utilize the same process as required for all complaint processes under this Policy. If the matter is remanded, the determination made on remand will be appealable under the procedures discussed in this Section.

If the appeal board determines there is insufficient evidence to conclude that it is more likely than not that one or more grounds for appeal have been satisfied, the appeal board will dismiss the appeal. This dismissal decision is final and is not appealable. If the

appeal board dismisses the appeal, the sanctions, if any, will be effective on the date the appeal board's decision is provided to the parties.

The appeal board will simultaneously issue a written decision to the parties describing the result of the appeal and the appeal board's rationale for the result. The College will strive to complete the appeal within twenty (20) calendar days following the appeal board's receipt of the appeal file from the Title IX Coordinator; however, in some cases, more time may be required.

Appeals arising out of alleged violations of this Policy must be made under this appeal process and are not eligible for consideration under faculty, staff, or student grievance policies or processes.

XIII. Recordkeeping Related to Sex Discrimination

The Title IX Coordinator is responsible for maintaining records relating to Sex Discrimination reports and complaints. This includes records documenting the informal resolution process, the General Grievance Procedure, the Heightened Grievance Procedure, and the resulting outcome. Additionally, for each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute Sex Discrimination, the Title IX Coordinator will maintain records documenting the actions the College took to meet its obligations under Title IX. The Title IX Coordinator will also maintain all materials used to provide training under this Policy.

When a complaint is pending, each official having a role in the complaint resolution process is responsible for handling records appropriate to their role. When the process is complete, the official records relating to the complaint will be provided to the Title IX Coordinator, who will maintain such records in accordance with the College's record retention requirements and applicable law.

XIV. Training

All College employees will receive training related to their duties under Title IX promptly upon hiring or change of position that alters their duties under Title IX and annually thereafter. The training does not rely on sex stereotypes and training regarding the complaint resolution process promotes impartial investigations and adjudications. The College will make the training materials available upon request.

A. All Employee Training

All employees will receive training on (1) the College's obligation to address Sex Discrimination in its education program or activity; (2) the scope of conduct that constitutes Sex Discrimination under Title IX, including the definition of Sex-Based

Harassment; and (3) all applicable notification and information requirements, including reporting obligations discussed above in Section X.A.i. Employee Reporting Obligations, Section X.A.iii. Mandatory Reporting Concerning Minors and Vulnerable Adults, and information obligations related to pregnant students.

B. Training for Individuals with Heightened Responsibilities

Investigators, decisionmakers, persons with authority to modify or terminate supportive measures, and any other person responsible for implementing the grievance procedure, will receive training on the following topics, to the extent each topic is related to the person's responsibilities: the College's obligations under 34 CFR § 106.44; the College's General Grievance Procedure; the College's Heightened Grievance Procedure; how to serve impartially, including by avoiding prejudgment of the facts at interest, conflicts of interest, and bias; the meaning and application of the term "relevant" in relation to questions and evidence and the types

of evidence that are impermissible regardless of relevance; issues related to Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking; and how to conduct an investigation and decision-making process that protects the safety of all and promotes accountability.

Facilitators of informal resolution processes will receive training on the rules and practices associated with the College's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

The Title IX Coordinator and any designee of the Title IX Coordinator will receive training on all topics discussed in this Section and their responsibilities under Title IX, the College's recordkeeping system, and any other training necessary to coordinate the College's compliance with Title IX.

XV. Complaints of Related Misconduct

Any complaint relating to violations of supportive measures, violation of the obligation to act in good faith, violation of the obligation to be truthful, violation of the prohibition on widespread social media or other media disclosures, violations of sanctions, violations of an informal resolution agreement, or violations of a non-disclosure agreement should be reported promptly to the Title IX Coordinator. The College will provide a prompt and equitable process for the resolution of such complaints. The College will take appropriate action against any individual who violates supportive measures, the obligation to act in good faith, the obligation to be truthful, sanctions, an informal resolution agreement, or a non-disclosure agreement.

When the College receives a complaint of violations of the consensual relationship policy, supportive measures, the obligation to act in good faith, the obligation to be truthful, violation of the prohibition on widespread social media or other media disclosures, sanctions, an informal resolution agreement, or a non-disclosure agreement, the Title IX Coordinator may exercise discretion to determine an appropriate responsive process based on the facts and circumstances. At the Title IX Coordinator's discretion, options for resolution include, but are not limited to, informal discussions and resolution facilitated by the Title IX Coordinator, investigation and/or determination by the Title IX Coordinator, or assignment of a designated individual to investigate the complaint and/or determine an appropriate response. This process will be separate and distinct from the complaint resolution process outlined above for addressing Sex Discrimination complaints. The Title IX Coordinator will document the complaint received, the process used, and the outcome. The College will notify the parties of the outcome of the complaint. In instances where the outcome of the process results in a suspension longer than one semester, expulsion, or termination of employment, the impacted individual may appeal the decision in accordance with the appeal rights as set forth in this Policy.

XVI. Alternative Procedures

Nothing in this Policy is intended to interfere with the right of any individual to pursue other avenues of recourse which may include, but are not limited to, filing a complaint with the United States Department of Education's Office for Civil Rights (OCR). The OCR office for institutions located in Minnesota is:

Office for Civil Rights
Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: (312)730-1560

Facsimile: (312)730-1576

Email: OCR.Chicago@ed.gov

XVII. Resources

All members of the Gustavus community should read and be familiar with the College Sexual Misconduct Policy and the Policy Against Harassment. If you are not sure whether

you have experienced Sexual Misconduct, speak with a Sexual Assault Response Team member (SART/CADA).

Where to Report

- **To the College:**
Amy Pehrson
Title IX Coordinator
Phone: 507-933-6360
Email: titleix@gustavus.edu
Website: <https://gustavus.edu/titleix/>
- **To Law Enforcement:**
Saint Peter Police Department
Phone: 911 or 507-931-1550

Confidential Employees and External Confidential Resources

- Advocates with [Gustavus SART \(Sexual Assault Response Team\)](#)
507-933-6868
- Counselors with [Gustavus Counseling Center](#) (students only)
507-933-7027
- Health Professionals with the [Gustavus Health Service](#)
507-933-7630
- [Gustavus Chaplains](#)
507-933-9446
- [CADA \(Committee Against Domestic Abuse\)](#)
800-477-0466

Healthcare Options

- Gustavus Health Service
507-933-7630
- Mayo Clinic/[Mankato Sexual Assault Resource Team](#)
507-594-4745

Visa and Immigration Assistance

- [Gustavus Center for International and Cultural Education](#)

Student Financial Aid

- [Gustavus Financial Aid](#)
507-933-7527
- [Federal Student Financial Aid](#)

Additional Resources

- [Campus Safety](#)
507-933-8888
- [Dean of Students](#)
507-933-7526
- [Human Resources](#)
507-933-6315
- [National Domestic Violence Hotline](#)
800-799-7233
- [National Sexual Assault Hotline](#)
800-656-HOPE (4673)

XVIII. State Law Definitions

Some of the conduct prohibited by this Policy may be crimes. Links to relevant Minnesota criminal law definitions are provided below. The Minnesota criminal law citations are provided for informational purposes only. The definitions set forth in Section VI. Prohibited Conduct above will be used for all purposes under this Policy.

Sexual Assault:

See [Minnesota Statutes Section 609.341](#) et seq. for applicable criminal law definitions relating to sexual assault. Minnesota law prohibits criminal sexual conduct in the first through fifth degrees as set forth in Minnesota Statutes Sections 609.342-609.3451; criminal sexual conduct includes non-consensual sexual contact and non-consensual sexual penetration as those terms are defined in Minnesota Statutes Section 609.341.

Dating Violence:

See [Minnesota Statutes Sections 518B.01](#); [609.2242](#) for applicable criminal law definitions relating to dating violence. Minnesota law does not specifically define dating violence; however, Minnesota law prohibiting domestic abuse includes physical harm, bodily injury, or assault committed between persons involved in a significant romantic or sexual relationship.

Domestic Violence:

See [Minnesota Statutes Sections 518B.01](#); [609.2242](#) for applicable criminal law definitions relating to domestic violence. Minnesota law prohibits domestic abuse committed against a family or household member by a family or household member, as those terms are defined in Minnesota Statutes Section 518B.01.

Stalking:

See [Minnesota Statutes Section 609.749](#) for applicable criminal law definitions relating to stalking. Minnesota law prohibits stalking as defined in Minnesota Statutes Section 609.749.

Approved by the President's Cabinet: April 16, 2013. Updated and approved by the Board of Trustees: April 20, 2018, August 12, 2020, February 12, 2021, and October 11, 2024.

Conflicts of Interest

Conflict of Interest and Disclosure of Certain Interest

Policy

This conflict of interest policy is designed to help officers and employees of Gustavus Adolphus College (“the College”) identify situations that present potential conflicts of interest and to provide the College with a procedure which, if observed, will allow a transaction to be treated as valid and binding even though an officer or employee has or may have a conflict of interest with respect to the transaction. The policy is intended to comply with the procedure prescribed in Minnesota Statutes, Section 317A.255, governing conflicts of interest for nonprofit corporations. In the event that there is an inconsistency between the requirements and procedures prescribed herein and those in section 317A.255, the statute shall control. All capitalized terms are defined in Part 2 of this policy.

Guidelines

1. Conflict of Interest Defined. For purposes of this policy, the following circumstances shall be deemed to create Conflicts of Interest:
 - a. Outside Interests.
 - i. A Contract or Transaction between the College and a Responsible Person or Family Member.
 - ii. A Contract or Transaction between the College and an entity in which a Responsible Person or Family Member has a Material Financial Interest or of which such person is a trustee, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative.
 - b. Outside Activities.
 - i. A Responsible Person competing with the College in the rendering of services or in any other Contract or Transaction with a third party.
 - ii. Responsible Persons having a Material Financial Interest in; or serving as a trustee, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative of, or consultant to; an entity or individual that competes with the College in the provision of services or in any other Contract or Transaction with a third party.
 - c. Gifts, Gratuities and Entertainment. A Responsible Person accepting gifts, entertainment or other favors from any individual or entity that:
 - i. does or is seeking to do business with, or is a competitor of the College; or
 - ii. has received, is receiving or is seeking to receive a loan or grant, or to secure other financial commitments from the College;
 - iii. is a charitable organization operating in Minnesota;
 - iv. under circumstances where it might be inferred that such action was intended to influence or possibly would influence the Responsible Person in the performance of his or her duties. This does not preclude the acceptance of items of nominal or

insignificant value or entertainment of nominal or insignificant value that are not related to any particular transaction or activity of the College.

2. Definitions.

- a. A “Conflict of Interest” is any circumstance described in Part 1 of this Policy.
- b. A “Responsible Person” is any person serving as an officer or employee of the College.
- c. A “Family Member” is a spouse, domestic partner, parent, child or spouse of a child, brother, sister, or spouse of a brother or sister, of a Responsible Person.
- d. A “Material Financial Interest” in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person’s or Family Member’s judgment with respect to transactions to which the entity is a party. This includes all forms of compensation.
- e. A “Contract or Transaction” is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by the College. The making of a gift to the College is not a Contract or Transaction.

3. Procedures.

Responsible Persons who are not members of the Board of Trustees of the College, or who have a Conflict of Interest with respect to a Contract or Transaction that is not the subject of Board or committee action, shall disclose to the Chair or the Chair’s designee any Conflict of Interest that such Responsible Person has with respect to a Contract or Transaction. Such disclosure shall be made as soon as the Conflict of Interest is known to the Responsible Person. The Responsible Person shall refrain from any action that may affect the College’s participation in such Contract or Transaction. In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the Chair or the Chair’s designee, who shall determine whether there exists a Conflict of Interest that is subject to this policy.

4. Confidentiality.

Each Responsible Person shall exercise care not to disclose confidential information acquired in connection with such status or information the disclosure of which might be adverse to the interests of the College. Furthermore, a Responsible Person shall not disclose or use information relating to the business of the College for the personal profit or advantage of the Responsible Person or a Family Member.

5. Review of Policy.

- a. Each new Responsible Person shall be required to review a copy of this policy and to acknowledge in writing that he or she has done so.
- b. Each Responsible Person shall annually complete a disclosure form identifying any relationships, positions or circumstances in which the Responsible Person is involved that he or she believes could contribute to a Conflict of Interest arising. Such relationships, positions or circumstances might include service as a trustee of or consultant to a nonprofit organization, or ownership of a business that might provide goods or services to the College. Any such information regarding business interests of a Responsible Person or a Family Member shall be treated as confidential and shall generally be made available only to the

Chair, the President, and any committee appointed to address Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this Policy.

- c. This policy shall be reviewed annually by the Board of Trustees. Any changes to the policy shall be communicated immediately to all Responsible Persons.

Approved by the Gustavus Adolphus College Board of Trustees: June 21, 2009.

Conflict of Interest for Committee Participation

Gustavus Adolphus College is committed to ensuring that personnel and other institutional decisions affecting present or prospective faculty, staff, administrators, or students be made fairly and impartially. Faculty, staff, administrators, and students frequently participate in personnel and other institutional decisions by serving on advisory committees. With respect to employees, the recommendations of such committees affect such matters as hiring, retention, promotion, and (with respect to faculty) tenure. In the case of students, such recommendations significantly affect admission to, or continued matriculation at, the College.

All members of the Gustavus community participating in such advisory committees must exercise integrity and objectivity when making decisions. Committee members must be certain that conflicts of interest or other biases do not exist which may interfere with their ability to make an impartial decision. A conflict of interest or bias occurs when a committee member has a financial or personal relationship or interest which impairs the member's ability to be fair and impartial. For example, a conflict of interest may well exist where a committee member will receive an individual financial benefit from a decision or where a committee member has a familial or similar relationship with an individual who may be affected by a decision.

A person serving on a committee may conclude that he or she has an actual (or perceived) conflict of interest or bias and may remove himself or herself from involvement in a particular decision to be made by the committee. A committee member who is not certain whether a conflict of interest or bias exists may bring his or her concern about the conflict or bias to the attention of the appropriate dean, committee chair, or supervisor; in this event, the committee member must disclose enough information to enable the dean, committee chair, or supervisor to consider the matter fairly and openly. If the dean, committee chair, or supervisor determines either that a conflict of interest or other bias (or the appearance of a conflict of interest or other bias) may exist, the committee member shall be excused from participating in making that decision.

A member of the committee or an individual who is the subject of a decision to be made by the committee may also raise a question as to whether a committee member has a conflict of interest or bias which may interfere with that committee member's impartiality. The concerned individual shall bring the matter to the attention of the appropriate dean, committee chair, or supervisor. The dean, committee chair, or supervisor shall discuss the matter with the affected committee member; if the dean, committee chair, or supervisor determines that a conflict of interest or other bias (or the appearance of a conflict of interest or other bias) may exist, the member of the committee shall be excused from participating in making the decision at issue.

A member of a committee who is excused from participating in making a decision in accordance with this policy does not forfeit his or her position as a member of the committee. The fact that an individual has been excused from participation pursuant to this policy shall not prejudice any personnel or other institutional decision made with respect to the committee member.

Adopted by the Gustavus Adolphus College Board of Trustees: January 17, 1994.

Financial Conflict of Interest Policy

1. Introduction

Federal regulations require the disclosure of Significant Financial Interests (SFI) from all Investigators upon submission of a proposal for funding to any Public Health Service (PHS) entity, which includes the National Institutes of Health (NIH), and prior to expenditure of any funds under an award from the National Science Foundation (NSF). Gustavus Adolphus College (the College) is responsible for determining whether any SFI represents a Financial Conflict of Interest (FCOI) and managing such conflicts.

It is the policy of the College to require Investigators seeking external funding from any government entity, or any other entity that has implemented these federal standards, to disclose SFI that reasonably appear to be related to their institutional responsibilities when applying for grant funds, as well as during the award period.

2. Definitions

Investigator refers to any person who is responsible for the design, conduct or reporting of research or educational activities funded or proposed for funding. In this context the term “Investigator” includes the Investigator’s spouse and dependent children.

A *significant financial interest* consists of financial interests that reasonably appear to be related to the investigator’s institutional responsibilities:

a) with regard to any *publicly traded entity*, a SFI exists if the remuneration received in the 12 months preceding the disclosure, and the value of any equity interest as of the date of disclosure, exceeds \$5,000.

“Remuneration” includes (i) salary, and any payments for services such as consulting fees or honoraria, paid authorship, reimbursed or sponsored travel and (ii) equity interest includes any stock, stock option, or other ownership interest.

b) with regard to any *non-publicly traded entity*, a SFI exists if the value of any remuneration received in the 12 months preceding the disclosure, and the value of any equity interest as of the date of disclosure, exceeds \$5,000, or when the investigator holds *any* equity interest.

c) intellectual property rights and interests such as patents or copyrights, upon receipt of income related to such rights and interests.

An investigator also must disclose the occurrence of any reimbursed or sponsored travel (i.e., that which is paid on behalf of and not reimbursed to the investigator so that the exact monetary value may not be readily available) related to their institutional responsibilities, provided, however, that this disclosure requirement does not apply to travel that is reimbursed or sponsored by excluded sources provided in the federal regulation.

Significant financial interest *does not* include:

- a. salary, royalties, or other remuneration paid by the institution to the investigator if the investigator is currently employed or appointed by the Institution;
- b. intellectual property rights assigned to the institution and agreements to share in royalties related to such rights;
- c. income from seminars, lectures, teaching engagements, or service on advisory committees or review panels sponsored by a governmental agency, an Institution of higher education, or a research institute affiliated with a higher education Institution.

A *Financial Conflict of Interest* exists if SFI could directly and significantly affect the design, conduct, or reporting on federally-funded research.

3. Policy

Disclosure of Significant Financial Interests

Each Investigator who is planning to participate in a federally funded project must complete the [Disclosure of Significant Financial Interests](#) form and attach required supporting documentation. This form must be completed and submitted to Research and Sponsored Programs by the time a proposal is submitted. Investigators are required to update their financial disclosures within thirty (30) days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) any new Significant Financial Interest; and, if awarded, annually by the anniversary date of any identified FCOI.

Collaborators

Any collaborator who can be defined as Investigator must either comply with Gustavus policies or certify to the College that their institution has policies that are in compliance with applicable regulations and agree to provide associated documentation.

Review of Financial Disclosures and Management of Financial Conflicts of Interest

The Director of Research and Sponsored Programs will review all financial disclosures reported by each Investigator and, in consultation with the External Funding Advisory Council and, as needed, others with relevant expertise, determine whether a conflict of interest exists. If a determination is made that a conflict of interest exists, the Director of Research and Sponsored Programs, in consultation with the External Funding Advisory Council, other experts as needed, and the Investigator, will determine what actions should be taken by the College to manage, reduce or eliminate any identified conflict of interest.

Conditions or restrictions that might be imposed by the College to manage, reduce or eliminate actual or potential conflicts of interest include:

- Public disclosure of Significant Financial Interests;
- Monitoring of research by independent reviewers;
- Modification of the research plan;
- Disqualification from participation in the portion of the funded research that would be affected by the Significant Financial Interests;
- Divestiture of Significant Financial Interests; or
- Severance of the relationships that create actual or potential conflicts.

To address complex situations, oversight committees may be established by the Director of Research and Sponsored Programs to periodically review the ongoing activity, to monitor the conduct of the activity, to ensure open and timely dissemination of the research results, and otherwise oversee compliance with the College's imposed management plan.

Training

Investigators funded by PHS entities must complete training related to this policy:

- prior to engaging in research;
- at least every four years thereafter; and
- immediately, if:
 - o the College amends the policy,
 - o an Investigator is new to the College, or
 - o an Investigator is not in compliance with the policy or management plan.

Investigators should consult with the Director of Research and Sponsored Programs about training options accepted by the College.

Reporting

The College will follow reporting guidelines set forth in the regulations of the federal funding agency. For example, all FCOI will be reported to the PHS sponsoring agency within 60 days of the original disclosure. The College will make information concerning FCOIs held by Investigators publicly accessible as required by federal regulations.

Non-Compliance

Sanctions for non-compliance with the requirement to disclose Significant Financial Interests will be:

- notice of non-compliance with Gustavus policy placed in the employee's permanent personnel file;
- employee will be barred from seeking external funding for a period up to 2 years; and
- employee will be ineligible for internal grants for a period up to 2 years.

Additional sanctions may be imposed, depending upon circumstances.

Sanctions for non-compliance with any management plan put in place for a Financial Conflict of Interest will be:

- notice of non-compliance with Gustavus policy placed in the employee's permanent personnel file;
- employee will be barred from seeking external funding for a period up to 2 years;
- employee will be ineligible for internal grants for a period up to 2 years;
- notification of non-compliance sent to the sponsoring agency as required; and
- termination of the award.

Additional sanctions may be imposed, depending upon circumstances. In such cases, the Director of Research and Sponsored Programs and the External Funding Advisory Council will submit recommended sanctions to appropriate members of Cabinet for approval.

Records

Research and Sponsored Programs shall maintain records of all financial disclosures, completed trainings, and of all actions to resolve conflicts of interest for at least three years beyond the close of the grant, or until the resolution of any action involving those records, whichever is longer.

Approved by the President's Cabinet: November 27, 2018.

Employment and Benefits

Background Checks

Gustavus Adolphus College is committed to providing a safe and secure campus for its students, staff, and faculty, and to protect the material resources of the College. As part of the strategy to achieve this goal, the College conducts background checks on newly hired and rehired employees, as well as those employees who move to a substantially different position on campus, volunteers, and students in certain positions.

Background checks are conducted to confirm the accuracy of the information received and to ensure that the College has taken reasonable care in selecting its new employees and in placing students and volunteers. All job offers are conditional based on the successful completion of a background check. If a candidate refuses to authorize a background check or has falsified or withheld information during the application process, Gustavus Adolphus College reserves the right at its sole discretion to disqualify candidates from further consideration or immediately terminate an employee whose employment has commenced.

Approved by the President's Executive Leadership Team: August 20, 2024.

Benefits Continuation

Gustavus provides optional Benefits Continuation coverage to employees and their eligible dependents. Several circumstances may result in an individual becoming eligible to continue health, vision, dental, and/or life insurance benefits. These are called Qualifying Life Events (refer Insurance Program policy). Once the Office of Human Resources receives notice that a qualifying event has occurred, Benefits Continuation coverage will be offered. Other circumstances, such as a leave of absence may also initiate Benefits Continuation. In all cases, the Office of Human Resources will provide the employee with Benefits Continuation election materials.

The Benefit Continuation elections must be returned to the Office of Human Resources within 60 days, but ideally sooner so that no disruption to benefit coverages will occur. Payments for Benefits Continuation elections must be received timely or benefits will be stopped. An individual can cancel their Benefits Continuation elections at any time with proper written notification. Once a benefit has ended under Benefits Continuation, it cannot be reinstated. The maximum Benefits Continuation coverage time frame is typically 18 months.

Questions related to Benefits Continuation should be directed to the Office of Human Resources.

Leaves of Absence

With appropriate premium payments, your active benefit coverage will continue:

- While on FMLA
- For up to one (1) year while on Paid/Unpaid Sabbatical
- For up to one (1) month while on Paid/Unpaid Leave
- For up to one (1) month while on Paid/Unpaid Military Leave

See the Office of Human Resources if you need a leave of absence.

Approved by the President's Executive Leadership Team: August 20, 2024.

Benefits Insurance Program

An overview of the Gustavus benefits insurance program, including premiums and annual limits, can be found in the Benefits Guide located on the Benefits Enrollment Resources website.

Plan Documents

The descriptions of the insurance and other plan benefits will highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Office of Human Resources. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions (“SPDs”) for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern the language of any descriptions of the plans, including the SPDs and the College policies.

Gustavus Adolphus College (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility, and entitlement. While the College intends to maintain these faculty and staff benefits, it reserves the absolute right to modify, amend, or terminate these benefits at any time and for any reason. When changes occur, eligible employees will be notified. In the event of a conflict between the provisions of College policies and the actual plan documents, the plan documents govern.

Pre-Tax IRS Section 125 (Cafeteria Plan) Offering

All employees are eligible to participate in a program that allows employees to establish reimbursement accounts for either dependent care or pay benefit premiums with pre-tax dollars. Money set aside in these programs is exempt from social security, Medicare, federal income tax, and state income tax. Contributions to these plans cannot exceed 100% of pay. If the full value of an account is not used during the plan year (January 1 –December 31), the employee will forfeit the remaining amount.

The IRS regulations governing these programs limit the types of changes that participants may make during the plan year. Participants who elect to set aside money are bound to those amounts for the entire plan year. Participants are not allowed to discontinue or change the amount of the contribution, except in very limited circumstances. Changes must be made typically within 60 days of a qualifying event.

Life Events and Information Changes

Changes to an individual's situation will often affect payroll deductions, insurance coverage, beneficiary designations, and the status of other employee benefits provided by the College. The following are called “qualifying life events” and notification to the Office of Human Resources needs to occur typically within 60 days of the event to ensure the necessary paperwork is completed:

- Birth, Adoption, or Placement of a Child
- Marriage
- Divorce
- Family Member Changes to Benefits Eligibility:
 - Age 26 Limit
 - Job / FTE Changes
 - Medicaid
 - Medicare
- Death of a Family Member

It is very important for faculty and staff to also notify the Office of Human Resources of changes to their personal situation and/or contact information (see Employment Records policy). Questions regarding benefits, and reports of personal information changes and/or life events should be directed to the Office of Human Resources at humanresources@gustavus.edu.

Approved by the President's Executive Leadership Team: August 20, 2024.

Chapel Break

The College offers structured opportunities for spiritual self-renewal during weeks when classes are in session, known as Chapel Break. Chapel Break is a period to pause from regular work and focus on spiritual and emotional well-being. This dedicated time in the academic schedule provides various opportunities, including Christian worship services, interfaith programs, and non-denominational activities such as meditation, yoga, and small group discussions. The College supports employee well-being by prohibiting meetings during Chapel Break and allowing employees to participate. Attending a daily chapel service is not considered part of an employee's Break Period.

Approved by the President's Executive Leadership Team: August 20, 2024.

Direct Deposit

The College strongly encourages employees to have their pay directly deposited in a bank account. In order to initiate direct deposit, employees will need to provide their account information and advance written direct deposit authorization to Gustavus. An itemized statement of wages can be viewed online by signing on to MyGustavus > Employee > Earnings Statements.

Approved by the President's Executive Leadership Team: August 20, 2024.

Employment Records and Information

Human Resources maintains a personnel file for each employee. The personnel file includes information such as an employee's job application, resume/CV, documentation of performance appraisals, wage increases, and other official employment records consistent with Minnesota law.

Employees may review their personnel file once every six months, by making a written request to Human Resources. After termination of employment, an employee may review their personnel file once per year for as long as Gustavus maintains the personnel file. The Office of Human Resources will respond to requests to review a personnel file within seven working days after receipt of the written request. An employee may review their file in the Office of Human Resources or another College-designated location nearby, and in the presence of an individual appointed by the College to maintain the file during the College's regular business hours, but not necessarily the employee's normal working hours. Upon written request, the College will provide an employee with a copy of their personnel record.

Employees and former employees have the right to submit a written position statement, no longer than 5 pages, to the personnel record if the record contains any disputed information which the employee/former employee and the College cannot agree to remove or revise. The position statement will be included along with the disputed information for as long as that information is maintained in the employee's personnel record. A copy of the employee's position statement will also be provided to any other person who receives a copy of the disputed information after the position statement is submitted. The College will not retaliate against any individual for asserting their rights or remedies under this policy.

Personal Information

During the hiring process, faculty and staff provided personal information such as address, and telephone number, and this information is maintained as part of their employment records. As employment with the College continues, faculty and staff are urged to keep this information up to date by informing the Office of Human Resources or the Provost Office of any changes. Changes to an individual's personal situation will often affect payroll deductions, tax withholdings, insurance coverage, beneficiary designations, and the like (refer Insurance Policy). The College relies on this contact information on record to provide tax documents,

benefits-related information, and other important communications. Further, an “out of date” emergency contact or an inability to reach employees in a crisis could pose a severe health or safety risk. Additionally, faculty and staff should inform the College of any specialized training or skills acquired, and changes to any required visa work authorization status.

Approved by the President’s Executive Leadership Team: August 20, 2024.

Equal Employment Opportunity and Reasonable Accommodations

Equal Opportunity

Gustavus Adolphus College is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race (and traits associated with race, including but not limited to hair texture and hairstyles such as braids, locs, and twists), color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, familial status, military service and veteran status, physical or mental disability, genetic information, public assistance, local human rights commission activity, gender identity or any other characteristic protected by applicable federal, state or local laws and ordinances. Gustavus Adolphus College is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employment activities, access to facilities and programs, and general treatment during employment.

Reasonable Accommodations

The College will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon the College's business operations. Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact the Office of Human Resources to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The College then will review and analyze the request, including engaging in an interactive process with the individual, to identify if such an accommodation can be made. The College will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be notified of The College's decision regarding the request within a reasonable period. The College treats all medical information submitted as part of the accommodation process in a confidential manner.

Further, upon request, the College will provide reasonable accommodations for employees with health conditions related to pregnancy or childbirth. Reasonable accommodations may include, but are not limited to more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. The College will not require an employee to take a leave or accept an accommodation. The College will not require documentation from a licensed health care provider or a certified doula in connection with the accommodations listed in the foregoing sentence. However, documentation may be required for other accommodations, which will be provided as long as the accommodation is reasonable and does not impose an undue hardship. An employee seeking an accommodation in connection with health conditions related to pregnancy or childbirth should contact the Office of Human Resources.

Any faculty, staff or students with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Office of Human Resources. The College will not allow any form of retaliation against individuals who raise issues of equal employment

opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Office of Human Resources. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

Approved by the President's Executive Leadership Team: August 20, 2024.

Group Health Plans Notice of Privacy Practices (HIPAA)

This Notice of Privacy Practices (the "Notice") describes the legal obligations of the Gustavus Adolphus College and the employee's legal rights regarding their Protected Health Information held by the Plans under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH Act).

Generally, Protected Health Information (also called "PHI") is information meeting these conditions:

- An individual can be identified from the information,
- The information relates to an individual's past, present, or future health, or to an individual's health care, or to payment for their health care, and
- The information was created, received, transmitted, or maintained by the Plans.
- An individual's PHI includes any genetic information as defined in the Genetic Information Nondiscrimination Act of 2008 ("GINA").

HIPAA and HITECH require that PHI used or disclosed by the Plans in any form, whether electronically, on paper, or orally, be kept properly confidential. These laws also give individuals significant rights to understand and control how an individual's PHI is used. HIPAA provides penalties for covered entities that misuse PHI.

As required by HIPAA, the College has prepared this explanation of how Gustavus is required to maintain the privacy of an individual's health information and how the College may use and disclose their health information.

The College may use and disclose an individual's health information for treatment, payment, and healthcare operations:

- Treatment means providing, coordinating, or managing healthcare and related services by one or more healthcare providers. An example of this would include case management.
- Payment means such activities as obtaining reimbursement for services, confirming coverage, billing or collection activities, and utilization review. An example of this would be adjudicating a claim and reimbursing a provider for an office visit.
- Healthcare operations include the business aspects of running our health plans, such as conducting quality assessment and improvement activities, auditing functions, cost-management analysis, and customer service. An example would be an internal quality assessment review. The College may disclose an individual's PHI for underwriting, premium rating, or other activities relating to the creation, renewal, or replacement of a contract of health insurance or health benefits. However, the College cannot use an individual's medical information as genetic information for underwriting purposes.

The College may also create and distribute de-identified health information by removing all references to individually identifiable information.

The College may contact an individual to provide information about treatment alternatives or other health-related benefits and services that may be of interest to them.

The College may contract with individuals or entities known as Business Associates to perform various functions on our behalf or to provide certain types of services. To perform these functions or to provide these services, Business Associates will receive, create, maintain, transmit, use, and/or disclose an individual's PHI, but only after they agree in writing with us to implement appropriate safeguards regarding an individual's PHI. For example, the College may disclose an individual's PHI to a Business Associate to process their claims for benefits under the Plans or to provide support services, such as utilization management, pharmacy benefit management, or subrogation, but only after the Business Associate enters into a Business Associate contract with us.

The uses and disclosures listed above are the most common uses and disclosures the Plans may make of an individual's PHI. However, in special circumstances, there are additional purposes for which the College may use or disclose an individual's health information:

- **Required by Law.** The College will disclose an individual's PHI when required to do so by federal, state, or local law. For example, the College may disclose an individual's PHI when required by national security laws or public health disclosure laws.
- **To Avert a Serious Threat to Health or Safety.** The College may use and disclose an individual's PHI when necessary to prevent a serious threat to their health and safety, or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat. For example, the College may disclose an individual's PHI in a proceeding regarding the licensure of a physician.
- **For the College to administer the Plans,** certain employees of Gustavus Adolphus College may disclose PHI. However, those employees will only use or disclose that information as necessary to perform plan administration functions or as otherwise required by HIPAA, unless the individual has authorized further disclosures. PHI cannot be used for employment purposes without an individual's specific authorization.
- **Organ and Tissue Donation.** If an individual is an organ donor, the College may release an individual's PHI after their death to organizations that handle organ procurement or organ, eye, or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.
- **Military.** If the employee is a member of the armed forces, the College may release their PHI as required by military command authorities. The College may also release PHI about foreign military personnel to the appropriate foreign military authority.
- **Workers' Compensation.** The College may release an individual's PHI for Workers' Compensation or similar programs, but only as authorized by, and to the extent necessary to comply with, laws relating to Workers' Compensation and similar programs that provide benefits for work-related injuries or illness.
- **Public Health Risks.** The College may disclose an individual's protected health information for public health activities such as prevention or control disease, injury, or disability; reporting of births and deaths; reporting child abuse or neglect; reporting reactions to medications or problems with products; notifying people of recalls of products they may be using; notifying a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; notifying the appropriate government authority if the College believes that a patient has been the victim of abuse, neglect, or domestic violence. The College will only make this last disclosure if an individual agrees, or when required or authorized by law.
- **Health Oversight Activities.** The College may disclose an individual's PHI to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

- **Lawsuits and Disputes.** If an individual is involved in a lawsuit or a dispute, the College may disclose their PHI in response to a court or administrative order. The College may also disclose an individual's PHI in response to a subpoena, discovery request, or other lawful process by someone involved in a legal dispute, but only if efforts have been made to tell the individual about the request or to obtain a court or administrative order protecting the information requested.
- **Law Enforcement.** The College may disclose an individual's PHI if asked to do so by a law enforcement official in response to a court order, subpoena, warrant, summons, or similar process; to identify or locate a suspect, fugitive, material witness, or missing person; about the victim of a crime if, under certain limited circumstances, the College is unable to obtain the victim's agreement; about a death that the College believes may be the result of criminal conduct; and about criminal conduct.
- **Coroners, Medical Examiners, and Funeral Directors.** The College may release PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. The College may also release medical information about patients to funeral directors, as necessary to carry out their duties.
- **National Security and Intelligence Activities.** The College may release an individual's PHI to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- **Inmates.** If the individual is an inmate of a correctional institution or are in the custody of a law enforcement official, the College may disclose their PHI to the correctional institution or law enforcement official if necessary (1) for the institution to provide the individual with health care; (2) to protect an individual's health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.
- **Research.** The College may disclose an individual's protected health information to researchers when the individual identifiers have been removed; or when an institutional review board or privacy board has reviewed the research proposal and established protocols to ensure the privacy of the requested information and approves the research.
- **Government Audits.** The College is required to disclose an individual's PHI to the Secretary of the United States Department of Health and Human Services when the Secretary is investigating or determining our compliance with the HIPAA privacy rule.

Any other uses and disclosures will be made only with an individual's written authorization. For example, an individual can authorize us to disclose their PHI to a representative. The College cannot sell an individual's protected health information, and the College cannot use or disclose their protected health information for marketing purposes unless the College first has an individual's authorization. An individual may revoke such authorization in writing, and the College is required to honor and abide by that written request, except to the extent that the College has already taken actions relying on an individual's authorization.

Individuals have the following rights concerning their Protected Health Information, which they can exercise by presenting a written request to the Office of Human Resources.

- The right to request restrictions on certain uses and disclosures of Protected Health Information, including those related to disclosures to family members, other relatives, close personal friends, or any other person identified by the individual. The College is, however, not required to agree to a requested restriction. If the College do agree to a restriction, our agreement must be in writing, and the College must abide by it (except in an emergency) unless the individual agrees in writing to remove it.
- The right to receive confidential communications of Protected Health Information from us by alternative means or at alternative locations.

- The right to inspect and obtain copies, including electronic copies, of an individual's Protected Health Information that may be used to make decisions about their Plan benefits. If the information an individual may request is maintained electronically, and they may request an electronic copy, the College will provide a copy in the electronic form and format they request, if the information can be readily produced in that form and format; if the information cannot be readily produced in that form and format, the College will work with the individual to agree on form and format. If the College cannot agree on an electronic form and format, the College will provide the individual with a paper copy.
- The right, upon written request, to amend an individual's Protected Health Information, subject to certain conditions.
- The right to receive an accounting of non-routine disclosures of Protected Health Information.
- The right to be notified if the College (or a Business Associate) detects a breach of an individual's unsecured PHI.
- If the individual receives this notice electronically or on a website, the College should provide and the individual has the right to obtain a paper copy of the current Notice of Privacy Practices from the College every three years.

With only limited exceptions, the College will send all mail to the employee. This includes mail relating to the employee's spouse and other family members who are covered under the Plan and includes mail with information on the use of Plan benefits by the employee's spouse and other family members and information on the denial of any Plan benefits to the employee's spouse and other family members. If a person covered under the Plans has requested restrictions or confidential communications, and if the College has agreed to the request, the College will send mail as provided by the request for restrictions or confidential communications.

The College is required by law to maintain the privacy of an individual's Protected Health Information and to provide them with notice of the College's legal duties and privacy practices with respect to Protected Health Information. The College is required to provide notice to individuals if ever there is a breach of their unsecured Protected Health Information.

The College is required to abide by the terms of the Notice of Privacy Practices currently in effect. The College reserves the right to change the terms of our Notice of Privacy Practices and to make the new notice provisions effective for all Protected Health Information that the College maintain. The College will post and individuals may request a written copy of a revised Notice of Privacy Practices from the Office of Human Resources.

Individuals have recourse if they feel that their privacy protections have been violated. Individuals have the right to file a formal, written complaint with us at the address below, or with the appropriate regional Office of the Department of Health & Human Services, Office of Civil Rights, about violations of the provisions of this notice or the policies and procedures of the company. The College will not retaliate against an employee for filing a complaint.

Approved by the President's Executive Leadership Team: August 20, 2024.

Leaves

Bereavement Policy

When a death occurs in an employee's immediate family, all regular full-time and part-time employees may take up to three (3) days off with pay, commensurate and prorated with the employee's work schedule, to attend the funeral or make funeral arrangements. Arrangements regarding days off should be made with the

employee's supervisor. Immediate family members are defined as an employee's spouse, domestic partner, parents, stepparents, sisters, brothers, children, stepchildren, grandparents, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, legal guardian, or grandchild. Gustavus understands the deep impact that death can have on an individual or a family, therefore additional non-paid time off may be granted upon supervisor approval.

Approved by the President's Cabinet: September 5, 2017.

Bone Marrow Leave

Employees who work 20 or more hours per week are entitled to up to 40 hours of paid leave to donate bone marrow. Verification of donation and the length of necessary leave may be required by the College. Reasonable notice of leave must be provided.

Approved by the President's Executive Leadership Team: August 20, 2024.

Crime Victims Leave

Employees who are victims of a violent crime and are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case. Employees who are a victim's spouse or immediate family member may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case.

Employees must give 48 hours' advance notice of the request for time off pursuant to this policy, unless impracticable or an emergency prevents the employees from doing so.

Employees must provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by the College. See also [Earned Sick and Safe Time \(ESST\) policy](#).

Approved by the President's Executive Leadership Team: August 20, 2024.

Domestic Abuse or Harassment Leave

Employees are entitled to reasonable unpaid time off to obtain or attempt to obtain an order of protection and/or other relief from a court related to domestic abuse or harassment.

An employee who is absent from the workplace shall give 48 hours' advance notice to the College except in cases of imminent danger to the health or safety of the employees or the employee's child, or unless impracticable.

Employees must provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by the College. See also [Earned Sick and Safe Time \(ESST\) policy](#).

Approved by the President's Executive Leadership Team: August 20, 2024.

Earned Safe and Sick Time (ESST)

Policy effective date: September 1, 2024

Earned Sick and Safe Time (ESST) is paid leave provided to employees that can be used for reasons related to illness of themselves or a family member, to seek assistance related to domestic violence for themselves or a family member, and for all other purposes outlined in this policy. All Gustavus Adolphus College employees who work at least 80 hours in a year in Minnesota are eligible for ESST.

Covered Uses

Employees can use ESST for:

1. the employee's mental or physical illness, treatment, or preventive care
2. a family member's mental or physical illness, treatment, or preventive care
3. absence due to domestic abuse, sexual assault or stalking of the employee or a family member
4. closure of the employee's workplace due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency
5. when determined by a health authority or health care professional that the employee or family member is at risk of infecting others with a communicable disease
6. Effective January 1, 2025, to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member.

Employees may use earned sick and safe time for their following family members:

1. their child: including foster child, adult child, legal ward, child for whom the employee is legal guardian or child to whom the employee stands or stood in loco parentis (in place of a parent)
2. their spouse or registered domestic partners registered with the State of Minnesota
3. their sibling, stepsibling, or foster sibling
4. their biological, adoptive or foster parent, stepparent or a person who stood in loco parentis (in place of a parent) when the employee was a minor child
5. their grandchild, foster grandchild or step-grandchild
6. their grandparent or step-grandparent
7. a child of a sibling of the employee
8. a sibling of the parents of the employee
9. a child-in-law or sibling-in-law
10. any of the family members listed in 1 through 9 above of an employee's spouse or registered domestic partner
11. any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
12. up to one individual annually designated by the employee

Use, Accrual, and Carryover

Accrual begins at the start of employment. Employees may use available paid sick and safe time as it accrues. Employees can use leave in 15-minute increments.

All eligible employees accrue one hour of ESST for every 30 hours worked, up to a maximum of 48 hours each year. For non-exempt (hourly) employees who are also eligible for PTO and under the College's policy, ESST accrual is part of PTO or vacation and not a separate portion of paid time off and will therefore follow PTO accrual rates and maximums.

Exempt (salaried) employees are presumed to work 40 hours in each workweek for purposes of accruing earned sick and safe time, except that an employee whose normal workweek is less than 40 hours will accrue earned sick and safe time based on the normal workweek. Exempt employees, and non-exempt employees ineligible for PTO, may carry over accrued, unused ESST leave into the following year, but the total amount of accrued, unused ESST leave may not exceed 80 hours. If/when an employee's bank of accrued ESST hits 80 hours, no further ESST will accrue unless and until the employee uses it such that the bank drops below 80 hours (at which point ESST will begin accruing again as normal, always subject to the 80-hour cap).

Notice and Documentation Requirements

If the need for leave is foreseeable, the employee must notify their supervisor/chair at least 7 days in advance. If the need for ESST is not foreseeable, the employee must follow the call-in procedure to notify their supervisor of their absence as soon as practicable. Employees should provide the reason for their absence or tardiness when calling it in so that ESST can be appropriately tracked. If an employee does not provide notice as soon as practicable (usually when calling in), the College reserves the right to deny ESST coverage, in accordance with applicable law.

If the employee uses ESST for more than three consecutive scheduled work days, the College may request reasonable documentation to verify the absence, such as from a health care provider, in accordance with applicable law. Any information disclosed as a result of using ESST time will be kept confidential and in accordance with the College's policies and applicable law.

Other Forms of Time Off

Employees will still be entitled to other forms of leave such as Vacation, Holidays, FMLA, and Short-Term Disability, as applicable. ESST will be used in conjunction with other leaves when possible. Employees should contact the Office of Human Resources with questions.

Separation and Rehire

Accrued, unused ESST is not paid out upon separation of employment, for any reason.

Employees who are rehired within 180 days of separation will receive and be eligible to use all previously accrued but unused ESST. Employees who are rehired more than 180 days after separation shall begin accruing ESST as though a "new" employee.

No Retaliation

The College expressly prohibits any form of discipline, reprisal, intimidation, retaliation, or discrimination against any individual for requesting or taking ESST or filing a complaint or bringing a civil action for violations of this policy, or applicable state or local law.

The College is committed to enforcing this policy and prohibiting retaliation against employees who request or take ESST under this policy, or who file a related complaint. However, the effectiveness of the College's efforts depends largely on individuals reporting inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to their supervisor or the Office of Human Resources. If employees do not report retaliatory conduct, the College may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Approved by the President's Executive Leadership Team: August 20, 2024; revised September 3, 2024. Approved by the Board of Trustees: October 11, 2024.

Family and Medical Leave Act (FMLA)

(See also the [Parental Leave Policy](#))

Under the provisions of the Family and Medical Leave Act (FMLA) the College provides eligible employees with up to 12 weeks of unpaid leave in a 12-month period for the purpose of birth, adoption, or foster care placement; medical care of a child, spouse, or parent, or when the employee has a serious health problem. Gustavus Adolphus College also reserves the right to run FMLA concurrently with absences falling under Workers Compensation.

The College administers a “rolling” 12-month period measured backward from the date of any FMLA leave usage. (Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the 12 months immediately before the FMLA leave is to start.)

To be eligible for an FMLA leave, an employee must have been employed for a total of 12 months and must have worked at least 1250 hours during the 12-month period preceding the commencement of the leave. Employees exempt from overtime requirements of the Fair Labor Standards Act are presumed to have worked the required hours unless the College clearly demonstrates that the employee did not work the required amount during the preceding 12 months.

The College will require a medical certification to support requests for a medical leave. For an employee’s own medical leave, the certification must include a statement that the employee is unable to perform the functions of his or her position. In cases of illness, the employee may be required to report periodically on his or her leave status and intention to return to work, and may require periodic recertification of the medical condition. An employee taking leave due to the employee’s serious health condition is required to obtain certification that the employee is able to resume work prior to the return from the medical leave. For leave to care for the medical needs of a child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care.

Employees who have paid leave available may be required to use their paid leave during a FMLA leave.

Any employee who is granted a FMLA leave is advised to provide for the retention of his or her group insurance coverage by arranging to pay the premium contributions during a period of unpaid absence. In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, the College may recover from the employee the cost of any payments made to maintain the employee’s coverage, unless the failure to return to work was for reasons beyond the employee’s control. Paid leave accruals will be calculated as of the last paid work day prior to the start of the unpaid leave of absence.

A request for Family and Medical Leave of Absence should be originated by the employee and communicated to their immediate supervisor and the Human Resources department. If possible, the form should be submitted 30 days in advance of the effective date of the leave. All agreements on the leave, including extensions, should be in writing. Upon return to work at the end of the leave, the employee will be reinstated to the same or a comparable position without loss of status, pay, or accrued benefits.

Revised by the Gustavus Adolphus College Board of Trustees: January 21, 2021.

Jury Duty and Witness Leave

Gustavus Adolphus College supports the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected to provide proper notice to their supervisor/Chair and the Office of Human Resources by providing a copy of the jury duty summons or witness subpoena at least one week in advance.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty. Verification of service must also be provided to the Office of Human Resources.

Employees on jury duty leave will be paid for their jury duty service in accordance with state law. Whenever an employee is required to report for jury duty, they are entitled to a leave of absence with full pay up to a maximum of two (2) weeks per year. However, it is understood that jury duty pay (not to include reimbursed expenses) will be returned to the College. Time served on a jury will not count as hours worked for overtime purposes.

Approved by the President's Executive Leadership Team: August 20, 2024.

Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask the Office of Human Resources for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give their supervisor or Chair as much advance notice of their need for military leave as possible so that Gustavus Adolphus College can maintain proper coverage while employees are away.

Family Military Leave

An employee who is the grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiancé or fiancée of a member of the United States armed forces who has been ordered into active service in support of a war or other national emergency (“mobilized service member”) is eligible for an unpaid leave of absence of up to one (1) day per calendar year in order to attend a send-off or homecoming ceremony for the mobilized service member. Employees must provide their supervisor or Chair as much notice as possible of their intent to take this leave as is practicable under the circumstances.

Additionally, any employee who is the parent, child, grandparent, sibling or spouse of a member of the United States armed forces who has been injured or killed while engaged in active service is eligible for an unpaid leave of absence for up to 10 days. The employees must provide their supervisor or Chair as much notice of their intent to take this leave as is practicable. Any accrued paid time off which is used during this period will run concurrently with leave under this policy and will not extend the length of leave.

Approved by the President's Executive Leadership Team: August 20, 2024.

Organ Donation Leave

Employees who work 20 or more hours per week are entitled to up to 40 hours of paid leave to donate an organ or partial organ to another person. Verification of donation and the length of leave needed may be required by the College. Reasonable notice of leave must be provided.

Approved by the President's Executive Leadership Team: August 20, 2024.

Parental Leave

Gustavus Adolphus College is committed to supporting faculty and staff in managing their professional and parental responsibilities. A primary goal of the parental leave policy is to allow both the faculty or staff member and the College the opportunity to maintain the integrity of the classroom and supporting services while avoiding an undue burden on either the individual or the department. All provisions and applications of this policy are meant to be consistent with federal and state law and the Family and Medical Leave Act (FMLA).

Eligibility

Full-time employees, part-time employees who have worked an average of 20 hours or more per week for 12 months, and part-time faculty employed for at least 12 months preceding the commencement of a parental leave, are eligible for six weeks of paid parental leave for maternity, paternity, or adoption. If a female

employee needs a leave longer than six weeks due to medical complications of pregnancy and/or childbirth, she has the right to additional paid leave on the same basis as others with temporary health-related disabilities.

Terms and Conditions

Under the provisions of the Family and Medical Leave Act (FMLA), the College provides eligible employees with up to six weeks of paid leave and an additional six weeks of unpaid leave for the purpose of birth, adoption, or foster care placement; medical care of a child, spouse, or parent, or when the employee has a serious health problem.

Parental Leave may be completed anytime within a twelve-month period following the birth or adoption. Parental Leave will run concurrently with leaves available under the FMLA and Minnesota Parental Leave Law. An employee who has already used FMLA leave for purposes other than birth or adoption may be eligible for up to six weeks of unpaid leave.

Parental leave shall count as time in service toward salary determination and eligibility for sabbatical leave. The College's contribution for health, disability and life insurance premiums shall be paid in full during all parental leave arrangements. Retirement benefits will be proportionate to salary or wages earned.

Application Process

A request for Parental Leave of Absence should be originated and signed by the employee as soon as the need for a leave is identified, submitted to the immediate supervisor or chair, and forwarded through the appropriate Vice President or Dean to the Human Resources Department. All agreements on the leave, including extensions, should be in writing. Upon return to work at the end of the leave, the employee will be reinstated to the same or a comparable position without loss of status, pay, or accrued benefits.

Faculty members should refer to the additional policies below.

Terms and Conditions

Eligible faculty members who welcome a child in the summer may take leave anytime within nine months of the resumption of their contract period to be arranged with the department and the Provost's Office. Parental Leave will run concurrently with leaves available under the FMLA and Minnesota Parental Leave Law. A faculty member, who has used FMLA leave for purposes other than birth or adoption, may be eligible for up to six weeks of unpaid leave.

The *Faculty Manual* governs the timing of tenure decisions.

Menu of Possible Options

The following is a sample of several past parental leave arrangements with full benefits. This list is not comprehensive, nor is it guaranteed that all of these past arrangements will be possible in every instance. The Provost's Office recognizes that circumstances may necessitate arrangements not covered by this list; faculty should work with their Department Chair and Dean to develop a mutually agreeable leave plan.

- six weeks paid and an additional 6 weeks unpaid
- one semester leave at 2/3 salary
- one course release at full salary
- combination of one course release and shifting remaining course load to January or a different semester at full salary
- teaching courses on an accelerated schedule at full salary (must be approved by the AOC)
- co-teaching courses that will allow the faculty member going on leave to be absent for a portion of those courses
- six weeks paid leave and administrative duties for the remainder of the semester

- intermittent leave arrangements

Adopted by the Gustavus Adolphus College Board of Trustees: April 24, 2015.

School Conference and Activities Leave

Gustavus Adolphus College will provide employees with up to 16 hours of leave during any 12-month period to attend school conferences or school-related activities related to an employee's child (including conferences related to a pre-kindergarten program or childcare services), provided the conferences or school-related activities cannot be scheduled during nonwork hours. When leave cannot be scheduled during non-work hours and the need for leave is foreseeable, the employees must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the College's operations. Leave under this policy is unpaid. However, the employees may substitute accrued paid time off for leave under this policy.

Approved by the President's Executive Leadership Team: August 20, 2024.

Voting Leave

Gustavus encourages its employees to exercise their right to vote in any regularly scheduled state primary, Presidential primary, general election or Congressional election. Since the polls are open for extended hours, in most instances, employee will be able to vote before or after work. However, if an employee's work schedule does not provide them with time to vote during non-working hours, they will be granted reasonable time off to vote during work hours in accordance with legal requirements, without loss of pay. The College requests that the employee notify their supervisor in advance if they anticipate a need to take time off work to vote.

Approved by the President's Executive Leadership Team: August 20, 2024.

Weather Related Closure

For more information, please refer to the [Cancellation/Delay/Closure Policy](#).

Minnesota Wage Theft / Payroll Law

Gustavus complies with the Minnesota Wage Theft Law, which requires all employers to provide each employee with a written notice at the start of their employment, and make available the notice in English or other languages upon request. The notice and/or offer letter must contain the following specific information about an employee's employment status and terms of employment. The following is the specific information employers must provide in writing to employees when they start employment:

- Employee's employment status and whether an employee is exempt from minimum wage, overtime, and other state wage and hour laws, and on what basis.
- Number of days in the employee's pay period and the regularly scheduled payday. Date the employee will receive the first payment of wages earned.
- Employee's rate or rates of pay and the basis thereof, including whether the employee is paid by the hour, shift, day, week, salary, piece, commission, or other method and the specific application of any additional rates.
- Allowances, if any, may be claimed for permitted meals and lodging.
- Provision of paid vacation, sick time, or other paid time off (PTO), how the paid time off will accrue, and terms for its use.
- A list of deductions that may be made from the employee's pay.
- Employer's legal name and the operating name, if different.

- Physical address and telephone number of the employer's main office or principal place of business and a mailing address, if different.

The College will maintain a copy of the notice and/or offer letter signed by each employee. Employees will be provided in writing regarding any changes to the information related to the Minnesota Wage Theft Law prior to the date the changes take effect.

Approved by the President's Executive Leadership Team: August 20, 2024.

Technology Use Policy for Employees

Purpose of Policy

Computers and other information technology resources are essential tools in accomplishing the work of the College. Information technology resources are valuable community assets to be used and managed responsibly to ensure their integrity, confidentiality, and availability for appropriate research, education, outreach, and administrative objectives of Gustavus. College employees are granted access to these resources in support of advancing the College's mission. This policy is constructed in a way to allow for complete academic freedom to exist, as outlined in the *Faculty Manual* Appendix A, while maintaining the integrity of the college's technology resources. In the use of technology resources, College employees must follow College policies and federal, state and local laws. These include but are not limited to policies and laws related to information security, data privacy, commercial use, and those that prohibit harassment, theft, copyright and licensing infringement, and unlawful intrusion and unethical conduct.

Owner(s)

Director of Gustavus Technology Services and CFO, VP of Finance and Treasurer, Provost and faculty, staff and students employed by Gustavus Adolphus College.

Scope

The purpose of this policy is to outline the acceptable use of technology resources at the College in order to comply with legal and contractual requirements, safeguard these resources, and protect the College against damaging legal consequences that could result from unacceptable use.

1.0 Acceptable Use

Technology resources provided by Gustavus Adolphus College are intended to be used for the work and activities directly associated with employment. In their use of technology resources, employees should respect the rights of other users, avoid actions that jeopardize the integrity and security of information technology resources, and comply with all pertinent licensing and legal requirements.

Employees must comply with applicable contractual agreements and licensing agreements.

Gustavus Technology Services will determine and authorize use of technology resources in collaboration with Gustavus Vice Presidents or designees. Employees must use only technology resources they are authorized to use and only in the manner and to the extent authorized. Ability to access information technology resources does not, by itself, imply authorization to do so.

Users are responsible for protecting their College-assigned accounts and authentication (e.g., password) from unauthorized use. User passwords should be unique, secure, and never shared with others, including other Gustavus Adolphus College users.

Employees are responsible for the content of their personal communications and may be subject to liability resulting from those communications. The College accepts no responsibility or liability for any personal or unauthorized use of its resources by employees. Employees should be aware that communications sent from

Gustavus Adolphus College-owned devices or accounts could be construed as representing a College position.

Copyright

Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code) to the authors of original works of authorship including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Employees should assume materials found on the Internet are copyrighted unless a disclaimer or waiver is expressly stated or the material that is clearly in the public domain (e.g., published before 1923 or a U.S. federal 43 document).

Some examples of copyright violations would include:

- Displaying pictures or graphics you have not created yourself.
- Offering sound recordings you have not produced yourself.
- Using programs to distribute copyrighted files.
- Placing any materials owned by others on your web page (or any other medium) without the expressed permission of the original owner.

Fair Use

In some circumstances the use of a copyrighted work may be considered a 'fair use.' For more information see:

- <https://www.copyright.gov/fair-use/more-info.html>
- <http://cmsimpact.org/program/fair-use/>
- <https://www.lib.umn.edu/copyright/fairthoughts>

2.0 Unacceptable Use

Employees are not permitted to share authentication details or provide access to their College accounts to anyone else.

Employees must not circumvent, attempt to circumvent, or assist another in circumventing the security controls in place to protect information technology resources and data.

Employees must not knowingly download or install software onto College information technology resources which may interfere with or disrupt service, or does not have a clear business or academic use.

Employees are prohibited from willingly engaging in activities that interfere with or disrupt network users, equipment or service; intentionally distribute viruses or other malicious code; or install software, applications, or hardware that permits unauthorized access to information technology resources.

Employees must not engage in inappropriate use, including but not limited to:

- Activities that violate state or federal laws, regulations or College policies.
- Widespread dissemination of unsolicited and unauthorized electronic communications.

Employees must avoid excessive use of system information technology, including but not limited to network capacity.

Excessive use means use that is disproportionate to that of other users, or is unrelated to academic or employment-related needs, or that interferes with other authorized uses. Individual divisions within the College (e.g., academic affairs) may require employees to limit or refrain from certain activities in accordance with this provision.

Gustavus discourages the installation of personal software and files on College technology resources that are not directly associated with the work and activities of the College. Gustavus Technology Services is unable to support any personally installed software unrelated to work and activities of the College. Gustavus Technology Services assumes no obligation to transfer or retain any personally licensed software, personal files, or other non-college information or materials.

3.0 Privacy and Security Measures

Employees must not violate the privacy of other technology users. Technical ability to access others' accounts does not by itself imply authorization to do so.

The College takes reasonable measures to protect the privacy of its information technology resources and accounts assigned to individuals. However, the College does not guarantee absolute security and privacy. Users should be aware that any activity on information technology resources may be monitored, logged and reviewed by College-approved personnel, or may be discovered in legal proceedings. Circumstances under which such review and discovery may occur are described immediately below.

Responsibility for protecting the College's resources and data is a shared responsibility by all employees and Gustavus Technology Services. Gustavus Technology Services treats the contents of individual assigned accounts and personal communications as private and does not examine or disclose the content except:

- as required for system maintenance, including security measures;
- when there exists reason to believe an individual is violating the law or College policy; and/or
- as permitted by applicable policy or law.

Before disclosing the contents of individual files or reassigning the ownership of a user's account, GTS is required to receive authorization from two Gustavus Vice Presidents that a credible reason exists to take this action.

Employees may add additional measures for protection of information if required by grants or research agreements. If additional protection is added to College technology resources, system administrators must be given access to those resources upon request.

Employees should ensure the security and confidentiality of Gustavus' data and student information. Student records are subject to heightened confidentiality requirements through legislation such as the Family Educational Rights and Privacy Act (FERPA). College-owned computers are issued with software tools that encrypt data stored on the machines; employees should not disable these tools. When sharing confidential and protected data, all employees should do so using a secure method approved by the College. Confidential Gustavus data or student records should not be created, downloaded or saved to any device in an unprotected format.

The College reserves the right to employ security measures. When it becomes aware of violations, either through routine system administration activities or from a complaint, it is the College's responsibility to investigate as needed or directed, and to take necessary actions to protect its resources and/or to provide information relevant to an investigation.

4.0 Enforcement

Individuals who use information technology resources to violate a College policy, law(s), contractual agreement(s), or violate an individual's rights, may be subject to limitation or termination of user privileges and appropriate disciplinary action, legal action, or both. Alleged violations will be referred to the appropriate College office or law enforcement agency.

The College may temporarily deny access to information technology resources if it appears necessary to protect the integrity, security, or continued operation of these resources, or to protect itself from liability.

Help with this Policy

Contact the Director of Gustavus Technology Services for questions and comments on this policy.

Policy Authority

The Director of Gustavus Technology Services has responsibility for this policy and will obtain necessary approvals and changes to this policy.

Related Policies or References

Staff Handbook; All College Policies.

Approved by the President's Cabinet: August 29, 2017.

Tuition Remission

Dependent Children Scholarship and Exchange

Gustavus Adolphus College provides a **Tuition Scholarship Program** to eligible dependent children of faculty and staff, allowing for the completion of a Gustavus Adolphus College bachelor's degree with no out-of-pocket costs for tuition. The **Tuition Scholarship Program** is less need-based-aid, requiring the submission of the FAFSA and Verification of Dependency form for all students applying for admission to Gustavus.

Eligibility

Dependents are eligible for the **Tuition Scholarship Program** after the parent has completed two years of aggregate full-time employment. Benefits begin at the start of the semester following the qualifying full-time anniversary date. Eligibility is based on employment status and date of hire.

- Employees must remain full-time, benefits-eligible (i.e., work a minimum of 30 hours per week for 39 weeks) during benefit use.
- A parent's service at a regionally accredited higher education institution immediately preceding employment at Gustavus will be considered for the two years of full-time employment requirement. Regionally accredited institutions include schools accredited by:
 - Accrediting Commission for Community and Junior Colleges Western Association of Schools and Colleges (ACCJC)
 - Higher Learning Commission (HLC)
 - Middle States Commission on Higher Education (MSCHE)
 - New England Commission of Higher Education (NECHE)
 - Northwest Commission on Colleges and Universities (NWCCU)
 - Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)
 - WASC Senior College and University Commission (WSCUC)
- A dependent child for tuition benefits is defined as biological children, adopted children, stepchildren, children under legal guardianship; must be under the age of 25; and must be dependent upon an eligible employee's household for at least one-half of the household's financial support and/or claimed as a dependent for tax purposes.
- The dependent may not have earned a prior baccalaureate degree.

Tuition Scholarship Program Details

- Dependent must be accepted to the College by completing the required application for admission process. <https://gustavus.edu/admission/apply/>

- FAFSA submission and verification of dependency document completion is required annually when participating in the **Tuition Scholarship Program** for students starting and/or continuing at Gustavus.
- Should a benefits-eligible employee drop below full-time status or terminate employment, the **Tuition Scholarship Program** terminates at the end of the current semester.
- Employees who are on approved leaves of absence with pay and benefits will continue to be eligible for the Tuition Scholarship Program for their dependents as long as they were eligible prior to leave.
- If an eligible employee is an Official Retiree as defined by College policy, is permanently disabled, or is deceased, any eligible children enrolled in the program or enrolled in grades 9-12 at the time of change will remain eligible for the Tuition Scholarship Program.
- Tuition Scholarship Program is limited to a maximum of eight semesters.
- Tuition Scholarship Program does not cover housing, meals, or fees.
- Dependents must maintain satisfactory academic progress as defined by the College to continue receiving the tuition scholarship benefit.
- Gustavus reserves the right to amend this benefit at any time for any reason.
- Eligible employees must complete the Verification of Dependency form and provide all necessary documentation as communicated by the College's Human Resources department.

Additionally, Gustavus Adolphus College provides the following exchange scholarship programs to eligible employee dependents who may wish to attend college at another participating institution:

ELCA Exchange Scholarship

Dependents of benefits-eligible employees are certified as “exports” on this program as long as the appropriate forms are submitted to the Gustavus Financial Aid Office by the designated deadlines. The receiving institution will determine admission, the amount of the benefit, and eligibility. Learn more about the [ELCA Exchange Scholarship program](#). View a list of [participating colleges](#).

ELCA Eligibility and Participation Fee

Dependents are eligible after the parent has completed two years of aggregate full-time employment. Benefits begin at the start of the semester following the qualifying full-time anniversary date. Eligibility is based on employment status and date of hire. Gustavus employees participating in the ELCA Tuition Exchange program are required to pay a \$100 Participation Fee annually to Gustavus upon successful export.

1. The employee must complete the Verification of Dependency form each year. New dependents to the program must list all of the colleges that they are applying to for enrollment. Dependents already enrolled in the program must verify the institution that they are planning to continue to attend and their year of college achieved.
2. Gustavus Human Resources will validate eligibility for this benefit and will notify the Gustavus Financial Aid Office.
3. The Gustavus Financial Aid Office will notify other participating ELCA institutions of the student’s eligibility based on the Tuition Benefit Application. The host institution will communicate with the Gustavus employee’s dependent regarding the benefit amount.
4. Following the decision of the Gustavus employee’s dependent, the employee must complete the online Enrollment Confirmation Form by May 1st each year.
5. All final enrollment decisions and financial aid awards are made by the importing college.
6. If an eligible employee retires as defined by College policy, is permanently disabled, or is deceased, any eligible children enrolled in the program or enrolled in grades 9-12 at the time of change will remain eligible for the ELCA Tuition Exchange Program.

Tuition Exchange (TE) Scholarship

Tuition Exchange (TE) is a reciprocal scholarship opportunity for eligible faculty and staff dependents at all 700+ individual member schools. Tuition Exchange is not an employee benefit but an opportunity because of employment. All Gustavus eligible employee dependents are certified for this program. It is up to the receiving institution to determine admission and eligibility for TE scholarships. TE can be a competitive award. The minimum scholarship amount is set by TE and the member school. Notification that Gustavus has certified the eligible dependent as an export on this program will be sent to the employee by January 15 of each year. Detailed exchange program information and participating colleges can be found at <https://www.tuitionexchange.org/>

TE Eligibility and Participation Fee

Dependents are eligible after the parent has completed two years of aggregate full-time employment. Benefits begin at the start of the semester following the qualifying full-time anniversary date. Eligibility is based on employment status and date of hire. Employees must complete the [Tuition Exchange application](#). Gustavus employees participating in the Tuition Exchange program are required to pay a \$100 Participation Fee annually to Gustavus upon successful export.

Employees and Spouses Tuition Remission Program

Gustavus Adolphus College provides a Tuition Remission Program to eligible employees and their spouse, allowing for the completion of a bachelor's degree and courses for professional development and personal enrichment with no out-of-pocket costs for tuition at the College.

Eligibility

Employees are eligible after completing two years of aggregate full-time employment. Benefits begin at the start of the semester following the qualifying full-time anniversary date. Eligibility is based on employment status and date of hire.

Employees must remain full-time, benefits-eligible (i.e., work a minimum of 30 hours per week for 39 weeks) during benefit use.

Should an employee drop below full-time status or terminate employment, the tuition remission benefit terminates at the end of the current semester.

Tuition Remission Program Details

- Special course fees and program fees are not covered as part of the remission program.
- Enrollment may not interfere with work duties and responsibilities. Therefore, whenever possible, classes should be arranged so as to not interfere with normal work schedules. However, because part-time students register for courses on a space-available basis, employees may, with departmental approval, manage their work hours to attend classes.
- Paid time will not be provided to attend class. Time away from work will either be accommodated through an adjusted (not reduced) work schedule or charged to PTO or vacation.
- Tuition remission is limited to a maximum of two classes per semester for employees. An employee's spouse may enroll full time.
- Gustavus reserves the right to amend this benefit at any time for any reason.

Interested employees, or their spouses, should complete either the [Degree Seeking Application](#) or the [Non-Degree Seeking Application](#).

Approved by the President's Executive Leadership Team: August 20, 2024. Revised November 5, 2024.

Unemployment Insurance

The State of Minnesota will determine a departed employee's eligibility for unemployment benefits based on the application submitted. Employees who leave their jobs voluntarily usually do not qualify to receive unemployment benefits. Unemployment benefits will be extended to individuals who separate employment with the College due to sexual assault, domestic abuse, or stalking of the departed employee or their immediate family member. For more information, visit the [Minnesota Unemployment Insurance \(UI\) website](#).

Approved by the President's Executive Leadership Team: August 20, 2024.

Wage Disclosure Protections

Employees are allowed to share information about their wages and working conditions with other people. The employer cannot stop the employee from telling anyone about the employee's wages or conditions of employment, require the employee to sign a waiver that takes away the employee's right to tell others about the employee's wages or working conditions; or treat the employees differently because the employee told someone about the employee's wages or working conditions.

The College will not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee for asserting rights or remedies under this section.

Nonetheless, this policy should not be construed to:

- Create an obligation on Gustavus Adolphus College or on employees to disclose wages
- Permit employees, without the written consent of the College, to disclose confidential or proprietary information, trade secret information, or information that is otherwise subject to legal privilege or protected by law
- Diminish any existing rights under the National Labor Relations Act (NLRA)
- Permit employees to disclose wage information of other employees, absent the affected individual's consent and authorization to disclose, especially to a competitor of Gustavus Adolphus College

Approved by the President's Executive Leadership Team: August 20, 2024.

Workers' Compensation

In accordance with The Minnesota Workers' Compensation Act, the College carries Workers' Compensation insurance for its employees in the event of an occupational illness or accident incurred in the course of employment. If the claim is accepted, the insurance carrier will typically provide payment of medical expenses, lost wages, vocational rehabilitation, and other benefits provided at no cost to the employee.

Reporting Injuries

If any employee, including student workers, are injured on the job, no matter how slightly, they must report the incident immediately to their supervisor. Employees have the right to report work-related injuries and illnesses and are encouraged to do so, free from any retaliation. An injury report should then be prepared by the injured employee (or their supervisor if they are able to do so), and sent to the Office of Environmental Health, Safety and Risk Management.

Reporting information can be found on the Accident, Injury, Incident Reporting Procedures Workers' Compensation website. Failure to follow College procedures may affect the ability of an employee to receive Workers' Compensation benefits.

Recording of Lost Time

On the date of injury or illness, a non-exempt (hourly) employee who is unable to complete the remainder of their regularly scheduled shift will receive pay for the remainder of the shift. The employee or supervisor should note “Work Comp” on the employee’s timesheet for lost time while the Workers’ Compensation provider determines the eligibility of the claim. Whenever possible, employees should schedule doctor or therapy appointments outside of their work schedule.

Lost Time Wages

During an approved Workers’ Compensation absence, in accordance with the Minnesota state statute, employees will receive lost time wages at 66.6% of pay from the insurance carrier, which are not subject to Federal or state taxes. Employees may not supplement lost-time wages with any other paid leave benefits from the College.

Workers’ Compensation absences longer than one week will typically run concurrently with an FMLA leave. Refer to the Family Medical Leave Act policy in the All College Policies for further details. During this leave time, the employee is responsible for paying the employee portion of health care premiums and any other payroll deductions during the period of the leave to ensure continuation of coverage. Arrangements for payments must be made through the Payroll Office.

Approved by the President’s Executive Leadership Team: August 20, 2024.

External Funding / Grants

Compensation Certification Policy

This policy is effective beginning with FY24 processes, including AY23 certifications.

As a recipient of federal funds, Gustavus Adolphus College must comply with the Office of Management and Budget's 2 CFR 200 Uniform Guidance. This regulation provides guidance on the allowability of costs on federal awards and sets forth criteria for charging salaries and wages to grants. Under these federal guidelines, Gustavus must certify compensation on externally funded sponsored activities and document committed cost share.

To comply with these federal regulations, it is the policy of Gustavus Adolphus College to conduct compensation certification for all exempt employees participating in externally funded sponsored activities. Non-exempt employees, including students, certify their compensation by completing their payroll time entry and approval process.

Compensation Certification Process

Research and Sponsored Programs (RSP) will seek certification with Principal Investigators and Project Directors (PI/PDs) of externally funded sponsored programs no less than annually. It is the responsibility of the PI/PDs to monitor their grant budget postings in the College's financial system.

PI/PDs are responsible for ensuring that any compensation charged to their externally funded sponsored program is allowable, allocable, and reasonable. PI/PDs will be asked to certify all individuals paid from their funded program worked in alignment with program objectives at least as much as they were paid, commensurate with the individual's institutional base salary. When salary confidentiality is of concern, RSP or Finance can assist with this determination.

Any compensation outlined in a funding proposal will be provided to the Finance Office upon award. PI/PDs are responsible for communicating changes in planned compensation to RSP prior to the effective date of the change. Changes that are more than 120 days late will not be applied to sponsored funding. Compensation plans for those not identified in the proposal must be submitted to RSP prior to starting work.

Consequences of Non-Compliance

Inaccurate, late (90 days) or incomplete compensation certification may result in funding disallowances and lead to sanctions against the responsible PI/PDs. Sanctions for late submissions of compensation certification documents will be as follows:

- notice of non-compliance with Gustavus policy placed in the PI/PDs permanent personnel file;
- PI/PD will be barred from seeking external funding for a period up to 2 years; and
- PI/PD will be ineligible for internal grants for a period up to 2 years.

Additional sanctions may be imposed, depending upon circumstances.

Approved by the President's Cabinet: March 20, 2018. Revised August 15, 2023.

Faculty Time and Reassignment Requests

Background

Percentage of Time per Duties Assigned

As a matter of policy, Gustavus Adolphus has not historically established faculty contracts based on a percentage of work per duties assigned, while many other schools publish how much of a faculty's member's

time should be spent on teaching, research, advising, service to the institution, and so forth. Instead, when faculty are evaluated and/or reappointed, the following are considered-in order of importance:

- Excellence as a teacher
- Emerging pattern of excellence in scholarship and/or creative pursuits
- Emerging pattern of involvement with the college and its activities
- Continuing evidence of sympathy with aim and purpose of the college
- (Gustavus Adolphus College *Faculty Manual*)

Faculty Time and External Funding

Gustavus has a strong tradition of seeking and being awarded external funding through grants and contracts, whether that funding comes through government, private, or corporate sources. However, the college has not had a standard policy for charging faculty time for these grants. To compensate, individual faculty members have been devising formulas-based on their employment contracts-to charge for their time. This system is flawed in that it demands impeccable record keeping in order to understand budgets-and, by default, it accepts that some people's time is "worth more" than others'.

As external compliance demands grow, it is essential that the College both adopt and follow a policy for charging for faculty time. This policy will help ensure that the process of applying for a grant is systematized, in that each faculty member's time is considered of equal value relative to base salary. More importantly, a policy will ensure that all future grant and contract budgets can easily pass external audits.

It is important to note that no policy for charging faculty time is a perfect representation of how all faculty actually spend their time. Rather, a policy for charging faculty time is meant to be a representation across the institution: one that is reasonable and fair to both faculty and to external funders. Having taken these factors into consideration, the External Funding Advisory Council has created this aspirational policy that recognizes the College's increasing emphasis on intellectual engagement, research, scholarship, creativity and dialogue as part of the new Gustavus Acts Strategic Plan (2016). This policy is but one representation of the value among Gustavus faculty to be active scholars who are committed to submitting highly competitive proposals for external funding.

Policy

Policy Understanding

- This policy covers all 9-month faculty contracts.
- This policy uses base salary in its calculations. Benefits must also be charged.
- This policy accounts for: 1) the variety of ways in which faculty actually use their time; 2) funders' expectation that faculty are using a portion of their academic year time toward research and scholarship; and 3) the possibility of using this academic year time as a portion of any required match on external grant applications.
- Externally funded research, scholarship, and creative activities sometimes require a level of effort that does not fit within a faculty member's typical academic year time allocations. All faculty requests for reassignment time as part of an application for external funds for research or other sponsored projects including grants, service agreements, contracts, and other similar agreements must follow this policy.

Policy for Charging for Faculty Time during the Academic Year - 70/20/10

When charging for faculty time on external grants and/or contracts, the College agrees to the following relative to how faculty time is spent:

- 70%: teaching and teaching–related activities. Percentage based on contractual six-course load per academic year.
- 20%: research, scholarship, and creative pursuits. This percentage is in line with the 8 hours per week that may be set aside on faculty schedules (May 2016 faculty meeting).
- 10%: service to the college. This percentage acknowledges that all faculty dedicate time to the institution through committee work and other service via their contract each year.

Since faculty load is six courses per academic year, reassignment time for one course is equivalent to 11.67% of a faculty member’s time, or base salary, for those on a nine-month contract (70%/6).

Examples:

- Faculty member A earns \$60,000/year. The cost to buy out the salary portion of one course, then, is \$7,002 (60,000 x .1167 (11.67%)) plus benefits.
- Faculty member B earns \$80,000/year. The cost to buy out the salary portion of one course, then, is \$9,336 (80,000 x .1167) plus benefits.

Policy for Charging Faculty Time during Summer

Summer appointments will be charged at a rate commensurate with the faculty member’s institutional base salary plus benefits. Example:

- One summer month is equivalent to 1/9 of a faculty member’s academic year salary. Faculty member A earns \$60,000/year. The cost for one summer month, then, is \$6,667 (60,000/9) plus benefits.

Consult a Grants Office Director for release time equivalencies for faculty on appointments other than the 9-month term.

Procedure for Requesting Reassignment Time

Check sponsor guidelines to determine whether reassignment time is allowed. In some instances, a sponsor may need to approve a reassignment time prior to submission of a proposal. The Grants Offices can assist with interpreting sponsor guidelines prior to requesting reassignment time.

1. Discuss the proposed reassignment time with relevant Dean and Department Chair.
2. The Dean must approve the reassignment time by signing the Reassignment/Course Release Approval Form.
3. The Department Chair or designee must acknowledge the reassignment time, provide information regarding which course(s) would be removed from the faculty member’s load, and whether the department plans to remove the course(s) or offer the course(s) as an internal overload or external hire during the period of the grant. This information should be provided on the Reassignment/Course Release Approval Form and sent to the appropriate Grants Office no later than 7 business days prior to the submission deadline.
4. The grant budget must include a line item associated with the reassignment time, based on the faculty member’s salary and benefits, equivalent to the percentage of reassignment time requested. This budget must be reviewed by either the Director of Faculty Grants or the Director of Government, Corporate and Foundation Relations prior to submission of the package to the Provost’s Office for final approval.
5. The appropriate Grants Office will forward the Reassignment/Course Release Request Form, the proposal summary or abstract, and the budget to the Provost’s Office no later than 7 business days prior to the submission deadline.

6. Approval from the Provost's Office, via signed Reassignment/Course Release Approval Form, must be submitted to the Grants Office no later than 3 business days prior to the sponsor's submission deadline.

Approval is made on condition that the reassignment time is properly budgeted for and will only be granted if an award is made.

Salary Distribution Guidelines

Salary savings will be distributed as follows:

1. The Provost Office will receive funds to cover the costs for instruction of course(s) that will be offered during the faculty member's release time, including salary and benefits (if applicable).
2. 15% of any remaining funds will be distributed to the College's unrestricted budget.

85% of any remaining funds will be distributed to the Provost's Office to be used for activities related to strategic efforts to support research, scholarship and creative activities on campus, for example toward Presidential Faculty-Student Collaboration Grants or Capacity Building Grants. A faculty member may submit a proposal to the Provost's Office requesting a portion of these funds be reallocated to their sponsored project or program.

Approved by the President's Cabinet: March 28, 2017.

Indirect Costs, Recovery Expectations, and Incentive Distribution

Policy

Externally funded research, scholarship, and creative activities enhance the reputation of the College. It benefits both the careers of faculty and staff and the education of students who participate or are impacted by the externally funded work. These projects and programs incur both direct and indirect costs, the latter of which are recovered by applying a rate to the budget request portion of a funding proposal. This policy sets forth guidelines for requesting facilities and administrative (indirect) costs reimbursement on externally funded projects and programs. In the case of exceptions to full recovery, externally funded programs must budget administrative costs directly. This policy also outlines the method the College uses to distribute recovered indirect costs.

Background

Externally funded research, scholarship, and creative activities enhance the reputation of the College, benefitting both the careers of faculty and staff and the education of students who participate or are impacted by the externally funded work. These projects and programs incur both direct and indirect costs, the latter of which are recovered by applying a rate to the budget request portion of a funding proposal.

Guidelines

It is the expectation of the College that all externally funded sponsored program budgets will include a request for reimbursement of indirect costs regardless of whether or not the sponsor is a federal entity, because there are real facilities and administrative costs associated with every project. While some exceptions apply, these exceptional instances are nearly exclusively due to policies of the external entity or funding source. Exceptions to application of the federally negotiated indirect cost rate:

- The sponsor has a published rate that is either lower than the College's rate or a rate that is applied to an alternative base (e.g., 15% of total direct costs). This rate must appear in the sponsor's written guidelines, published on their website, or confirmed in a letter from an authorized official. This rate must be uniformly applied to all entities seeking funding from that agency for the relevant funding opportunity.
- The program limits the indirect costs. A common example would be training grants issued by the US Department of Education.
- When an award is transferred to Gustavus Adolphus College from another institution and Gustavus' indirect cost rate is higher than the rate at the previously awarded institution, the College will adjust the rate, as needed, so funds designated for direct costs in the original budget remain available to the project.

In instances where an award is made with an inaccurate budget, the PI/PD will be responsible for the unrecovered indirect costs.

Budgeting for Additional Administrative Costs

Submissions that do not recover indirect costs at the College's full federally negotiated rate and meet at least one of the following criteria, are required to include budget support for administrative assistance in Research and Sponsored Programs. These criteria include:

- A sub-award from Gustavus
- Gustavus is the lead on a collaborative proposal involving non-Gustavus entities
- Commitment of match or other long-term sustainability commitments from the College
- Hiring of non-student personnel or staff/faculty reassignment time
- Includes an international scholarly component that requires travel outside of the US
- Includes international collaborators

- Award is for an amount equal to or larger than \$300,000
- Multiple separate projects are included within one grant
- Training grants that include support for non-Gustavus participants

Proposals that meet at least one of the above criteria must budget 5% of total direct costs for Grant Administration in the personnel section of the budget along with full benefits for those wages. Exceptions may be granted by the Director of RSP for small, short-term grants, but will be only approved in exceptional circumstances.

Distributing Indirect Cost Recovery

Purpose

Indirect costs are recovered for previously incurred, already paid real costs. The College has the opportunity to use these funds strategically for incentives, operations, and capacity building for research.

Distribution of Funds from Awards Receiving the Full Federally Negotiated Rate

50% to General College Budget to offset current College expenses

15% to Principal Investigator as Incentive Funds which must be spent within one year of the grant end date. Funds may be spent in the following ways:

- Project-related costs not otherwise covered by the grant, including cost-share
- Equipment, materials, supplies, and fees directly related to the PI's research or teaching
- Wages and benefits for faculty and students to conduct scholarly work or develop a course during the summer
- Travel expenses related to research, conference attendance/presentation for PI or students(s)
- Equipment maintenance
- Wages for students working during academic year and not receiving course credit
- Computer hardware and/or software associated with research (must be purchased through GTS)
- Up to one reassigned course per year, plus benefits, with prior Dean and Provost approval

35% to Provost's Research Capacity Building Fund which must be spent within three years. Funds may be spent in the following ways:

- Support of Research and Sponsored Programs office (e.g., staffing, salary, benefits, professional development) to ensure high quality support for programs, research, scholarship, and creative activities at the College
- Additional support of externally funded programs (e.g., required cost share)
- Activities that will support submission of future external funding requests (e.g., internal grants)

Distribution of Funds for Indirect Costs Collected at a Reduced Rate

- 50% to General College Budget to offset current College expenses
- 50% to Provost's Research Capacity Building Fund which must be spent within three years. Funds may be spent as outlined above.

Approved by the President's Cabinet: October 11, 2016. Revised November 7, 2023 (effective January 1, 2024).

Responsible Conduct of Research (RCR) Policy

Policy

Gustavus Adolphus College requires all students, as well as those with post-baccalaureate and post-doctoral research positions, who are conducting research paid for by local, state, or federal grant funds to complete training in the responsible conduct of research (RCR). Principal Investigators and Project Directors (PI/PD) are responsible for ensuring that these researchers who are working on their government funded projects complete all required trainings on time. The Director of the Office of Government Grants and Sponsored Programs serves as the RCR Administrator for Gustavus.

As part of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science (COMPETES) Act, the National Science Foundation introduced RCR training requirements in 2010. Subsequently the United States Department of Agriculture and the National Institutes of Health have implemented training requirements. Though this Gustavus RCR policy meets and exceeds the standards of many government agencies, it does not meet the requirements of the National Institutes of Health. If a researcher is participating in NIH funded work, please consult the Director of Government Grants and Sponsored Programs to develop a compliant training plan.

Areas of training at Gustavus will include authorship, collaborative research, conflicts of interest, data management, mentoring, peer review, research misconduct, and plagiarism. Training for research involving animal care and use, and research involving human subjects is also required as relevant. Training is valid for four years, however refresher courses are recommended after three years. This training, as well as other trainings required by Gustavus such as lab safety training, are in place to protect the College, PI/PDs, students, and other employees conducting research at Gustavus.

Requirements

1. All relevant web-based training requirements must be met prior to beginning work on the government-funded project.
 - **Online RCR Course**: All student, post-bac and post-doc researchers must complete an online Responsible Conduct of Research course. Instructions for completing this training can be found at <https://gustavus.edu/grants/policies/>.
 - **Human Subjects**: Those conducting research involving human subjects must complete the supplemental online training module. Consult the Gustavus Institutional Review Board regarding any additional training requirements.
 - **Animal Subjects**: Those conducting research with animals must complete the supplemental online training module. Consult Gustavus Institutional Animal Care and Use Committee regarding any additional training requirements.
2. In-person training must be completed either before the employment start date, or within the term the researcher begins work (January or spring semester, summer, fall semester). This training will be offered at least three times each calendar year. A training schedule can be found at <https://gustavus.edu/grants/policies/>.
3. Certificates or other documentation of training completion shall be provided to the PI/PD and the Director of Government Grants and Sponsored Programs within 7 days of finishing each training requirement.

Non-Compliance

If it is determined that a researcher has been working without completing the required trainings, the researcher faces possible suspension or termination of employment at Gustavus, and the PI/PD faces possible funding disallowances and sanctions. Notification of and sanctions associated with non-compliance will follow the timeline outlined below:

Within seven days of determination of Non-Compliance, the researcher and PI/PD will receive an email notification that proof of training has not been received, including the consequences of continued non-compliance with College policy.

If a researcher has been out of compliance for 14 days, the researcher and PI/PD will receive a warning email that formally outlines the sanctions associated with non-compliance with Gustavus policy. The relevant Dean or VP will be copied.

After 30 days or more of non-compliance, employment of the researcher will be suspended until the researcher is in compliance with College policy. The PI/PD will be required to discuss the circumstances surrounding the non-compliance with the relevant Dean/VP and the Director of Government Grants and Sponsored Programs. Within the subsequent seven days, the PI/PD will receive formal notification that details any funding disallowances and sanctions in effect upon receipt of the letter.

Sanctions will include:

- notice of non-compliance with Gustavus policy will be placed in the permanent personnel file of the PI/PD;
- the PI/PD will be barred from seeking external funding for a period up to 2 years; and
- the PI/PD will be ineligible for internal grants for a period up to 2 years.

Approved by the President's Cabinet: August 21, 2017.

Submission of Proposals for External Funding

At Gustavus Adolphus College, the Director of Corporate and Foundation Relations in Advancement (CFR) and the Director of Faculty Grants in the Office of Government Grants and Sponsored Programs (GGSP) are the College's authorized representatives for the submission of proposals for external funding. The offices of GGSP and CFR are committed to facilitating the submission of highly competitive proposals that conform to government regulations, agency guidelines, and College policies. They work closely with Principal Investigators and Project Directors (PI/PD), assisting throughout the process of seeking and managing external funding – from the point of having an idea through to closing out the grant and submitting final reports. As part of this process, they review and submit proposals on behalf of the College, and facilitate the acceptance and management of awards for sponsored projects on behalf of the College in collaboration with the Offices of Finance, the Provost, Advancement, and the President.

All external funding proposals must be reviewed and approved by GGSP or CFR before submission to the external sponsor, or before submission of Gustavus' materials to a collaborating institution for inclusion in their proposal to an external sponsor. This includes applications, pre-proposals, letters of intent, concept papers, contracts, subcontracts, and fellowships, regardless of funding source or whether funds are awarded to the College or to the individual. Prior to approving a submission, GGSP or CFR will review all proposal materials and assist with collecting internal approvals. At times GGSP or CFR may request changes to bring a proposal into compliance with guidelines and policies, or suggest changes that will enhance competitiveness. The signature of either the Director of GGSP or CFR on the required External Funding Approval Form certifies that commitments made on grants, contracts, and agreements can be honored, verifies the accuracy of information provided on grant proposals or contract agreements, and ensures that all sponsored agreements conform to relevant policies. When the proposal is complete and all approvals have been secured, GGSP or CFR submits the proposal or authorizes the PI/PD to submit the proposal to the sponsor.

Internal Deadlines for Proposal Review

The offices of GGSP and CFR can provide the highest level of service to faculty and staff when adequate lead time is given to review and approve a proposal prior to submission. The following timeline represents a

minimum for GGSP or CFR to provide feedback and a thorough review of an application. A more detailed list of steps, along with other resources, can be found at <https://gustavus.edu/grants/>. Remember your submission date might be the day your materials are due to a collaborator, not necessarily the grant deadline.

1. **Discuss your idea with GGSP or CFR.** Some projects will require internal vetting which will be required at least one month prior to the submission deadline. Longer lead times will be necessary if your project involves collaborators, institutional commitments or course reassignments, or is a limited submission opportunity, for example.
2. **As soon as possible, at least 12 full working days prior to the planned submission date – Confirm timeline and plan upcoming submission with GGSP or CFR.** This allows staff to allocate time for providing feedback and reviewing proposal components.
3. **At least 7 full working days prior to the submission date – Provide GGSP or CFR with a project budget and budget justification, along with a draft version of the narrative that is suitable for review.**
4. **At least 3 full working days prior to the submission date – Provide GGSP or CFR with all final proposal documents and a completed External Funding Approval Form.** Following a final review of the proposal GGSP or CFR will then submit the application or authorize the PI/PD to do so.

Late Submission to Internal Deadlines and Unauthorized Submissions

Proposals submitted after the internal deadlines will be processed on a first-come-first-served basis. Priority is given to complete proposals that are submitted on time and to proposals components submitted for review based on the agreed upon timelines. The PI/PD assumes the risk that late or incomplete proposals may not be approved for submission, may not meet external submission deadlines, or may be submitted without adequate review. Such a proposal may be withdrawn from funding consideration upon full review should it contain errors or lack internal approvals that would preclude Gustavus Adolphus College's acceptance of an award.

When a proposal is submitted without review and approval by GGSP or CFR, the following consequences or repercussions may occur:

1. If improperly budgeted, the PI/PD will be responsible for covering required budget components or any over spending that may result. These may be covered by a PI/PD via a department budget, via an unrestricted endowed line associated with the PI/PD, or via other means. If being paid by a Gustavus restricted or unrestricted fund, approval by the Provost's Office is required for faculty PI/PDs and approval by the primary supervisor is required for staff or administrator PI/PDs.
2. Award terms and conditions may preclude Gustavus from accepting the award.
3. Unauthorized signatures or inadequate negotiation of award terms and conditions may render the award invalid and result in immediate termination of the project.
4. The College and the PI may not be able to negotiate salary, benefits, leaves or other institutional commitments that were included in the proposal, thus resulting in declining or terminating an award.

Approved by the President's Cabinet: November 8, 2016.

Health and Safety

Drug and Alcohol Policy

Gustavus Adolphus College is concerned for the well-being of all members of its academic community and for the quality of their relationships. One area of that concern involves the use of alcohol and other drugs.

The College does not condone the use of alcohol when prohibited by law. On the contrary, it seeks to foster an atmosphere in which abstinence from alcohol is accepted, respected, and supported. The College also expects individuals and groups to make responsible choices with regard to alcohol use. Careful consideration must be given if alcoholic beverages are to be available at College-sponsored off-campus activities or events where underage individuals are present. While the alcohol and drug policy makes provisions for the consumption of alcohol in conjunction with some special events, participants should be able to participate in all activities planned. Activities with alcohol may segregate those not of legal age from those who are, and this could be counter-productive to the development of community.

The College takes the position that chemical abuse is neither socially nor morally acceptable. It also recognizes the reality of chemical dependency and is aware of its presence in the academic community. We are obliged to help those who could be harmed or inconvenienced as a result of the irresponsible behavior of others. As a part of encouraging responsible lifestyles, Gustavus will strive to provide education about alcohol and other drug use, to encourage responsible choices, and to intervene in situations where it has knowledge of individual misuse and abuse of chemicals.

The College will encourage and provide reasonable help for members of the community who seek treatment for chemical dependency.

The College expresses the following objectives with regard to alcohol and other drugs:

1. To support and encourage those who choose to abstain from the use of alcohol and other drugs.
2. To undertake to educate members of the College community regarding the effects of use, misuse, and abuse of alcohol and other drugs.
3. To formulate and maintain guidelines for appropriate response to the misuse and abuse of alcohol and other drugs.
4. To expect individuals who use alcohol to act responsibly and respect the rights, needs, and lifestyles of other members of the community.
5. To sensitize Collegiate Fellows, Head Residents, Peer Assistants, faculty, staff, and students to the implications of chemical use, and especially to the needs of those who misuse or abuse alcohol.
6. To provide direct assistance and/or referral for those with substance-abuse problems.

Each member of the community is encouraged to support the objectives of this policy. The Dean of Students shall have the primary responsibility for monitoring it for the student body, with primary enforcement provided by Safety and Security and the Residential Life staff. The Dean of Students shall continue to study, develop, and evaluate the program of education for the campus community dealing with the implications of alcohol and drug use. This policy shall be subject to periodic review by the Board of Trustees working together with students, faculty, and administrators for this purpose. Refer also to the Residential Life Policy section on "Alcohol and Other Drugs" for further information on the application of this policy for residence hall living.

Statement of Rules

Any violation of the following rules shall be considered an offense subject to disciplinary action by appropriate authorities. The College reserves the right to request assistance from law enforcement officials where State or local laws are being violated.

1. Minnesota law and college policy prohibit the possession or consumption of alcoholic beverages by persons under the age of 21. Providing alcohol to a minor, or assisting a minor in any way in obtaining alcohol, is specifically included as inappropriate behavior and is also a violation of State law.
2. Possession, use, sale or solicitation of illegal substances is prohibited.
3. State and local laws prohibit the purchase and resale of alcoholic beverages without a license. College policy prohibits the sale of alcoholic beverages on campus.
4. Promotion on campus (including, but not limited to circulars, posters, campus publications) of consumption of large amounts of alcohol, or of events where drinking is the primary focus, is prohibited.
5. Consuming or possessing alcohol in an open container in any public campus location is not permitted. The Gustavus Alcohol and Drug Policy allows the serving of alcoholic beverages on campus only under the following conditions:
 - a. Designated areas shall be determined and reviewed by the appropriate Vice President or Dean, subject to approval by the President.
 - b. The sponsor(s) must sign a request form detailing their event and indicating that they have received the statement: “Responsibilities of a Sponsor of a Social Event at which Alcoholic Beverages are Served.”
 - c. The request for use of a designated area must be submitted to the appropriate Vice President or Dean at least seven (7) days prior to the event.
 - d. The event must be confined to the designated area.
 - e. The event must be confined to the times listed on the application, and the type and amount of alcoholic beverage limited to what is specified beforehand. Non-alcoholic beverages must be continuously available in a similar manner as the specified alcoholic beverage for underage guests and those wishing to abstain.
 - f. Serving of alcoholic beverages must be in conjunction with a reasonable amount of food.
 - g. Those sponsoring the event are responsible for insuring that only those of legal age consume alcohol, and that consumption takes place in the designated area only.
 - h. The sponsors will be responsible for returning the area to its prior condition.

For application forms or more information about the designated area policy, contact the Dean of Students Office.

Alcohol Policy revised and approved by the Board of Trustees, June 28, 1985; revised July 2, 1986, and July 21, 1987, to comply with changes in State law; revised and approved by the Board of Trustees, June 27, 1994.

Drug-Free Workplace Policy

In accordance with the “Drug-Free Workplace Act of 1988” (Public Law No. 100-690, 5151-5160), effective March 18, 1989, Gustavus Adolphus College is hereby notifying its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited at Gustavus Adolphus College and in the course of any activities performed in conjunction with the employee’s work-related responsibilities. Although the “Drug-Free Workplace Act” requires that only those employees “Directly

engaged in the performance of work pursuant to the provisions of the federal grant or contract” abide by this policy, Gustavus Adolphus College has elected to include all employees under this policy.

(Controlled substances are defined in schedules I through V. of section 202 of the Controlled Substances Act (21 U.S.C. 812) and are further defined by the regulation at 21 DFR1300.11 through 1300.15). It is important to note that not only is the use of illegal drugs unlawful, but also the illegal dispensing of legal (prescription) drugs. Alcohol and tobacco are not included in this law.

As a condition of employment at Gustavus Adolphus College, all employees will abide by the terms of the College’s “Drug-Free Workplace Policy” and will notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Employees found in violation of the prohibitions set forth in the policy will be subject to disciplinary actions which may include suspension or dismissal.

Employees who are convicted of a violation in the workplace or while engaged in work-related responsibilities may be required to participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency. Appropriate personnel action shall be taken against such convicted employee up to and including termination of employment within 30 days of receiving notice of conviction.

Employees are also urged to attend one of the drug-free awareness programs which will be available at different times throughout the year. Other parts of the drug-free program may include drug counseling and employee assistance programs.

Implemented: March 18, 1989. Reviewed by the Gustavus Adolphus College Board of Trustees: June 28, 1993.

Pet Policy

Purpose: The purpose of this policy is to promote the wellbeing and safety of Gustavus Adolphus College students, faculty, staff, and visitors and to protect the College’s property/assets. This policy is intended to provide clear guidelines for the allowance of pet/service animals on campus.

Scope: This policy applies to all on-campus, College-controlled properties, including the arboretum and all athletic facilities. This policy standardizes the College’s position on the management of animals on Gustavus property. Campus Safety is charged with enforcement of this policy.

Rationale: Pets can pose various health and safety risks to the campus community including allergic reactions to animal dander, excessive noise, discomfort around animals, fear of animal bites, and disease transmission. Individuals who require the use of a service animal are at particular risk. For example, a dog running at large poses a hazard to an individual using a service dog, should there be a confrontation between the two animals.

Definitions

1. College-Controlled Property: Property that is owned, operated, and/or maintained by the College.
2. Service Animal: trained animals that assist an individual with a disability by performing specific tasks. Service animals are allowed everywhere their handler needs to go on campus. Under the Americans with Disabilities Act and the Minnesota Human Rights Act, a service animal is defined as a dog or miniature horse. Service animals do not have to wear an identifying vest or patch, nor do their handlers need to register or make their presence known to staff.
3. Emotional support animals (ESA): animals that provide support, companionship, or comfort to an individual, but they are not specifically trained to perform tasks to assist an individual with a disability. Emotional support animals do not have the same broad legal protections service animals

do, but the Fair Housing and Equal Opportunity Act allows an individual with a disability to request as a reasonable accommodation that their ESA reside with them in on-campus housing.

4. Working Emergency Personnel animals: St. Peter Police K-9s and other animals working on campus for emergency personnel will be treated as exemptions to the college pet policy when working with their handler.
5. Research and Teaching Animals: Approved animals used directly in support of the College's mission of teaching, research, and/or clinical programs as used in accordance with guidelines established by the Office of the Provost and the Institutional Animal Care and Use Committee.
6. Pets at Large: An animal that is either unattended and/or unrestrained by its owner.

Inside/Outside Facility Guidelines

It is prohibited to bring dogs, cats, or other pets inside any College-controlled buildings, except for the animals listed in the exemption section of this policy. While on College-controlled properties, pets must be maintained on a leash of six feet or shorter, on a restraining harness, or in a caged enclosure. With the exception of the animals listed in the exemption section, pets are not allowed in the arboretum, or at/on any indoor or outdoor athletic facilities. Pets will not be allowed (leashed or unleashed) at any special events or College functions (e.g., Nobel Conference, Homecoming, athletic venues) with the exception of any specific event that has been approved 45 days in advance by the Vice President for Finance and Treasurer, who serves as the college's officer for risk management issues.

Pet owners are responsible for cleaning up any messes made by their pet. Anyone who brings a pet on College-controlled property assumes all financial responsibility for any damages to property or injury to individuals caused by the animal.

Pets may not be tethered to College buildings, structures, motor vehicles, trees, railings, light poles, benches, posts, or other structures.

Prohibited Animals (Non-Service)

Animals such as poisonous reptiles, constricting snakes (e.g., boas, pythons, and anacondas) and other potentially dangerous or aggressive animals are prohibited from all College-controlled property (inside and outside) at all times, except those used for approved academic or experimental purposes.

Failure to Comply

1. **Prohibited Animals on College-Controlled Property:** Any prohibited animals on a College-controlled property must be removed immediately. If a prohibited animal is observed on a College-controlled property, the owner may face disciplinary measures by appropriate authorities, which may include Campus Safety, Residential Life, Provost, or Human Resources.
2. **Unattended or Unrestrained Animals:** If an unrestrained/unattended animal is observed, a reasonable attempt will be made to locate the animal's owner. If the owner is located, they may face disciplinary measures by the appropriate disciplinary authorities (see above). If attempts to find the animal's owner are unsuccessful, the animal will be relinquished to or removed by the City of Saint Peter Community Service /Animal Control Officer.
3. **Property Damage:** The College will seek restitution for any animal-related damage to College-controlled property, facilities, or grounds. The repair or replacement cost of damaged property is the sole responsibility of the owner of the animal that caused the damage.

Exempted Pets and Other Animals

The animals listed below are permitted inside College-controlled property:

1. Service animals.
2. Working emergency personnel animals.

3. Research and testing animals.
4. Fish in containers of fifteen (15) gallons or less.
5. Pets at/in the President's House or residence hall professional staff apartments.
6. Emotional Support Animals (ESA): ESAs are only allowed in a student's room, in direct transit to/from the student's room to the building exit or outside on College grounds. ESAs are not allowed in the Arboretum nor in any other buildings on campus.

Although these aforementioned animals are permitted within all or some buildings and facilities, these animals must remain under the control of the owner at all times. The care or supervision of an exempted animal is solely the responsibility of its owner. The College reserves the right to exclude an exempted animal whose behavior poses a threat to the wellbeing or safety of others.

Cabinet Approved: February 2016. Revised August 23, 2022.

Safety Policy

The Gustavus Adolphus College Safety and Health Program is based on the premise that each and every one of our employees is entitled to a safe and healthful working environment. Our Safety and Health Program is designed specifically for the protection of our employees, the campus community and visitors. All employees are directed to make safety a matter equal in importance to that of other job functions.

The College shall have an active Safety and Health Committee with diverse area representation that meets regularly. All employee injuries and accidents will be reviewed by the committee with minutes available to all employees on the Environmental Health, Safety and Risk Management website (<https://gustavus.edu/finance/osh/>). All employees are encouraged to make suggestions which will assist in maintaining safe working conditions and to immediately bring to the attention of their manager/supervisor any unsafe working conditions. It is through our joint participation in safety efforts that accidents and injuries can be prevented.

All employees, including faculty, staff and students, must follow the safe practices and rules contained in this document and any other such rules and procedures communicated on the job regarding employee safety and health during the course of employment. It is important that all employees maintain a safe workplace and always practice safe work habits. Working safely is a condition of employment.

Our policy toward safety is in no way limited to the rules that follow. Any unsafe practice, whether listed here or not, will be addressed. **No job is so important that we cannot take time to perform our work safely.**

1. **Expectations** - Employees are expected and empowered to work safely and responsible for the safety of co-workers. If co-workers are observed working in an unsafe manner, employees must communicate their concerns to their co-workers and/or their supervisor/manager.
2. **Emergency Procedures** - Employees will fully understand all work area emergency procedures and participate in drills when requested. Supervisors/managers shall ensure that their employees are familiar with emergency notification systems, emergency contact numbers, evacuation routes, emergency equipment locations and assembly areas.
3. **Injury Reporting** - All injuries and illnesses, no matter how slight, must be reported to the direct supervisor/manager of the employee so that arrangements can be made for medical or first aid treatment, if necessary. Any head, neck, eye or back injury must be evaluated by a medical provider. An accident/incident/illness report will be completed and submitted to Risk Management within 24 hours. Supervisors/managers will ensure that the injured employee provides updates on their work status and if they have any work restrictions defined by their medical provider in a report of

workability prior to returning to work. [Injury Reporting Procedures](#) and the [Injury Report Form](#) can be found at the Environmental Health, Safety and Risk Management website: <https://gustavus.edu/finance/osh/>.

4. **Housekeeping** - Good housekeeping must be practiced at all times in work areas and offices to prevent slips, trips and falls. Wastes must be cleaned up daily to eliminate any dangers in work areas. Notify the appropriate supervisor/manager immediately of any unsafe work areas. Exits, fire suppression equipment, emergency eyewash/showers, electrical panels, etc., must always be kept clear of obstructions in the event of an emergency.
5. **Personal Protective Equipment (PPE)** – PPE shall be worn whenever necessary and/or required. Inspect PPE prior to use and notify the appropriate supervisor/manager immediately of any defects. More information regarding PPE can be found at the Environmental Health, Safety and Risk Management website (<https://gustavus.edu/finance/osh/>).
6. **Drugs & Alcohol** - There will be absolutely no use of intoxicants or illegal drugs during working hours. Anyone suspected of being under the influence of intoxicants or illegal drugs, which may impair their skills and/or judgment, shall not be permitted on the job. Employees shall notify the appropriate supervisor/manager of prescription medications being taken that may affect job safety. No one shall be permitted to work while the employee's ability or alertness is so impaired by fatigue, illness, and/or other causes that may cause injury to the employee, or others. For more information, refer to the Drug and Alcohol policy (<https://gustavus.edu/facultybook/allcollegepolicies/#has>).
7. **Vehicles** - It is important for all drivers to recognize their responsibilities for operating Gustavus Adolphus College vehicles in a safe and responsible manner. We require each driver to comply with all applicable federal, state and local regulations, including Gustavus Adolphus College policies. When operating any vehicle for Gustavus Adolphus College business. The Vehicle Safety Policy and Vehicle Accident Report Form can be found at: <https://gustavus.edu/motor-pool/>
8. **Unsafe Behavior** - Horseplay, scuffling, fighting, practical jokes, throwing tools or materials carelessly and other unsafe acts which have an adverse influence on employee safety, or the safety of others, is strictly prohibited.
9. **Training** - All employees will participate in regular safety meetings and/or trainings when required. Safety-related training suggestions should be submitted to the appropriate supervisor/manager.
10. **Proper Lifting** - Work shall be pre-planned to avoid injuries in the handling of heavy materials and use of equipment. Supervisors/managers shall encourage team lifts and the use of lift equipment. Always use proper lifting techniques when lifting heavy objects.
11. **Machine Guarding** - Employees will ensure that all guards and other protective devices are in their proper places and in good working order. If the guard or protective device is not in place or defective, the equipment should not be used. Never use defective tools or equipment. Report damaged equipment to your supervisor/manager immediately.
12. **Electrical Hazards** - Only authorized employees can work with electrical equipment or machinery and only after they have been trained in proper procedures and use of the equipment. Supervisors/managers shall ensure that employees receive proper training on this equipment.
13. **Safety Orientation** - Employees will ensure they have received adequate safety instruction when undertaking a new task or using new or unfamiliar equipment. Supervisors/managers will ensure that their employees are properly trained.

14. **Chemicals** - When using any type of chemical, employees must fully know and understand:
 - a. Safety Data Sheets and hazardous chemical properties (if any).
 - b. Types of precautions required to work with chemicals in a safe manner.
 - c. Proper Personal Protective Equipment needed to be worn.
 - d. All emergency procedures.
15. **Fire Prevention** - Observe all fire prevention regulations. The campus and all campus vehicles are tobacco free. Fire extinguishers that have been used or that have a broken seal must be turned in for replacement.
16. **Appropriate Attire** - Work clothing must be appropriate for the work area as to not present a safety hazard. Submit questions regarding proper attire to the appropriate supervisor/manager.
17. **Lockout/Tagout** - Lockout/tagout all equipment before maintenance and/or repair. Supervisors/managers shall ensure that employees are properly trained.
18. **Enforcement** - Failure to follow established safety rules and procedures may lead to disciplinary procedures which may include: reprimand, suspension or employment termination.

More information regarding safety programs can be found on the Environmental Health, Safety and Risk Management website (<https://gustavus.edu/finance/osh/>).

Approved by the President's Cabinet: November 9, 2021.

Smoking and Tobacco Policy

As of July 1, 2018, Gustavus Adolphus College is a tobacco free college (<https://gustavus.edu/tobaccofree/>). Tobacco use is prohibited within all college campus grounds, college owned or leased properties, and in campus-owned, leased, or rented vehicles even when used outside campus grounds.

Tobacco products include but are not limited to cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, smokeless tobacco, chewing tobacco, snus, snuff, electronic cigarettes and any non-FDA approved nicotine delivery device.

Approved by the Administrative Council: September 14, 1993. Reviewed by the Gustavus Adolphus College Board of Trustees: June 27, 1994. Revised by the President's Cabinet: March 6, 2018.

Weapons

The personal possession of firearms in all campus buildings and on all campus property is strictly prohibited. This prohibition applies to all students, employees, independent contractors, and visitors, including those who have a valid permit to carry a concealed weapon. Individuals who possess a valid permit to carry a firearm may however, keep it locked in the trunk or glove compartment their vehicle in a campus parking lot. This prohibition does not apply to authorized security or law enforcement personnel. Individuals wishing to store firearms and ammunition at Gustavus can do so by bringing them to the Office of Safety and Security, **Room 35A, Norelius Hall basement**.

Except under circumstances noted above, students and employees are prohibited from using, storing or possessing weapons, fireworks or explosives on property owned or controlled by the College and/or in the course of any College program or employment. Weapons may include, but are not limited to: firearms, pellet guns, air rifles or BB guns, paintball guns, bows and arrows, sling shots, water balloon launchers, martial arts equipment, swords, switchblade and large knives, and clubs.

If you are aware that an individual possesses a firearm, or other weapon or explosives in violation of this policy, please contact Safety and Security (507-933-8888) immediately.

Approved by the Gustavus Adolphus College Board of Trustees: June 23, 1993.

Privacy and Records Access

Family Educational Rights and Privacy Act

Gustavus Adolphus College accords its students all rights under The Family Educational Rights and Privacy Act (FERPA) of 1974, and will annually notify students and their parents of their rights pursuant to FERPA through notifications in the College Catalog, Gustavus Guide, and on WebAdvisor. The College will not disclose information from students' education records without the written consent of students except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons.

At Gustavus only those persons acting in the students' educational interest are allowed access to student education records. These include personnel in the offices of the Dean of Students, Provost, Registrar, Admission, Academic Support Center, Student Financial Assistance, Career Development, and to faculty members within the limitations of their need to know.

At its discretion, the institution may provide directory information in accordance with the provisions of the Act to include: student name, mailing address, email address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational institution attended, participation in officially recognized activities and sports, and weight and height of members of athletic teams.

Students may withhold directory information by filing the appropriate form with the Registrar. This agreement of nondisclosure will remain in effect unless a written request is submitted to end the suppression.

Students may inspect their education records, challenge any contents, have hearing if the outcome of the challenge is unsatisfactory, and submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panel are unsatisfactory.

Student education records at Gustavus are maintained in the offices of the Dean of Students, Registrar, Student Financial Assistance, and Career Development.

Students wishing to examine their education records must make written requests to the appropriate office listing the item or items of interest. Only records covered by the Act will be made available, within thirty days of the requests. Students may take notes of the record, but may not make copies or take photographs of their records.

Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, records of the security department, student health records, employment records, or alumni records. Health records, however, may be reviewed by physicians of the students' choosing.

Students may not inspect the following as outlined by the Act: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment, job placement, or honors to which they have waived their rights of inspection; or education records containing information about more than one student, in which case the College will permit access only to that part of the record which pertains to the inquiring student.

The College is not required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975.

Students who believe that their education records contain information that is inaccurate or misleading may discuss the matter with the chief administrator of the office involved. If that person is in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended and be informed of their rights to a formal hearing.

Requests for a formal hearing must be made in writing to the Dean of Students who, within a reasonable period, will inform students of the date, place, and the time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of their choice, including attorneys, at the students' expense. The hearing panel will be comprised of the students' faculty adviser, a representative of the Dean of Students, and the Provost.

Decisions of the hearing panel will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panels, if the decisions are in favor of the students. If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with decisions of the hearing panels. The statements will be released whenever the records in question are disclosed.

Students who believe that their rights have been abridged, may file complaints with The Family Educational Rights Privacy Act Office (FERPA), Family Policy Compliance Office, Department of Education, Washington, D.C. 20201, concerning the alleged failures of Gustavus to comply with the Act.

Approved by the Gustavus Adolphus College Board of Trustees: June 28, 1993; revised September 26, 2019.

Identity Theft Prevention Program

Program Adoption

Gustavus Adolphus College (the "College") developed this Identity Theft Prevention Program (the "Program") pursuant to the Federal Trade Commission's Red Flags Rule (the "Rule"), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. This program was developed with oversight and approval of the Finance Committee of the Board of Trustees. In addition, the Board of Trustees determined that the Program was appropriate for the College, and approved this Program on April 24, 2009.

Purpose

The purpose of this policy is to establish a Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account (defined below) or an existing covered account and to provide for continued administration of the Program. The Program shall include reasonable policies and procedures to:

1. Identify relevant red flags (defined below) for covered accounts it offers or maintains and incorporate those red flags into the program;
2. Detect red flags that have been incorporated into the Program;
3. Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to students and to the safety and soundness of the creditor from identity theft.

The Program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Definitions

Identity theft means fraud committed or attempted using the identifying information of another person without authority.

A **covered account** means:

1. An account that a creditor offers or maintains, primarily used for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions.
2. A **red flag** means a pattern, practice or specific activity that indicates the possible existence of identity theft.

Covered Accounts

A covered account includes all student accounts or loans that are administered by the College or administered by a service provider.

Identification of Relevant Red Flags

The Program considers the following risk factors in identifying relevant red flags for covered accounts:

- i. The types of covered accounts as noted above;
- ii. The methods provided to open covered accounts—acceptance to the College and enrollment in classes require some or all of the following information:
 1. Common application with personally identifying information
 2. High School Transcript
 3. Official ACT or SAT scores (required or optional)
 4. Two letters of recommendation
 5. Medical and insurance information
- iii. The methods provided to access covered accounts:
 1. Disbursement obtained in person requires picture identification
 2. Disbursement obtained by mail can only be mailed to an address on file
- iv. The College's previous history of identity theft.

The Program identifies the following red flags:

1. Documents provided for identification appear to have been altered or forged;
2. The photograph or physical description on the identification is not consistent with the appearance of the student presenting the identification;
3. A request made from a non-College issued E-mail account;
4. A request to mail something to an address not listed on file; and
5. Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts.

Detecting Red Flags

In order to detect red flags in connection with the opening of covered accounts and existing covered accounts, it is the policy of the College to:

1. Obtain identifying information about, and verify the identity of, a person opening a covered account, and

2. Authenticate covered account holders, monitor transactions, and verify the validity of change of address requests, in the case of existing covered accounts.

Responding to Detected Red Flags

The Program shall provide for appropriate responses to detected red flags to prevent and mitigate identity theft. The appropriate responses to the relevant red flags may include the following:

1. Deny access to the covered account until other information is available to eliminate the red flag;
2. Contact the student;
3. Change any passwords, security codes or other security devices that permit access to covered accounts;
4. Notify law enforcement; or
5. Determine no response is warranted under the particular circumstances.

Oversight of the Program

Responsibility for developing, implementing and updating this Program lies with the Vice President for Finance and Treasurer (the “Program Administrator”). The Program Administrator will be responsible for Program administration, for ensuring appropriate program-related training of College staff, and for reviewing any reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

Updating the Program

This Program will be periodically reviewed and updated to reflect changes in risks to students and the security of the College from identity theft. At least once per year in April, the Program Administrator will consider the College’s experiences with identity theft, changes in identity theft methods, changes in identity theft detection and prevention methods, changes in types of accounts the College maintains and changes in the College’s business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red flags, are warranted. If warranted, the Program Administrator will update the Program.

Staff Training

College staff responsible for implementing the Program shall be trained by the Program Administrator in the detection of Red Flags, and the responsible steps to be taken when a Red Flag is detected.

Oversight of Service Provider Arrangements

The College shall take steps to ensure that the activity of service providers is conducted in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft whenever the College engages a service provider to perform an activity in connection with one or more covered accounts.

Currently, the College uses Tuition Management Systems (a member of KeyBank National Association) to administer a tuition payment plan, and University Accounting Service LLC to administer the Perkins Loan program.

Approved by the Gustavus Adolphus College Board of Trustees: April 24, 2009.

Record Retention and Destruction

Gustavus Adolphus College (“the College”) takes seriously its obligations to preserve information relating to litigation, audits, and investigations. The information listed in the retention schedule below is intended as a guideline and may not contain all the records the College may be required to keep in the future. Questions

regarding the retention of documents not listed in this chart should be directed to the President. From time to time, the President may issue a notice, known as a “legal hold,” suspending the destruction of records due to pending, threatened, or otherwise reasonably foreseeable litigation, audits, government investigations, or similar proceedings. No records specified in any legal hold may be destroyed, even if the scheduled destruction date has passed, until the legal hold is withdrawn in writing by the President.

File Category	Item	Retention Period
Corporate Records	By-laws and Articles of Incorporation	Permanent
	Corporate resolutions	Permanent
	Board and committee meeting agendas and minutes	Permanent
	All-College Policies	Permanent
	Conflict-of-interest disclosure forms	4 years
Finance and Administration	Financial statements (audited)	Permanent
	Auditor management letters	7 years
	Payroll records	7 years
	Check register and checks	7 years
	Bank deposits and statements	7 years
	Chart of accounts	7 years
	General ledgers and journals (includes bank reconciliations)	7 years
	Investment performance reports	7 years
	Equipment files and maintenance records	7 years after disposition
	Contracts and agreements	7 years after all obligations end
	Correspondence — general	3 years
Insurance Records	Policies — occurrence type	Permanent
	Policies — claims-made type	Permanent
	Accident reports	7 years
	Safety (OSHA) reports	7 years
	Claims (after settlement)	7 years
	Group disability records	7 years after end of benefits
Real Estate	Deeds	Permanent
	Leases (expired)	7 years after all obligations end
	Mortgages, security agreements	7 years after all obligations end
Tax	IRS exemption determination and related correspondence	Permanent
	IRS Form 990s	Permanent
	Charitable Organizations Registration Statements (filed with Minnesota Attorney General)	Permanent
Human Resources	Employee personnel files	Permanent
	Retirement plan benefits (plan descriptions, plan documents)	Permanent
	Employee handbooks and <i>Faculty Manuals</i>	Permanent

File Category	Item	Retention Period
	Workers compensation claims (after settlement)	7 years
	Employee orientation and training materials	7 years after use ends
	Employment applications	3 years
	IRS Form I-9 (store separate from personnel file)	Greater of 1 year after end of service, or three years
	Withholding tax statements	7 years
	Timecards, including electronic time reports	3 years
Technology	Software licenses and support agreements	7 years after all obligations end

Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an e-mail message, the message should be printed in hard copy and kept in the appropriate file or moved to an “archive” computer file folder. Backup and recovery methods will be tested on a regular basis.

Emergency Planning

The College’s records will be stored in a safe, secure, and accessible manner. Documents and financial files that are essential to keeping the College operating in an emergency will be duplicated or backed up.

Document Destruction

The President is responsible for the forgoing process of identifying College records, that have met the required retention period, and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

Compliance

Failure on the part of employees to follow this policy can result in civil and criminal sanctions against the College and its employees and disciplinary action against responsible individuals. The Vice President for Finance and the Audit Committee will periodically review these procedures with legal counsel or the College’s certified public accountant to ensure that they are in compliance with new or revised regulations.

Approved by the Gustavus Adolphus College Board of Trustees: June 21, 2009.

Student Records Access

Federal law generally prohibits release of student academic records without prior written consent of the student. Without prior consent, however, access is permitted to employees in the same institution who have “a legitimate educational interest.” This is interpreted at Gustavus Adolphus College to mean that employees may access personally identifiable information in student education records in order to fulfill their institutionally assigned professional responsibilities.

Employees seeking such access make application to the Registrar of the College, stating the need for and scope of access and the security procedures in place to protect against unauthorized internal or external use after release. Employees granted access are responsible for treating the information with confidentiality.

Approved by the Gustavus Adolphus College Board of Trustees: June 28, 1993.

Travel and Entertainment

Alcohol Serving Policy

The College seeks to discourage alcohol abuse and to model the responsible use of alcohol beverages. To this end, alcoholic beverages are served at College-sponsored events only in designated locations and at designated functions.

Alcohol provided for on-campus events (and for off-campus events, whenever possible) will be purchased and supplied by the College Dining Service. Non-alcoholic beverages will generally also be available in sufficient amounts at such events, and care will be taken to ensure that applicable state, federal and local laws and regulations concerning the serving of alcohol are observed. Functions and locations at which alcoholic beverages are served must be approved at least two weeks in advance by the Director of Dining Service and the appropriate divisional vice president. Final approval by the Vice President for Finance is required for all events. Alcohol serving application forms are available from the Dining Service.

Approved by the Administrative Council: February 17, 2004.

Travel and Entertainment Policy

Overview

Travelers seeking reimbursement from the College are responsible for ensuring that travel-related expenses are for valid College business-related purposes, are in accordance with college policies and procedures and are a prudent use of college funds. All travel-related expenses should be approved by the traveler's department chair, supervisor, or budget officer prior to making arrangements. Expenses incurred outside of this policy may not be reimbursed. It is expected that the traveler selects the most economical means when incurring travel-related expenses. Entertainment, including food and refreshment expenses associated with Gustavus-sponsored business meetings may be covered by college funds if they are actual, reasonable, and necessarily incurred in the discharge of official business-related duties.

Travel supported by grants may have more restrictive requirements than this policy. Contact the Research and Sponsored Programs Office for additional details.

IRS Requirements

Reimbursement procedures must comply with IRS Accountable Plan rules for advances and reimbursements to be considered non-taxable income to employees (from IRS Pub 17):

- An individual must have paid or incurred expenses that are deductible while performing services for the college.
- An individual must adequately account for these expenses within a reasonable time period, and
- An individual must return any excess reimbursement or allowance within a reasonable time period.

Gustavus does not have a per diem policy. Without proper documentation, advances and reimbursements must be reported as income on an employee's W-2 form.

Documentation Requirements/Reimbursement

- Employees are expected to use their Wells Fargo purchase card for all College-related expenses. For additional detailed information on the use of the Purchase card please see the Purchase Card Policy and Procedures (<https://gustavus.edu/facultybook/allcollegepolicies/#cog>).
- Reimbursement receipts are required for all transactions regardless of dollar amount. Attach all original detailed receipts, which should indicate dates, amounts, description of the expenses, and a bona fide business purpose.

- If a receipt is missing and you have done your due diligence in trying to obtain one, add a note to the transaction description stating that you cannot obtain a receipt and the reason why, and then fill out a missing receipt declaration (<https://gustavus.edu/finance/missing-receipt-declaration.pdf>).
- In the case of meals and entertainment expenses, the names and titles of those being entertained must be included (large groups may be described categorically). The unspecified total receipt is not sufficient.
- If an individual is traveling longer than 7 days on a combined business/personal international trip, please contact the Finance Office in advance. There may be personal income tax implications.
- The Federal mileage reimbursement rate can be found on the Finance Office webpage (<https://gustavus.edu/finance/payable.php#mileage>). Only mileage above and beyond the normal commute distance from your primary residence (where you spend most of your time) will be considered reimbursable. Personal mileage reimbursement requests should not exceed the cost of an airline ticket unless there is an approved business reason for vehicle travel.
- All reimbursement requests should be submitted via an RFP within 30 days of the conclusion of the event unless prior arrangements have been made with the Finance Office. Requests after 90 days will not be accepted.
- By submitting a reimbursement request for approval, you are attesting that the charges are correct and in compliance with College policies.
- Noncompliant requests will be returned for corrections and/or additional information as required, which could delay reimbursement.

Airline Travel

- All travelers are expected to travel the most economical option at the best available fare at the time of booking.
- Seat upgrades and/or seat selection fees are at the traveler's own expense.
- Flight deviation fees are at the expense of the traveler unless dictated by the College. In this case, documentation should be included with the reimbursement request.
- Airline club memberships are at the traveler's own expense.
- Purchase of travel/trip cancellation insurance is at the traveler's own expense.
- Reimbursement for the use of personal travel vouchers or airline loyalty programs in purchasing airline tickets used for College travel is not allowed.
- The traveler is allowed reimbursement for one bag only.

Ground and Rental Transportation

- Taxis, Uber/Lyft, shuttles, and public transportation are allowed between terminals, hotels, places of business, etc., whenever necessary. Special care should be taken when tipping with Uber/Lyft. In some cases, the tip is included with the cost of the fare.
- Due to the business relationship and preferential pricing discount the College has with Enterprise and National, they should be used for auto rentals when available. For more information regarding this process, please contact the Gustavus Motor Pool (motorpool@gustavus.edu) at 507-933-7675.
- When the traveler is on college-related business in the U.S., the driver must “decline” the optional insurance coverage. Domestic collision damage waiver and liability insurance supplement are provided through the College's auto physical damage and auto liability insurance policies.
- When a vehicle is rented in connection with international travel, the optional travel insurance must be purchased.

Vehicle Accident Reporting

In case of an accident involving a staff member traveling on college business, immediately contact 911 in emergencies as well as the Gustavus Campus Safety Office. For additional details on accident reporting, please refer to the College's Vehicle Safety Policy (<https://gustavus.edu/facultybook/allcollegepolicies/#tre>).

Lodging

- It is expected that whenever possible, travelers will use reasonably priced facilities.
- An itemized listing of expenses must accompany your reimbursement request.
- Meals charged to your room account must include an original itemized receipt.
- WiFi purchase while staying at a hotel is allowed only when necessary for business related activity.
- Purchase of in-room movies or mini-bar purchases are at the traveler's expense.
- In the event that cancellations are necessary, travelers should contact the hotel immediately. Advise the hotel about early departures to avoid penalties.

Meals/Refreshments (light snack or drink) – During Travel

Meal/Refreshments, including gratuities, will be reimbursed at actual costs up to established maximums as listed below:

- Daily maximum of \$60 with a suggested breakdown as follows:
 1. *Breakfast \$15*
 2. *Lunch \$15*
 3. *Dinner \$30*
 4. *In cities with populations exceeding 1 million the maximum allowance is \$80 (Dinner goes up \$50). Exceptions to maximums may be allowed with the approval of the employee's supervisor.*
- When meals/refreshments are included in the cost of a conference, meals/refreshments taken elsewhere are not considered valid travel expenses unless there is a business or health reason.
- Allowable meals/refreshments are associated with extended workday travel, business meetings or events.
- Gratuities should be limited to 15-20%, unless automatically charged. Depending on the severity, gratuities in excess of 20% may be the responsibility of the traveler.

Meals/Refreshments (light snack or drink) – Non-Travel

Refreshment expenses for employee only meetings are allowable only when a meeting is scheduled to last two hours or longer. Please order from Gustavus Dining Services as appropriate.

Allowable Refreshment Expenses:

- Refreshments may be provided when hosting a job candidate.
- Refreshments may be provided when hosting a visiting lecturer, potential donor, or other guest on official College business.
- Refreshments may be provided at events hosted by the President, Provost, Vice Presidents, or Deans recognizing work-related achievements or milestones by employees (e.g., official retirement or service award events, etc.).
- Refreshments may be provided during official business-related meetings involving a combination of college employees and external individuals, such as a meeting with Board of Trustees members, an external task force or advisory group, or volunteers.
- College-wide events may be hosted by the President or others with prior written approval of the President, Provost, or appropriate Vice President for purposes such as opening year College events, holiday party, etc.

- The purchase of coffee and accompanying condiments (sugar, creamer, etc.) for offices if the primary consumer(s) are external individuals (i.e., prospective students, job candidates, etc.).

Allowable Meal Expenses:

Meal expenses for College employees generally are a personal responsibility. However, payment or reimbursement for meals of employees may be allowed when:

- The meeting is scheduled to last four hours or longer and the primary purpose of the meeting is not the meal. In this circumstance, the meal expense requires prior written approval by the appropriate Vice President or the President.
- The meal charge is part of a conference or workshop expense;
- A search committee, or search committee representative, hosts a candidate for a position; or
- An employee hosts a visiting lecturer, potential donor, or other guest on official College business.

Non-Allowable Expenses:

Certain types of expenses generally are not considered reasonable and necessary for the College, and therefore, may not be paid or reimbursed with college funds. Non-allowable expenses include payments or reimbursements for:

- Office/departmental/division parties or employee/student worker meals and entertainment.
- Holiday and/or end of year celebrations for employees and/or student workers.

Alcohol Expenses

Alcohol consumption is strictly prohibited before the end of your workday. The College will reimburse for alcohol as a beverage with a meal if the meal includes at least one individual who is not a Gustavus Adolphus College employee. In addition to the IRS reimbursement requirements listed above, the following conditions must also be met:

- Employees must use prudence in these circumstances and may not purchase an unreasonable amount of alcohol (one drink per person is typically considered reasonable) nor at an unreasonable cost as compared to the overall cost of the meal. Generally, the cost for a single drink should be under \$10, not including tip.
- Alcoholic beverages consumed by travelers between or after mealtimes are not reimbursable, except when they qualify as necessary entertainment for donor solicitation. Receipts submitted to substantiate such purchases should note the name of the donor and the nature of the meeting.
- Students may not participate in the purchase and/or consumption of alcohol under any circumstances.
- Alcoholic beverages may not be charged to federally funded grants or contracts, either directly or indirectly.

There may be other occasions when it is necessary for alcohol to be reimbursed. These instances will be rare and must be pre-authorized by the President, Provost, or appropriate Vice President. Please include the approval with the reimbursement request.

Employees are reminded that use of college money to purchase alcohol can expose the College to additional liability should injuries occur as the result of alcohol consumption. See the Alcohol Serving Policy for additional information (<https://gustavus.edu/facultybook/allcollegetpolicies/#tre>).

Other Allowable Travel Expenses

Reasonable expenses incurred by the employee may be reimbursed and may include:

- Laundry and Dry Cleaning: only allowed on extended trips of more than seven days, when it is not practical to bring enough clothing for the whole trip.
- Telephone: Telephone calls for business purposes are allowed. Personal phone calls are only allowed on extended trips.

Non-Reimbursable Travel Expenses

- Costs for meals, travel or lodging of spouses, dependents and/or other guests
- Valet parking service
- Health spa fees
- Theft or loss of personal belongings
- Personal entertainment or excursions
- Toiletries, medicine, magazines, etc.
- Traffic & toll violations/fines
- Personal property insurance premiums

Approval/Authorizations

Listed below are the approvers' responsibilities:

- Review documentation for completeness in support of the charges.
- Ensure the charges are in accordance with College and IRS policies.
- Resolve missing or inadequate documentation prior to submission to Finance.
- Obtain additional approval if charges are going to another department.
- Include written approval by the appropriate Vice President or the President when required to allow exceptions to this policy.

Exception Process

Written approval by the appropriate Vice President or the President is required to allow exceptions to this policy. Please include the approval with the reimbursement request.

Equipment Loss Prevention and Security While Traveling

Gustavus employees using personal or College owned laptops or related devices while traveling should only use secured Wi-Fi connections while accessing Gustavus and related cloud-based systems that may contain sensitive information. A secure network requires a user to agree to the legal terms, register an account, or type in a password before connecting to the network.

Gustavus can provide a secure Mi-Fi (Hotspot) device or other secure remote access solutions for use during travel if necessary. **If you believe that your laptop has been compromised, it is YOUR responsibility to immediately contact Campus Safety (507-933-8888).**

Employees should never leave their laptop or related devices unattended while traveling. Equipment should be locked in a secure location (*ex. hotel room, safe, locked office space, etc.*) while away and/or outside of normal business hours.

If a Gustavus phone, laptop, or other device is stolen, it is YOUR responsibility to immediately contact Campus Safety (507-933-8888).

Approved by the President's Cabinet: October 14, 2008. Revised July 20, 2021, October 11, 2022, and by the Executive Leadership Team (XLT) September 3, 2024.

Vehicle Safety Policy

Introduction

A basic component of the Gustavus Adolphus College's risk management program is a vehicle safety policy that establishes the safety guidelines for its authorized drivers when driving for Gustavus business. The administration of the college's vehicle policy requires the consistent implementation of strong policies and procedures to ensure that drivers and departments know their responsibilities and carry them out. The following guidelines have been established to help control the operation of Gustavus owned, rented or personal vehicles driven for college business purposes. Gustavus owned vehicles include: all motor pool vehicles, large vans, trucks, minivans and cars.

Driver Qualification

To help ensure only well-qualified drivers, Gustavus will adhere to the following procedures:

1. **Driver's License**

- a. All Gustavus faculty, staff and students whose duties may require them to operate a Gustavus vehicle will have a valid driver's license appropriate for the type of vehicle they will be driving.
- b. The employee will provide a copy of the driver's license during the hiring process or it will be obtained at the time the Gustavus owned vehicle is requested.
- c. Driver's license validity will be checked periodically or upon request thereafter. Gustavus will maintain a copy of the license in the employee's personnel file and Gustavus will maintain these files. Driver qualification criteria can be found at the EHES Risk Management Website under Safety & Health Policies titled [Vehicle Driver Qualification](#).

2. **Assigned Vehicles**

Some vehicles may be assigned to departments to complete job duties, such as Facilities, Campus Safety, Athletics, etc. The employees should operate and maintain these vehicles as though they were their own.

Gustavus vehicles may be operated by faculty, staff or students, depending on the need. Control of these vehicles will be maintained through Gustavus Adolphus College.

- a. When a department wishes to use a vehicle for a specific purpose, the requestor will complete a Vehicle Use Request form and submit it to [Gustavus Adolphus College Motor Pool](#) as soon as possible. If the requesting department plans to provide the driver, the names of all drivers should be provided with the Vehicle Use Request form and the drivers should be verified against the Gustavus Adolphus College's list of eligible drivers.
- b. Vehicles will not be loaned, leased or rented to others.

Training

1. **Driver Training**

In order to understand the responsibilities and techniques for driving safely, all drivers must be able to demonstrate their skills in the operation of their assigned college-owned vehicles. If they are not able to demonstrate their driving skills, they will be trained in the appropriate techniques. For example, if a driver needs to be able to drive a 10-passenger van or a vehicle with an attached trailer, but does not have experience in such a vehicle, he/she must be trained until he/she can demonstrate mastery of that vehicle's operation. This training will be provided by Gustavus Adolphus College, which may include classroom, individual instruction and audio-visual methods, or online courses, as appropriate.

- a. New Gustavus Adolphus College drivers are authorized after successful completion of an online safety program at time of hire or initial authorization and refreshed periodically as required by Gustavus Adolphus College.
- b. Drivers will be responsible for taking new courses as they become available.

Pre-Post Trip Safety

1. Trip Forms

- a. The driver will complete and sign a Pre-/Post-Trip Vehicle Inspection form indicating that they have inspected the vehicle. The driver will always keep a copy with him/her while operating the vehicle and will complete the post-trip section upon return to campus.
- b. Headlights, taillights, wipers and windows must be operational and clean before operating the vehicle.
- c. The driver should also verify that a copy of the accident report form and current insurance card are available in the glovebox of vehicle.
- d. Upon return from the trip, the driver will return the completed copy of the Pre-/Post-Trip Vehicle Inspection form when turning in the vehicle keys. The driver will complete a brief vehicle inspection using the Pre-/Post-Trip Vehicle Inspection form and document any mechanical problems with the vehicle, service required, new damage, the amount of gas added, the number of miles driven and any service that may have been provided to the vehicle. Gustavus Adolphus College will return the signed copy of the Pre-/Post-Trip Vehicle Inspection form to the driver and retain the original copy along with the Vehicle Use Request form in the vehicle file.

2. Maintenance

In order for Gustavus vehicles to have a long and useful life, they must be maintained regularly. Accordingly, the college has established a Preventive Maintenance Program to include all Gustavus vehicles and equipment and should be performed in compliance with manufacturer specifications.

- a. Gustavus Adolphus College will maintain a list of all College vehicles. The list will include the manufacturer's recommended intervals for preventive maintenance services, as well as the dates/times and types of services that have been performed on the vehicles.
- b. Facilities will review the list to determine which vehicles are due for maintenance services. The College will then designate a person to either perform that service or take the vehicle to the designated service provider.
- c. For vehicles assigned to one person or department for their exclusive use, such as Campus Safety or Dining Service, Facilities will notify that person or department when the service is due. That user will then be responsible for having the maintenance services completed and documented with Gustavus.
- d. If a vehicle has operational problems while off-campus, the driver will notify Facilities during normal office hours and Campus Safety after hours. If the vehicle cannot be operated safely, the Facilities department will make the necessary arrangements to bring the driver back to campus and have the vehicle transported to a designated service location.

Trip Safety

1. Seat Belts

Seat belts are one of the most important pieces of safety equipment installed on a motor vehicle. It

should be noted that the use of seat belts is entirely under the control of the driver. All drivers should follow the procedures listed below as a condition of driving any vehicle for Gustavus business purposes:

- a. When going on a trip, including on campus and even a short trip across town, ensure that there is a seat belt for every passenger. If not, limit the number of passengers to the number of seat belts available.
- b. Before shifting from “Park”, the driver must secure his/her seat and shoulder belt and verify that all passengers are appropriately secured by their seat and shoulder belt.

2. **Drug and Alcohol Use**

No driver authorized by Gustavus should be under the influence of any drug or alcohol while operating a vehicle while on college business. Please see the Gustavus [Drug and Alcohol policy](#).

3. **Smoking Prohibited**

All campus vehicles must remain smoke-free. Use of tobacco or vape-related products in campus vehicles is prohibited. Please see the [Smoking and Tobacco policy](#).

4. **Cell Phones**

Cell phone and other electronic device use in any vehicle used for college business while it is in motion may only be used to make calls through the assistance of Bluetooth or other hands-free options. Headphones that reduce hearing should not be used. For navigation devices, program the destination before starting the vehicle, pull off the road to make changes and rely on the voice directions or the front seat passenger to guide you.

5. **Vehicle Accidents/Incidents**

In the event a vehicle accident:

- Protect vehicle occupants from hazards and the vehicle from further damage.
- Call police or Campus Safety if on campus. Campus Safety may be reached 24 hours a day at: (507) 933-8888.
- Request medical assistance, if required.
- Be sure to get the name and address of each driver, passenger, and witness, and insurance company and policy number for each vehicle involved.
- Do not assume responsibility for accident.

Only discuss the accident with police officers or Travelers Insurance representatives. The [Accident and Incident Form](#) should be in each vehicle in case there is a need to complete it. Please fill it out and send a copy to Risk Management within 24 hours of an incident.

Primary insurance will follow ownership of the vehicle. Therefore, when an employee is driving a personal vehicle for college business, personal insurance information should be provided in the event of an accident or incident. When renting a vehicle for college business, additional insurance should only be purchased if travelling internationally. Otherwise, the Gustavus insurance policy will be primary when an accident or incident occurs.

More information regarding Vehicle Safety programs can be found on the Environmental Health, Safety and Risk Management website (<https://gustavus.edu/finance/osh/>).

Approved by the President's Cabinet: November 9, 2021.

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NOTE: The information in this Section I-B is a listing of persons elected or appointed to serve on faculty committees and/or special faculty assignments. Information about specific functions and procedures is given in that part of Section I-A designated in each listing.

Student Representatives listed are appointed by the Student Senate.

1.2.4 Faculty Senate Membership 2024-25

[Faculty Senate Website](#)

faculty-senate@gustavus.edu

- At-large: Scott Bur (2024-2027) **Chair**
- At-large: Thia Cooper (2023-2025)
- At-large: Lisa Dembouski (2023-2026)
- At-large: Carlos Mejía Suárez (2022-2025)
- At-large: Heidi Meyer (2022-2025)
- At-large: OPEN (2024-2028)
- At-large: Marta Podemska-Mikluch (2024-2027)
- At-large: Brandy Russell (2023-2026)
- At-large: Darío Sánchez-González (2024-27) **Vice Chair**
- At-large: Dave Stamps (2024-2027)
- At-large: Mary Westby (2023-2026)
- At-large: Sheng Yang (2023-2026)
- Non-voting ex officio: Faculty Secretary: Mark Braun (2023-2026)
- Non-voting ex officio: Non-Tenure-Track Faculty Liaison: Heather Haemig (2024-25)
- Non-voting ex officio: President Rebecca Bergman
- Non-voting ex officio: Provost Brenda Kelly
- Non-voting ex officio: Interim Vice President for Equity and Inclusion: Thia Cooper (2024-25)

Subcommittee

Nominations Committee Membership

- Darío Sánchez-González, **Convenor**
- Carlos Mejía Suárez
- Brandy Russell
- Dave Stamps
- Mary Westby

1.2.5 Faculty Review Committee Membership 2024-25

This committee is comprised of the faculty members of the Adjudication Board

faculty-review-com@gustavus.edu

- Lisa Heldke (2023-2026)
- Laura Hildreth (2023-2025)
- Jeff Jenson (2023-2025)
- OPEN (2024-2027)
- Jeff La Frenierre (2024-2027)
- Jacob Siehler (2023-2026)

1.2.6 Curriculum Committee Membership 2024-25

[Curriculum Committee Website](http://cc-com@gustavus.edu)
cc-com@gustavus.edu

- Education Division: Romina Peña-Pincheira (2024-2027)
- Fine Arts Division: Hagar Attia (2023-2026)
- Humanities Division: Seán Easton (2024-2026)
- Natural Sciences and Math: Dwight Stoll (2022-2025)
- Social Science Division: Mimi Gerstbauer (2023-2025) **Chair**
- At Large: Jillian Downey (2022- Fall 2024)
- At Large: Jon Gill (Spring 2024 - 2028)
- At Large: Angelika Loefgren (2024-2027)
- Student representative: Chance Korpela '25
- Student representative: Mollie Taft '25
- Student representative: Melora Lee '27
- Voting ex officio: Provost Brenda Kelly or designee (Sarah Ruble)
- Non-voting ex officio: College Assessment Director: Sarah Ruble
- Non-voting ex officio: Director of Challenge Seminar: Laura Burrack
- Non-voting ex officio: Director of First Term Seminar: Thia Cooper
- Non-voting ex officio: Director of General Education: Sarah Ruble
- Non-voting ex officio: Director of Summer Term: Elizabeth Kubek
- Non-voting ex officio: Director of International and Cultural Education: Christine Diaz
- Non-voting ex officio: Director of Three Crowns Curriculum: Yurie Hong
- Non-voting ex officio: Director of Writing Across the Curriculum: OPEN
- Non-voting ex officio: Library Chair: Jeff Jensen
- Non-voting ex officio: Interim Registrar: Sarah Ruble / Assistant Registrar: Shelby Mliner

Subcommittee

Course Approval Subcommittee (CAPSUB) Membership

By faculty vote, the Course Approval Subcommittee will be inactive during the 2023-24 and 2024-25 academic years. The membership list is provided below for information only.

capsub@gustavus.edu

- Education Division: Lisa Ortman (2022-2025)
- Fine Arts Division: Hagar Attia (2022-2025)
- Humanities Division: OPEN (2021-2023)
- Natural Sciences and Mathematics Division: OPEN (2021-2024)
- Social Science Division: OPEN (2021-2024)
- Student representative: Aubrey Kusters '25
- **CAPSUB Chair**, Elected member of the Curriculum Committee: OPEN
- Voting ex officio: Provost or designee: Brenda Kelly (Sarah Ruble)
- Non-voting ex officio: Curriculum Committee Chair: Mimi Gerstbauer
- Non-voting ex officio: Interim Registrar: Sarah Ruble
- Non-voting ex officio: Director of General Education: Sarah Ruble
- Non-voting ex officio: Director of Three Crowns Curriculum: Yurie Hong
- Non-voting ex officio: Director of Writing Program: OPEN

- Non-voting ex officio: Director of First Term Seminar: Thia Cooper
 - Non-voting ex officio: Director of Summer Term: Elizabeth Kubek
 - Non-voting ex officio: Library faculty representative: Jeff Jenson
-

1.2.7 Academic Operations Committee (AOC) Membership 2024-25

[Academic Operations Committee \(AOC\) Website](#)
faculty-aoc-com@gustavus.edu

- Baili Chen (Spring 2022-2025)
 - Brandon Dean (2024-2026)
 - Patrick Heath (2024-2027)
 - Glenn Kranking (2023-2026) **Co-Chair**
 - Mary McHugh (2023-2025) **Co-Chair**
 - Guarionex Salivia (2024-2027)
 - Academic Technology Liaison: Patrick Heath (2024-25)
 - Student representative: Zoya Akhtar '26
 - Student representative: Drew Kretlow '27
 - Non-voting ex officio: Provost or designee: Kyle Chambers
 - Non-voting ex officio: Dean of Students or designee: Megan Ruble
 - Non-voting ex officio: Interim Registrar: Sarah Ruble
 - Non-voting ex officio: Library Chair: Jeff Jenson
 - Non-voting ex officio: Director of Athletics designee: Jared Phillips
 - Non-voting ex officio: Executive Director of Career Development or designee: Julie Rudolf
 - Non-voting ex officio: Director of Academic Support Center or designee: Thomas McHugh
-

1.2.11 Faculty Personnel Committee (PC) Membership 2024-25

[Faculty Personnel Committee \(PC\) Website](#)
faculty-personnel-com@gustavus.edu

- Laura Burrack (2023-2026) **Chair**
- Sean Cobb (2023-2026)
- Patricia English-Schneider (2024-2026)
- Jon Grinnell (2022-2025)
- Kathy Lund Dean (Spring 2024-25)
- Karrin Meffert-Nelson (2024-2027)
- Stephanie Otto (2024-2027)
- Lianying Shan (2023-2025)
- Jessica Stadick (2024-2027)
- Non-voting ex officio: President Rebecca M. Bergman
- Non-voting ex officio: Provost Brenda Kelly
- Non-voting ex officio: Interim Vice President for Equity and Inclusion Thia Cooper

Subcommittee

Third-Year Review Subcommittee Membership

tyr-sub@gustavus.edu

- Jeff Dahlseid (2023-2026)
 - Anna Hulseberg (2023-2025)
 - Yuta Kawarasaki (2024-25)
 - Karrin Meffert-Nelson (2024-25)
 - Daniel Moos (2023-2026)
 - Anna Versluis (2023-2025) **Chair**
 - Louis Yu (2024-2026)
-

1.2.12 Academic Affairs Coordinating Council (AACC) Membership 2024-25

faculty-academic-affairs-com@gustavus.edu

- Chair of Academic Operations Committee: Glenn Kranking and Mary McHugh
 - Chair of Curriculum Committee: Mimi Gerstbauer
 - Chair of Diversity, Equity, and Inclusion Committee: Sarah Lahasky and Katie Leehy
 - Chair of Faculty Personnel Committee: Laura Burrack
 - Chair of Faculty Senate: Scott Bur
 - Non-voting ex officio: President Rebecca Bergman
 - Non-voting ex officio: Provost or designee: Provost Brenda Kelly
 - Non-voting ex officio: Associate Provost or designee: Sarah Ruble
 - Non-voting ex officio: Dean of Students or designee: Charlie Potts
-

1.2.13 Diversity, Equity, and Inclusion Committee (DEIC) 2024-25

[Diversity, Equity, and Inclusion Committee \(DEIC\) Website](#)

DEIC-com@gustavus.edu

- Education Division: Katrina Imison-Mazy (2024-2028)
- Fine Arts Division: Sarah Lahasky (2023-2026) **Co-Chair**
- Humanities Division: Marcia Bunge (2024-2028)
- Natural Sciences and Mathematics Division: Katie Leehy (2024-2027) **Co-Chair**
- Social Science Division: Colin Smith (2023-2026)
- At Large: Séverine Bates (2024-2028)
- At Large: Louis Yu (2024-2027)
- Student representative: OPEN (selected by DEIC)
- Student representative: Filmon Fesshatsion '25
- Non-voting ex officio: Provost or designee: Pamela Connors
- Non-voting ex officio: Director of Human Resources or designee: Jacque Christensen
- Non-voting ex officio: Interim Vice President for Equity and Inclusion or designee: Tom Flunker
- Non-voting ex officio: Director of Center for International and Cultural Education or designee: Jeff Anderson

- Non-voting ex officio: Director of Kendall Center for Engaged Learning or designee: Pamela Conners
-

1.2.14 Special Faculty Assignments 2024-25

Appointed by Faculty Senate

- Faculty Secretary: Mark Braun (2023-2026)
- Faculty Marshal: Richard Leitch (2024-2027)
- Assistant Faculty Marshal: Jeff Dahlseid (2023-2026)
- Chair of Lecture Series: Jon Gill (2024-2027)
- Chair of Artist Series: OPEN (2022-2025)
- Faculty Athletics Representative: Jeff Owen (2022-2025)

Faculty to Serve on Committees and Subgroups of the Board of Trustees Groups

Note: Board appointments run for one year, July through June

Academic Affairs Committee

- Faculty Senate Representative: Heidi Meyer (2022-2025)
- Curriculum Committee Representative: Seán Easton (2024-2026)
- Department Chair Representative: OPEN
- Student Representative: Amira Mallet '25
- Student Representative: Will Sarkinen '26

Financial Analysis Subcommittee

- Faculty Senate Representative: Marta Podemska-Mikluch (2024-2027)
- At Large Faculty Member: Vita Faychuk (2024-2026)

Advancement Committee

- Faculty Senate Representative: Carlos Mejía Suárez (2022-2025)
- At large: Lisa Heldke (2023-2026)
- Student Representative: Erika Henrichs '25

Budget Committee

- Internal Budget Committee Representative: Brandy Russell (2024-25)

Enrollment and Marketing Committee

- Faculty Senate Representative: Mary Westby (2023-2026)
- At large: Julie Bartley (2024-2027)
- Student Representative: Jackson Turner '25
- Student Representative: Christina Sirbu '25

Student Experience Committee

- Faculty Senate Representative: Lisa Dembouski (2023-2026)
- At Large: Kate Knutson (2022-2025)
- Student Representative: Micah Lesch '26
- Student Representative: Ronard Pabi '25

- Student Representative: Angelina Palmiotto '26

Faculty Representative to the Benefits Advisory Committee

- Aaron Banks (2023-2026)

Faculty Representatives to the President's Environmental Sustainability Council (PESC)

- OPEN (2024-2026)
- Ian Hill (2022-2025)

Faculty Representatives to the President's Council on Indigenous Relations (PCIR)

- Elizabeth Kubek (2024-25)
- OPEN (2024-25)
- Colin Smith (2024-25)

Faculty Representatives to the Internal Budget Committee (IBC)

- Aaron Banks (2023-2025)
- Vita Faychuk (2024-25)
- Brandy Russell (2024-26)

Academic Standing Board (ASB) Membership

- Faculty member: Richard Leitch (2024-25)
- Faculty member: Elizabeth Kubek (2024-2026)
- Faculty member: Kris Lowe (2024-2027)
- Voting ex officio: Provost or designee: Sarah Ruble
- Voting ex officio: Dean of Students or designee: Charlie Potts
- Voting ex officio: Interim Registrar: Sarah Ruble / Assistant Registrar: Shelby Mliner
- Voting ex officio: Academic Support Center Director: Tom McHugh / Associate Director Jane Lalim
- Voting ex officio: Counseling Center Director: Hannah Repp
- Voting ex officio: Chaplain: Grady St. Dennis
- Voting ex officio: Vice President of Enrollment Management or designee: Mark Bauer
- Voting ex officio: Director of the Center for Inclusive Excellence: Thomas Flunker

Adjudication Board (AB) Membership

[Adjudication Board Website](#)

g-faculty-adjudication-board@gustavus.edu

- Jacob Siehler (2023-2026)
- Lisa Heldke (2023-2026)
- Laura Hildreth (2023-2025)
- Jeff Jenson (2023-2025)
- Jeff La Frenierre (2024-27)
- OPEN (2024-27)
- Student Representative: Aubrey Kusters '25
- Student Representative: Mel Pardok '25
- Student Representative: Jocelyne Woldemar '26
- Student Representative: Jaxon Jones '27
- Student Representative: Jessica Ruud '25
- Student Representative: Abby Ronnebaum '26
- Ex officio: Provost or designee: Sarah Ruble

Compensation, Benefits, and Budget Board (CBB) Membership

g-faculty-cbb-board@gustavus.edu

- At large: Aaron Banks (2023-2026)
- At large: Vita Faychuk (2024-25)
- Faculty Senate representative: Brandy Russell (2024-2027)

Elected by the Faculty

- None
-

1.2.16 College Accreditation Committee 2024-25

(convened by the President; Provost presides)

- Faculty Senate designee: Mary Westby (2023-2026)
- Curriculum Committee designee: Dwight Stoll (2022-2025)
- Student representative: Layla Perdue '27
- Student representative: Abby McCready '25

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The Faculty Handbook is a summary of the organization, policies, and procedures involved with internal faculty governance. It is not part of the employment contract between the College and the Faculty. Items in this section require approval of only the Faculty.

I. Faculty Organization and Policies

1.0 Faculty Organization

1.1 General Faculty Organization

1.1.1 Faculty Meetings

1.1.1.1 Call for Meetings.

Faculty meetings shall be convened at least once each semester in accordance with the calendar established by the AACC and at a place determined by the Provost. Meetings may be called on three days' notice by the President or the President's designated representative, by the Provost, by the Faculty Senate, or by the written request of ten faculty. The Provost or designated representative shall preside at faculty meetings. All faculty members with regular appointments are expected to attend.

1.1.1.2 Quorum, Privilege of the Floor, Voting.

A quorum shall consist of at least seventy-five (75) full-time faculty members. All faculty with regular, joint, fixed term, and renewable appointments have the privilege of the floor and the right to vote. Members sharing a joint appointment shall each be counted for determining a quorum and in voting. Part-time faculty members shall have the privilege of the floor but not the right to vote.

1.1.1.3 Rules of Procedure.

Faculty meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

1.1.1.4 Records.

The faculty shall elect a secretary who shall keep proper records of meetings of the faculty.

1.1.1.5 Emergency Suspension of Rules of Procedure.

A. If normal operations of the College and/or the ability of the Faculty to meet and conduct its business are disrupted significantly due to a national, state, or local emergency declared by civil authorities, or other force majeure, the Faculty Senate will call for an emergency vote (in-person, or by electronic means) of the full faculty to convene a Faculty Emergency Planning Committee (FEPC). The voting members of FEPC will include: the Chair of the Faculty Senate, the Chairs (or designees) of the Academic Operations Committee (AOC), the Department Chairs and Program Directors Committee (DCPDC), and the Diversity, Equity, and Inclusion Committee (DEIC), a full-time member of the faculty elected from the faculty at-large. The Provost of the College or Provost's Designee will be a non-voting member of the committee. The FEPC will collaborate with appropriate emergency planning groups from other divisions of the college (e.g. Registrar, Gustavus Technology Services, etc.).

B. The FEPC shall have authority to conduct the business of the Faculty (except for tasks assigned to the Personnel Committee) and to act on any significant changes to the academic program in a timely manner. The FEPC shall seek comments and suggestions from the Faculty to the extent feasible during the emergency before taking actions regarding the academic program. If feasible, input from faculty shall be through synchronous virtual meetings or asynchronous electronic means that allow for faculty discussion and anonymous electronic voting. Quorum, Privilege of the Floor, and voting shall be in accordance with the

Faculty Handbook section 1.1.1.2. The Faculty will be informed of any changes made to the academic program by the FEPC.

C. The Faculty will resume oversight of the academic program when the President, in consultation with the FEPC, determines that the College can resume normal operation, or the Faculty disbands the FEPC by majority vote.

D. Emergency academic authority given to the FEPC is initially granted for no more than three months but may be renewed by majority vote of the full faculty if the emergency persists. A policy change made by the FEPC shall persist for at most one semester unless the Faculty vote to make the policy permanent through regular Faculty Meeting procedures.

1.1.2 Divisions of the College

1.1.2.1 Divisional Organization

Divisions of the College shall consist of the following departments:

- Division of Education: Elementary and Secondary Education; Health and Exercise Science; Library; Nursing.
 - Division of Fine Arts: Art and Art History; Music; Communication Studies; Theatre and Dance.
 - Division of Humanities: Greek, Latin, and Classical Studies; English; History; Modern Languages, Literatures, and Cultures; Philosophy; Religion; Scandinavian Studies.
 - Division of Natural Sciences and Mathematics: Biology; Chemistry; Environment, Geography and Earth Sciences; Mathematics, Computer Science, and Statistics; Physics.
 - Division of Social Sciences: Business and Economics, Political Science, Psychological Science, Sociology and Anthropology.
-

1.1.3 Departments

The departments profess their disciplines and seek to further the aims and purposes of the College.

1.1.3.1 Responsibilities

Each department shall promote and encourage a high standard of teaching, scholarship and research, and academic achievement.

Subject to the approval of the faculty and the Provost or designee, each department is responsible for its course offerings, its major requirements, the determination of the size of individual class sections, and regular assessment of student learning.

Each department shall participate in the making of recommendations for appointments to its staff, in the internal evaluations of its probationary appointees, and in making recommendations for retention, promotion, and appointments with continuous tenure where members of its staff are concerned.

1.1.3.2 Department Chairs

The department chair serves as the principal liaison between the department and the rest of the college. The department chair is typically a full-time faculty member who serves in this additional capacity by appointment of the Provost. This appointment carries responsibilities for departmental leadership and management and for liaison to administrative offices, faculty groups, and students. The authority of the chair derives from the mutual confidence expressed by their recommendation by election of the department faculty and by the appointment of the Provost. The chair's appointment is recognized by access to a department chair fund and/or released time for administrative duties.

All department chairs share a common set of responsibilities to their colleagues, administrative staff, and students. In addition, the position description for the chair of each department carries specific responsibilities and conditions that may be unique to that department and which constitute a part of the chair's and College's contractual agreement for the position. Each department is responsible for developing and following a collegial model of internal governance, consistent with the *Faculty Handbook* and *Manual* and with all applicable laws and regulations.

- 1.1.3.2.1 Responsibilities of the Department Chair

The department chair serves as the principal interface between their department and administrative offices, other departments, outside agencies and organizations, vendors of goods and services, other academic institutions and employers, and students. In their role in the leadership and management of the department's affairs, the chair carries principal responsibility for carrying out or delegating the following tasks:

1. Facilitating the academic and pre-professional programs of the department
2. Promoting the academic quality of the department and discipline
3. Conducting searches for faculty positions
4. Evaluating faculty
5. Mentoring junior faculty
6. Supervising and evaluating support staff
7. Developing the departmental budget request
8. Monitoring the departmental budget
9. Submitting department course schedules to Registrar
10. Managing the program for faculty leaves
11. Managing the work-study program within the department
12. Supervising departmental assistants
13. Processing paperwork for various committees and offices (area proposals, course proposals, etc.)
14. Following regulations and guidelines from all manner of sources
15. Managing external grants, special programs and development projects
16. Conducting periodic departmental reviews
17. Managing specialized facilities, laboratories, equipment
18. Organizing and presiding at department meetings
19. Encouraging faculty professional development
20. Providing liaison, information, and evaluations to administrative offices
21. Providing liaison and information to faculty committees, *ad hoc* committees, accrediting organizations, and other groups
22. Providing liaison to other departments
23. Representing the department at the meetings of the department chairs
24. Responding to student petitions, degree applications, complaints, requests, etc.

The dual role of the chair includes both administrative and departmental leadership functions. The chair functions as a member of the academic administration when acting on behalf of the College in carrying out assigned management responsibilities such as recruiting, supervising, and evaluating faculty and staff. The chair functions as a first among equals when acting on behalf of their department in carrying out internal management and liaison responsibilities such as allocating resources, submitting course schedules, managing facilities, and communicating department views. In order to carry out these responsibilities on behalf of the department and college, the chair will be kept informed by all administrators, committees, and other groups and individuals who share

responsibilities for the efficient management of the college's programs. Those offices, groups and individuals requesting the department chair's assistance need to be mindful of the fact that the chair is a member of the faculty with their own teaching, research, professional responsibilities and other commitments. Academic departments have very limited support staffs and typically operate on the academic calendar.

- 1.1.3.2.2 Authority of the Department Chair

The department chair has the primary responsibility for communicating the department's views to the college community and college community concerns to the department. Because the chair acts on behalf of the department, the chair must distinguish between personal views and those that reflect the consensus of the department. In consultation with departmental members, the department chair has the primary responsibility and authority for:

1. Formulating and communicating recommendations for hiring, tenure, promotion, retention, and evaluation of faculty and departmental support staff
2. Establishing departmental budget priorities and allocations
3. Recommending teaching assignments to the Provost and regulating faculty workloads
4. Recommending leaves and special assignments to the Provost
5. Developing and articulating departmental goals

- 1.1.3.2.3 Appointment and Term of the Department Chair

The department chair is appointed upon recommendation of the department faculty. The recommendation of the department for the appointment or reappointment of a chair is determined by a majority vote in an election conducted by the Provost or the Provost's representative. A majority vote of regular and joint appointment department faculty will constitute the recommendation of the department. In those cases in which a recommendation reflecting departmental consensus cannot be achieved, the Provost will make an offer of appointment to a member of the faculty. The term of the chair is normally three years and chairs may be reelected for successive terms. The meeting of the department to elect the chair should be held during the last year of the current appointment.

- 1.1.3.2.3.1 Special Chair Assignments

The Chairs of the Department of Education and the Department of Nursing have specialized administrative responsibilities that extend beyond those listed above.

- 1.1.3.2.3.2 The Provost carries a special obligation to encourage effective and independent leadership of departments through the chairs, while at the same time maintaining a sensitivity to the needs of all faculty. In those unusual cases in which the department chair is clearly unwilling or unable to represent a department and manage its affairs in a professional manner, or where conflicts within a department have become irreconcilable, the Provost may appoint a new chair or make other arrangements for the temporary management of the department's affairs.

1.2 Faculty Committees

1.2.1 Elections to Committees

Except as otherwise provided, election to standing committees shall be held by electronic ballot as described in section 1.2.1 from nominations submitted by the Faculty Senate. Additional nominations may be made from the floor at a faculty meeting. Faculty members shall be given the opportunity to state preferences for

committee assignments, and, insofar as possible, the Faculty Senate shall honor such preferences in nominating for committees.

The Academic Affairs Coordinating Council shall also have the status of a standing committee.

A. Electronic Ballot Procedures:

Faculty who have been nominated for election to committees are introduced at the faculty meeting immediately prior to the elections. Additional nominations may be made from the floor. As soon as possible after the faculty meeting at which the nominations are presented, ballots are distributed to all full-time faculty via current distribution method.

Voting must be completed within a specified period of time, usually one week but in all cases announced at the time of ballot distribution. The Vice-Chair of the Senate and/or designees authenticate and tally the returned ballots and determine the results of the election based on a majority of votes cast. Every precaution is taken to ensure the secrecy of the ballots and the integrity of the election. A description of election procedures will be available for review upon request.

If not all open seats are filled by candidates receiving more than 50% of votes cast, a runoff ballot to fill the remaining open seats will be prepared and distributed as soon as possible.

In cases where there is only one person on the ballot, the Faculty may choose to elect that person at the Faculty meeting, without distributing ballots. The full results (including vote tallies) of all elections and runoff elections will be reported by e-mail and at the next faculty meeting.

B. Faculty Committee Service:

While all tenured and tenure track faculty are expected to share in committee service, continuous service is not expected, as such service will naturally be cyclical throughout a career. With the understanding that the primary role of a Gustavus Adolphus College faculty member is that of a teacher-scholar, reasonable exemptions from committee service will be granted by the Provost. Such requests should be submitted with rationale to the Provost.

C. Vacated Positions

When a faculty member goes on a leave of absence, sabbatical, or is otherwise off campus for at least a semester, that person's position on any faculty committee or special faculty assignment will be declared vacant. When a position is vacated in this manner or any other, another faculty member will be elected or appointed (whichever is normal for the position) for the remainder of that term. If there is less than a year remaining in a multiple-year term, the replacement should normally be chosen for a full term plus the remainder.

1.2.2 Committee officers

1. Each faculty committee shall elect a chair or co-chairs and select/elect a secretary.
2. The chair of the faculty committee shall convene the committee meetings, develop and distribute an agenda in advance of the meeting and run efficient and productive meetings. The chair or one of the co-chairs shall be a tenured member of the faculty, if at all possible.
3. The committee secretary shall keep and maintain proper records of meetings of the committee. The secretary or chair will see that full copies are placed in the College Archives at the end of the academic year.

1.2.3 Electronic Participation in Committee Meetings

1. Each meeting of a faculty committee shall be called to assemble in a physical room or electronically, or in some hybrid combination of in-person and virtual format. The electronic medium chosen must allow, at minimum, for all participating committee members to hear one another.
 2. The committee has discretion to set its meeting format.
 3. Committee members shall be counted in the quorum and may vote while participating electronically.
-

1.2.4 Faculty Senate

A. Functions

1. To serve as liaison between faculty and administration.
2. To serve as the primary long-range academic planning body for the faculty.
3. To consult with the Provost over the creation of Tenure Track and Continuing Faculty positions.
4. To coordinate faculty responsibilities and activities as carried out through the various committees. These duties include, but are not limited to, the following:
 - a. To nominate candidates for all standing committee positions elected at large.
 - b. To appoint faculty to all positions specified by this *Faculty Handbook*.
5. To recommend candidates for honorary degrees to the President and the Board. The Vice Chair of the Senate shall be designated to evaluate proposals for honorary degrees as they are submitted, consult with appropriate members of the academic community, and make recommendations to the Senate.
6. To serve as the review committee as specified in those situations described in the *Faculty Manual* in Sections 2.6.2.2 and 2.6.2.3.
7. To serve as an appeals committee as specified in *Faculty Manual* Section 3.2.4.3.
8. To act on behalf of the faculty in matters such as faculty may direct.
9. To originate proposals and recommendations as it may deem advisable.
10. To have primary responsibility for updating of the *Faculty Manual* and *Faculty Handbook*. Following the end of each academic year, the outgoing chairperson of the Faculty Senate and the outgoing Faculty Secretary shall have responsibility for final editing.
11. To participate through its Chair or the Chair's designee in the College Accreditation Committee.

B. Membership

1. Elected: Twelve members shall be elected at-large; all shall hold at least the rank of assistant professor. Elected members shall have held at least half-time positions on this faculty and shall be at least in their second year of service at the time of nomination. The President, Vice Presidents, and Academic Deans are not eligible for election to the Faculty Senate. Elected members serve for three-year terms.
2. Members of the Faculty Senate are ineligible for immediate re-election. Any senator elected to fill out less than half of an unexpired term will be allowed to immediately succeed themselves for one full term, if so elected.
3. Nomination and Election
 - a. The faculty shall elect the at-large representatives. Nominations for at-large positions shall be advanced to the faculty by the Faculty Senate. Additional nominations may be made from the floor of the faculty meeting.
 - b. Election of Faculty Senators shall precede the general elections to committees.
4. Ex officio: President, Provost, Faculty Secretary, Vice President for Equity and Inclusion, and Non-Tenure-Track Faculty Liaison. Ex Officio members are nonvoting members.

C. Meetings

1. The Faculty Secretary shall convene the new Senate in the spring for the purpose of electing a chair. The chair of the Senate shall call the first meeting in the fall of each year not later than the second week of classes, ordinarily in accord with the calendar established by the Academic Affairs Coordinating Council. Thereafter the Senate may set the time and place of its own meetings or through inaction allow its Chair to set the meeting times and places in accord with the calendar established by the AACC.
2. Special meetings of the Senate may be called, with sufficient notice, by any of the following: the Chair of the Senate, two members of the Senate, three non-Senate faculty members, the President of the College or the Provost.

D. Officers

1. The Chair of the Senate shall be an elected member (chosen at the final meeting in the spring), shall serve for one year, and shall keep the faculty regularly informed of the proceedings of the Senate.
2. The Vice-Chair of the Senate shall be an elected member (chosen at the final meeting in the spring), shall serve for one year, and shall be responsible for nominations for election/appointment to faculty and other College committees and nominations for honorary degrees.
3. The Secretary of the Faculty shall be Secretary of the Senate.

E. Subcommittees

1. Nominations Committee

A. Functions:

1. To develop a slate of nominations each spring for faculty committees/appointments from the faculty preference survey.
2. To develop a slate of nominations for faculty committees/appointments when vacancies occur, and then to conduct elections.
3. To develop a slate of nominations each spring for divisional committee vacancies using the divisional email list to solicit nominations and then conduct an election.
4. To recommend to the Faculty Senate candidates for honorary degrees.

B. Membership:

1. Vice chair of the Faculty Senate (who will convene the sub-committee meetings).
2. Five Senators appointed by the Faculty Senate.

1.2.5 Faculty Review Committee

This committee is comprised of the faculty members of the Adjudication Board described below in *Faculty Handbook* Section 1.2.11.1.J.

1.2.6 Curriculum Committee

The function of the Curriculum Committee is to serve as the primary curricular planning body for the faculty.

A. Functions

1. To recommend curricular plans, policies, and programs to the faculty.
2. To review and recommend to the faculty the creation and termination of departmental and interdepartmental programs, major and minor programs, other degree programs and graduation

requirements, as well as changes to requirements for existing majors and minors. In keeping with AAUP guidelines, initiatives emerging from educational considerations will originate primarily from the faculty in the departments and programs affected, as well as the faculty as a whole.

3. To advise the Provost, at the earliest opportunity, on the effects of tenure and non-tenure staffing decisions on departmental and interdepartmental programs, major and minor programs, other degree programs, general education and graduation requirements (e.g., in the Liberal Arts Perspective Curriculum and the Three Crowns Curriculum). To best advise the Provost and the Faculty Senate, the Curriculum Committee will seek input from affected departmental and interdepartmental programs.
4. To collaborate with the College Assessment Director(s) in prioritizing and supporting institutional goals for the assessment of student learning, including the operation of ongoing systems of assessment of student learning and the review of departmental and program mission statements, objectives, plans, and reports as they relate to the assessment of student learning.
5. To advise the Director of General Education on assessment of student learning in the following areas: First Term Seminar, Liberal Arts Perspective, Three Crowns Curriculum, Writing Across the Curriculum, and Interim Experience.
6. To recommend to the Faculty Senate new or revised language concerning curricular programs.
7. To report to the faculty new semester and Summer Term courses, graduate credit courses, General Education Area approvals, Writing Course approvals, First Term Seminars, and changes in course credit.
8. To participate through its Chair or the Chair's designee in College Accreditation Committee.
9. To appoint ad hoc working groups, as needed.

B. Membership

1. Elected: Each division shall elect one representative and four additional members shall be elected at-large. Two of the at-large members must be tenured at the time of election. Members shall be elected to three-year terms.
2. Students: Three students shall be appointed by the Student Senate. The Student Senate may choose the length of term for representatives (at least one year).
3. Ex officio: Provost or designee, Registrar, Library Chair, Director of General Education, Director of Three Crowns Curriculum, Director of International and Cultural Education, Director of Writing Program, Director of First Term Seminars, College Assessment Director, Director of Summer Term, Director of Challenge Seminar. With the exception of the Provost or designee, ex officio members are non-voting members.

C. Subcommittees of the Curriculum Committee

1. Course Approval Subcommittee (CAPSUB)

A. Functions

1. To recommend to the Curriculum Committee new semester and summer courses, graduate credit courses, General Education area approvals, Writing Course approvals, and First Term Seminars.

B. Membership

1. Curriculum Committee: Each academic year an elected faculty member of the Curriculum Committee shall be elected by the Curriculum Committee to serve as chair of the CAPSUB.
2. Elected: Each division shall elect one representative. Members shall be elected to staggered three-year terms.

3. Students: One student of at least sophomore standing shall be elected by the Student Senate. The Student Senate may choose the length of term for its representative (at least one academic year).
 4. Ex officio: Curriculum Committee chair, Provost or designee, Registrar, Director of General Education, Director of Three Crowns Curriculum, Director of Writing Program, Director of First Term Seminar, Director of Summer Term, Director of Challenge Seminar and a representative of the Library faculty. With the exception of the Provost, ex officio members are non-voting members.
- C. Procedures
1. The Course Approval Subcommittee shall follow the established Course Approval Policy (*Faculty Handbook*, section 2.2.1) in carrying out its functions.
-

1.2.7 Academic Operations Committee

A. Functions

1. To review and recommend procedures for registration, scheduling classes, advising of students, making up calendars and catalogs, and other academic procedures.
2. To review and recommend policies concerning the Library, internship program, and instructional infrastructure.
3. To review and recommend policies and procedures regarding admissions, enrollment, and financial aid.
4. To review and recommend policies regarding grading.
5. To review and recommend policies regarding recognition for academic achievement (including Dean's List and President's List, Honors Day, Latin honors, and commencement).
6. To review and recommend policies regarding the Honor Code and violations, academic probation, and eligibility for extracurricular activities.
7. To review and recommend candidates for graduation and policies and procedures regarding graduation.
8. To conduct appropriate continuing self-study of academic policies and procedures.

B. Membership

1. Five faculty members elected at-large for staggered three-year terms.
 2. Two students, appointed by the Student Senate, which may specify the length of term (at least one year).
 3. Non-voting ex officio: Provost or designee, Dean of Students or designee, Registrar, Chair of the Library, Director of Athletics, Director of Career Development or designee, and Director of the Center for Academic Support Center or designee.
-

1.2.8 Faculty Personnel Committee

A. Functions

1. To make recommendations to the Provost regarding promotions and tenure.
2. To conduct a third-year review as part of the faculty development and review process.
3. To deal with grievances and appeals in accordance with procedures set forth in the *Faculty Manual*.

B. Membership

1. Nine elected members shall serve three-year terms, three members to be elected each year. Members elected for three-year terms shall be ineligible for immediate re-election; members elected for less

than one-half an unexpired term are eligible for re-election to succeed themselves. Tenured status shall be required for membership. No member shall serve on the committee during the academic year in which they are considered for promotion.

2. The committee shall elect a Chair and a Secretary from within its membership and each of these officers shall serve for one year. The first organizational meeting shall be convened by the previous year's chair or secretary.
3. Non-voting ex officio: President, Provost, Vice President for Equity and Inclusion.

C. Procedures

1. Third Year Review

The Faculty Personnel Committee will provide evaluations of faculty members in their third year at Gustavus Adolphus College in the following manner:

- a. During the third year of each probationary appointment, the Faculty Personnel Committee or Third Year Review Subcommittee appoints a review committee for each candidate. The Chair of the Faculty Personnel Committee or Third Year Review Subcommittee and the Provost, in consultation with the chair of the candidate's department, nominate the membership of the review committee to the Faculty Personnel Committee /Third Year Review Committee. Normally, the committee consists of one tenured member of the candidate's department, one tenured member of another department (preferably one whose area of expertise relates to the candidate's), and a member of the Faculty Personnel Committee /Third Year Review Subcommittee who will serve as chair. If the candidate's department has no tenured member, another tenured member of the faculty will be selected. The faculty members of the review committee must be acceptable to the candidate.
- b. A candidate who is being reviewed may indicate to the Provost a desire for input by faculty members from interdisciplinary programs with which the candidate is involved. The candidate, in consultation with the Provost and the Chair of the Faculty Personnel Committee/ Third Year Review Subcommittee, may request that a faculty member from the interdisciplinary program with which the candidate is most involved also serve as an additional member of the review committee.
- c. The purpose of the review committee is to evaluate the candidate's current professional development, to support and encourage activities that will lead to further professional development, to suggest changes that will lead to better performance, and to provide assessment of the faculty member's progress in meeting the criteria for tenure.
- d. The review committee retains the services of an external evaluator in the same discipline as the faculty member under review. The external evaluator must be mutually acceptable to the candidate, the department, and the Provost, and may not have had previous close professional or personal association with the faculty member under review. The committee chair will make the arrangements for the external evaluator. The external evaluator submits a written summary report to the Provost.
- e. The candidate must submit a complete curriculum vitae, a written statement of approximately 2,000-5,000 words presenting evidence in support of each criterion for retention and promotion listed in the *Faculty Manual*, a copy of each course syllabus for the past three years, one copy of publications, and any other material the candidate deems relevant (for example, an annotated bibliography of works published or presented, documentation of exhibitions and performances, etc.). The review committee's evaluation will be based on the materials in the candidate's file, classroom observations, interviews with the candidate, the report of the external evaluator, and invited letters addressed and sent to the Provost, from tenure/tenure track faculty from the

- candidate's department/program. To the extent possible, all letters should address the candidate's qualifications for each of the criteria for tenure or promotion stated in the *Faculty Manual*. Student Reflection on Instruction (SRIs) will be administered by the candidate's department chair (if tenured) or by a tenured member of the candidate's department, in all courses taught during the two semesters preceding the closing of the candidate's file. In the event that there are no tenured members of the department or none on campus during the applicable semesters, the Faculty Personnel Committee/ Third Year Review Committee will assume the task of administering SRIs to that candidate's classes. The Provost Office will provide a brief statement of purpose to be read when SRIs are administered. All teaching evaluations shall be administered according to a schedule agreed to by the candidate.
- f. The review committee meets three times
 1. The first meeting is for organizational purposes.
 2. At the second meeting, the committee reviews the collected materials, including the report of the external evaluator, and discusses the applicant's strengths and weaknesses. The committee chair then drafts a preliminary letter summarizing the committee's assessment and recommendations and sends the letter to the candidate.
 3. At the third meeting, the committee discusses the summary with the candidate. If necessary, the committee chair revises the letter of assessment and recommendations. The committee chair then sends the final letter to the candidate, with copies to the department chair and to the Provost, who includes the letter in the candidate's permanent personnel file. The Provost then invites the candidate to a discussion of the summary and its implications for the candidate's professional development.
 - g. A document that describes the process details and deadlines associated with the Third Year Review is housed within the Provost's Office. This process document is reviewed annually, revised if needed, and approved by the Faculty Personnel Committee Chair or Third Year Review Subcommittee Chair.
2. Advancement to Tenure and Promotion
 - a. Initiation of Tenure Process: The tenure process is initiated after consultation between the Provost and the potential candidate for tenure, based on agreement reached between the Provost and the candidate at the time of hire or in subsequent renegotiation. In any event, the length of the probationary period, prior to a candidate being nominated for tenure, shall not exceed the time stipulated in AAUP guidelines. If it is deemed necessary, the candidate's department or the Faculty Personnel Committee may also initiate tenure proceedings. The Provost provides the list of tenure candidates to the Faculty Personnel Committee chair in the fall semester one year prior to the tenure review.
 - b. Nominations for Promotion: The academic department normally initiates the recommendation for promotion. Nominations for promotion may also be made by the candidate on their own behalf or by faculty colleagues within or outside the department or by the Provost.
 - c. Participation of Interdisciplinary Program Faculty: A candidate who is up for review may indicate to the Provost a desire for input by faculty members from interdisciplinary programs with which the candidate is involved. The Faculty Personnel Committee Chair will notify the chair of the interdisciplinary program that the request has been made, and that letters are required of tenured faculty as identified by the program chair. The letter

writer must specify that they are writing as a member of a specific interdisciplinary program, and the Provost's Office will establish a separate file for these letters (as is currently done for "solicited," "unsolicited," and "department" letters).

d. Collecting Materials

1. The candidate must submit a complete curriculum vitae, a written statement of approximately 2,000-5,000 words presenting evidence in support of each criterion for retention and promotion listed in the *Faculty Manual*, a copy of each course syllabus for the past three years, one copy of publications, and any other information the candidate deems relevant (for example, an annotated bibliography of works published or presented, documentation of exhibitions and performances, etc.).
2. The Provost ensures that the letter of assessment and recommendations written by the candidate's third year review committee have been added to the file of each candidate for tenure and promotion to associate professor.
3. The Committee invites evaluations from faculty (especially all departmental colleagues and, if appropriate, interdisciplinary program colleagues - see item 1.2.11.C.1.c) students, and administrators by public announcement. To the extent possible, all letters should address the candidate's qualifications for each of the criteria for tenure or promotion stated in the *Faculty Manual*.
4. Candidates are asked to have four current letters submitted into their files, two from College colleagues outside their department and two from professional colleagues outside the College.
5. All letters on behalf of candidates for tenure or promotion should be sent to the Provost. The Provost's office will number and log all letters as they are received and add them to the candidate's file.
6. Candidate Meeting: At least two members of the committee interview the candidate.
7. Department/Program meetings: Within one week of reviewing the files, a candidate may request that the Faculty Personnel Committee Chair schedule an interview between two members of the Committee and all members of the candidate's department (or interdisciplinary committee if the candidate has opted for their official participation) who submitted letters to the candidate's file. The candidate who requests such an interview will do so in writing, providing an explanation of the reason for the request and stating specifically the matter(s) requiring clarification and explanation.
The Faculty Personnel Committee may also invite all members of the candidate's department (or interdisciplinary committee if the candidate has opted for their official participation) who submitted letters to participate in an interview between two members of the Faculty Personnel Committee and all those who submitted letters. Such an interview would only be scheduled if the Committee deems it necessary to seek clarification and explanation of material contained in the file.
8. Teaching Observation: Each unique course (not section) taught by a candidate will be visited by one Faculty Personnel Committee member up to a maximum of three class observations. In no instance will any candidate have fewer than

two class observations. Each class observation should, where possible, be conducted by a different Faculty Personnel Committee member.

9. Student Evaluations: The Chair of the Faculty Personnel Committee will coordinate the administration of student reflection on instruction (SRIs) in all classes of candidates for tenure and promotion during the two semesters preceding the closing of the candidate's file. SRIs will be administered by the candidate's department chair (if tenured) or by a tenured member of the candidate's department. In the event that there are no tenured members of the department or none on campus during the applicable semesters, the Faculty Personnel Committee will assume the task of administering SRIs to that candidate's classes. The Faculty Personnel Committee Chair will provide a brief statement of purpose to be read when SRIs are administered. All teaching evaluations shall be administered according to a schedule agreed to by the candidate.
10. Full Committee Candidate Meeting: During evaluation for tenure and for promotion to the rank of full professor, the entire Faculty Personnel Committee meets with each candidate in a group interview.

e. Deliberations and Voting

1. The Faculty Personnel Committee member shall not participate in the deliberation or vote on the promotion or tenure of departmental colleagues, nor of interdisciplinary program colleagues if the Faculty Personnel Committee member has contributed input as specified in section 1.2.11.C.1.c. All other situations are governed by the All College Conflict of Interest Policy for Committee Participation.
2. In accordance with AAUP recommendations, the Faculty Personnel Committee reaffirms its character and function as an at-large committee of the faculty which systematically collects information from sources additional to those normally utilized by the departments and which represents interests beyond those necessarily considered by the departments. At the same time, the committee recognizes the special abilities of departments and/or departmental colleagues to evaluate the scholarly contributions of faculty members. The committee, therefore, gives great weight to departmental recommendations.
3. Discussion within the Committee will focus on the criteria for tenure or promotion as specified in the *Faculty Manual* and the evidence presented that addresses these criteria. Appropriate evidence includes written materials in the candidate's file, classroom observations by Committee members, and any Committee interviews with the candidate, the candidate's department, and/or the candidate's interdisciplinary program committee. At the conclusion of Committee deliberations, the voting members of the Committee will indicate their votes (yes or no) orally and will state their reasons.

f. Reports

1. The Committee chair will produce a summary document which tallies the votes of the members and outlines the reasons for the Committee recommendation and will present the document to the Provost in a timely manner.
2. The Provost will provide the committee's recommendations and rationale to the President in a timely manner, along with either a written recommendation to

concur or a contrary recommendation supported by a detailed, written statement of compelling reasons. The decision to recommend tenure ultimately rests with the President. (See *Faculty Manual* Sections 2.5.0 and 3.1.3.)

3. After the President's decision is made, the Provost will convey this decision to the candidate. Upon receiving a written request from the candidate, the Provost will provide the candidate with written copies of the Committee's and the Provost's recommendations and rationales. The President will forward tenure decisions to the Board of Trustees for final review and approval.

3. Grievances

A faculty member who has a grievance in any matter other than those governed by the All College Policy Against Harassment may petition the Faculty Personnel Committee for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain factual data or other material which the petitioner deems pertinent to the case. The Faculty Personnel Committee will determine whether the petition warrants a complete inquiry or whether the petition should be dismissed.

If the Faculty Personnel Committee decides that the case merits full consideration, it will first attempt informally to resolve the matter to the satisfaction of all parties directly involved.

If the grievance is not resolved informally, the committee will continue its investigation, including conducting hearings, if appropriate. Its findings and recommendations for disposition will be reported to the parties immediately involved, as well as to the Provost, and with the parties' concurrence, then to the faculty. Appeals to the Faculty Senate are governed by section 3.2.4.3.1 of the *Faculty Manual*.

4. Files, Records and Reports

- a. Faculty Personnel Committee files shall be open, i.e., all materials about a faculty member collected by the Committee shall be available to that person.
- b. The committee shall keep minutes of its meetings and official communications.
- c. Materials submitted by the candidate for tenure and promotion remain the property of the College. The Provost, at their discretion, may return items to the candidate.

D. Subcommittees

The Third Year Review Subcommittee will be convened when the combined total of third-year review candidates and candidates for promotion to the rank of Professor is projected to exceed 8 faculty members. The Provost's Office will inform the nominations committee in February so that an election may be held to populate the committee for the upcoming year(s). For years in which the combined total of third-year review candidates and candidates for promotion to the rank of Professor is not projected to exceed 8 faculty members, the Faculty Personnel Committee will conduct the Third Year Reviews.

1. The Third Year Review Subcommittee

A. Functions

1. To conduct the third year review for all regular appointment faculty according to the established tenure criteria in the *Faculty Manual* and procedures described in Section 1.

B. Membership

1. Six tenured faculty members shall be elected at large. The subcommittee will meet annually with the Faculty Personnel Committee to discuss criteria for tenure and the processes for doing both tenure and third year review. The chair of the subcommittee shall be elected by the current subcommittee members.

1.2.9 Academic Affairs Coordinating Council

A. Functions

1. To oversee and coordinate academic program initiatives when questions cut across committees' areas of responsibility.
2. To recommend such academic policies and programs to the faculty as it deems appropriate.
3. To establish a calendar for committee and faculty meetings within the common meeting time.

B. Membership

1. Chairs of the following committees: Curriculum Committee, Academic Operations Committee, Diversity, Equity and Inclusion Committee, Faculty Personnel Committee, and Faculty Senate. These members shall serve for one year and may be reelected by the respective committees.
 2. One representative of the Department Chairs, selected by that body for one year and eligible for reelection.
 3. Non-voting ex officio: President, Provost or designee, Associate Deans or designees, Dean of Students or designee.
-

1.2.10 Diversity, Equity, and Inclusion Committee

A. Functions

1. To support faculty activities around teaching, professional development, and service that contributes to diversity, equity, inclusion and belonging in the academic program in coordination with the Kendall Center.
2. To collect and respond to student/faculty concerns about questions of equity, inclusion and belonging in the academic programs, in collaboration with appropriate academic and administrative bodies.
3. To advise and consult with academic units, Student Senate, and administrative bodies, such as the Provost's Office, the Vice-President for Equity and Inclusion, Center for International and Cultural Education, Center for Inclusive Excellence, the Bias Response Team on policies and plans for fostering a culture of inclusion and belonging in the academic program and policies.

B. Membership

1. Elected: Each division shall elect one representative and two members shall be elected at large. Members shall be elected to three-year terms.
 2. Students: Two students shall be elected by the Student Senate. It is strongly recommended that each student be willing to serve a two-year term.
 3. Non-voting ex officio: Provost or designee, Vice President for Equity and Inclusion or designee, Director of Center for International and Cultural Education or designee, Director of Human Resources or designee, Director of Kendall Center or designee. Ex-officio representatives are non-voting members.
-

1.2.11 Special Faculty Assignments

1.2.11.1 Appointed by Faculty Senate

A. Faculty Secretary

1. Duties

- a. To keep and maintain proper records of meetings of the Faculty and the Faculty Senate, promptly post minutes online once approved, and see that full copies of each are placed in the College Archives at the end of the academic year.
 - b. To have responsibility for annually, at minimum, updating *Faculty Manual* and *Faculty Handbook*, Green pages, and the Academic Committee Calendar in accordance with established procedures for amendments to such documents.
2. Election: To be elected for a three-year term. May be reelected to successive terms.
- a. The faculty secretary shall be a tenured member of the faculty.
 - b. Web publishing skills are strongly recommended.

B. Assistant Faculty Secretary

1. Duties
- a. To serve as substitute faculty secretary when the faculty secretary is absent at Faculty or Senate Meetings.
 - b. To administer faculty committee/appointment preference survey in early spring of each academic year.
 - c. To conduct faculty committee elections, including run-off elections, once the Nominations Sub-Committee and the Faculty Senate have determined the slate. The Provost Office assistants will upload the slate into the electronic balloting system.
2. Election: To be elected for a three-year term. May be reelected to successive terms.
- a. The assistant faculty secretary shall be a tenured member of the faculty.
 - b. Web publishing skills are strongly recommended.

C. Faculty Marshals

- 1. Duties: The Faculty Marshals are responsible for the logistics of all academic processions involving faculty and/or students. These include, but are not limited to, Commencement, Honors Day, Opening Convocations, inaugural events, and honorary degree ceremonies. Faculty Marshals shall be included in planning for ceremonies at which there is an academic procession. The Faculty Marshals may make suggestions regarding proper decorum for public ceremonies.
- 2. Appointment: A Marshal and an Assistant Marshal shall be appointed for three-year terms. Each may be reappointed to successive terms.

D. Chair of the Lecture Series

- 1. Duties: To plan and implement a diverse program of lectures and convocations in consultation with an *ad hoc* Lecture Series Committee and the Fine Arts Coordinator.
- 2. Appointment: The Chair of the Lecture Series shall be appointed to serve a three-year term. The Chair of the Lecture Series may be reappointed to successive terms.

E. Chair of the Artist Series

- 1. Duties: To plan and implement a diverse program of concerts and performances in consultation with an *ad hoc* Artist Series Committee and the Fine Arts Coordinator.
- 2. Appointment: The Chair of the Artist Series shall be appointed to serve a three-year term. The Chair of the Artist Series may be reappointed to successive terms.

F. Faculty Athletics Representative

1. Duties: The Faculty Athletics Representative (FAR)
 - a. ensures the academic integrity of the College athletics program by representing the College and its faculty to the NCAA and MIAC,
 - b. provides advice to the Athletics Director and the President, and
 - c. promotes a balance between academics, athletics, and the social lives of student athletes to ensure they enjoy the full spectrum of collegiate experiences available to students generally.
2. Appointment: The President appoints a faculty member as FAR who does not hold an administrative or coaching position in the athletics department, engaging the Faculty Senate in the following process:
 - a. The Vice Chair of the Senate and the President jointly create a mutually agreeable “long list” of candidates.
 - b. The Senate votes to either approve the entire long list or narrow it.
 - c. The President, after consulting the Athletics Director, appoints a FAR from the resulting “short list” for a term of three years.
 - d. At the conclusion of the FAR’s term, the President may either (1) reappoint the incumbent, provided the Senate votes to consent, or (2) reinitiate the selection process.
 - e. If the FAR vacates the position prior to the conclusion of the term, the President and Vice Chair reinitiate the process.

G. Faculty to Serve on Committees and Subgroups of the Board of Trustees Groups

1. Members of the faculty may be invited by the Board of Trustees to serve on committees and subgroups of the Board groups. Annually, the Faculty Senate will provide the President and the Provost with the names of faculty nominated to serve on committees and subgroups of the Board. The faculty nominees will then be recommended by the President to the Chairs of the Board groups, and ultimately to the Chair of the Board for final approval and appointment.
2. Ordinarily, two faculty members will serve on each committee, at least one from the Faculty Senate, and one nominated by a relevant faculty committee. These nominations will be solicited as needed by the Faculty Senate. Every effort will be made to ensure continuity of faculty serving on committees and subgroups of the Board. Terms are three years, July through June. Terms for senators are normally the same as their term on the Faculty Senate.

H. Faculty Representatives to the President's Councils, including (but not limited to):

1. President’s Council on Diversity, Equity, and Inclusion
2. President’s Council on Indigenous Relations (PCIR)
3. President’s Environmental Sustainability Council

I. Academic Standing Board

A. Functions

1. To review the academic progress of students and to ascertain that minimum standards are being met as outlined in the College catalog.
2. To report its actions to the Provost and the Dean of Students.

B. Membership

1. Three faculty members appointed by Faculty Senate with staggered three-year terms.

2. Ex officio: Provost or designee (to serve as chair), Dean of Students or designee, Registrar, Assistant Registrar, Academic Support Center Director or designee, Counseling Center Director, Chaplain, Vice President for Enrollment Management or designee, Director of the Center for Inclusive Excellence. Ex officio members may vote as long as each office has just one vote.

J. Adjudication Board

A. Functions:

1. To assist in resolving grade appeals as described in *Faculty Handbook* Section 2.2.5.
2. To assist in resolving alleged cases of academic dishonesty as described in *Faculty Handbook* Section 2.2.6.
3. To review requests for exceptions to academic policies such as College-wide graduation requirements or changes in registration beyond established deadlines.
4. Faculty members of the Adjudication Board shall act as the Faculty Review Committee as described in the *Faculty Manual*.
5. To report its actions to the provost.

B. Membership:

1. Six faculty members, serving staggered three-year terms, appointed by the Faculty Senate.
2. All members shall have been on the faculty for at least five academic years, and must be tenured, owing to the nature of Faculty Review work.
3. No two members can be from the same department.
4. No member of the Board may be an administrative officer.
5. No member may serve concurrently on the Faculty Personnel Committee or the Faculty Senate.
6. When the Adjudication Board makes recommendations on appeals of decisions of tenure and promotion, the conflict-of-interest rules for recusal and replacement described in the *Faculty Manual* shall apply.
7. When the Adjudication Board is hearing alleged cases of student academic dishonesty, it will be joined by six students designated by the Student Senate.

K. Compensation, Benefits and Budget Board

A. Functions:

1. To serve as the representative of faculty interests in the discussion of compensation (salary and fringe benefits) with the administration and the Board of Trustees.
2. To serve as representatives to the Internal Budget Committee or its successor, to ensure that faculty viewpoints are included in that committee's discussions.
3. To act as a liaison to the Faculty Senate in matters related to compensation, benefits and budgets.

B. Membership:

1. Three members, appointed by the Senate for staggered three-year terms.
2. One member shall be from the Faculty Senate, and two members shall be at-large appointments. Members may be reappointed to consecutive terms.

3. Consideration shall be given to rank, gender, marital status, knowledge of financial operations of the college, academic division, etc. in the selection of appointees, with the intent of representing a broad range of interests within the faculty.
4. All three members shall serve on the college-wide Internal Budget Committee.
5. One member shall serve as faculty representative to the college-wide Benefits Committee, and another shall serve as faculty representative to the Board of Trustees Budget Committee.

1.2.11.2 Elected by the Faculty
(None)

2.0 Faculty Policies and Procedures

2.1 Personnel Policies

2.1.1 Appointment to Faculty

2.1.1.1 Regular and Continuing Faculty Appointments

- A. A position is authorized by the Provost after consultation with the Faculty Senate. That authorization will include information about rank and appointment status. For Continuing Faculty, the authorization will also delineate the responsibilities of the position and the criteria according to which the continuing faculty is to be evaluated.
- B. Upon receipt of written authorization, a department or program should organize a search. The search is normally organized by the department chair and/or program director in consultation with other members of the department/program. The Search and Screen Committee should be formed by the department chair/program director in consultation with the Provost/Dean. The Provost/Dean will assign a Liberal Arts Search Representative (LASR, whose duties are described in the *Administrative Guidelines for Academic Department Chairs and Program Directors*) to serve on the Search Committee. National listing of the position should be coordinated with the Provost's Office staff; both the Search Committee chair and the Provost's Office must approve the listing prior to publication. An example of a search process may be found in the *Administrative Guidelines for Academic Department Chairs and Program Directors*.
- C. The LASR, while a full member of the search committee, has special responsibilities and will be a tenured member of the faculty. One responsibility is to ensure that the Search Committee follows a documented search procedure. Another responsibility is to provide a non-disciplinary perspective on candidates' qualities as a teacher, advisor, and colleague at a liberal arts college. The LASR will provide a written report, developed with the committee, that describes deviation, if any, from the documented search process, rationale for deviations from the documented search process, and observations with regard to the candidates' qualities as a teacher, advisor, and colleague at a liberal arts college.
- D. The Provost receives candidate recommendations from the Search Committee via the hiring Dean. If the Provost concurs with the recommendations from the Search Committee, including the LASR's

report, the Provost will direct the hiring Dean to make the offer to the top candidate. In exceptional cases where the Provost does not concur with the recommendation from the Search Committee, both parties (the Provost and the Search Committee), in accord with *Faculty Manual* (sections 3.1.0 and 3.1.3), will seek additional information to resolve their differences according to these principles:

1. The Search Committee owns responsibility for disciplinary expertise and for aspects of the search process that pertain to disciplinary knowledge and practices;
2. The Provost owns responsibility for upholding the institutional mission and the strategic priorities of the College;
3. In the circumstance that the Provost remains convinced that a candidate recommended for hire by the Search Committee is not acceptable, the Provost must provide the Search Committee with the reasons in writing. In that case, it will become the responsibility of the Search Committee to make another hiring recommendation.
4. Because the new hire will teach within a department/program and contribute to the campus-wide liberal arts curriculum, the LASR reports to both the faculty Search Committee and the Provost's office. The LASR will provide advice to the Provost and to the Search Committee concerning the search process. The final responsibility for the hire rests with the Provost, as an officer of the college, in keeping with the best practice of U.S. institutions of higher education, which seek to protect Search Committees and individual faculty from legal action, thereby protecting and integrity of the Faculty Search Committee.

2.1.1.2 Other Special and Part-time Appointments

- A. A position is authorized by the Provost after consultation with the department. That authorization will include information about rank, appointment status, and length of term.
- B. Upon receipt of written authorization, a department should organize a search. The search is normally organized by the department chair in consultation with other members of the department. A Search and Screen Committee should be formed by the department chair in consultation with the Provost. For positions of one year or longer, the Provost or designee will assign a diversity representative to serve on the Search and Screen Committee. Strategy for posting of the position will be determined in consultation with the Provost or designee. A full description of search procedures may be found in the *Administrative Guidelines for Academic Department Chairs*.

2.1.1.3 Distinguished Endowed Chair Appointments

The Distinguished Endowed Chair will normally be identified through a national search, with a Search Committee, whose chair will be an Associate Provost and will include program/department faculty members, a liberal arts search representative, and any others recommended by the Department, the Provost or the President to serve on the committee. Regardless of its size, a majority of the members of the search committee shall be faculty members. The selection of finalists will be vested within the search committee, with a process that recognizes the expertise of faculty in judging the academic credentials of candidates and of other search committee members in their areas of competence. The selection of finalists and the appointment will be made in accordance with the principles expressed in section 1.1.3 of the *Faculty Manual*. A description of additional search procedures may be found in the *Administrative Guidelines for Academic Department Chairs*.

2.1.2 Faculty Review Procedures

2.1.2.1 Guidelines for Departmental Review and Support of Non-Probationary Regular Appointment Faculty

Faculty on non-probationary, regular appointment will conduct an annual self-assessment, with self-assessment forms administered by the Provost's office. Self-assessment documents will be submitted to the Provost's Office by June 15 and will be read by the Dean or Provost, who will formally respond to the self-assessment document. Sabbatical reports can replace the self-assessment document during sabbatical-leave years. At least once every three years, a Dean will review a faculty member's recently submitted self-assessments and will meet with the faculty member for a formative conversation. In cases where sabbatical leave falls during the year of an expected formative conversation, the faculty member and Dean will jointly agree on either a delay or an acceleration in the timeline of the formative conversation. The Dean will provide a brief, written summary of the formative conversation to the faculty member, and the faculty member will have the opportunity to submit a response.

2.1.2.2 Guidelines for Departmental Review and Support of Regular and Joint Appointment Probationary Personnel

Departments are obligated to establish regular procedures to review their regular and joint appointment probationary faculty members, strictly adhering to deadlines stated below in order to comply with dates for non-renewal stipulated in *Faculty Manual* section 2.6.2.1. While one purpose of this review is to provide professional advice to faculty members, such an evaluation also serves the departments and Provost as a basis for making decisions regarding the reappointment of probationary personnel. The timetable below may be modified by mutual agreement of the Provost and the candidate. Adjustments will be specified in writing at the time of hire if the tenure-track calendar is shortened per *Faculty Manual* 1.2.2.1, or to reflect later agreements if the tenure clock is stopped for reasons allowed in the *Faculty Manual* or All-Employee Policies (such as for a leave of absence).

- A. Normally the chair of the department will be responsible for the evaluation process. (When the chair of the department is to be evaluated, the Provost will designate a committee chair.) The chair of the department will organize a review committee, consisting of the chair (or designee) and at least two other tenured faculty members appointed with the approval of the individual. Preferably one member should be from outside the individual's department.
- B. The evaluation should include classroom observations conducted during each semester, review of course content (syllabi or course materials), and student reflection on instruction (SRI) results or other student feedback. In addition to teaching, the review committee should consider scholarly achievements, service, and professional goals.
- C. During the **First Year**, the faculty member and Department chair will meet to discuss progress and/or specific recommendations for improvement related to teaching, to research/scholarship/creativity, and to campus service. No formal evaluation will be written, but the Department chair will submit a departmental recommendation letter concerning reappointment to the Provost's Office by February 15 in order to meet the March 1 deadline in the *Faculty Manual*. During both semesters of the first year, the chair (or designee) should also collect and save course material to be used during the more formal evaluation which will take place the following fall.
- D. In the fall of the **Second Year**, departmental review committees should function as follows:
 1. The committee should establish with the individual the timetable for class visits, interviews, review of syllabi, etc.
 2. After a period of evaluation, a formal meeting of the committee will be held to discuss the individual and to prepare an evaluation.
 3. The committee will communicate the results of this evaluation to the individual in writing, and provide a process for the individual to respond before a final evaluation is submitted.
 4. The Department chair will submit a final evaluation, including the department's recommendation on reappointment, to the Provost's Office by November 15 for second-

year faculty in order to meet the December 15 deadline for the *Faculty Manual*. The Department chair will provide the individual with a copy of the submitted review.

- E. The **Third** Year Review Subcommittee conducts that review on a timetable specified in the individual's letter of appointment.
- F. During the spring semester of the **Fourth** year or the year following the formal "Third Year" Review, the department shall conduct a review mirroring the process described above for the Second Year review, and the Department chair will submit a departmental recommendation concerning reappointment to the Provost's Office by April 1st. The Department chair will again provide the individual with a copy of the submitted evaluation and recommendation.
- G. During the **Fifth** Year, the faculty member and Department chair will meet to discuss progress and/or specific recommendations for improvement related to teaching, to research/scholarship/creativity, and to campus service. No formal evaluation will be written, but the Department chair will submit a departmental recommendation letter concerning reappointment to the Provost's Office by April 1st.
- H. The Provost will make an annual decision on reappointment, taking into consideration the recommendation of the Department chair and the review committees. The Provost and Department chair may assist the faculty member to formulate development goals, performance objectives, and career plans.
- I. With the approval of the Provost, departments and individuals may agree to alterations to these review processes.

2.1.2.3 Guidelines for Departmental Review and Support of Fixed-Term and Part-time Appointment Faculty
Faculty on ongoing fixed-term appointment and those on ongoing part-time appointment will be reviewed annually.

- A. Normally the chair of the department will be responsible for the evaluation using a process developed by the department.
- B. The evaluation should include classroom observations conducted during each semester and/or interviews, review of course content (syllabi or course materials), and student reflection on instruction (SRI) results or other student feedback.
 - 1. The department chair will communicate the results of the evaluation to the candidate in writing.
 - 2. Means should be provided for the individual being evaluated to respond to the evaluation before a final evaluation is sent to the Provost.
 - 3. Reviews must be submitted to the Provost by March 1, or as approved by the Provost. The Department chair will provide the individual a copy of the submitted review.
- C. A decision of reappointment is made by the Provost based upon the recommendation of the department chair. The annual evaluation would be taken into consideration in making this recommendation. The Provost and the department chair may assist the faculty member to formulate development goals, performance objectives and career plans.
- D. As a professional courtesy, departments should offer to include non-continuing faculty in the annual review process.

2.1.2.4 Guidelines for Departmental or Program Review and Support of Continuing Probationary Personnel and Senior Continuing Personnel

2.1.2.4.1 Guidelines for Departmental or Program Review and Support of Continuing Probationary Personnel and Senior Continuing Personnel

Departments and Programs are obligated to establish regular procedures to review their renewable appointment probationary faculty members (Continuing faculty), strictly adhering to deadlines stated below in

order to comply with dates for non-renewal stipulated in *Faculty Manual* section 2.6.2.1. While one purpose of this review is to provide professional advice to faculty members, such an evaluation also serves the departments, programs and Provost as a basis for making decisions regarding the reappointment of probationary personnel. The timetable below may be modified by mutual agreement of the Provost and the candidate. Adjustments will be specified in writing at the time of hire if they calendar for promotion to Senior Continuing status is shortened per *Faculty Manual* 1.2.2.1, or to reflect later agreements if the promotion clock is stopped for reasons allowed in the *Faculty Manual* or All-Employee Policies (such as for a leave of absence).

- A. During the **First Year** the chair of the department or program will be responsible for the evaluation using a process developed by the department or program. The Department chair/Program director will submit a departmental/program recommendation letter concerning reappointment to the Provost's Office by February 15 in order to meet the March 1 deadline in the *Faculty Manual*. During both semesters of the first year, the chair/director (or designee) should also collect and save course material to be used during the more formal evaluation which will take place the following fall.
- B. In the fall of the **Second Year**, the review should function as follows:
 1. The chair/director should establish with the individual the timetable for class visits, interviews, review of syllabi, or other materials as appropriate to the position, etc.
 2. After a period of reflection upon the materials provided in B.1., the chair/director will prepare an evaluation report.
 3. The chair/director will communicate the results of this evaluation to the individual in writing, and provide a process for the individual to respond before a final evaluation is submitted.
 4. The department chair or program director will submit a final evaluation, including the department's/program's recommendation on reappointment, to the Provost's Office by November 15 in order to meet the December 15 deadline for the *Faculty Manual*. The Department chair will provide the individual with a copy of the submitted review.
- C. During the spring semester of the Third Year a formal review is conducted by a Continuing Faculty Review Committee.
 1. Normally the chair of the department or program director will be responsible for the evaluation process. The chair/director will organize a review committee composed of two members of the individual's department/program, one of whom will serve as the chair of the review committee, and two other faculty members from outside the department/program, one of whom is a Senior Continuing faculty member, when possible, appointed with the approval of the individual.
 2. An announcement of the review of individuals who are candidates for promotion to Senior Continuing status will be posted in both Gustavus-I and Faculty-I by the Provost Office in the early spring semester of the year preceding their review, enabling faculty to observe classes and submit letters. Letters should be addressed and sent to the Chair/Director of the department/program of the candidate. To the extent possible, all letters should address the candidate's qualifications for each of the criteria for promotion to Senior Continuing status stated in the *Faculty Manual*.
 3. The evaluation should include classroom observations conducted during each semester, student reflection on instruction (SRI) results or other student feedback, letters submitted from tenure/tenure track faculty from the candidate's department/program, letters invited from faculty colleagues and letters invited from students from across the College, examination of annual departmental/program reviews, and a dossier submitted by the Continuing faculty member addressing teaching excellence and sympathy with the mission of the college. Candidates will have full access to their complete files.

4. The chair/director will communicate the results of this evaluation to the individual in writing, and provide a process for the individual to respond before a final evaluation is submitted.
 5. The department chair or program director will submit a final evaluation, including the department's recommendation on reappointment, to the Provost's Office by April 1st. The department chair will provide the individual with a copy of the submitted review.
 6. A document that describes the process details and deadlines associated with the third-year review of continuing faculty is housed within the Provost's Office. This process document is reviewed annually, revised if needed, and approved by the Faculty Personnel Committee Chair or Third Year Review Subcommittee Chair.
- D. During the spring semester of the Fourth Year or the year following the formal "Third Year" Review, the department/program shall conduct a review mirroring the process described above for the First Year review, and the Department chair/Program director will submit a departmental/program recommendation concerning reappointment to the Provost's Office by April 1st. The Department chair/Program director will again provide the individual with a copy of the submitted evaluation and recommendation.
 - E. During the spring semester of the Fifth Year, or the second year following the formal "Third Year" Review, the department/program shall conduct a review mirroring the process described above for the Second-Year review, and the Department chair/Program director will submit a departmental/program recommendation concerning reappointment to the Provost's Office by April 1st. The Department chair/Program director will again provide the individual with a copy of the submitted evaluation and recommendation.
 - F. During the spring semester of the Sixth Year, or the third year following the formal "Third Year" review, the department/program shall conduct a summative review mirroring the process described above for the Third-Year review, and the department chair or program director will submit a departmental/program recommendation concerning promotion to Senior Continuing status to the Provost's Office by April 1st. The chair/director will again provide the individual with a copy of the submitted evaluation and recommendation.
 - G. The Provost will make an annual decision on reappointment, taking into consideration the recommendation of the Department chair/Program director and the review committees. The Provost and Department Chair/Program Director may assist the faculty member to formulate development goals, performance objectives, and career plans.
 - H. With the approval of the Provost, departments/programs and individuals may agree to alterations to these review processes.

2.1.2.4.2 Guidelines for Departmental Review and Support of Faculty on renewable appointment with Senior Continuing status.

- A. **Annual Review.** Faculty on renewable appointment with Senior Continuing status will conduct an annual self-assessment, with self-assessment forms provided by the Provost's Office. Self-assessment documents will be submitted to the Department Chair/Program Director by March 1 and will be read by the Department Chair/Program Director. The department chair/program director will respond to the reflection in writing by April 1. The Chair/Program Director will share the self-assessment and response with the Provost Office.
- B. **Mid-cycle Review.**

1. At least once every three years, a Department Chair/Program Director will review a faculty member's recently submitted self-assessments and will meet with the faculty member for a conversation.
 2. As part of this conversation, the position description for Senior Continuing faculty member will be reviewed. Substantive changes to the position description can be made if the Department Chair/Program Director, Senior Continuing faculty member, and Provost's Office agree on the changes.
 3. The Chair or Program Director will provide a brief, written summary of the conversation to the faculty member, and the faculty member will have the opportunity to submit a response. The summary and faculty response will be forwarded to the Provost's Office by May 1.
- C. **Reappointment Review.** During the spring semester of the Sixth year following promotion to Senior Continuing faculty member, or the sixth year following the last reappointment review, a reappointment review is conducted by a Senior Continuing Faculty Review Committee.
1. Normally the chair of the department or program director will be responsible for the evaluation process. The chair/director will organize a review committee composed of members of the individual's department/program and two other faculty members from outside the department/program, one of whom has Senior Continuing status, when possible, appointed with the approval of the individual.
 2. The evaluation should include at least one classroom observation conducted during the spring semester, student reflection on instruction (SRI) results or other student feedback, examination of annual self-assessments, examination of the position description, and a review of submitted letters from faculty and students.
 3. The chair/director will communicate the results of this evaluation to the individual in writing, and provide a process for the individual to respond before a final evaluation is submitted. The department chair or program director will submit a final evaluation, including the department's/program's recommendation on reappointment to another 6-year term, to the Provost's Office by April 1st. The Department chair will provide the individual with a copy of the submitted review.
 4. The Provost will make a decision on reappointment to a 6-year term, taking into consideration the recommendation of the Department chair/Program director and the review committee. Senior Continuing faculty will meet with the Provost to discuss the Provost's decision.
- D. With the approval of the Provost, departments/programs and individuals may agree to alterations to these review processes.

2.1.3 Faculty Personnel Files

The stipulations set forth below address various considerations. From time to time the Administration receives unsolicited comments on faculty members' academic performances or personal activities. Also, evaluations of faculty members' performance of their responsibilities are requested in the process of granting promotions and tenure. The Provost and department chairs have responsibility for counseling faculty members and helping them to understand the expected performance of responsibilities.

The administration and faculty have responsibility for protecting the academic freedom of the individual faculty member and of the collective faculty. A further responsibility is to avoid unnecessary embarrassment to the faculty and to the College.

- A. When the College receives any unsolicited accusatory or derogatory statements regarding a faculty member, the appropriate administrator will:
 1. disregard and destroy the material, or
 2. return the statement to its author
 - a. with no acknowledgment or comment, or
 - b. with an explanation that the College has its own adequate methods for assessing the fitness of faculty personnel, and, as a matter of policy, does not accept statements from extra-institutional sources or from intra-institutional sources not functioning in their officially defined capacities, or
 3. inform the sender of the letter that the letter can be retained by the institution and placed in the faculty member's file only if the faculty member is informed of the identity of the sender and furnished with a copy of the letter, so that the faculty member may, if they wish, reply or defend themselves against any charges, accusations or criticisms, and take any other action which they may deem necessary to protect their reputation and interests. Such materials shall be removed from the faculty member's file and destroyed upon resolution of the matter referred to in the letter or letters.
 4. In no case will the College maintain secret files on any faculty member or file away communications, which are received from anonymous sources or for which confidentiality is requested, without notifying the faculty member in question and furnishing them with a complete copy of the statements received.
 - B. Credentials presented at original employment at the College shall be retained permanently.
 - C. It is the responsibility of the Provost and Department Chairs to advise and counsel individual faculty members concerning the evaluations which have been submitted.
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2.1.4 Leaves of Absence

2.1.4.1 Compensated Academic Leaves

2.1.4.1.1 Sabbatical Leaves for Regular Professional Development

Regular professional development is a normal part of an academic career. The college affirms the teacher-scholar model of professional development as a way of valuing all legitimate professional development activities that contribute to a vital and healthy academic community. Since a sabbatical leave is a major investment in the faculty member's professional future, the individual, the relevant department, the Provost and the Faculty Development Committee will work together to devise a plan that is mutually beneficial to the individual and to the College.

Faculty who intend to apply for a sabbatical leave as part of their professional development must provide a coherent, well-planned proposal to the Faculty Development Committee for evaluation. The committee will review leave proposals and will forward its recommendations to the Provost. The college will fund all proposals recommended to it by the committee, if possible. In cases where funding is insufficient, a recommended leave may be delayed one year after the Provost has consulted with the individual and the department.

In alignment with *Faculty Handbook* section 1.2.1.C, administrative appointments held by faculty members are declared vacant when an individual goes on leave. Exceptions may be considered in cases where a faculty member demonstrates a substantial connection between the administrative position and their professional development. Faculty may not serve as department chair or program director during the academic year of their sabbatical leave. Generally, faculty members should not serve as department chair or program director in the academic year following a year-long or spring

semester sabbatical. Under exceptional circumstances, a faculty member could assume a chair position upon return from sabbatical, so long as they are not obligated to assume chair/director duties during the summer prior to their return from leave.

A. Duration of Sabbatical Leaves

1. Full year leave of absence means two regular semesters.
2. The teaching assignment for a faculty member with regular appointment normally consists of three courses or the equivalent during an academic year containing a one semester leave of absence.

B. Eligibility for Sabbatical Leaves

1. All full-time faculty members with regular appointments are eligible to apply for leaves of absence; holders of joint appointments are eligible jointly or individually. Compensated semester or full year sabbatical leaves will not be granted until a faculty has been awarded tenure.
 - a. Eligibility for compensated leaves of absence follows at least six academic years of service since appointment or the last compensated leave of absence. Credit for prior service at another institution at time of appointment will be counted.
 - b. Departments may establish their own criteria for order of eligibility for leaves.

C. Application Procedures for Sabbatical Leaves

1. The sabbatical application process begins two years in advance of the expected leave.
 1. Sabbatical leave proposals must be submitted electronically to the Faculty Development Office by early March (specific due date each year will be determined by the FDC) for consideration of leaves that would commence following the next academic year. For example, if one wished to go on leave during the 2010-11 academic year, proposals must be submitted by March of 2009. Prior to submission of this proposal, the faculty member and the relevant department chair will insure that the faculty member's leave plans mesh with the department's overall leave timetable.

Following the March 1 deadline, the Faculty Development Committee will review the leave proposal and will forward its recommendation to the Provost.
 2. No later than May 15 of the year of application, the Provost will advise the faculty member, the department chair, and the Faculty Development Committee of the status of the leave proposal. The leave plan will be approved, approved subject to tenure, denied or delayed for one year. If denied, the Provost will advise the faculty member on changes that would strengthen future leave plans.
 3. Requests for sabbatical leaves that do not fall within this schedule may be handled by negotiation between the Provost and the chair of the department.
2. Guidelines for the Preparation of a Sabbatical Leave Plan
 - a. In general, all professional development activities of a teacher-scholar will be considered legitimate reasons for a sabbatical leave. These include scholarly research leading to publication of books and articles, artistic activities leading to exhibitions or performances, professional retraining and revitalization (e.g., language study, course work to bring a faculty member up-to-date in an area of specialization, or scholarly reading leading to new research or teaching interests), and internships at institutions that foster professional growth. The College will consider any other activities that can be demonstrated to have value for a faculty member's professional development.

It is expected that the faculty member, the department, and the department chair will work together to formulate a leave plan that will strengthen and enrich the professional development of the faculty member.

- b. A complete leave proposal will include:
 - 1. Cover Sheet
 - a. The name, rank, and department of the faculty member.
 - b. Indication of the number of years of full-time service at the College
 - c. Period of leave requested, i.e. full-year or one semester.
 - d. Where applicable, the dates of the last compensated leave, whether from Gustavus or another college or university, and a brief description of the results.
 - 2. Detailed description of the proposed sabbatical leave which addresses the following:
 - a. For scholarly and artistic activities:
 - 1. Preparation leading up to the sabbatical
 - 2. Description of proposed projects and activities
 - 3. Relation of proposed projects to previous research or artistic work by self-and/or others
 - 4. Expected outcomes and future activities related to the leave
 - 5. Value of projects to the individual and the academic community
 - 6. Plans for a public presentation of leave results (departmental seminar, Faculty Forum, recital, art show, article in faculty newsletter, etc.)
 - b. For professional retraining and revitalization
 - 1. Demonstration of need for retraining and revitalization
 - 2. Description of proposed projects and activities
 - 3. Discussion of the preparation for leave activities (this could include internships or workshops completed, letters of support or confirmation concerning proposed projects, schedules or calendars of proposed activities, bibliographies of relevant work, etc.)
 - 4. Expected outcomes and future activities related to the leave
 - 5. Value of projects to the individual and the academic community
 - 6. Plans for a public presentation of leave results (departmental seminar, Faculty Forum, recital, art show, article in faculty newsletter, etc.)
 - 3. Supporting Documentation
 - a. A recommendation form from the chair of the department to the Provost. This form should include the department's endorsement of the leave plan, and a statement of the department's plans to support the ongoing professional needs of the faculty member (including allocation of departmental resources, assignment of teaching load, and preparation of new courses).
 - b. Where applicable, letters confirming arrangements for off-campus leaves.

2.1.4.1.2 Criteria for Evaluation of Sabbatical Leave Plans

- A. Sabbatical Leave Plans will be evaluated according to their potential impact on the professional development of the individual faculty member. They will not be weighted according to the amount of time requested or the leave location. Leave plans will be evaluated on the basis of whether the faculty member has presented a coherent, well-planned proposal that addresses the guidelines outlined in the previous section.
- B. Outside fellowships won by faculty will not affect the Faculty Development Committee's evaluation of a sabbatical leave plan.
- C. The number of years of continuous service at the College may be considered by the Provost should total funding for the College's leave program be insufficient to fund all recommended leaves.

2.1.4.1.3 Compensation, Rank, Tenure, and Benefits While on Leave

- A. Those on full academic year leave will receive two-thirds of projected full base salary. Those on one semester leave will receive full projected base salary. The faculty member may apply to the Provost for funds to cover travel expenses and to cover special economic needs while on leave.
- B. The Provost and the Office of Institutional Advancement will assist the faculty member in preparing applications or in making special presentations to foundations which may be able to provide financial assistance to the faculty member while on leave.
- C. During the sabbatical leave, all rights and benefits pertaining to rank, tenure, salary increment, retirement, insurance, tuition remission, and other benefits already acquired are retained.

2.1.4.1.4 Final Report

Within 30 days of resuming responsibilities at the College, the faculty member will submit a written report to the Provost summarizing the activities and outcomes of the sabbatical leave.

2.1.4.1.5 Faculty Replacement During Leaves of Absence

The issue of sabbatical replacements is separate from the issue of a faculty member's eligibility for a leave. Replacements will be arranged between the department and the Provost. Generally speaking, small departments and programs will be more likely to have full faculty replacement since it would be more difficult for other members of a small department or program to cover for the colleague on leave. Faculty taking year leaves will be more likely to be replaced than those taking half-year leaves. It is the responsibility of the department and the Provost to consider the most cost-effective ways of handling leaves in balance with the college's program needs.

2.1.4.2 Leaves of Absence Without Salary

See *Faculty Manual* Section 3.2.6.2.2 Faculty Development and Leaves.

2.1.5 Procedural Standards in the Renewal or Non-renewal of Faculty Appointments

In matters of renewal or non-renewal of faculty appointments, the faculty will follow the procedures outlined in the AAUP "Statement of Procedural Standards in the Renewal or Non-renewal of Faculty Appointments" (1989).

2.1.6 Statement on Faculty Appointment and Family Relationship

In matters of faculty appointment and family relationship, the faculty accepts the principles outlined in the AAUP "Statement on Faculty Appointment and Family Relationship" (1971).

2.1.7 Statement on Professional Ethics

In matters of professional ethics, the faculty accepts the principles outlined in the AAUP "Statement on Professional Ethics" (1987).

2.2 Academic Policies

2.2.1 Course Approval Policy

2.2.1.1 Regular Courses.

All proposals for courses to be offered as part of the curriculum of the college (including proposals for designation as general education and writing courses) will be reviewed by the Course Approval Subcommittee, which will recommend approval to the Curriculum Committee. Off-campus courses will be reviewed by the Global Engagement Committee, which will recommend approval to the Curriculum Committee. The Curriculum Committee will have final approval of all courses, including area and writing designations recommended by the Course Approval Subcommittee or the Global Engagement Committee. Closing dates for submitting course proposals to the Course Approval Subcommittee or the Global Engagement Committee will be provided to department chairs no later than the beginning of the academic year.

Courses approved by the Curriculum Committee will enter the curriculum of the college. They need not be resubmitted unless there is a substantial change in the name, focus, or content of the course.

Approval Procedure

- A. By the announced deadline, the proposing department chair will send to the Office of the Provost one electronic copy of the course proposal form, addressing the appropriate criteria for new courses, First Term Seminars, area and writing designations. The form can be obtained from the Office of the Provost.
- B. Upon its receipt, the Office of the Provost will send the proposal to the full Course Approval Subcommittee or the Global Engagement Committee and to the appropriate program director(s) (FIS, Writing, Center for International and Cultural Education, and General Education). Copies of pending proposals will be available to all faculty through the Office of the Provost.
- C. The program director(s) will review the proposal, contacting the department chair or course instructor(s) for possible clarification or revision, if necessary. The program director(s) will recommend approving or rejecting their specific part of the proposal to the full subcommittee.
- D. The Global Engagement Committee (GEC) will review and discuss all off-campus proposals at its meetings. For semester courses, this review will focus on conformance to the GEC Program Manual. Recommended off-campus semester courses will be forwarded to the Course Approval Subcommittee. For Summer off-campus courses, this review will include both conformance to GEC Program Manual and the course approval criteria listed in the *Faculty Handbook*. The Registrar or designee will be present during GEC meetings dealing with approval of Summer off-campus courses. Recommended off-campus Summer courses will be forwarded to the Curriculum Committee.
- E. The Course Approval Subcommittee will review and discuss all proposals at its meetings. The faculty member submitting the proposal and/or a departmental representative may be present when the Course Approval Subcommittee or the Global Engagement Committee discusses the faculty member's proposal.
- F. At the appropriate meeting, the Course Approval Subcommittee or the Global Engagement Committee will take one of the following actions:
 1. Approve the course, area, or writing designation and forward this recommendation to the Curriculum Committee.
 2. Approve the course, area, or writing designation contingent upon specific revision. In this case the proposal is returned to the appropriate program director for discussion with the department chair or instructor. The Course Approval Subcommittee or the Global Engagement Committee will then forward its recommendation for approval to the Curriculum Committee.
 3. Forward the proposal to the Curriculum Committee for consideration and a final decision. This action would be taken when:

- a. The course proposal is closely related to program revisions submitted by a department, such that approval of the new course should be contingent on approval of the program revisions; or
 - b. The course proposal reflects a new curricular precedent or other change that falls under the functions of the Curriculum Committee, such that approval of the new course should be contingent on Curriculum Committee approval of the curricular precedent or change.
4. Reject the course, area, or writing designation and return it to the department chair or instructor via the appropriate program director for revision/resubmission.
- G. All courses, area and writing designations recommended for approval by the Course Approval Subcommittee or the Global Engagement Committee will be forwarded to the Curriculum Committee. The Curriculum Committee will vote on approval and all courses approved by the Curriculum Committee will be reported to the faculty at its next regularly scheduled meeting. The Curriculum Committee will notify each department affected by the committee's decision.
- H. A course proposal may be withdrawn at any point in the process
- I. Course approval will be based on the criteria in section 2.2.2 of the *Faculty Handbook*.

2.2.1.2 Special Topics Courses.

Special topics courses are used to supplement regular course offerings.

- A. Special topics courses do not require approval by the Curriculum Committee.
- B. Special topics courses can carry area or WRIT designations. Special topics courses obtain these designations via the same procedures as regular courses.
- C. If a given special topics course is offered three times in any six-year time frame, then that course will need to be approved as a regular course using the procedures in section 2.2.1.1 before being offered again.

2.2.1.3 Delisting Courses.

Courses that have not been taught in the past four years will be delisted from the catalog. Departments may ask for an exemption to the process by contacting the chair of the Curriculum Committee when the course comes up for cancellation.

2.2.1.4 Discontinuance of Major or Minor initiated by associated department or program faculty.

- A. The proposed discontinuance of a major or minor shall first be brought to the associated academic department and/or program faculty for a vote. To move forward, the proposal must receive a majority vote from faculty in the associated department and/or program.
- B. Next, Department and/or Program Faculty associated with the major or minor shall petition the Curriculum Committee for such a discontinuance. The proposal to discontinue a major/minor must include a transition plan for current majors/minors and any impacted associated faculty. The Curriculum Committee, in cooperation with the Faculty Senate, shall form a sub-committee that will collect and analyze both quantitative and qualitative data to inform the decision.
- C. Membership. The Subcommittee shall be composed of four members: two members chosen from the elected members of the Senate and two members chosen from the elected members of the Curriculum Committee, all of whom must be outside of the major or minor associated department and/or program that is being considered for discontinuance.

D. Process. The Subcommittee will report its findings and make a recommendation to the Senate and the Curriculum Committee. The Curriculum Committee will determine whether a proposal to discontinue a major/minor is brought to the faculty.

E. Functions. The Subcommittee will consider the unique circumstances of the associated department and/or program. Those determinations may include but are not limited to:

1. Characteristics of the major or minor and the associated department and/or program, including ability to attract and retain qualified students and faculty, most recent external review of department/program associated with the major/minor, alignment with the strategic plan, and importance of the major/minor to the identity of the College as a private, residential liberal arts college.
2. Impact of Major or Minor and associated Department and/or Program on the College, including:
 - a. Admissions and prospective students
 - b. Cognate disciplines/coursework importance to other departments/programs
 - c. Faculty recruitment and/or retention
3. Impact on current declared majors/minors
4. Consideration of Data including:
 - a. Numbers of majors and/or minors over past ten years
 - b. Numbers of graduates over past ten years
 - c. Enrollments in associated department/program courses over past 5-10 years.
 - d. Faculty FTE
5. External Funding: to what extent does the major/minor draw financial resources from endowment or other funds beyond unrestricted annual budgets.

2.2.1.4.1 If the Subcommittee decides to recommend discontinuance of a major/minor/program, the Subcommittee, in collaboration with the major/minor/program, will determine an appropriate end date for the major/minor. The Subcommittee will forward the recommendation for major/minor/program discontinuance to the Curriculum Committee, with the information about end date. If the Curriculum Committee approves the plan for the major/minor/program to discontinue, they will recommend the discontinuance of the major/minor/program to the faculty for a vote. If the faculty approve the discontinuance, the major/minor will be discontinued.

2.2.1.4.2 Notification. If the faculty approves the discontinuance of a major/minor/program, the Provost's Office will officially notify students in the major/minor/program of the decision of the faculty and work with students and faculty on the transition plan.

2.2.1.4.3 The Registrar's Office will remove the major/minor/program from future academic catalogs.

2.2.1.5 Discontinuance of a Major, Minor, or Program as an outcome of program evaluation process.

A. Departments and Programs and their majors and minors will be reviewed periodically, typically as part of the five or ten-year departmental review process, using the four-stage process described in Section 8 of the Department Chair and Program Director Guide. Either the Provost's Office or a Department/Program may request that the process be initiated off-cycle, and the Faculty Senate will be consulted to determine if an off-cycle review is warranted.

B. If, after review of a major, minor, or program, the Provost's Office recommends discontinuation of a major, minor, or program, the Provost will inform the affected department(s) by the end of the spring semester, providing a rationale for the recommendation. The department(s) will have an

opportunity to review the rationale and respond by October 1 of the fall semester immediately following the initial recommendation. The Provost rationale and departmental response(s) will be shared with the Faculty Senate and Curriculum Committee for consideration. Each committee will independently respond to the Provost's recommendation, no later than October 20.

C. Using the departmental, Curriculum Committee and Faculty Senate responses as additional input, the Provost will make a final recommendation regarding discontinuance. If the Provost decides to recommend discontinuance, then they will inform the affected department, Curriculum Committee and the Faculty Senate by November 1, providing a rationale and transition plan. If either the Curriculum Committee or Faculty Senate endorses the Provost's decision, the endorsing committee will bring the proposal to the faculty for a vote at the following faculty meeting.

D. If the faculty approves the discontinuance of a major, minor, or program, then (according to 2.2.1.4.2 of the *Faculty Handbook*) the "Provost's Office will officially notify students in the major/minor/program of the decision of the faculty and work with students and faculty on the transition plan." Furthermore (according to 2.2.1.4.3), "the Registrar's Office will remove the major/minor/program from future academic catalogs."

2.2.2 Requirements and Criteria for General Education Courses

The official record of the College curriculum is maintained in the *Academic Bulletin* under "Requirements for Graduation" and the sections devoted to major and minor requirements. Requirements and criteria for general education, interdisciplinary studies courses, Writing Across the Curriculum, Signature Experience, and Majors are found in Appendices A-F of the *Faculty Handbook*. Additions and deletions to curriculum or its requirements or criteria, as compiled in the Bulletin and Appendices A-F, require a majority vote of voting members of the faculty present at a faculty meeting.

2.2.3 Honorary Degrees

2.2.3.1 Statement of Purpose

Gustavus Adolphus College confers honorary degrees in order to recognize and honor men and women who, through distinguished service or preeminent achievement, have demonstrated commitment to the ideals for which this College stands. In each case, it should be particularly appropriate that Gustavus Adolphus College be the institution to award the honorary degree. The College thus affirms and hopes to encourage its vision and mission by the honorary degrees it confers.

2.2.3.2 Guidelines

This set of guidelines suggests normal practices, but need not be regarded as inflexibly binding under all circumstances:

- A. In order to preserve the high value of honorary degrees, not more than four degrees each year, except in extraordinary circumstances, will be granted. In addition, honorary degrees will also be awarded to Nobel laureates who participate in the Nobel Conference.
- B. Honorary degrees will be awarded during the academic year on occasions of significance to the College community and the recipient.
- C. Honorary degree recipients should represent a diversity of fields. The choices should reflect achievements at the local, national, and international levels.

2.2.3.3 Procedures

- A. The Faculty Senate Vice Chair will receive nominations for honorary degrees.

- B. The Faculty Senate Vice Chair will ensure that additional supporting data will be provided to the Faculty Senate within a designated time period.
 - C. Deliberations of proposals will not involve the knowledge or participation of the candidate.
 - D. Among the honorary degrees that may be awarded by the College are the following:
 - Bachelor of Arts (B.A.)
 - Doctor of Divinity (D.D.)
 - Doctor of Fine Arts (D.F.A.)
 - Doctor of Humane Letters (L.H.D.)
 - Doctor of Laws (LL.D.)
 - Doctor of Science (Sc.D.)
- The Faculty Senate Vice Chair will recommend the degree that is appropriate for conferral upon the candidate.
- E. The Faculty Senate Vice Chair will submit nominations to the Senate for evaluation.
 - F. The Faculty Senate, acting on behalf of the Faculty, recommends the candidates for honorary degrees to the President of the College. Three-fourths majority vote of the full membership of the Faculty Senate is required for forwarding of the recommendation to the Board of Trustees.
 - G. The President will present nominations accepted by the President to the Board of Trustees.
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2.2.4 Change of Grade Policy

The mark of “I” (Incomplete) is the only grading option available which keeps a course open for additional student work beyond the termination of the semester. Once a grade other than “I” has been recorded on the student transcript, it becomes part of the institutional record and can be changed only to correct an error in the original computation. A grade change cannot be made because additional coursework has been turned in after the end of the term. A change of grade may not be made more than one year after the grade was officially recorded in the Registrar’s Office.

2.2.5 Grade Appeals Policy

Students have the right to be protected against prejudiced or capricious academic evaluation. A student who wishes to appeal a final course grade on these grounds should first appeal to the instructor. This action should end the matter in most cases, but if not, the student should appeal to the department chair (or a senior faculty member in the department if the Chair is the person giving the grade). If that does not resolve the issue, the student may appeal to the office of the Provost who will convene the Grade Appeals Board to assist in determining an appropriate resolution. If the Grade Appeals Board determines that the grade should be changed, it would provide the instructor with a written explanation of its reasons and would request that the grade be changed. The instructor should either make the recommended change or provide a written explanation to the Grade Appeals Board for not doing so. Only then, the Provost, upon the written recommendation of the Grade Appeals Board, would have the authority to effect a change in grade over the objection of the instructor. The Grade Appeals Board will consist of five faculty members, one from each Division, appointed to staggered three-year terms by the Faculty Senate. A member of the Grade Appeals Board may ask to be recused from hearing an appeal if the member perceives a conflict of interest. The student appellant may also request to disqualify a member perceived as being potentially biased from hearing the appeal. In the event that a member of the Board is recused or removed, that person will be replaced by another faculty member from the same Division, to be appointed by the Provost in consultation with the Vice-Chair of the Faculty Senate.

A grade appeal must be initiated within one year after the grade was officially recorded in the Registrar's Office.

2.2.6 Honor Code Policy

Every Gustavus Adolphus College student is required to sign the following statement before final admittance into the College:

“As a community of scholars, the faculty and students of Gustavus Adolphus College have formulated an academic honesty policy and honor code system, which is printed in the Academic Bulletin and in the Gustavus Guide. As a student at Gustavus Adolphus College I agree to uphold the honor code. This means that I will abide by the academic honesty policy, and abide by decisions of the joint student/faculty Honor Board.”

Through information provided in syllabi and/or other means, faculty members will explain to students how the Honor Code will operate in their respective courses. The following statement is suggested as a pledge for students to sign on all graded assignments and projects:

“On my honor, I pledge that I have not given, received, or tolerated others' use of unauthorized aid in completing this work.”

A similar statement may be signed by students at the beginning of a course, indicating that their work for that course will comply with the academic honesty policy and the Honor Code.

Gustavus Adolphus College is proud to operate under an honor system. The faculty and students have jointly created an Honor Board to enforce this policy. In signing this statement a student is promising that their work complies fully with the authorized aid as defined by the professor. It is each professor's responsibility to state course penalties for academic honesty policy violations, and to define the level of authorized aid appropriate to the work in the course or to the particular assignment. However, the student is responsible to ask questions about any reasonable doubt they have regarding the professor's definition.

The proctoring of exams will be at the discretion of the instructor.

An integral part of the honor code is non-tolerance of violations. This non-tolerance policy recognizes that we are not only responsible for our own ethical conduct but are also members of a vital community with obligations to contribute to its ethical climate. Under this code students are not expected to police others' actions. Rather, students agree to report violations of which they become aware and failure to do so would constitute an honor code violation. Maliciously making a false accusation will be considered a violation of the honor code.

2.2.7 Accessibility Resources

Through information provided in syllabi, faculty members will notify students of the availability of accessibility services at Gustavus and how to access them. The following statement is recommended for inclusion on all syllabi:

Gustavus Adolphus College is committed to ensuring equitable and inclusive learning environments for all students. If you have a disability and anticipate or experience barriers to equal access, please speak with the accessibility resources staff about your needs. A disability may include mental health, attentional, learning, chronic health, sensory, physical, and/or short-term conditions. When appropriate, staff will guide students and professors in making accommodations to ensure equal access. Accommodations

cannot be made retroactively; therefore, to maximize your academic success at Gustavus, please contact them as early as possible. Accessibility resources staff are located in the Academic Support Center (<https://gustavus.edu/asc/accessibility/>) (x7227). Accessibility Resources Coordinator, Corrie Odland, (codland@gustavus.edu), can provide further information.

2.3 Miscellaneous Procedures

2.3.1 Admission to/Withdrawal from Class

2.3.1.1 Admission to Class

Students whose names do not appear on a class list kept by the Registrar are not officially registered for that course. Changes to the original course list are made only through the Office of the Registrar, and the Office of the Registrar will ensure that students and faculty have access to current course registration lists.

Starting with the second week, the student must obtain the written permission of the instructor of any course they add or drop. Starting with the third week, the student must obtain the signature of the instructor of any course from which they withdraw. Students enrolling in Independent Study courses must complete and submit to the Office of the Registrar an Independent Study Proposal Sheet during the first two weeks.

2.3.1.2 Withdrawal from Class

Withdrawal from a course may be done any time prior to the beginning of the third week of the fall and spring semesters and the fifth day of Summer Term without having that course participation recorded on the transcript. Withdrawals after this time will be recorded as a “W.” Withdrawal from a course is not possible after the 10th week of a full semester course, the fifth week of a half semester course, or the third week of a Summer Term course. Courses for which a student is registered after these times will receive final grades.

2.3.2 Office Hours

Each instructor should inform their students early in the semester concerning their availability for office conferences or consultations, whether they intend to reserve certain hours each week or be available for appointment.

2.3.3 Examinations

Faculty may request an optional 2-hour final exam time on Thursday or Friday of the 15th week of the semester. Faculty may choose to give a final exam during a regular class period, during the optional final exam periods, or not at all.

2.3.4 Advising

At Gustavus, the faculty advising model is designed to build meaningful relationships between students and faculty and to provide students with effective advice in course selection to prepare for post-graduate experiences (work and graduate school) while fulfilling graduation requirements within four years. A student's First Term Seminar professor serves as their academic advisor until they are ready to declare a major (generally in the third semester of enrollment). After a student declares a major, they are advised by a faculty member from the department or program. Faculty advisors play an important role in student retention.

Students must declare a major by the registration period in the spring of their 2nd year (in anticipation of coursework in fall of junior year).

Faculty advisors are supported in their work by the Academic Support Center, the First Term Seminar program, and the Registrar's Office, which provide training, reminders, and resources throughout the year.

The academic advisor, in addition to conferring with the student about academic, career, and life goals, is responsible for approving the student's course program prior to registration each semester. The advisor will encourage the student to enroll in courses satisfying the student's needs and interests, the objectives of the major field of concentration, and the general education requirements of the College.

All students should be advised early in their academic careers to consider post-graduate opportunities. Advisors are urged to encourage students considering graduate school to investigate the possibility of applying for national graduate fellowships such as Fulbright, Mellon, Rhodes, etc. Information concerning these fellowships may be obtained from the Gustavus Fellowships Office.

One day each semester is designated Advising Day. Classes are canceled on this day to allow for advising meetings and department/program events related to advising. All tenured, tenure-track, and continuing faculty are expected to be on campus during these days and available for individual advising meetings with students and/or advising related activities organized by departments and programs. Visiting faculty are welcome to participate.

2.3.5 Incomplete Grade

A grade of incomplete may be awarded at the discretion of the instructor, if requested by the student, under the following conditions: 1) the last day to withdraw has passed, 2) and unforeseen circumstances beyond the student's control (usually restricted to illness or family emergency) preclude completion of the remaining work for the course by the semester deadline. Note that poor planning or having a lot of work to complete at the end of the term are not, in fairness to other students, considered circumstances beyond a student's control. This additional time to complete coursework may not extend beyond the final day of the following semester, and earlier limits may be set at the discretion of the instructor.

The grade "I" for a particular student, along with an expiration date, is reported at the end of the term to the Office of the Registrar on a special form, which is signed by both the instructor and the department chair. A temporary grade will also be submitted, in the computation of which the instructor has considered work not completed as a zero or an F. If before the end of the expiration date, the instructor reports a final grade to the Registrar, that grade will be recorded and the grade point average will be computed accordingly. When the expiration date has passed without a grade being reported, the temporary grade will replace the "I" and become a permanent part of the transcript record.

2.3.6 Declaring a Major

All first-time college students at Gustavus Adolphus College enroll in the Bachelor of Arts program without a declared major, and they are advised in the first year by the instructor of their First Term Seminar or a faculty member teaching in Three Crowns Curriculum. Subsequent enrollment in a major is accomplished by completing a declaration of major form, normally by the end of the sophomore year, in consultation with a

major advisor. Students may select the major requirements of any academic catalog during the years of their institutional enrollment.

2.3.7 Student Evaluation of Teaching

Faculty will be responsible for evaluating the effectiveness of their teaching for each course, each semester.

2.3.8 Faculty Development: Research, Scholarship, and Creativity Grants

1. Purpose
 - a. These grants are restricted to the support of faculty development in the areas of research, scholarship and creativity.
 - b. Course improvement projects will not be considered. Expenses for such projects should be covered by departmental budgets or other sources.
 - c. All proposals should be aimed toward the production of some tangible result, e.g., the publication of an article, chapter, or book; or an exhibit of works of arts. Private, personal creativity projects will not be considered.
2. Eligibility
 - a. All full-time regular and special appointment faculty members of Gustavus Adolphus College (including those on sabbaticals and joint contracts) are eligible to make application to the fund.
 - b. Funds will be released only to faculty employed full-time (including those on sabbaticals and on joint contracts) during the grant period. Faculty work during the summer is eligible for funding.
 - c. Applications involving both faculty and students will be considered if submitted by a faculty member.
 - d. Applicants whose previous grant reports are past due will not be eligible to apply.
3. Limits of Funding
 1. The maximum grant amounts and rates for stipends and expenses for any single project will be determined and published by the committee.
 2. The maximum funding period will be June 1 to January 31, following the application deadline.
 3. Lower priority will be given to:
 1. Those who have received Research, Scholarship, and Creativity funding in the past two years;
 2. Those who are requesting money for extensions or continuations of projects previously funded from Research, Scholarship, and Creativity grants;
 3. Those who have not demonstrated completion of projects previously funded from Research, Scholarship, and Creativity grants.
 4. Any equipment and materials purchased with money from Research, Scholarship, and Creativity grants becomes the property of the College. Funding will not normally be granted for the purchase of computer equipment.
 5. Travel may be funded provided that it is absolutely necessary for the proposed research, and provided that it cannot be funded from any other College source.
 6. A stipend will normally be awarded to persons submitting successful summer proposals.

7. If a different source of funding clearly seems more appropriate for a given project, the Committee may recommend that the faculty member seek funding from that source.
 8. In accepting support from the Research, Scholarship, and Creativity Fund, the faculty member assumes the obligation of submitting a final report on their project to the Provost. Grant reports are due by May 31st of the year following the application deadline.
 9. Funds can only be used for the proposed project discussed in the Research, Scholarship, and Creativity grant application. Unspent funds will remain with the Research, Scholarship, and Creativity grants fund.
4. Submission of Applications: Current information on deadlines, format, and application procedures for Research, Scholarship, and Creativity grants are available on the John S. Kendall Center for Engaged Learning website.
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2.3.9 Faculty Development: Presidential Faculty/Student Collaboration and Publication Grants

1. Purpose: The purpose of this grant is to stimulate and support faculty/student collaborative activity and publication.
2. Eligibility:
 - a. All full-time regular and special appointment faculty members of Gustavus Adolphus College (including those on sabbaticals and joint contracts) are eligible to apply for the grant.
 - b. Fund will be released only to faculty employed full-time (including those on sabbaticals and on joint contracts) during the grant period. Faculty work during the summer is eligible for funding.
 - c. Applicants whose previous grant reports are past due will not be eligible to apply.
3. Limits of Funding:
 - a. Funding limits may vary from year to year. Current information on funding is available on the John S. Kendall Center for Engaged Learning website.
 - b. The maximum funding period will be June 1 to January 31, following the application deadline.
 - c. Lower priority will be given to:
 - 1 Those who have received Presidential Faculty/Student Collaboration Grants in the past three years;
 - 2 Those who have not demonstrated completion of projects previously funded by a Presidential Faculty/Student Collaboration Grant.
 - d. Any equipment and materials purchased with money from the Presidential Faculty-Student Collaboration Grant becomes the property of the College. Funding will not normally be granted for the purchase of computer equipment.
 - e. Travel may be funded provided that it is absolutely necessary for the proposed research, and provided that it cannot be funded from any other College source.
 - f. Grant monies may be used to support faculty summer stipends, summer compensation for students, student housing on campus, equipment, materials, transportation, and other approved project related expenses.
 - g. If a different source of funding clearly seems more appropriate for a given project, the Committee may recommend that the faculty member seek funding from that source.

- h. In accepting the Presidential Faculty/Student Collaboration Grant, the faculty member assumes the obligation of submitting a final report on their project to the Provost. Grant reports are due by May 31st of the year following the application deadline.
 - i. Funds can only be used for the proposed project discussed in the Grant application. Unspent funds will remain with the Presidential Faculty/Student Collaboration Grant fund.
 - 4. Submission of Applications: Current information on deadlines, format and application procedures for the Presidential Faculty/Student Collaboration and Publication Grants are available on the John S. Kendall Center for Engaged Learning website.
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2.3.10 Faculty Development: Sabbatical Leave

Policies and procedures for sabbatical leave application and criteria can be found in section 2.1.4.1.1 of this Handbook.

3.0 Amendments to the *Faculty Handbook*

Procedures for amending the *Faculty Handbook* are as follows:

3.1 Any proposed amendment to the *Faculty Handbook* is to be sent to the Faculty Senate for consideration and recommendation to the Faculty. All proposed amendments will be sent forward to the Faculty with the Senate's recommendation.

3.2 A proposed amendment must be sent forward in writing by the Senate to the Faculty with the Senate's recommendation at least seven days prior to the faculty meeting at which it is to be considered.

3.3 The written notice will indicate the date of the Faculty Meeting at which the proposal will be submitted. A simple majority vote of voting members present is required to adopt the proposed amendment.

Appendix A: Requirements and Criteria for General Education Courses

1. General Education Overview and Student Learning Outcomes

- a. General education is centered around exposing students to modes of intellectual and creative expression across disciplines, identities, and cultures while developing critical reading and writing skills.
- b. Every general education course contributes to the following four student learning outcomes for general education:
 - i. Students will be able to analyze enduring and contemporary questions or challenges from multiple disciplines, using qualitative and quantitative methods.
 - ii. Students will be able to use ethical, religious, or philosophical frameworks to evaluate their own and others' responses to enduring and contemporary challenges.
 - iii. Students will be able to examine issues of cultural difference both locally and globally.
 - iv. Students will be able to communicate effectively in written, spoken, and creative expression with a variety of audiences.
- c. General Education requirements include the following (a total of 10-12 courses):
 - i. Foundation and Integration: 2 Courses (1 FTS, 1 Challenge Seminar).

- ii. Liberal Arts Perspectives: 5 Courses (1 Arts, 1 Human Behavior and Social Institutions, 1 Humanities, 1 Natural Science, 1 Religious Studies and Philosophy).
- iii. Living in the World: 3-5 Courses (1 Quantitative and Analytical Reasoning, 1 U.S. Identities and Difference, 1 Global Affairs and Cultures, 0-2 Non-English Language—must have one college-level non-English language course and equivalency through the second semester).
- d. Courses only carry one general education designation. Courses carrying general education designations may also count toward majors and minors.
- e. All 100- and 200-level courses that do not carry a prerequisite receive a default general education designation as follows:
 - i. Arts = Courses in the Division of Fine Arts
 - ii. Human Behavior and Social Institutions=Courses in the Division of Social Sciences; Public Health Courses; Geography; Education; Health and Exercise Science; and Sport Management).
 - iii. Humanities = Courses in the Departments of English, and History; non-language courses in Greek, Latin, and Classical Studies, Modern Languages, and Literatures, and Swedish Studies; non-cross listed courses in African/African Diaspora Studies and Gender, Women, and Sexuality Studies.
 - iv. Natural Sciences = Courses Biology, Chemistry, Geology, and Physics; non-cross-listed Environmental Studies courses.
 - v. Religious Studies and Philosophy = Courses in the departments of Philosophy and Religion.
 - vi. Quantitative and Analytical Reasoning = Courses in the department of Mathematics, Computer Science, and Statistics.

Miscellaneous Policies:

1. A minimum of four credits, or three transfer credits, are required for students to fulfill a particular general education requirement.
2. Departments may apply through the course approval process for a 100- or 200-level course to carry a different default designation.
3. Departments may also apply through the course approval process for 100- or 200-level courses to carry a QUANT, USIDG, or GLAFC designation (with the proviso that a course can only carry one designation).
4. For courses carrying the NTSCI designation, which have both lecture and lab components normally taken concurrently, both course components will carry the designation, and a student must pass both the lecture and the lab components to fulfill the general education requirement.
5. For courses carrying the WRITD/WRITL designation, which have both lecture and lab components normally taken concurrently by students, both of those course components will carry the designation (e.g., CHE340 (lecture) and CHE341 (lab)), and a student must pass both course components to fulfill the WRIT requirement for the major.

2. General Education Requirements

- A. Foundations/Integration:** These courses provide students the opportunity to develop and practice key academic skills, habits, and aptitudes such as critical reading and thinking, process-based writing, reflection on values, and integration.

1. First-Term Seminar Program (FTS)
 - a) Program Description: First year Gustavus Adolphus College students enroll in a fall semester course designated FTS-100: First-Term Seminar (FTS). These small, discussion-based courses support students' transition to college by practicing skills and habits of mind central to the liberal arts while considering enduring and contemporary questions or challenges. Each FTS, with the help of a Peer Mentor, Academic Leader, and Teacher (Peer MALT), also increases students' understanding of the academic program and campus resources that support their academic journey. Consequently, the FTS professor serves as the academic advisor until students declare a major or are admitted into a certification program (e.g., Nursing). All FTS courses carry the Writing in the First Year (WRII) designation. A full list and description of FTS offerings is published for entering students before registration.
 - b) Academic Skills: FTS students learn how to engage in academic conversations by practicing how to analyze others' arguments and evidence, as well as their intended audience and purpose. They also express and share their perspectives with others by making choices that appropriately accommodate different purposes, contexts, and audiences. FTS courses teach students to make these rhetorical choices, enabling them to communicate clearly and effectively.
 - 1) Criteria: FTS courses will
 - i. Provide frequent opportunities to identify and analyze the purpose, audience, context, and meaning of a variety of texts.
 - ii. Provide frequent opportunities to identify arguments, assess evidence used to support arguments, and practice generating and supporting arguments.
 - iii. Provide frequent opportunities to use informal writing and discussion to engage unfamiliar concepts, explore ideas, ~~and~~ practice techniques for communicating effectively, and reflect on learning.
 - iv. Guide students through at least two short, formal argumentative writing assignments for specific audiences that utilize a process-based approach that provides opportunities for students to plan, draft, revise, and edit their work with instructor and peer feedback.
 - 2) SLOs: FTS students will
 - i. Consider purpose, audience, and context when writing.
 - ii. Make and support claims effectively in writing.
 - c) Advising Knowledge
 - 1) Gustavus students develop skills to become leaders in navigating their own college experience. FTS students begin this process with the help of their FTS professors who, in collaboration with Peer Mentors, Academic Leaders, and Teachers (Peer MALTs), work alongside students to plan their liberal arts education, explore campus resources, and help them think about possibilities for their college career and beyond.
 - 2) Criteria: FTS courses will
 - i. Introduce students to the process of academic planning, searching for classes, using the College's systems for registration and advising, and reading progress reports.

- ii. Introduce students to campus resources and out-of-classroom learning opportunities with the goal of engaging in a community of lifelong learners.
- iii. Encourage students to advocate for themselves, take ownership for their learning, become responsible and accountable as independent learners, and ultimately become their own best advisors.

- 3) SLO: FTS students will
 - i. demonstrate familiarity with the College curriculum and campus resources related to navigating College successfully.

2. Challenge Seminars (CHAL)

- a) Description: The Challenge Seminar, normally taken in the second or third year of study, bookends the First Term Seminar by providing students an opportunity to collaboratively examine and propose responses to enduring and contemporary questions or challenges from an interdisciplinary perspective. Students will also have an opportunity to engage in reflection about how the college's mission and their education as a whole has influenced their personal values, plans for life after college, and the role they see for themselves in the world. Like the First Term Seminar, these courses will explore how values relate to a complex challenge and engage students in critical thinking, writing, speaking, and reflection.
- b) Criteria: Challenge Seminar courses will
 - (1) Involve students in exploring a particular challenge or a pressing ethical question engaging sources from multiple disciplines and perspectives.
 - (2) Devote significant time to working together to propose solutions to a problem or create something with an audience in mind.
 - (3) Practice communicating for multiple audiences.
 - (4) Students will practice revising and rethinking their ideas, writing, and/or arguments based on feedback from others.
 - (5) Provide students with opportunities to reflect on how the college's mission and their education as a whole has influenced their personal values, plans for life after college, and the role they see for themselves in the world.
- c) SLOs: Challenge Seminar students will
 - (1) Collaboratively analyze and respond to a significant enduring question or contemporary challenge, incorporating perspectives from multiple disciplines.
 - (2) Examine how issues of cultural difference, both globally and locally, intersect with this challenge.
 - (3) Use multiple types of communication (e.g., multiple genres; visual and written communication; oral and written communication etc.) to craft arguments that make and support claims successfully for multiple audiences and contexts.

- (4) Reflect on how the college's mission and their education as a whole has influenced their personal values, plans for life after college, and the role they see for themselves in the world.

B. Liberal Arts Perspectives

1. Overview: Liberal Arts Perspectives courses introduce students to the method(s) of a discipline and to strategies for critical reading in the dominant genre(s) of the discipline. LAP courses also give students opportunities to use their own language to describe and analyze key concepts or course materials, and write to explore ideas, assimilate new knowledge, and reflect on the purpose of their learning (Writing to Learn).
2. Arts (ARTSC)
 - a) Description: Artistic disciplines engage in creative and critical processes through which human culture and experience is represented, reinforced, and/or critiqued. The arts expand our capacity for imaginative, interpretive and empathetic engagement in society, and develop the innovative thinking essential for addressing the challenges of our time. In Arts courses, students will participate in intellectual, embodied and practical experiences that open new paths to understanding and interpreting themselves and the world. Students may take a single four credit course to satisfy this requirement or accumulate credits equal to four credits through participation in musical ensembles and lessons.
 - b) Criteria: Arts courses will
 - (1) Promote an understanding of the interaction among the arts, culture, society, artist, and audience.
 - (2) Provide opportunity for students to engage in, and develop an understanding of, the creative process.
 - (3) Help students develop analytical, interpretive, or evaluative skills appropriate to the study, performance, and/or creation of at least one of the visual and performing arts.
 - (4) Introduce students to how to read in the dominant genre(s) of the discipline.
 - (5) Give students opportunities to use their own language to describe and analyze key concepts or course materials, and write to explore ideas, assimilate new knowledge, and reflect on the purpose of their learning.
 - c) SLOs: Arts students will
 - (1) Identify the tools or methods used in an artistic discipline to analyze enduring and contemporary questions or challenges.
 - (2) Describe appropriate tactics and strategies to comprehend or decode texts or artifacts in the dominant genre of the discipline.
3. Human Behavior and Social Institutions (HBSI)

- a) Description: The social sciences rely on empirical data (quantitative and qualitative) to generate and answer questions, such as: Why do humans behave and think as they do? How do social institutions form and function? How do humans and institutions interact? Courses in Human Behavior and Social Institutions explore how social scientists develop theories that contribute to an understanding of individual and group behavior in various contexts. In Human Behavior and Social Institutions courses, students will learn about and critique both human behavior and social institutions and the methods for studying them.
- b) Criteria: Human Behavior and Social Institutions courses will
 - (1) Introduce theories and principles that emerge from empirical research to explain human behavior and social institutions.
 - (2) Introduce qualitative and quantitative methods of collecting, evaluating, and presenting information pertaining to human behavior and social institutions.
 - (3) Address the context and stages of development for a particular social and behavioral science or interdisciplinary social scientific field of study with attention to the social and ethical issues that have arisen within that development.
 - (4) Introduce students to how to read in the dominant genre(s) of the discipline.
 - (5) Give students opportunities to use their own language to describe and analyze key concepts or course materials, and write to explore ideas, assimilate new knowledge, and reflect on the purpose of their learning.
- c) SLOs: Human Behavior and Social Institutions students will
 - (1) Identify the tools or methods used in a social science discipline to analyze enduring and contemporary questions or challenges.
 - (2) Describe appropriate tactics and strategies to comprehend or decode texts or artifacts in the dominant genre of the discipline.

4. Humanities (HUMN)

- a) Description: The humanities examine the question of what it means to be human through the study of literary expression, history, language, and rhetoric. They equip us to understand and evaluate human thought, culture, and history and the ways in which human beings construct meaning from experience. In Humanities courses, students will reflect on what makes a purposeful life through studying literature, history, culture, and rhetoric.
- b) Criteria: Humanities courses will
 - (1) Provide students with a framework for understanding and appreciating diverse modes of human experience and expression in their historical, intellectual, and/or cultural contexts.

- (2) Prepare students to critically analyze how humans construct meaning from human experience in particular historical, intellectual, and/or cultural contexts.
 - (3) Provide students with models for investigating broader questions about the ways in which human beings construct meaning and values in human experience.
 - (4) Introduce students to how to read in the dominant genre(s) of the discipline.
 - (5) Give students opportunities to use their own language to describe and analyze key concepts or course materials, and write to explore ideas, assimilate new knowledge, and reflect on the purpose of their learning.
- c) SLOs: Humanities students will
- (1) Identify the tools or methods used in a humanities discipline to analyze enduring and contemporary questions or challenges.
 - (2) Describe appropriate tactics and strategies to comprehend or decode texts or artifacts in the dominant genre of the discipline.

5. Natural Science (NTSCI)

- a) Description: Science is the concerted human effort to pursue better explanations about the natural world based on systematic evaluation of physical evidence. This process of discovery allows us to link isolated facts into a coherent and comprehensive web of knowledge. In Natural Science courses, students will examine scientific questions with a variety of methods and tools, including hands-on work in a laboratory setting and the communication of findings.
- b) Criteria: Natural Science courses will
- (1) Introduce students to the scientific method.
 - (2) Provide opportunities for students to participate in discovery through laboratory or field experiences.
 - (3) Include examples of historical, philosophical, or societal development of the discipline and the application of science to enduring and contemporary questions.
 - (4) Introduce students to how to read in the dominant genre(s) of the discipline.
 - (5) Give students opportunities to use their own language to describe and analyze key concepts or course materials, and write to explore ideas, assimilate new knowledge, and reflect on the purpose of their learning.
- c) SLOs: Natural Science students will
- (1) Identify the tools or methods used in a natural science discipline to analyze enduring and contemporary questions or challenges.
 - (2) Describe appropriate tactics and strategies to comprehend or decode texts or artifacts in the dominant genre of the discipline.

6. Religious Studies and Philosophy (RSAP)

- a) Description: In religion, theology, philosophy, and ethics, people ask questions such as how should we live? On what grounds? What enables us to live that way? These disciplines consider the grounds of beliefs and practices and how beliefs, texts, practices, and ethics relate to each other and to their cultural contexts. In Religious Studies and Philosophy courses, students will gain knowledge and skills necessary to critically analyze beliefs, and practices and to navigate a world of diverse religion, theological, philosophical, and ethical commitments.
- b) Criteria: Religious Studies and Philosophy courses will:
 - (1) Develop awareness of differing religious, theological, philosophical, or ethical traditions by comparing the beliefs, texts, or practices of least two religious, theological, philosophical, or ethical traditions and/or exploring the relationship between at least two religious, theological, philosophical, or ethical traditions.
 - (2) Encourage students to understand traditions, beliefs, texts, and practices as appropriate objects of academic study by critically analyzing and evaluating religious, theological, philosophical, and/or ethical claims.
 - (3) Enable students to understand the culturally and historically embedded nature of beliefs, practices, texts, and traditions, specifically by addressing how they have affected or been affected by social and cultural contexts, historical or contemporary.
 - (4) Introduce students to how to read in the dominant genre(s) of the discipline.
 - (5) Give students opportunities to use their own language to describe and analyze key concepts or course materials, and write to explore ideas, assimilate new knowledge, and reflect on the purpose of their learning.
- c) SLOs: Religious Studies and Philosophy students will
 - (1) Identify the tools or methods used in religion, theology, philosophy, or ethics to analyze enduring and contemporary questions or challenges.
 - (2) Describe appropriate tactics and strategies to comprehend or decode texts or artifacts in the dominant genre of the discipline.

C. Living in the World

- 1. Overview: Living in the World courses are a combination of 100- and 200-level courses that expose students to modes of intellectual and creative expression across disciplines, identities, and cultures and build skills essential for living and working in a diverse and complex world.
- 2. Quantitative Reasoning (QUANT)

- a) Description: Quantitative and analytical reasoning courses focus on understanding and evaluating quantitative or logical (specifically referring to symbolic or predictive logic) assertions, as well as conducting and communicating quantitative or logical analysis. These courses prepare students to read, analyze, and critique mathematical, logical, statistical, and/or algorithmic analyses and increase their understanding of how such methods are properly used. QUANT courses prepare students to understand and apply mathematical, logical, statistical, and/or algorithmic methods in a discipline-specific context or in the context of the data literacy necessary for professional and/or civic life.
 - b) Criteria: QUANT courses will
 - (1) Engage students in practicing and refining their quantitative skills with feedback from the instructor.
 - (2) Practice executing and using mathematical, logical, statistical, and/or algorithmic analysis to make decisions and/or solve problems, including through examination of assumptions, data quality, and methodology.
 - (3) Provide multiple opportunities to critique quantitative or logical assertions made in a variety of sources (e.g., existing logical or mathematical proofs, peer-reviewed academic literature, assertions made in public media) using mathematical, logical, statistical, and/or algorithmic reasoning.
 - c) SLOs: QUANT students will
 - (1) Critique quantitative or logical assertions using mathematical, logical, statistical, and/or algorithmic reasoning.
 - (2) Use mathematical, logical, statistical, and/or algorithmic analysis to make decisions and/or solve problems, including through examination of assumptions and utilization of proper methods.
 - (3) Compare how different sources use mathematical, logical, statistical, and/or algorithmic reasoning.
3. U.S. Identities and Difference (USIDG)
- a) Description: U.S. Identities and Difference courses explore intersectional identity formation in the U.S. by studying one or more non-majority racial and/or ethnic groups alongside at least one other identity category. In these courses, students examine separate and intersectional identity constructions in context. U.S. Identities and Difference courses provide opportunities for students to reflect on the varied ways in which difference and identity impact policies, institutions, and/or communities in the U.S. and abroad.
 - b) Criteria: U.S. Identities and Difference courses will
 - (1) Explore the ways that race and/or ethnicity have shaped U.S. identities and impacted policies, institutions, or communities within particular contexts.

- (2) Examine the intersectionality between race and/or ethnicity and at least one other category of identity in order to highlight the structures of power in which they operate.
 - (3) Introduce different forms of information, including, as much as possible, primary and secondary sources from the non-majority groups included in the course, and analyze the arguments that such information supports.
 - c) SLOs: U.S. Identities and Difference students will
 - (1) Describe the experiences of one or more non-majority ethnic or racial groups in the U.S. with attention to how intersectionality with at least one other category of difference has shaped that experience.
 - (2) Analyze the vital connections among identity, privilege, and power in the United States at the personal and institutional levels.
 - (3) Evaluate the arguments that different forms of information support.
- 4. Global Affairs and Cultures (GLAFC)
 - a) Description: Global affairs and cultures courses focus on topic(s) of global reach in relation to human populations. These courses examine those topics in the context of social, economic, cultural, political, or ecological environments, considering global interactions and interconnections (manifested locally, nationally, regionally, or across the entire planet). In order to prioritize diverse voices, GLAFC must include, as much as possible, primary and secondary sources originating from the cultures included in the course.
 - b) Criteria: Global Affairs and Cultures courses will
 - (1) Focus on topics of global reach, past and/or contemporary.
 - (2) Place the topic(s) in a global context and in relation to human populations. “Global” here is not a geographical marker but signifies interconnections across familiar social, economic, cultural, political or ecological boundaries.
 - (3) Introduce different forms of information, including, as much as possible, primary and secondary sources from the cultures included in the course, and analyze the arguments that such information supports.
 - c) SLOs: Global Affairs and Cultures students will
 - (1) Describe how a topic of global reach affects human populations.
 - (2) Compare multiple perspectives on the topic being studied.
 - (3) Evaluate the arguments that different forms of information support.
- 5. Non-English Language Courses

- a) Description: Non-English Language courses emphasize the essential role that language study plays in acquiring intercultural knowledge and participating successfully in global cultures. In these courses, students study both the target language and the relevant cultures. Non-English Language Courses prepare to operate between languages and cultures and to under the challenges, past and contemporary, from diverse cultural perspectives.
 - b) Criteria: Non-English Language courses do not carry a separate designation. They are courses taught under a non-English language prefix (except in cases where the relevant department has excluded that class from this requirement because it is taught in English).
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Appendix B: Writing Across the Curriculum (WAC)

A. Program Description

The Gustavus Adolphus College writing requirement promotes writing as a creative and critical process and a lifelong skill that enables learning, reflection, and communication. Good writers can accommodate different purposes, contexts, and audiences. Through its Writing Across the Curriculum Program, Gustavus helps students develop this rhetorical competency, as writers learn to make their cases in the most effective ways possible. In short, WAC enables fuller academic and civic participation.

Writing Across the Curriculum outcomes are embedded within the general education curriculum rather than as standalone requirements (FIS, Liberal Arts Perspectives courses, USIDG, GLAFC, QUANT, and the Challenge Seminar). In addition, all majors include a required course focused on writing. In the course of fulfilling their general education and major requirements, students will use writing to learn unfamiliar concepts and to express themselves; to analyze and evaluate multiple sources of information; to make and support claims; to communicate new knowledge to others; and to reflect on their learning, and to draft, revise, and edit work with feedback from others.

Students may also pursue a Writing Digital Credential. To receive the digital credential, students must take 16 credits of WRIT-L and/or WRIT-D courses at the 200- or 300-level.

B. Writing and Information Literacy (WRIT-L)

1. Description: Writing and Information Literacy (WRIT-L) courses require students to investigate and evaluate different forms of information (print journalism, digital forms, visual media, etc.). Students then use such information to create arguments for general audiences. Students draft, revise, and edit multiple short pieces of writing with peer and instructor feedback. Courses offered at the 200- and 300-level may carry WRIT-L designation. Because WRIT-L courses require revision and feedback cycles, enrollments should be limited to 20 or fewer students.
2. Criteria: WRIT-L courses will:
 - a) Provide opportunities for students to use informal writing to explore ideas and reflect on their learning frequently, using their own words to describe key concepts, respond to readings, record observations, or organize their understanding of material.

- b) Provide some class time for students to investigate how writers use different forms of information (e.g., news reporting, opinion, satire, advertising, scholarly research, social media) as they make and support claims in multiple contexts.
 - c) Help students develop rhetorical flexibility by writing at least two forms of expression for different audiences.
 - d) Require students to draft, revise and edit at least two short pieces of writing with peer and instructor feedback.
3. Outcomes: WRIT-L students will:
- a) Encounter and distinguish various forms of communication (e.g., journal article, podcast, documentary, etc.), analyze the arguments those texts construct, and engage the texts through informal and formal writing.
 - b) Use multiple types of communication (e.g., multiple genres; visual and written communication; oral and written communication etc.) to craft arguments that make and support claims successfully for multiple audiences and contexts.
 - c) Draft, revise, and edit work with feedback from others.

C. Writing in the Disciplines (WRIT-D)

1. Description: Writing in the Disciplines (WRIT-D) courses use writing to communicate disciplinary knowledge. WRIT-D courses help students develop writing strategies to explore and pursue new ideas or research questions and produce discipline-specific forms. Courses designated WRIT-D require students to draft, revise, and edit their work with peer and instructor feedback. Courses offered at 200- and 300-level may carry WRIT-D designation. Because WRIT-D courses require revision and feedback cycles, enrollments should be limited to 20 or fewer students.
2. Criteria: WRIT-D courses will:
 - a. Require students to find or generate at least some of the texts, data, artifacts, artworks, etc. that will be source material for their writing.
 - b. Teach students to evaluate and incorporate information or source material into a project, as appropriate to the discipline, and use that material to make and support claims.
 - c. Require students to draft, revise, and edit at least one major writing assignment or a series of shorter writing assignments with instructor and peer feedback.
 - d. Provide some class time for students to discuss and practice stages of the writing process.
3. SLOs: WRIT-D students will:
 - a. Create texts that meet the needs of specific purposes, audiences, and contexts within the discipline and exemplify the structures, genres, and conventions of communication within the discipline.
 - b. Critically evaluate information in order to write arguments that communicate effectively with specific audiences.
 - c. Draft, revise, and edit work with feedback from others.

Appendix C: Summer Terms

1. Terms:
 - a. Summer term A begins the Monday after Commencement (generally, the first week in May).
 - b. Summer term B begins one week after summer term A ends.
 - i. Summer term A and B will be 19-20 days in length with a minimum of 15 hours of in-class instruction per week.
 - c. Summer term C, D, and E are the 8 week and 12-week versions of the above, along with the term that begins in July for the Master-Athletic Training students.
 2. Registration and Grades
 - a. Summer courses may count towards course credit and graduation requirements.
 - b. Students may register for summer term independent of the calculation of academic standing.
 - c. Summer term grades will be due five business days after summer term ends.
 - d. Students will pay for summer term if they are enrolled in courses for credit.
 - e. Students may register for a zero credit Signature Experience that is Internship, Study Away or research based. Students registering for zero credit experiences during the summer may be assessed an administrative fee.
 3. Format: Most courses in the summer term will be online. Exceptions will include on-campus signature experiences, Master of Athletic Training on-campus courses, and courses approved by the provost.
-

Appendix D: Interdisciplinary Studies

General Criteria:

Interdisciplinary study at Gustavus is designed to nurture a holistic approach to the study of topics of concern to more than one of our traditional academic disciplines. This may involve interdisciplinary programs and/or interdisciplinary courses. Interdisciplinary courses or programs are particularly well suited to address issues or questions that are considered too broad to be adequately considered within the boundaries of a single, traditional academic discipline. Because the Gustavus Adolphus College mission statement speaks to a curriculum designed with an interdisciplinary perspective and which balances tradition with pedagogical innovation, faculty members are encouraged to draw linkages beyond their disciplines and to contribute to interdisciplinary programs and/or develop interdisciplinary courses. Faculty members are further encouraged to consider interdisciplinary course innovations that involve experiential learning, international study, service-learning, and undergraduate research.

Interdisciplinary Programs with approved majors and/or minors are:

1. African / Africana Diaspora Studies
2. Arts Entrepreneurship
3. Biochemistry and Molecular Biology
4. Comparative Literature
5. Eastern European and Eurasian Studies
6. Film and Media Studies
7. Gender, Women, and Sexuality Studies
8. Japanese Studies
9. Latin American, Latinx, and Caribbean Studies
10. Peace, Justice, and Conflict Studies

11. Public Health
12. Sport Management

Specific Criteria for Interdisciplinary Courses (listed in the *Academic Bulletin* as “IDS”):

Individual courses may be approved for interdisciplinary studies if they meet the following criteria:

1. The course proposal clearly demonstrates that interdisciplinary study is an intentional goal of the course.
 2. Readings and other assignments require the students to reflect upon and integrate more than one disciplinary approach to a specific topic.
-

Appendix E: Signature Experience Graduation Requirement

Gustavus students must complete one Signature Experience as part of graduation requirements. The Signature Experience graduation requirement bridges the gap between academic knowledge and practical application of that knowledge in outward facing contexts, and prepares students to connect the value of justice, developed on campus, to their life beyond Gustavus by preparing them to be thoughtful and ethical leaders in the workplace, in their communities, and in the world through a meaningful learning experience.

Students have four options for completing this requirement and, with the guidance of an advisor, are encouraged to pursue the option that is most appropriate given their individual vocational goals and interests. Students may complete more than one Signature Experience. Students must have successfully completed a minimum of 32 credits before enrolling in a Signature Experience. Students prepare for their Signature Experience either through a preparatory workshop taken before the experience or preparation embedded in the experience itself. After completing the experience, students receive a digital credential related to the experience that will appear on the student’s comprehensive learner record and can be shared on social media and resumes.

Program SLOs

1. Students will articulate how justice-related values (e.g., values related to the questions of how others should be treated, what people owe to each other, and what systems would make those things possible) shape their perspective, approach to, and experience in outward facing contexts (such as the workplace and local and global communities).

Program Criteria

2. Signature Experiences bridge the gap between academic knowledge and practical application by immersing students in outward facing contexts.
3. Signature Experiences address one or more issues of justice through either the associated preparatory workshop or the experience itself.
4. Content and student work includes opportunities for professional development and/or vocational reflection.

Pathways

1. Internships: Students participating in an internship (on or off campus) complete a 3-hour preparatory workshop, register for the course, meet weekly with the internship cohort (facilitated by a faculty member), and complete the internship itself. (0-16 CU total toward graduation)

2. Study Away: Students participating in Study Away complete a 3-hour pre-study away preparatory workshop and either an approved full semester or summer term study away opportunity. (0-16 CU per study away experience)
3. Student-Faculty Research and Creativity Collaboration: Students participating in student-faculty collaboration research complete a 3-hour pre-research experience preparatory workshop and meet weekly with the research cohort, both facilitated by the Director of Undergraduate Research, and work collaboratively with a faculty member. (0-16 CU)
4. Course-Based Signature Experiences/Practicum: Students participating in a course-based Signature Experience register for the course, and components related to the theme of justice are embedded within the course. 'External constituents' need not be human.

Appendix F: Majors

1. All non-accredited majors are capped at 48 credit hours inclusive of all prerequisites and cognate courses with three exceptions related to reasonable, assumed College-preparation. Majors do not need to count in their 48 credits:
 - a. MCS 118/119 or 121 (Calculus) or 142 (Statistics).
 - b. The first two semesters of non-English languages commonly offered in high schools, specifically Spanish 101 and 102 and French 101 and 102 (non-Spanish and non-French languages should count 101 and 102 in their major.)
 - c. Two-course sequence options that provide the same content coverage as a regularly offered one-semester course in cases where the one-semester course is the option designed for the majority of Gustavus students (e.g., CHE 106/108 and CHE 107).
2. The 48-credit cap includes the first 4 credits of labs, music ensembles, dance practicums, and theater productions. Additional repeatable courses including labs, music ensembles, dance practicums, theater productions, and chemistry lecture seminar are exempt from the cap.
3. All majors must require students to take at least four credits of writing courses in the major (WRIT-L or WRIT-D).
4. Minors will be capped at 24 credit hours, inclusive of prerequisites and cognates, with three exceptions related to reasonable assumed-College preparation. Minors do not need to count in their 24 credits:
 - a. MCS 121 (Calculus) or 142 (Statistics).
 - b. The first two semesters of non-English languages commonly offered in high schools, specifically Spanish 101 and 102 and French 101 and 102 (Non-Spanish and non-French languages should count 101 and 102 in their minor).
 - c. The first two credits of labs, music ensembles, dance practicums, and theater productions.
 - d. Two-course sequence options that provide the same content coverage as a regularly offered one-semester course in cases where the one-semester course is the option designed for the majority of Gustavus students (e.g. CHE 105/106 and CHE 107/108 = CHE 110/111).

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1.1.0 Faculty Status and Rank

There are six faculty statuses: tenured, tenure-track, fixed-term, renewable, part-time, and distinguished endowed chair described below. This section also addresses the appointment of faculty to administrative appointments, and administrators to faculty status.

1.1.1 Faculty Members with Tenured Status

Tenured faculty members shall hold one of the following ranks: professor, associate professor, assistant professor, or instructor. Their teaching assignments normally consist of six courses or the equivalent during an academic year. Teaching assignments for ranked librarians include reference, instruction, collection development, and the shared management of the library. Such faculty members with tenured appointments may also be assigned responsibilities in connection with advising, directing, and supervising independent studies and serving on department, faculty, or college committees or other special assignments.

1.1.2 Faculty Members with Tenure-Track Status

Tenure-track faculty members are probationary faculty who are on the “tenure-track.” Appointments are issued on a year-to-year basis during the probationary period. Faculty members with tenure-track appointments are associate professors, assistant professors, and instructors who are eligible for tenure. Their teaching assignments normally consist of six courses or the equivalent during an academic year. Teaching assignments for ranked librarians include reference, instruction, collection development, and the shared management of the library. Such faculty members with tenure-track appointments may also be assigned responsibilities in connection with advising, directing, and supervising independent studies and serving on department, faculty, or college committees or other special assignments. Provisions for notice apply per *Faculty Manual* Section 2.6.0.

1.1.3 Faculty Members with Fixed-Term Status

Fixed-term status faculty are full-time (i.e., have a teaching or equivalent assignment of four or more courses for the academic year OR three courses in one semester), appointed with a fixed ending date, and are not eligible for tenure. Although fixed-term appointments may be re-issued, appointments are issued from year to year and there is no obligation or implied presumption of renewal. A faculty member would generally hold fixed-term status for no more than six consecutive years; these positions are intended to address a short-term need. Teaching and/or other assignments, rank, if appropriate, and provisions regarding notice of renewal or termination will be specified at the time of appointment. Persons with fixed-term status are permitted but are not expected to accept committee or other assignments unless specifically designated to do so in their position description. Provisions for notice do not apply.

1.1.4 Faculty Members with Renewable Status

Renewable status faculty are full-time (i.e., have a teaching or equivalent assignment of four or more courses for the academic year OR three courses in one semester), appointed with a renewable term, but are not eligible for tenure. Although renewable appointments may be continued, appointments are issued from year to year and there is no obligation or implied presumption of renewal; these positions are generally intended to

address long-term needs of the College. Teaching and/or other assignments, rank, if appropriate, and provisions regarding notice of renewal or termination will be specified at the time of appointment. Persons with renewable status are permitted but are not expected to accept committee or other assignments unless specifically designated to do so in their position description. Provisions for notice apply per *Faculty Manual* Section 2.6.0.

1.1.5 Faculty Members with Part-Time Status

Part-time status faculty have a teaching or equivalent assignment fewer than four courses for the academic year; part-time faculty members are compensated on a per-course basis (see *Faculty Manual*, Appendix B for the per course rate) and are not eligible for tenure. Although part-time appointments may be re-issued, appointments are issued from year to year and there is no obligation or implied presumption of renewal. Part-time faculty members are permitted but not expected to accept committee or other assignments. Provisions for notice do not apply.

1.1.6 Faculty Members with Distinguished Endowed Chair Status

General Parameters: Distinguished Endowed Chair positions are funded by a substantial endowment, and the faculty members holding these appointments will be recognized scholars, champions of the liberal arts, and intellectual leaders in their fields. They will normally teach two to four courses per year, devoting significant time and effort to such work as writing, publishing, performing, initiating/running symposia, and other intra- and extra-mural activities appropriate to the focus of their Chair and at a scale that is greater than the expectations of a “regular appointment” faculty member. If coming to Gustavus from a tenured position elsewhere, the Distinguished Endowed Chair may be appointed with continuous tenure, following approval by the relevant academic department(s), the Faculty Senate, Provost, President, and the Board of Trustees.

1.1.6.1 Development of a Common Vision

As early as possible in the discussion of a new Distinguished Endowed Chair position, the Provost will be briefed by the President or Advancement representative most familiar with donor intent and then will work with an appropriate academic department or program to clarify its desires on teaching and departmental/programmatic responsibilities, and the President to clarify administrative vision on intra- or extra-mural activities beyond the home department. Every Distinguished Endowed Chair position is unique and will be a highly visible position of the College. The Provost shall craft a written statement of common vision agreed upon by the department, the Provost, and the President, which shall then be shared with the Advancement Office. This document will serve (a) to facilitate sharing College intentions with the donor(s) and broadly codifying these intentions in final documentation of the gift, and (b) to guide the work of the search committee and others involved in the search process. If the common vision is inconsistent with the donor intent, the common vision will be revisited by the Provost, President, and academic department until resolution is achieved. The common vision statement may be updated/revised in the context of searches for a new holder of an already existing Distinguished Endowed Chair.

1.1.6.2 Standard Process for Conducting the Search

The search committee for a Distinguished Endowed Chair will normally be chaired by an Associate Provost and will include program/department faculty members, a liberal arts search representation. One additional designee may be made by each of the President and Provost. The search process will be codified by the common vision statement, illustrate best practices in conducting searches and follow tenets of the Administrative Guidelines for Academic Departments Chairs for tenure-track searches. Regardless of its size, a majority of the members of the search committee shall be faculty members. The selection of finalists will be

vested within the search committee, with a process that recognizes the expertise of faculty in judging the academic credentials of candidates and of other search committee members in their areas of competence. The search committee shall select finalists whose qualifications are consistent with the agreed-upon common vision document.

The search committee will recommend one to three finalists to the President and Provost with a written rationale for each candidate. All of the recommended finalists will have appropriately satisfied the criteria articulated in the agreed-upon vision statement. The President, in consultation with the Provost, will rank the top candidates with written rationale, considering the information provided by the search committee and review candidate materials and the common vision statement. The President's ranking and rationale will be shared with the search committee. If the search committee agrees with the President's rankings, then the Provost will make the offer to the top candidate and handle details of contract negotiation, letter of appointment, and public announcement. If the rankings of the President and search committee are not in agreement, then the President, Provost, and the search committee will meet to resolve the inconsistencies and come to consensus. If consensus and resolution are not achieved at that meeting, then the search will be terminated and the process re-initiated as outlined above. In no case will the President or the Provost unilaterally appoint a Distinguished Endowed Chair.

1.1.6.3 Alternative Process for Conducting the Search

In recognition of the uniqueness of each Distinguished Endowed Chair position, before beginning a search, the President, the Provost, the Chair of the Department that will house the Distinguished Endowed Chair, and the Faculty Senate Chair will consult regarding whether the standard process set out in 1.1.3.2 is appropriate as written or whether instead to propose a revised or alternative process. If all agree that 1.1.3.2 is appropriate as written, the search will proceed under the standard process. If the alternative process is selected, the President, the Provost, the Chair of the Department that will house the Distinguished Endowed Chair, and the Faculty Senate Chair will write a rationale statement that details the need for an alternative process and the details of the alternative search process that will be sent for consideration to the Faculty Senate. If the Faculty Senate agrees that the alternative search process is appropriate, then the process will be formally documented within the Provost's Office and the search will commence. If modifications to the alternative search process are necessary, the President, the Provost, the Chair of the Department that will house the Distinguished Endowed Chair, and the Faculty Senate Chair will work with the Faculty Senate until resolution is achieved.

1.1.6.4 Interim Distinguished Endowed Chair Position

In the event that a Distinguished Endowed Chair position is vacated, an interim candidate may be selected to fill that role for up to two years. The interim candidate will be selected based on consistency with the common vision, and codified by the President, Provost, and department. In no case will the President or the Provost unilaterally appoint an Interim Distinguished Endowed Chair.

1.1.7 Faculty/Administration Appointments

1.1.7.1 Appointment of Faculty to Administrative Positions

A faculty member may be appointed to a full-time, fixed-term administrative position for up to three years. If a faculty member on a probationary appointment accepts such an administrative appointment, the time spent in such assignment may be counted toward fulfilling the probationary period prior to tenure. Terms and conditions of such appointment will be stated in writing at the time of appointment. The academic department(s) concerned will normally be permitted to search for a full-time fixed-term appointment faculty member to replace their colleague during this fixed-term administrative appointment.

A faculty member who accepts a full-time administrative appointment beyond three years retains rank and tenure status. At the time this appointment is accepted, the academic department(s) will normally be permitted to search for a tenure-track faculty replacement. Administrators holding tenured faculty status will have the option of assuming a regular faculty appointment upon leaving the administration. Should they do so, their appointment normally will constitute an additional faculty position in that department.

1.1.7.2 Appointment of Administrators to Faculty

The President, the Provost, or other senior administrators who hold a terminal degree may be offered faculty status or tenured faculty status. Faculty status may be offered following approval by the designated academic department and the Faculty Senate. If coming to Gustavus from a tenured position, tenured faculty status may be offered following approval by the academic department, the Faculty Senate, and the Board of Trustees. Administrators holding tenured faculty status will have the option of assuming a regular faculty appointment upon leaving the administration. Should they do so, their appointment normally will constitute an additional faculty position in that department.

1.1.7.3 Part-time Appointment of Administrators to Faculty

Administrators may be appointed as faculty to teach courses in J-Term or during the semester with the approval of the Provost and the appropriate academic department. When serving as faculty, administrators have all the rights and privileges of part-time faculty.

1.2.0 Types of Appointment

1.2.1 Regular Appointment

Regular faculty members are either tenured or tenure-track. Upon appointment, regular faculty members receive a 9-month contract (probationary) or letter of appointment (tenure-track) that aligns with the two-semester academic year, unless an agreement has been made for an appointment of different length (e.g., 12 months, one semester, etc.) However, in order to provide faculty the protection of the College's statutory and discretionary benefits programs, all continuing regular appointment faculty are considered to be College employees for the 12-month period from the start of one Fall Semester (or the start of their appointment, if later occurring) to the start of the following Fall Semester without a break in service. The contract length for a regular appointment faculty member shall not be reduced without agreement of the faculty member except on the basis of a programmatic change/financial exigency, as outlined by section 2.6.2.2 of this *Faculty Manual*, or dismissal for adequate cause, as outlined in section 2.6.2.4 of the *Faculty Manual*.

Faculty who hold tenured or tenure-track faculty appointments and 9-month appointments should have the opportunity to pursue other activities, including scholarship, free from teaching and faculty service responsibilities during the 3-month period that is traditionally "summer". Thus typically, a faculty member with a 9-month academic year appointment is assigned teaching and faculty service duties only during the period of the 9-month appointment, as part of their regular responsibilities. A faculty member may choose to complete their annual teaching or service responsibilities during a summer term or a faculty member may agree to accept additional duties (teaching or service) during the summer for additional pay, all as agreed upon with the Office of the Provost.

1.2.1.1 Joint Appointment

A joint appointment divides between two regular faculty members the rights and responsibilities equivalent to one full-time position, and may be negotiated after consultation with the department or departments involved. Each faculty member sharing a joint appointment is eligible individually for promotion and tenure in accordance with the regular criteria and procedures. A provision may be included in the initial contract that

if one member of a joint appointment ceases for any reason to be a member of the faculty, the remaining member may assume the responsibilities of one position at the rank and tenure status of the remaining member. If that provision is not included in the initial contract, the remaining member retains tenure, if tenured, and may negotiate a full-time position by mutual agreement among the remaining member, the department, and the Provost. For joint appointments, teaching responsibilities and benefits are specified at the time of hire.

1.2.1.2 Probationary and Tenured Appointments

Faculty members with regular or joint appointments will be on probationary (i.e., tenure-track) appointments or on appointments with continuous tenure.

1.2.1.3 Probationary Appointments

Probationary appointments may be made for one year, or for other stated periods; a probationary appointment may be renewed, but no such appointment implies a presumption of renewal.

Previous service at Gustavus Adolphus College and other institutions of higher education may be included in the probationary period subject to limitations agreed upon in writing at the time of appointment. If not previously agreed upon in writing, a person with more than three years previous probationary service completed after the terminal degree has been earned will be appointed for a probationary period of not more than four years, even though the person's total probationary period in the academic profession is thereby extended beyond the normal maximum of seven years.

1.2.1.4 Appointments with Continuous Tenure

Appointments with continuous tenure are made after a probationary period of not more than seven years. The probationary period may be interrupted by time not counted as probationary service if the faculty member is substantially incapacitated (for example, due to prolonged illness) or devotes substantial time to an activity such as military service, public office, or caring for a child or disabled adult, independent of whether the faculty member has been granted a leave. To request an interruption of the probationary period, the faculty member must notify the Provost in writing no later than 6 months after the conclusion of the interruption and prior to the start of tenure proceedings. The general presumption is that the Provost should grant such requests. When the probationary period is interrupted, the tenure review will ordinarily be delayed a year and will be conducted in accordance with the usual standards; that is, the faculty member will not be expected to have used the additional elapsed time to accomplish more professional work. Tenure may be granted earlier, but not later, than the expiration of the probationary period.

1.2.2 Senior Continuing Appointment

Senior Continuing faculty members have renewable term positions but are not in a tenured or tenure-track positions. Senior Continuing Faculty will be appointed to six-year renewable terms with a presumption of annual renewal to the end of the term except in circumstances of financial exigency. These appointments may include additional appointment type designations specified at the time of hire and outlined in the position description (e.g., Senior Continuing Lab Instructor, Senior Continuing Instructor of the Practice).

1.2.3 Continuing Appointment

Continuing faculty members have renewable term positions but are not in a tenured or tenure-track positions. Continuing Faculty will be appointed to one-year terms that are probationary toward Senior Continuing status and may be renewed, though no such appointment implies a presumption of renewal. These appointments may include additional appointment type designations specified at the time of hire and outlined in the position description (e.g., Continuing Lab Instructor, Continuing Instructor of the Practice).

1.2.4 Visiting Appointment

The “visiting” designation identifies appointments for full-time faculty members who are not tenured or tenure-track, senior continuing, or continuing, whose primary role at the college lies in instruction of our students, and whose teaching responsibilities are not centered within clinicals, laboratories, or professional practice. While visiting faculty are generally expected to serve in short-term positions with the College (no more than 6 years), some individuals may serve for longer than six years; these faculty may choose to drop the “visiting” prefix in email signatures and correspondence.

1.2.5 Adjunct Appointment

The “adjunct” designation identifies part-time appointment for a faculty member who is not tenured or tenure-track, is part-time, whose primary role at the college lies in instruction of our students, and whose teaching responsibilities are not centered within clinicals, laboratories, or professional practice.

1.2.6 Clinical Appointment

The “clinical” designation identifies faculty appointments that primarily provide practical instruction and application of practical knowledge, specifically in clinical, health care practice, and associated classroom teaching. In general, the applicable rank for a clinical faculty member is ordinarily instructor, regardless of degree. A clinical faculty member may have fixed-term, renewable, or part-time status.

1.2.7 Laboratory (Lab) Appointment

Laboratory faculty most often teach hands-on, skills-based courses in the sciences and the arts, such as studio arts and theatre, but can be appointed in any division. The “lab” designation identifies faculty appointments whose primary duties are in setting up laboratories/hands-on activities for instruction, demonstrating specific skills-based techniques, engaging, and instructing students in laboratory/hands-on activities, monitoring student work in the laboratory/theatre/studio, assessing students in lab- or skill-based activities. Lab instructors also must have a working knowledge of laboratory safety procedures and proper use of equipment. In general, the applicable rank for a lab faculty member is instructor, though individuals with a terminal degree may be appointed as a Laboratory Assistant Professor. A lab faculty member may have fixed-term, renewable, or part-time status.

1.2.8 Of the Practice Appointment

The “of the practice” designation applies to a practitioner whose primary responsibilities lie in teaching our students skills and practices directly connected to a specific profession. Any rank may be applied for these faculty, depending upon their expertise, length of service in the professional field and academic credentials. A faculty member of the practice may have fixed-term, renewable, or part-time status.

1.2.9 Research Appointment

The “research” designation identifies faculty appointments that are offered to scholars who fulfill the research qualifications of the standard professorial ranks, those who work for the college on research supported by external grants and contracts, or retired Gustavus faculty who are carrying out an active research agenda

following their retirement from tenured positions at the College. The principal criteria for these titles are scholarly productivity and recognition of original work. A research faculty member may have fixed-term, renewable, or part-time status, and any rank may be applied for these faculty, depending upon their experience and academic credentials.

Research faculty are eligible to give seminars and teach occasional courses. Teaching is at the discretion of the department. These titles may be used for appointments of one year or longer. Research appointments are for the stated term of the appointment with no guarantee or expectation of renewal. Provisions for notice do not apply.

1.2.10 Emeritus Appointment

The Emeritus designation is available to tenured faculty. A faculty member who retires from service at Gustavus Adolphus College is eligible for election to the status of professor emeritus and shall, if elected, be so designated irrespective of the rank held at retirement. Election to emeritus status will be by a majority vote of the ballots cast by those holding the rank of professor. This election will be conducted by the current voting method before the final faculty meeting of the academic year, with the results to be announced at that meeting.

2.1.0 Appointment

2.1.1 Qualifications

To be eligible for appointment to the faculty, a person will be professionally qualified and be sympathetic to the aims and purposes of Gustavus Adolphus College as set forth in the Mission Statement of the College.

2.1.2 Criteria

Professional education is reflected by academic degrees, and by apprenticeship and professional standing as indicated by professional registration, certification or licensure. The appropriate academic degree normally will be the earned doctorate except in the following cases:

- Arts (Dance, Studio Arts, Theatre) and creative writing: the M.F.A.
 - Economics and Management: Earned doctorate in an appropriate field; a relevant master's degree plus appropriate professional certification and substantial experience in accounting, management, international management, or finance may be considered in lieu of the doctorate as fulfillment of the requirement.
 - Library: the master's degree in library science.
 - Nursing: for those hired before 2012, the master's degree in nursing.
 - Athletic Training: Earned doctorate (Ph.D. or Ed.D.) in an appropriate and related field, such as kinesiology, exercise science, human movement studies, higher education, or other such field will be considered to be the terminal degree in the field in addition to an earned doctorate (Ph.D. or Ed.D.) in athletic training
-

2.1.3 Terms and Conditions

Appointment to the faculty will be stated or confirmed in writing by the Provost and a copy of the appointment document will be supplied the faculty member. Normally, appointments begin on September 1.

Any subsequent extensions or modifications of any appointment, and any special understandings, will be stated or confirmed in writing and a copy furnished to the faculty member. An appointment to the faculty is not confirmed until a contract is issued and signed by both parties.

2.2.0 Evaluation

All probationary faculty members will be subject to periodic evaluation of their performance.

2.3.0 Retention

Recommendation for retention will be submitted to the Provost by the department concerned through its Chair. Departments in cooperation with the Provost will formalize and make available to all their members the procedure for reaching recommendations regarding retention of untenured persons. The decision to retain or not to retain will be made by the Provost. In addition to merit as a faculty member, enrollment and program needs of the College are proper considerations in deciding whether or not to renew any non-tenured appointment.

2.4.0 Promotion

The following criteria will be considered in reviewing nominations for promotion to the designated rank. In addition to the criteria listed below, librarians may have professional responsibilities in addition to teaching and scholarship. Their ability to set strategic initiatives, develop policies, organize, and manage in a given area of service may merit consideration.

2.4.1 To Assistant Professor

Promotion to the rank of assistant professor will normally be made effective with the beginning of the first semester after the appropriate terminal degree is conferred. This may be done upon the recommendation of the department with the approval of the Provost without the promotion review process.

2.4.1.1 Criteria

1. The terminal degree of certification in the discipline. (Faculty in the library will have earned a second master's degree.)
 2. Competence in subject matter field as reflected in the confidence of professional peers as well as students, colleagues, and administrators.
 3. Experience as reflected in the apprenticeship served in college teaching and related activities. Teaching at a level other than college and/or other professional experience may be recognized as legitimate bases for partially satisfying the apprenticeship requirement.
 4. Continuing evidence of sympathy with the aims and purposes of Gustavus Adolphus College as stated in the Mission Statement of the College.
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2.4.2 To Associate Professor

The Faculty Personnel Committee will assume that all successful candidates for tenure are automatically nominated for promotion to Associate Professor. Those candidates may, but need not, add material to their files for the committee's deliberations regarding promotion.

2.4.2.1 Criteria

A candidate for promotion to associate professor normally will hold tenure and will obtain an overall superior rating on the criteria for assistant professor and, in addition, the following criteria:

1. Excellence as a teacher as reflected for example, in quality of and enthusiasm for work, effectiveness of methods, interest in subject matter, concern for student learning, effective advising of students within and outside the major, continued academic preparation and improvement, and demonstrated commitment to equity and inclusion.
 2. An emerging pattern of professional activities as reflected, for example, by publications, presentations at scholarly meetings or conferences and, in the arts, by manifestations of creativity demonstrated through exhibits or performances; another example may be involvement in professional and/or public organizations, boards, and commissions related to one's academic fields or college assignments.
 3. An emerging pattern of involvement in the activities of the College.
 4. Continuing evidence of sympathy with the aims and purposes of Gustavus Adolphus College as stated in the Mission Statement of the College.
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2.4.3 To Professor

Faculty who wish to be considered for promotion to full professor will indicate their desire in writing in accordance with the timetable established by the Faculty Personnel Committee. Promotion will be granted upon recommendation of the Faculty Personnel Committee, recommendation of the Provost, and approval by the President and report to the Board of Trustees. Promotion will commence in the following academic year.

2.4.3.1 Criteria

In addition to the criteria set forth for assistant professors and for associate professors, the following apply:

1. The continuing excellence and growth as a teacher, as evidenced, for example, by student and peer evaluations, course and program development, or participation in workshops and seminars related to one's field of expertise or teaching.
 2. Established record of professional accomplishments as evidenced, for example, by demonstrated research activities in private, public or corporate settings; publications; presentations at scholarly meetings or conferences; (in the arts) exhibits or performances; and leadership in professional and/or public organizations, boards, or commissions related to one's academic field(s) or assignments.
 3. An established record of leadership in the governance of the College in the candidate's department, in the faculty and its committees, or in other college positions.
 4. Continuing evidence of sympathy with the aims and purposes of Gustavus Adolphus College as stated in the Mission Statement of the College.
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2.4.4 To Senior Continuing Status

Each Continuing faculty member in their final probationary year is evaluated for promotion to Senior Continuing status by the department or program to which they are appointed. Ordinarily this will be in the sixth year, unless a shorter probationary period was agreed to at the time of initial appointment. The probationary period may be interrupted by time not counted as probationary service under the same

circumstances as for appointments with continuous tenure. Upon completion of the evaluation, the department or program will recommend either that the Provost promote the candidate to Senior Continuing status or that the Continuing Instructor appointment be brought to a conclusion in accordance with section 2.6.2.1.

2.4.4.1 Criteria

A candidate for promotion to Senior Continuing status normally will obtain an overall superior rating on the criteria established for them as a Continuing faculty member and, in addition, the following criteria:

1. Excellence as a teacher as reflected in quality of and enthusiasm for work, effectiveness of methods, interest in subject matter, concerns for student learning and continued academic preparation and improvement.
 2. Continuing evidence of sympathy with the aims and purposes of Gustavus Adolphus College as stated in the Mission Statement of the College.
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2.5.0 Tenure

Election to appointment with continuous tenure is by the Board of Trustees upon recommendation of the President who will have received a recommendation from the Provost subsequent to an established system of peer review. Regular and joint appointment faculty will be considered for appointment with continuous tenure in the semester specified at the time of hire or in accordance with a written modification of that agreement. Appointments with continuous tenure are not made at the rank of instructor.

2.5.1 Criteria

The candidate for appointment with continuous tenure must demonstrate competence in subject matter field as reflected in the confidence of professional peers as well as students, colleagues, and administrators, must hold the appropriate terminal degree, and must demonstrate experience as reflected in the apprenticeship served in college teaching and related activities. Teaching at a level other than college and/or other professional experience may be recognized as legitimate bases for partially satisfying the apprenticeship requirement. The specific criteria for tenure are as follows:

1. Excellence as a teacher as reflected for example, in quality of and enthusiasm for work, effectiveness of methods, interest in subject matter, concern for student learning, effective advising of students within and outside the major, continued academic preparation and improvement, and demonstrated commitment to equity and inclusion.
 2. An emerging pattern of professional activities as reflected, for example, by publications, presentations at scholarly meetings or conferences and, in the arts, by manifestations of creativity demonstrated through exhibits or performances; another example may be involvement in professional and/or public organizations, boards, and commissions related to one's academic fields or college assignments.
 3. An emerging pattern of involvement in the activities of the College.
 4. Continuing evidence of sympathy with the aims and purposes of Gustavus Adolphus College as stated in the Mission Statement of the College.
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2.6.0 Termination

2.6.1 By Faculty

2.6.1.1 Resignation

Following the acceptance of a contract by a non-tenured faculty member or the document containing the ongoing contract provisions for a tenured faculty member, it is expected that the faculty member will fulfill the contract except in cases of hardship or in a situation where the faculty member would otherwise be denied substantial professional advancement or other opportunity. Faculty members who wish to resign shall notify the Provost's Office in writing within ten days of receiving a contract for the next academic year.

2.6.1.2 Retirement

The College does not have a mandatory retirement age. Normally, faculty members who wish to retire shall notify the Provost's Office in writing before October 1 of the academic year in which they plan to terminate employment.

2.6.2 By College

2.6.2.1 Non-renewal of Probationary and Renewable Status Appointment Faculty

Probationary or renewable status appointments may be made for one year, or for other stated periods; a probationary or renewable status appointment may be renewed, but no such appointment implies a presumption for renewal.

Written notice that a probationary appointment is not to be renewed will be given to the faculty member by the Provost in advance of the expiration of her or his appointment as follows:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, then at least six months in advance of its termination.
3. At least twelve months before the expiration of an appointment after two or more years of service at the College.

2.6.2.2 Programmatic change/financial exigency

Financial exigency of the College is defined using AAUP criteria as a severe financial crisis that fundamentally compromises the academic integrity of the institution as a whole and that cannot be alleviated by less drastic means. Where termination of an appointment is based upon a bona fide financial exigency as determined by the administration, or discontinuance of a program or department of the College, faculty members affected by such an action will be able to have the issues reviewed at a hearing according to procedures established by the Faculty Senate. During that hearing the Senate will decide whether that determination of financial exigency is bona fide and may include testimony and/or evidence from faculty representatives from the Internal Budget Committee, the Vice-President for Finance, the President and the Provost. The Senate's review of these issues will be completed within sixty (60) calendar days and forwarded to the Board for its ultimate decision.

2.6.2.3 Medical Causes

Termination of an appointment for medical reasons before the end of the period of appointment will be based on clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment. The decision to terminate will be reached after appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If a faculty member so requests, the termination decision will be

reviewed by the Faculty Senate. The final decision shall be made by the Board of Trustees which shall receive both the result of the Faculty Senate deliberations and the recommendation of the President.

2.6.2.4 Dismissal

Dismissal of a faculty member with a tenured appointment or a probationary or term appointment before the end of the specified term may be effected by the College only for adequate cause and will be in accordance with the procedures set forth in the Major Sanction Proceedings section (Section 3.2.4.3.2) of this manual.

3.1.0 Responsibilities and Duties

The faculty has primary responsibility for curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. On these matters, the power of review or final decision lodged in the Board of Trustees or delegated by it to the President should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the President or Board. Budgets, personnel limitations, the time element, and the policies of other groups, bodies and agencies having jurisdiction over the institution may limit the realization of faculty advice.

3.1.1 Academic Program Responsibilities

It will be the faculty's responsibility:

1. to establish the requirements for the degrees offered, to determine when the requirements have been met, and to recommend to the administration candidates for degrees;
 2. to prepare and approve courses of study to the administration;
 3. to adopt aims and policies with respect to instruction;
 4. to determine standards, time, and manner of examinations;
 5. to develop policies regarding admission, promotion, probation, and discipline of students for academic reasons;
 6. to recommend annually the academic calendar to the administration;
 7. to promote measures whereby the spiritual, intellectual, and social life of the College may be enriched and ennobled, and the cultural aims of the College may be achieved.
 8. to regularly assess student learning.
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3.1.2 Teaching, Committee, and Ceremonial Responsibilities

In addition to teaching assignments, regular and joint appointment faculty, not on leave, whatever their teaching assignment, are expected to accept committee or other special assignments and to attend convocations and ceremonial occasions, including commencement.

3.1.3 Responsibilities to Colleagues

Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both

adverse and favorable judgments. Likewise, there is the more general competence of experienced faculty personnel committees having a broader [college-wide] charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the chief academic officers with the concurrence of the Board. The governing board and the President should, on questions of faculty status as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

3.1.4 Participation in College Governance

Agencies for faculty participation in the governance of the College will be established at each level where faculty responsibility is present. The faculty participates in College governance in its actions as a total faculty, and through elected representatives on standing or special committees for such purposes as the search for and periodic evaluation of the President and the Provost, the development of the College budget, and the determination of faculty compensation. The faculty may constitute and elect committees as may be needed for the discharge of its responsibilities and duties, and determine the function and membership of such committees.

3.1.5 External Employment

Faculty members may provide compensated services as consultants or in other capacities to persons or agencies outside the College, providing such employment does not interfere with the fulfillment of their commitment to the College. (See Conflict of Interest Policy in *All-College Policies Handbook* for specific guidelines.)

3.1.6 Sale of Texts or Supplies

Faculty members will not sell texts or supplies to students; all course materials, including texts and handbooks authored by faculty members, will be sold on campus through the college book store or officially approved outlets of the College.

3.2.0 Rights and Privileges

3.2.1 Academic Freedom

All members of the faculty, whether on appointment with continuous tenure or not, are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure (See Appendix A) and additions and amendments thereto formulated by the American Association of University Professors and incorporated in the Constitution and Bylaws of the College (See Article X, Section 2.)

3.2.2 *All-College Policies*

Faculty members are afforded rights and protections under the policies found in the college's All-College Policies Handbook—such as the policies related to harassment and discrimination. To ensure the continued protection of academic freedom, nothing in these policies will supersede a faculty member's rights and protections as outlined in relevant sections of the *Faculty Manual*, especially those governing grievances, tenure, discipline, and dismissal.

3.2.3 Participation in Political Activities

Faculty members, as citizens, are free to engage in political activities. A faculty member's participation in political activities is as an individual, not as a representative of the College, and he/she will not make use of any college position or property; facilities may be available only insofar as they may also be available to non-college participants in political activities.

When necessary, a faculty member may be given an unpaid leave of absence for the duration of an election campaign or for the duration of a term of office of an elective or appointive position, on timely application and for a reasonable period of time. The terms of such leave will be set forth in writing, and the leave will not affect unfavorably the tenure status of a faculty member, except that the time spent on leave need not count as probationary service unless otherwise agreed.

3.2.4 Grievance, Disciplinary, and Appeal Procedures

3.2.4.1 Grievance Procedures

Faculty members who believe that they have been subject to sexual harassment or sexual misconduct may seek redress under the Sexual Harassment and Sexual Misconduct Policy which is found in the *All-College Policies*. When a faculty member's complaint is adjudicated under the Sexual Harassment and Sexual Misconduct Policy, at least one faculty member will be present on the Title IX Hearing Panel, Sexual Misconduct Board, and/or Sexual Misconduct Appeals Board, as applicable, to ensure that the rights and responsibilities of faculty are reflected in the discussion and decision-making process. Faculty members who believe that they have been subjected to other forms of harassment may seek redress under the Policy Against Harassment, which is found in the All-College Policies. Faculty members who seek redress for any other grievance may petition the Faculty Personnel Committee for appropriate action

3.2.4.2 Disciplinary Procedures

Disciplinary Procedures may be initiated by the provost when a faculty member's alleged conduct justifies a minor sanction or is sufficiently grave to merit a major sanction. Disciplinary Procedures outlined within this section 3.2.4.2 of the *Faculty Manual* will be followed in responding to alleged conduct by a faculty member, except in cases in which the alleged conduct falls within the College's Sexual Harassment and Sexual Misconduct Policy found in the *All-College Policies*. Alleged conduct that falls within the College's Sexual Harassment and Sexual Misconduct Policy will be investigated, adjudicated, and appealed, if applicable, according to the complaint resolution process outlined within the College's Sexual Harassment and Sexual Misconduct Policy, and the Disciplinary Procedures and rights outlined in this section 3.2.4.2 will not apply. When a complaint of alleged conduct by a faculty member is adjudicated under the Sexual Harassment and Sexual Misconduct Policy, at least one faculty member will be present on the Title IX Hearing Panel, Sexual Misconduct Board, and/or Sexual Misconduct Appeals Board, as applicable, to ensure that the rights and responsibilities of faculty are reflected in the discussion and decision-making process.

In responding to alleged conduct by a faculty member that does not fall within the College's Sexual Harassment and Sexual Misconduct Policy, the following Disciplinary Procedures apply.

- 3.2.4.2.1 If the Provost believes that the conduct of a faculty member justifies the imposition of a minor sanction such as a formal reprimand, the Provost will notify the faculty member of the basis for the proposed sanction and provide her or him with an opportunity to persuade the Provost that the proposed sanction should not be imposed. If the faculty member so requests, a written copy of the charges will be provided before any sanctions are imposed. Should a satisfactory resolution

between the faculty member and the Provost not be reached, or if the faculty member believes that what is termed to be a minor sanction constitutes a major sanction, the faculty member may petition the Faculty Personnel Committee for redress as outlined under the Faculty Personnel Committee in the *Faculty Handbook*.

- 3.2.4.2.2 Major Sanction Proceedings

- 3.2.4.2.2.1 Preliminary considerations

- a. Before major sanction proceedings are initiated against a faculty member with continuous tenure or with a probationary or special appointment before the end of a specified period, discussions between appropriate administrative officers and the faculty member will seek a mutually acceptable resolution. If the parties reach a mutually acceptable resolution, the faculty member will waive the right to a hearing and the process will be concluded.

If required by law or by the need to ensure the welfare of students or other members of the Gustavus Adolphus College community, the administration may suspend with pay the faculty member in question or take other appropriate measures pending completion of these proceedings. Promptly upon suspending a faculty member, the administration will notify the Senate concerning the propriety, the length, and the other conditions of suspension.

- b. Informal discussions seeking resolution may be continued, if necessary, by a panel designated equally by the administration, by the faculty member, and by the Faculty Senate. If informal attempts at resolution are not successful, the panel may recommend to the President, without its recommendation being binding upon the President, whether or not major sanction proceedings should be initiated.

- 3.2.4.2.2.2 Initiating proceedings

Preceding the imposition of a major sanction, the President or the President's delegate will initiate a major sanction by presenting a statement of the charges in writing, framed with reasonable particularity, to the faculty member and the Faculty Senate. The faculty member against whom the charges have been brought has a right to a hearing before the Faculty Senate. The Senate, in a timely fashion, will initiate the hearing procedures outlined below, such that the hearing is scheduled no later than the twentieth class day subsequent to the twentieth calendar day after the statement of charges is presented.

Adequate cause for a major sanction will be related, directly and substantially, to the fitness of the faculty member in her or his professional capacity as a teacher and/or researcher.

Fitness for duty requires, but is not limited to, refraining from harassment or discrimination prohibited by state or federal law. No exercise of academic freedom or other rights as citizens will be cause for a major sanction.

The burden of proof that the faculty member is responsible for the conduct as charged and that the sanction proposed is appropriate rests with the College and will be satisfied only by the preponderance of evidence and argument in the hearing record.

- 3.2.4.2.2.3 Procedures

- a. The faculty member against whom charges have been brought may waive a hearing and/or respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, and denies the charges or asserts that the charges do not constitute adequate cause for a major sanction, the Senate will make its recommendation on the basis of available evidence and argument in the record.

- b. Members of the Faculty Senate disqualified by reason of bias or conflicting interest will be removed from the hearing either by themselves or at the request of either party. Each party will have a maximum of two challenges without stated cause.
 - c. Notice of the hearing with specific charges in writing will be served at least twenty (20) calendar days prior to the hearing. The Faculty Senate may, with the consent of the parties concerned, hold joint prehearing meetings with the parties in order to (1) simplify the issues, (2) effect stipulations of facts, (3) provide for the exchange of documentary or other information, and (4) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.
 - d. The Faculty Senate in consultation with the President and the faculty member will determine whether the hearing should be open or closed. The Senate and/or the Administration may be represented by legal counsel.
The faculty member may be represented by an academic advisor and/or legal counsel of her or his choice during the proceedings. Additionally, a representative of a responsible educational association may attend the proceedings as an observer at the invitation of either party or the Senate.
 - e. The Faculty Senate will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Reasonable efforts will be made to obtain the most reliable evidence available. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the Faculty Senate in securing witnesses and making available documentary and other evidence.
In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this and/or other institutions of higher education. The faculty member and administrative officials will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the Faculty Senate determines that the interests of justice require admission of their statements, the Faculty Senate will identify the witnesses, disclose their statements, and if possible, provide for interrogatories.
The Faculty Senate will grant recesses to enable either party to investigate evidence as to which a valid claim of surprise is made.
In the event that anything in this policy conflicts with state or federal law, the state or federal law takes precedence.
 - f. A verbatim record of the hearing will be taken by the Senate and copies will be made available without cost to both parties.
 - g. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers or the Senate will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Trustees.
- o 3.2.4.2.2.4 Disposition
 - a. Within fourteen (14) calendar days after the hearing, the Senate will report in writing to the President and to the faculty member its findings and recommendations which will be based solely on the record of the hearing. If the Senate concludes that the burden of proof that the faculty member is responsible for the conduct as charged

- has been met, but that a sanction other than that proposed by the Administration would be more appropriate, it will so recommend, together with supporting reasons.
- b. Within 14 calendar days of the Senate's report, either party may provide the other party a written request for review by the Board of Trustees. If neither party requests a review, the President will accept the Senate's conclusion.
 - c. A request for review must include specific arguments supporting one or more of the following propositions: (1) the Senate's conclusion was based on improper procedure that materially prejudiced the party seeking review, (2) the Senate's conclusions were clearly erroneous or not reasonably supported by evidence contained in the hearing record, or (3) one or more of the Senate's recommendations was substantially disproportionate to the Senate's findings. The non-requesting party will have a 14-calendar-day opportunity to respond in writing to the requesting party's argument. The President will transmit to the Board of Trustees the record of the case, request for review, and response (if any).
 - d. The review by the Board of Trustees or the Executive Committee of the Board will be based exclusively on the record of the Faculty Senate's hearings, the written argument submitted by the party requesting review, and any written response submitted by the other party. Within 30 calendar days, the decision of the Faculty Senate will either be sustained, or the proceedings returned to the Faculty Senate with specific objections. The President will notify the faculty member of the decision by the Board or Executive Committee. If the proceedings are returned to the Faculty Senate, the Faculty Senate will then reconsider, taking into account the stated objections and receiving new evidence if necessary. Within 14 calendar days of reconsideration, the Senate will communicate a revised report to both parties. The Board of Trustees, at its next regularly scheduled meeting, will make a final decision, which it will communicate to both parties, only after study of the Faculty Senate's reconsideration.
 - e. If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: At least three [3] months, if the final decision is reached by March 1 of the first year of probationary service (or three [3] months prior to the expiration of the first year of probationary service); at least six [6] months, if the decision is reached by December 15 of the second year of probationary service (or after nine [9] months but prior to eighteen [18] months of probationary service); at least one [1] year, if the decision is reached after eighteen [18] months of probationary service or if the faculty member has tenure. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude. On the recommendation of the Faculty Senate or the President, the Board of Trustees, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

3.2.4.3 Appeals to the Faculty Senate

Faculty members shall have the right to request a hearing before the Faculty Senate on matters involving (1) reconsideration of grievances adjudicated by the Faculty Personnel Committee; and (2) reconsideration of a tenure decision made by the Faculty Personnel Committee, the Provost, and/or the President. Appeals of a tenure decision or of a promotion decision will be initiated with the Faculty Review Committee (see section 3.2.4.3.2).

- 3.2.4.3.1 Reconsideration of grievances adjudicated by the Faculty Personnel Committee

An intent to appeal a finding by the Faculty Personnel Committee regarding a grievance must be filed to the Faculty Senate within thirty (30) days of the original finding, and the rationale for the appeal will be submitted to the Senate within sixty (60) days of the original finding. The Senate will hold a preliminary hearing to determine if a Grievance Appeal Hearing is warranted, and transmit its findings to the Faculty member filing the petition and to the Faculty Personnel Committee. If the Senate determines that a Grievance Appeal Hearing is warranted, the Senate will convene the hearing in a timely manner. There is no requirement for a quorum—rather the appeal of grievances adjudicated by the Faculty Personnel Committee will be deliberated by the number of elected members of the Senate who are not recused for conflict of interest. The Provost and the President or their designated representatives may also be present but may not participate in the reconsideration of a decision.

 - 3.2.4.3.1.1 Disposition of a petition regarding grievances adjudicated by the Faculty Personnel Committee

Should the Senate, after deliberation of the evidence presented at a Grievance Appeal Hearing, find that the evidence does not warrant a reconsideration of the original Faculty Personnel Committee decision, it will promptly notify the Faculty member and the Provost of its findings in writing, providing appropriate rationale. Should the Senate find that a reconsideration of the original decision is warranted, it will promptly remand the case by transmitting its findings in writing to the Faculty Personnel Committee with appropriate rationale, and to the Faculty member. The Faculty Personnel Committee must rehear the case, but is not bound to concur with the Senate.

The Provost and, ultimately, the President will make the final decision after consideration of recommendations from the Senate and/or the Faculty Personnel Committee.
- 3.2.4.3.2 Appeals of decisions regarding tenure or promotion are initiated with the Faculty Review Committee. The charter for this committee can be found in section 3.2.4.3.2.9.
 - 3.2.4.3.2.1 Appeal Rights

The purpose of this policy is to provide appeal rights to faculty members for these specific circumstances: 1) to a tenure-track faculty member who is denied tenure or 2) to a tenured faculty member who is denied promotion.

 - a. An appeal must be based upon one or more of the grounds for appeal listed below.
 - b. The remedy available through this procedure is that some or all of the applicable procedures be reviewed and the College’s decision be reconsidered.
 - 3.2.4.3.2.2 Grounds for Appeal

The grounds upon which appeals may be made are the following:

 - a. Improper consideration: An appeal may allege that a decision against tenure or promotion was based significantly on improper consideration because the review process involved at least one of the following:
 1. violation of academic freedom
 2. unlawful discrimination
 3. violation of applicable College policies on discrimination.
 - b. Improper procedure: An appeal may allege that a decision against tenure or promotion was based significantly on improper procedure. Although the Review Committee does not rehear the case, it determines in instances where improper procedure is alleged whether a department, the Faculty Personnel Committee, the Provost and/or the President followed the procedures stated in the *Faculty Manual*. Proper procedure defined: For the purposes of this policy, proper procedure refers

essentially to procedural issues having a bearing on the substance of the decision. The standard of proper procedure would suggest the following kinds of questions:

1. Was all available evidence bearing on the relevant performance of the candidate sought out and considered?
2. Was there adequate deliberation over the import of the evidence in the various interviews with the candidate and department, and in subsequent closed committee?
3. Were irrelevant and improper considerations excluded?

Thus, a finding of improper procedure involves a critique of process and not a substitution of the Review Committee's judgment of the merits for that of the Faculty Personnel Committee, Provost, and/or the President.

- c. The merits of the case: With departmental support, an appeal of a negative decision for tenure may allege that the evidence available at the time of the original decision did establish a clear and convincing case for a positive recommendation. A negative recommendation for promotion cannot be appealed on the merits of the case. An appeal on the merits suggests that an error has been made in not granting the appellant tenure. Since proper procedures have assured tenure candidates of a thorough, conscientious review, the standard for overturning a negative decision for tenure on the merits must be high. It will not be sufficient for the Review Committee or the Faculty Senate to simply reach a different conclusion than did the Faculty Personnel Committee, the Provost, and/or the President. They must also conclude that the negative decision for tenure was clearly in error.
- o 3.2.4.3.2.3 Initiating an Appeal
 - a. To initiate an appeal, the faculty member shall deliver a written petition to the Chair of the Faculty Personnel Committee, the Chair of the Faculty Review Committee, the Office of the President, and the Office of the Provost. The petition must be delivered within fifty (50) calendar days of receipt of official written notice of the decision. In exceptional cases, the Faculty Review Committee may grant an extension of the deadline.
 - b. The petition must state the decision being appealed, the grounds for appeal and a statement of evidence in support of the allegations. The burden of proof in cases alleging improper consideration and/or improper procedure rests upon the appellant to establish a prima facie case.

A prima facie case of improper consideration and/or improper procedure has been established if the appellant's petition contains statements alleging facts, which, if they were not contradicted, would reasonably allow the Faculty Review Committee to conclude that the College's decision was based on improper consideration and/or improper procedure as defined above.
 - c. For an appeal on the merits of a negative tenure decision, the faculty member's petition must be accompanied by a letter of support from the faculty member's department. The letter must list the voting members of the department and report the outcome of the vote to support the appeal. The departmental letter, along with the appellant's petition, should also offer specific evidence in support of the appeal. A clear and convincing case for error has been established if the appellant's petition, as supported by his/her department, has not been sufficiently challenged or contradicted by the Faculty Personnel Committee, the Provost, and/or the

President. The Review committee must conclude, not only that it disagrees with the negative decision for tenure, but that any other reasonable body reviewing the same evidence would likely also disagree.

o 3.2.4.3.2.4 Appeal Procedures

a. Within twenty-one (21) calendar days of receipt of the petition, the Faculty Review Committee shall meet to determine whether:

1. the faculty member has alleged a proper basis for appeal;
2. the appeal was commenced within the deadline;
3. the appellant has established a prima facie case for improper consideration and/or improper procedure; or
4. the faculty member has established a clear and convincing case for error in a negative tenure recommendation.

The Committee will establish its own procedures for this preliminary meeting. In the case of an appeal on the merits the Faculty Review Committee shall request a response to the appellant's petition from those parties involved in the negative decision for tenure, including the Faculty Personnel Committee, the Provost, and/or the President. The response letters from these parties shall be sent to the Faculty Review Committee within fourteen (14) calendar days after a copy of the petition has been provided to those parties. The response letters shall be available to Committee members prior to the Committee's preliminary hearing.

b. If the Faculty Review Committee determines that proper grounds for an appeal have not been alleged, or that an appeal has not been timely commenced, or that a prima facie case has not been established for improper consideration and/or improper procedure, or that a clear and convincing case for error in a negative tenure decision has not been made, it shall so notify the appellant, the Provost, and the President, and no further action shall be taken in review of the appeal.

c. If the Faculty Review Committee determines that proper grounds have been alleged, and that the appeal is timely, and that a prima facie case for improper consideration and/or improper procedure has been established, the Committee shall next determine how best to conduct its review of the appeal. Depending on the circumstances of each particular case, the Committee may request both parties to state their positions in writing, and make a determination based upon these submissions, or the Committee may choose to hold a hearing. Either the appellant or the respondent may also request a hearing.

In the case of an appeal on the merits, if the Faculty Review Committee determines that proper grounds have been alleged, and that the appeal is timely, and that a clear and convincing case for error in a negative tenure decision has been made, it will report this decision to the Provost and the Chair of the Faculty Senate as specified in section 3.2.4.3.2.5.d.

d. If the Faculty Review Committee determines that a hearing is warranted, in the case of an appeal of improper consideration and/or improper procedure, the following procedures will govern such a hearing. It is imperative that the procedures of the Committee assure due process while at the same time are pursued sensibly and in good faith. The hearing shall take place within fourteen (14) calendar days after the Committee's preliminary meeting.

1. The appellant shall have the right to have present an advisor chosen from among the College's faculty or administration. The advisor shall not be a

member of the Provost's office or a member of the Faculty Personnel Committee that voted on the decision being appealed. The decision being appealed will determine whether the Chair of the Faculty Personnel Committee, the Provost, or the President shall be the respondent. The respondent shall also have the right to have an advisor selected from the faculty or administration of the College. The role of the advisors is to listen to the proceedings, offer advice to the advisee, take notes and provide personal support to the advisee. Although the appellant and the respondent should be the primary speakers, advisors may speak and answer questions if the Faculty Review Committee feels doing so is appropriate and can be done fairly. Hearings of the Committee are open only to the appellant, the respondent, the Provost, the advisors to the parties, and other persons invited by the Committee.

2. The Faculty Review Committee may obtain information from whatever sources it deems necessary. If either the appellant or respondent believes that information from witnesses or other documentary evidence would be helpful in clarifying, but not supplanting, the existing tenure/promotion file, either or both may so inform the Committee. The Committee should provide the opportunity for such clarification, but also maintains the right to limit all additional material. The Committee is entitled to access to the appellant's tenure or promotion file used in making the original decision.
 3. The Faculty Review Committee shall have discretion to determine the manner and order in which it will take evidence. It may question all persons involved in the hearing. Neither the appellant nor the respondent, nor either of their advisors, if any, may question witnesses without the consent of the Committee. Rules of evidence and other rules and procedures applicable to a court of law need not apply.
 4. All hearings and deliberations of the Faculty Review Committee shall be conducted confidentially. All participants are bound to keep confidential the evidence and testimony presented or reviewed in hearings and deliberations. This provision is not intended to limit the ability of the appellant or the College to communicate freely with attorneys, governmental agencies, or as otherwise allowed or required by law.
- 3.2.4.3.2.5 Disposition of Faculty Review Committee Appeals
- a. In the case of alleged improper consideration and/or improper procedure, the Faculty Review Committee is charged with studying the merits of the appeal and reporting its findings to the President within fourteen (14) calendar days of the Committee's preliminary meeting or hearing, whichever is later.
 - b. In the case of alleged improper consideration and/or improper procedure, the Faculty Review Committee shall not substitute its judgment on the merits of the decision for that of the Faculty Personnel Committee, Provost, or the President as to the faculty member's suitability for tenure or promotion, but instead shall limit its findings of fact to the following:
 1. If the Faculty Review Committee finds improper consideration or improper procedure on the part of the Provost or Faculty Personnel Committee, the Faculty Review Committee shall recommend to the President that some or all of the applicable procedure shall be reviewed and that the decision shall

be reconsidered. The Committee shall prepare a report explaining why the Committee arrived at its findings and identifying which procedures shall be reviewed or repeated and by whom. The President shall provide copies of the Committee's report to the appellant, the Provost, and to the members of the Faculty Personnel Committee. The findings and contents of the report shall otherwise remain confidential.

2. If the Committee finds improper consideration or improper procedure on the part of the President alone, the Committee report shall recommend to the President that the President's decision be reconsidered. The report of the Committee shall explain why the Committee arrived at its findings. The President shall provide copies of the Committee's report to the Chair of the Board of Trustees, the Provost and to the members of the Faculty Personnel Committee. The findings and contents of the report shall otherwise remain confidential.
- c. Within ten (10) calendar days of receipt of the Faculty Review Committee Report of improper consideration or improper procedure, the President will either reverse the decision without further consideration or direct that some or all of the applicable procedures be reviewed as identified in the Committee's report. The directive for reconsideration shall include specific instructions for individuals or committees. Within twenty-one (21) calendar days of receipt of instructions to do so from the President, the Faculty Personnel Committee and/or the Provost shall review procedures, reconsider their recommendation, and report in writing to the President.
Within ten (10) calendar days of receipt of all required responses for reconsideration from individuals and committees, the President will either reverse the original negative tenure decision or let stand the decision and notify the appellant, the Provost, and the Faculty Personnel Committee. If the President decides to reverse the original negative tenure decision, positive recommendations for tenure or promotion will be forwarded to the Board of Trustees for final action. If the President decides to let stand the original decision, this decision of the President cannot be appealed further under this Appeals procedure.
The President's notification to reverse or let stand the original decision should include an explanation for the decision.
 - d. In the case of an appeal on the merits, if the Faculty Review Committee determines that a clear and convincing case for error in a negative tenure decision has been made, it will report this decision to the Provost, the President, the appellant, the Chair of the Faculty Personnel Committee, and the Chair of the Faculty Senate within fourteen (14) calendar days of the Committee's preliminary meeting. The Faculty Senate will then convene a hearing of the appeal based on the procedures outlined in section 3.2.4.3.2.6. The Faculty Review Committee shall report in writing explaining why the Committee arrived at its findings and identifying specific evidence it believes was not properly interpreted. The Faculty Senate chair and Faculty Personnel Committee chair can share the report with their respective membership. The findings and contents of the report shall otherwise remain confidential.

o 3.2.4.3.2.6 Faculty Senate Tenure Appeal Procedures

It is imperative that the procedures of the Faculty Senate assure due process while at the same time are pursued sensibly and in good faith.

- a. In the event a hearing is held, the appellant shall have the right to have present an advisor chosen from among the College's faculty or administration. The advisor shall not be a member of the Provost's office, the Faculty Senate hearing the appeal, or a member of the Faculty Personnel Committee that voted on the decision being appealed. The decision being appealed will determine whether the Chair of the Faculty Personnel Committee, the Provost or the President shall be the respondent. The respondent shall also have the right to have an advisor selected from the faculty or administration of the College. The role of the advisors is to listen to the proceedings, offer advice to the advisee, take notes and provide personal support to the advisee. Although the appellant and the respondent should be the primary speakers, advisors may speak and answer questions if the Committee feels doing so is appropriate and can be done fairly. Hearings of the Faculty Senate are open only to the appellant, the respondent, the Provost, the advisors to the parties, and other persons invited by the Senate.
- b. The Faculty Senate may obtain information from whatever sources it deems necessary. If either the appellant or respondent believes that information from witnesses or other documentary evidence would be helpful in clarifying, but not supplanting, the existing tenure/promotion file, either or both may so inform the Senate. The Senate should provide the opportunity for such clarification, but also maintains the right to limit all additional material. The Senate is entitled to access to the appellant's tenure or promotion file used in making the original decision.
- c. The Faculty Senate shall have discretion to determine the manner and order in which it shall take evidence. It may question all persons involved in the hearing. Neither the appellant nor the respondent, nor either of their advisors, if any, may question witnesses without the consent of the Senate. Rules of evidence and other rules and procedures applicable to a court of law need not apply.
- d. All hearings and deliberations of the Faculty Senate shall be conducted confidentially. All participants are bound to keep confidential the evidence and testimony presented or reviewed in hearings and deliberations. This provision is not intended to limit the ability of the appellant or the College to communicate freely with attorneys, governmental agencies or as otherwise allowed or required by law.

o 3.2.4.3.2.7 Disposition of Faculty Senate Tenure Appeals

The Faculty Senate is charged with conducting a hearing on the appeal, and reporting its findings to the President within twenty-one (21) calendar days of notification from the Faculty Review Committee.

- a. If, in the Faculty Senate's judgment, there is not clear and convincing evidence to overturn the recommendations of the Faculty Personnel Committee or the Provost, or the decision of the President, it will report this finding in writing to the President, the Provost, the appellant, and to the chair of the Faculty Personnel Committee. The report should specifically address the findings of the Review Committee, and why the Senate was not persuaded that the original negative tenure decision was in error. The findings and contents of the report shall otherwise remain confidential.
- b. If, in the Faculty Senate's judgment, the evidence is clear and convincing that the Faculty Personnel Committee, the Provost, or the President has erred on the merits

of a properly appealed tenure case, the Faculty Senate shall recommend to the President that the decision be reversed. The Faculty Senate shall report in writing explaining why the Senate arrived at its findings and identifying specific evidence that it believes was not properly interpreted. This report shall go to the President, the Provost, the appellant, and the chair of the Faculty Personnel Committee (who may share it with members of the Faculty Personnel Committee). The findings and contents of the report shall otherwise remain confidential.

Within fourteen (14) calendar days of receipt of a Faculty Senate recommendation to reverse a negative tenure decision, the Faculty Personnel Committee and/or the Provost will provide a written rebuttal to the President, explaining why they believe that the Faculty Senate is in error regarding the merits of the case.

Within ten (10) calendar days of receipt of all required responses for reconsideration from individuals and committees, the President will either reverse the original negative tenure decision or let stand the decision and notify the appellant, the Provost, the Faculty Personnel Committee, and the Faculty Senate. If the President decides to reverse the original negative tenure decision, positive recommendations for tenure or promotion will be forwarded to the Board of Trustees for final action. If the President decides to let stand the original decision, this decision of the President cannot be appealed further under this Appeals procedure.

The President's notification to reverse or let stand the original decision should include an explanation for the decision.

- o 3.2.4.3.2.8 Appeals to the Board of Trustees
 - a. After all of the appeals processes outlined above have been completed, and if the Faculty Senate and/or the Faculty Review Committee has found that the President alone made improper considerations or used improper procedure that likely affected the decision, and if the President decides not to reverse the original negative decision on tenure, the appellant may appeal the decision of the President to the Board of Trustees by writing to the Chair of the Board.
 - b. After the Board has completed its review, the Board will either reverse the decision or let stand the original decision and the Board Chair will notify the appellant, the President, the Provost, and the members of the Faculty Personnel Committee.
 - c. The Board Chair's notification to reverse or let stand the original decision should include an explanation for the decision.
- o 3.2.4.3.2.9 Charter of the Faculty Review Committee
 - a. Charge:
The Faculty Review Committee receives petitions, investigates, conducts hearings, and makes recommendations on appeals of decisions of tenure and promotion made by the Faculty Personnel Committee, the Provost or the President.
 - b. Committee staffing:
 1. Three tenured faculty members designated as regular members at the time of their elections. No two members can be from the same department.
 2. One tenured faculty member, also from a different department, designated as an alternate at the time of election.
 3. All members of the committee shall have been members of the faculty for at least five academic years.
 4. No member of the committee may be an administrative officer.

5. No member may serve concurrently on the Faculty Personnel Committee or the Faculty Senate.
- c. Terms of Office, Nominations, and elections:
1. The term of office is three years. The terms shall be staggered.
 2. When it is necessary to fill a position on or replace permanently a member of the committee, the Faculty Senate shall present nominations according to regular Faculty election rules, with additional nominations from the floor of the Faculty, providing all meet the requirements stated in 3.2.4.3.2.9.b.
- d. Procedures:
1. The committee shall elect a chair from among its regular members.
 2. Members shall excuse themselves, or the chair may excuse a member, from consideration of those cases where the member's impartiality could be questioned by the appellant, the Provost, the President or the Chair of the Faculty Personnel Committee. Such cases may include, but are not limited to, those that present a clear conflict of interest, or those in which the committee member may be called upon to offer testimony. The individuals raising questions of impartiality must address their concern to the committee chair at the time the appeal is initiated.
 3. If a regular member is excused from the consideration of a case, an alternate, if not also excused, will serve for the consideration of that case.
 4. If the chair is excused, the remaining members will elect a chair for the consideration of that case.
 5. Three members constitute a quorum. An alternate should attend all meetings, but not participate until and unless needed as a replacement.
 6. In the event that a quorum cannot be reached because of excuses, the elected members of the Faculty Senate shall elect sufficient replacements for the excused members to reach a quorum. These replacements shall serve only for the particular appeal and must meet the requirements for membership in 3.2.4.3.2.9.b.
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3.2.5 Compensation

3.2.5.1 Contracts

Contracts between all faculty members and the College will set forth in writing the commitments of each party. Contracts for renewed appointments and appointment letters for faculty with tenure will be offered not later than July 1 unless notification and explanation has been made to the Faculty Senate and, except for appointments with tenure, will be returned not later than fourteen (14) calendar days after being tendered. Contracts not signed and returned within fourteen (14) calendar days will be regarded to have been refused and to have expired. Faculty who desire an altered timeline should make a written request to the Provost.

3.2.5.2 Salary

Salary for regular appointment faculty will be in accordance with a published salary schedule (See Appendix B).

3.2.5.3 Fringe Benefits

Fringe benefits for all faculty members except part-time faculty members who teach fewer than four courses or equivalent per year, normally will be in accordance with a published fringe benefit schedule (See Appendix B).

3.2.6 Faculty Development and Leaves

3.2.6.1 Faculty Development

Faculty may participate in the faculty development programs in accordance with the stipulations of each of those exchanges, leaves, grants, seminars, and workshops.

3.2.6.2 Leaves of Absence

- 3.2.6.2.1 Compensated Academic Leaves
 - a. Sabbatical Leaves for Regular Professional Development

Procedures regarding leaves of absence are outlined in the *Faculty Handbook*. Regular professional development is a normal part of an academic career. The College affirms the teacher-scholar model of professional development as a way of valuing all legitimate professional development activities that contribute to a vital and healthy academic community. Since a sabbatical leave is a major investment in the faculty member's professional future, the individual, the relevant department, the Provost and the Faculty Development Committee will work together to devise a plan that is mutually beneficial to the individual and to the College. Faculty who apply for a sabbatical leave as part of their professional development must provide a coherent, well-planned proposal to the Faculty Development Committee for evaluation. The committee will review leave proposals and will forward its recommendation to the Provost. The college will fund all proposals recommended to it by the Committee, if possible. In cases where funding is insufficient, a recommended leave may be delayed one year after the Provost has consulted with the individual and the department.
- 3.2.6.2.2 Other Leaves
 - a. Leaves for Graduate Study

Leaves of absence without salary from the College may be granted for graduate study toward an advanced degree and are negotiated with the Provost after consultation with the department concerned.
 - b. Parental Leave

The College recognizes the important role of both parents in the arrival of a new child. The College's Parental Leave policy is found in the *All-College Policies* document.
 - c. Family and Medical Leave

The College's Family and Medical Leave policy is found in the *All-College Policies* document.
 - d. Leaves for Other Reasons

Leaves of absence for public service, exchange professorships, medical or other reasons may be negotiated with the Provost. Leaves of absence do not supersede, extend or otherwise alter the terminal limit of an employment contract between the employee and the College.

4.1.0 Procedures for Amending the *Faculty Manual* are as follows:

1. Any proposed amendment to the *Faculty Manual* (except for Appendix B as explained below), whether from Faculty or Board of Trustees, will be submitted in writing to the faculty at least ten (10) days prior to the faculty meeting at which it is to be discussed. The written notice will indicate the date of the faculty meeting at which the proposal will be discussed. Once the vote has been called, faculty will have no less than one week to vote on the amendment. A simple majority of faculty votes cast is required to adopt the amendment and recommend it to the Board of Trustees.

In Appendix B, the Faculty Salary Schedule and the details and provisions of Fringe Benefits may be

amended annually by the Board of Trustees or its designees after consultation with the Faculty Senate or its designees and the Budget Committee.

2. Approval by the Faculty and the Board of Trustees is required for an amendment to be adopted.
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Appendix A: AAUP 1940 Statement of Principles on Academic Freedom and Tenure

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) Freedom of teaching and research and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

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.

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.

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.

Academic Tenure

a. 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 retirement for age, [NOTE: Gustavus Adolphus College does not have a mandatory retirement age. See *Faculty Manual* 2.6.1.2] or under extraordinary circumstances because of financial exigencies. In the interpretation of this principle, it is understood that the following represents acceptable academic practice:

1. 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.
2. 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.

3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.
 4. 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.
 5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.
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Appendix B: Faculty Salary and Compensation

Note: The salary and fringe benefits schedules listed below are an indication of intention only and carry no contractual commitment beyond the contract year. Specific provisions of the salary and fringe benefits schedules are subject to annual review by the appropriate committees, the administration, and the Board of Trustees.

2024-25 Step System for Regular Appointment Faculty

	Assistant		Associate		Professor
101	\$55,217	210	\$66,246	310	\$69,419
102	\$56,149	211	\$67,253	311	\$70,542
103	\$57,081	212	\$68,260	312	\$71,665
104	\$58,013	213	\$69,267	313	\$72,788
105	\$58,945	214	\$70,274	314	\$73,911
106	\$59,877	215	\$71,281	315	\$75,034
107	\$60,809	216	\$72,288	316	\$76,157
108	\$61,741	217	\$73,295	317	\$77,280
109	\$62,673	218	\$74,302	318	\$78,403
110	\$63,605	219	\$75,309	319	\$79,526
111	\$64,537	220	\$76,316	320	\$80,649
112	\$65,469	221	\$77,323	321	\$81,772
113	\$66,401	222	\$78,330	322	\$82,895
114	\$67,333	223	\$79,337	323	\$84,018
115	\$68,265	224	\$80,344	324	\$85,141
116	\$69,197	225	\$81,351	325	\$86,264
117	\$70,129	226	\$82,358	326	\$87,387
118	\$71,061	227	\$83,365	327	\$88,510
119	\$71,993	228	\$84,372	328	\$89,633
120	\$72,925	229	\$85,379	329	\$90,756
121	\$73,857	230	\$86,386	330	\$91,879
122	\$74,789	231	\$87,393	331	\$93,002
123	\$75,721	232	\$88,400	332	\$94,125
124	\$76,653	233	\$89,407	333	\$95,248
125	\$77,585	234	\$90,414	334	\$96,371
126	\$78,517	235	\$91,421	335	\$97,494
127	\$79,449	236	\$92,428	336	\$98,617
128	\$80,381	237	\$93,435	337	\$99,740
129	\$81,313	238	\$94,442	338	\$100,863
130	\$82,245	239	\$95,449	339	\$101,986
131	\$83,177	240	\$96,456	340	\$103,109
132	\$84,109	241	\$97,463	341	\$104,232
133	\$85,041	242	\$98,470	342	\$105,355
134	\$85,973	243	\$99,477	343	\$106,478
135	\$86,905	244	\$100,484	344	\$107,601
136	\$87,837	245	\$101,491	345	\$108,724
137	\$88,769	246	\$102,498	346	\$109,847
		247	\$103,505		
		248	\$104,512		
		249	\$105,519		

2024-25 Step System for Continuing Faculty

	CF		SCF
1	\$48,100	52	\$50,420
2	\$48,600	53	\$50,930
3	\$49,100	54	\$51,440
4	\$49,600	55	\$51,950
5	\$50,100	56	\$52,460
6	\$50,600	57	\$52,970
7	\$51,100	58	\$53,480
8	\$51,600	59	\$53,990
9	\$52,100	60	\$54,500
10	\$52,600	61	\$55,010
11	\$53,100	62	\$55,520
12	\$53,600	63	\$56,030
13	\$54,100	64	\$56,540
14	\$54,600	65	\$57,050
15	\$55,100	66	\$57,560
16	\$55,600	67	\$58,070
17	\$56,100	68	\$58,580
18	\$56,600	69	\$59,090
19	\$57,100	70	\$59,600
20	\$57,600	71	\$60,110
21	\$58,100	72	\$60,620
22	\$58,600	73	\$61,130
23	\$59,100	74	\$61,640
24	\$59,600	75	\$62,150
25	\$60,100	76	\$62,660
26	\$60,600	77	\$63,170
27	\$61,100	78	\$63,680
28	\$61,600	79	\$64,190
29	\$62,100	80	\$64,700
30	\$62,600	81	\$65,210
31	\$63,100	82	\$65,720
32	\$63,600	83	\$66,230
33	\$64,100	84	\$66,740
34	\$64,600	85	\$67,250
35	\$65,100	86	\$67,760
36	\$65,600	87	\$68,270
37	\$66,100	88	\$68,780
38	\$66,600	89	\$69,290
39	\$67,100	90	\$69,800
40	\$67,600	91	\$70,310
41	\$68,100	92	\$70,820
42	\$68,600	93	\$71,330
43	\$69,100	94	\$71,840

	CF		SCF
44	\$69,600	95	\$72,350
45	\$70,100	96	\$72,860
46	\$70,600	97	\$73,370
47	\$71,100	98	\$73,880
48	\$71,600	99	\$74,390
49	\$72,100	100	\$74,900
50	\$72,600	101	\$75,410
51	\$73,100	102	\$75,920

Per-Course Rate

The per-course rate for the 2024-25 academic year will be \$4,800 for a standard 4-credit hour semester course. Partial-credit courses will be prorated.

Fringe Benefits

All eligible full-time employees receive the following fringe benefits. For complete terms and conditions of each benefit see the *Benefits Guide*, published annually by the Office of Human Resources.

1. Comprehensive medical insurance
2. Dental insurance
3. Term life insurance
4. Short-term salary continuation (for salaried employees)
5. Short-term disability (for hourly employees)
6. Long-term disability income insurance
7. A tax shelter retirement plan
8. Tuition Scholarship Plan for Dependent Children
9. Employee and Spouse/Domestic Partner Tuition Benefit Plan.

Additionally, all eligible faculty members may receive the following benefits in accordance with the stipulations specified for each:

1. Leaves of absence
2. Professional travel and mileage allowance.

Appendix C: Faculty Emeriti Privileges

Privileges of faculty emeriti shall include:

1. Medical, dental, and vision insurance continuation, as applicable, until attaining age 65;
2. provision for office space at the College where possible;
3. participation in all public academic events such as commencement exercises;
4. library privileges and use of athletic facilities;
5. faculty identification cards for admission to all college events such as plays, concerts, recitals, and athletic contests; and
6. complimentary subscriptions to college publications.

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Last modified: June 28, 2024, by Mark Braun, Faculty Secretary.

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Mission Statement

Gustavus Adolphus College is a church-related, residential liberal arts college firmly rooted in its Swedish and Lutheran heritage.

The College offers students of high aspiration and promise a liberal arts education of recognized excellence provided by faculty who embody the highest standards of teaching and scholarship. The Gustavus curriculum is designed to bring students to mastery of a particular area of study within a general framework that is both interdisciplinary and international in perspective.

The College strives to balance educational tradition with innovation and to foster the development of values as an integral part of intellectual growth. It seeks to promote the open exchange of ideas and the independent pursuit of learning.

The College aspires to be a community of persons from diverse backgrounds who respect and affirm the dignity of all people. It is a community where a mature understanding of the Christian faith and lives of service are nurtured and students are encouraged to work toward a just and peaceful world.

The purpose of a Gustavus education is to help students attain their full potential as persons, to develop in them a capacity and passion for lifelong learning, and to prepare them for fulfilling lives of leadership and service in society.

Amended and Restated Articles of Incorporation of Gustavus Adolphus College

Article I: Name

The name of this corporation is Gustavus Adolphus College.

Article II: Purpose

This corporation is organized and shall be operated under the Minnesota Nonprofit Corporation Act (the “MNCA”), Minnesota Statutes Chapter 317A, exclusively for religious, charitable, literary, educational, and scientific purposes within the meaning of Sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1986 (the “Code”). Within the limitations established by the preceding sentence, this corporation is organized and shall be operated to conduct and maintain an institution of higher education in collaboration with the Gustavus Adolphus College Association of Congregations of the Evangelical Lutheran Church in America and the Evangelical Lutheran Church in America.

Article III: Members

The corporation shall have no members.

Article IV: Restrictions

Notwithstanding any other provisions of these Articles, the restrictions enumerated in this Article IV shall govern the activities of this corporation.

This corporation shall not engage in any activity that may not be carried on (a) by an organization that is exempt from federal income taxation under Section 501(a) of the Code by virtue of being described in Section 501(c)(3) of the Code or (b) by an organization contributions to which are deductible under Sections 170(c)(2), 2055(a), and 2522(a) of the Code.

No part of net earnings of this corporation shall inure to the benefit of any private individual.

This corporation shall not, as a substantial part of its activities, attempt to influence legislation by propaganda or otherwise. This corporation shall neither directly nor indirectly participate in or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office, whether by the publishing or distributing of statements or otherwise.

This corporation shall not lend any of its assets to any officer or director of this corporation or guarantee to any other person the payment of a loan by any officer or director of this corporation.

Article V: Duration

The duration of this corporation shall be perpetual.

Article VI: Registered Office

The College’s registered office is at 800 West College Avenue, St. Peter, Minnesota.

Article VII: Capital Stock

This corporation shall have no capital stock.

Article VIII: Board of Directors

Section 1: The government and management of this corporation shall be vested in its Board of Directors (the “Board”). By tradition, the corporation calls its Board the “Board of Trustees.” However, directors are not

trustees either with respect to the College or with respect to property held or administered by the College, including without limitation, any property that may be subject to donor-imposed restrictions.

Section 2: The number of directors and the manner of their selection shall be set forth in the Bylaws of this corporation.

Sections 3: Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting by written action signed, or consented to by authenticated electronic communication, by the number of directors that would be required to take the same action at a meeting of the Board at which all directors were present; provided that when the action is taken by less than all directors, all directors must be notified immediately of its text and effective date. The written action shall be effective when signed or consented to by the required number of directors, unless a different effective time is provided in the written action. Failure to provide the notice does not invalidate the written action. A director who does not sign or consent to the written action is not liable for the action.

Article IX: Amendment of Articles

These Articles of Incorporation may be amended as provided in the Minnesota Nonprofit Corporation Act.

Article X: Dissolution

This corporation may be dissolved in accordance with the Minnesota law. Upon dissolution, any property remaining after the payment of debts shall be transferred, in such proportions as the Board shall determine, to one or more organizations that are exempt from federal income taxation under Section 501(a) of the Code by virtue of being described in Section 501(c)(3) of the Code, or to the State of Minnesota or any political subdivision or agency of the State for exclusively public purposes. No provision of these Articles shall be construed to affect the disposition of property held by this corporation upon trust or other condition, and upon dissolution of the corporation, such property shall be transferred in accordance with the trust or condition imposed with respect to it.

4/25/92, 6/14/10

Restated Bylaws of Gustavus Adolphus College

Article 1: General

1.1 **General Purposes.** Gustavus Adolphus College (the “College”) is organized and operated as a nonprofit corporation under the Minnesota Nonprofit Corporation Act (Minnesota Statutes Chapter 317A) exclusively for religious, charitable, literary, educational, and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986. The College operates in the tradition of Lutheran higher education and in collaboration with the Evangelical Lutheran Church in America (the “ELCA”) and the Gustavus Adolphus College Association of Congregations of the Evangelical Lutheran Church in America (the “Association of Congregations”). The College acknowledges the intention of the ELCA and the Association of Congregations, set forth in their constitutions, to strengthen the College spiritually and academically and to provide oversight and financial assistance. Also, the College declares its intention, in pursuing its educational function, to reflect the faith of the Christian church.

Article 2: Registered Office

2.1 **Location.** The College shall maintain a registered office in the State of Minnesota at a location selected by the College’s Board of Directors (the “Board”).

Article 3: Authority and Responsibilities Of The Board Of Directors

3.1 Name. By tradition, the College calls its governing board a Board of Trustees. However, under Minnesota law, Board members are directors and are not trustees either with respect to the College or with respect to property held or administered by the College, including without limitation, any property that may be subject to donor-imposed restrictions.

3.2 Board Responsibility. All business and affairs of the College are managed under the direction of the Board. In the exercise of this responsibility, the Board shall have the power to take any actions in the College's interest that are permitted by law, by the College's Articles of Incorporation, and by these Bylaws. Without limitation, the Board's specific responsibilities include:

- 3.2.1 Establishing and periodically reviewing the College's mission and purposes.
- 3.2.2 Establishing the process for selecting the President of the College (the "President").
- 3.2.3 Electing the President.
- 3.2.4 Setting the terms of the President's employment, including compensation.
- 3.2.5 Annually assessing the President's performance based on mutually agreed-upon goals and other criteria, using a process established by the Board.
- 3.2.6 Appointing, upon recommendation of the President, other officers in the administration.
- 3.2.7 Establishing, upon the recommendation of the President, the structure, policies, and rules for the efficient organization, administration, and operation of the College.
- 3.2.8 Approving the College's academic program, upon the recommendation of the President in consultation with the Provost and formed in cooperation with the faculty; enabling the faculty to develop curricula, instructional programs, and degree requirements, while ensuring they are consistent with the mission and purpose of the College as established by the Board, including the academic procedures and policies articulated in the Faculty Manual.
- 3.2.9 Conferring earned and honorary degrees in accord with policies set by the Board, empowering the faculty to establish the requirements and determine when the requirements have been met for earned degrees.
- 3.2.10 Empowering the faculty to exercise its responsibility for the effective conduct of the College's academic program, including the academic life of students in accordance with policies approved by the Board.
- 3.2.11 Adopting institutional policies governing the appointment, promotion, tenure, and dismissal of faculty as articulated in the Faculty Manual.
- 3.2.12 Adopting policies that protect academic freedom and contribute to the best possible environment for the faculty to teach, to pursue their scholarship, to perform public service, and to fulfill the mission of the College.
- 3.2.13 Adopting appropriate policies for all students, faculty, officers, and employees.
- 3.2.14 Adopting non-discrimination policies for all students, faculty, officers, and employees.
- 3.2.15 Overseeing the College's financial affairs and risk management, including the borrowing of money, the assumption of liabilities, the management of funds, the acquisition or disposition of property, the approval of budgets, and appointment of an independent auditor.
- 3.2.16 Establishing tuition and other fees.
- 3.2.17 Monitoring the engagement of the College with the alumni, the community, the Association of Congregations, and the ELCA.
- 3.2.18 Periodically evaluating the Board's own performance.

3.3 Role of Bylaws and Other Board Policies. Subject only to applicable law and the College's Articles of Incorporation, these Bylaws take precedence over all other institutional statements, documents, and policies.

Board policies, wherever stated, take precedence over all other institutional statements, documents, and policies.

Article 4: Board Membership

4.1 **Board Composition.** The Board shall consist of no fewer than twenty-eight (28) and no more than thirty-six (36) directors. All directors shall have equal voting rights.

4.1.1 **Ex Officio Directors.** So long as they hold office, the President of the College, the Bishop of the Southwestern Minnesota Synod of the ELCA, and the President of the Association of Congregations shall be directors.

4.1.2 **Alumni Association Directors.** The Board of Directors of the Gustavus Adolphus College Alumni Association, acting in consultation with the Board, shall be entitled to appoint two Alumni Association directors, each of whom may serve as an Alumni Association director for up to four (4) consecutive years.

4.1.3 **ELCA Director.** The ELCA may designate as a director a member of the churchwide staff with responsibility for higher education.

4.1.4 **Young Alumni Director.** The Board may elect Young Alumni Directors, up to two of whom may serve simultaneously. Each Young Alumni Director will serve a four-year term, unless the Board sets a shorter term. The Board may not extend or renew any Young Alumni Director's term, regardless of that term's length. A Young Alumni Director's term must begin within 15 years of earning a degree from the College.

4.1.5 **Elected Directors.** Elected directors of the Board shall be elected by the Association of Congregations at its annual meeting. The Board shall serve as the nominating committee to the Association of Congregations for the selection of candidates to serve as elected directors of the Board. The composition of the elected directors of the Board shall be no fewer than twenty-four (24) and no more than twenty-eight (28) directors. At least twelve (12) elected directors, the exact number to be determined by the Board, shall be at-large directors nominated by the Board and elected by the Association of Congregations without contest. At least twelve (12) but no fewer than half of the elected directors must be members of congregations that are members of the Association of Congregations, and at least four (4) of these must be rostered ELCA clergy.

- 4.1.5.1 **Term.** Elected directors shall serve three-year (3-year) terms, beginning with the call to order of the Board's annual meeting (see Article 7.1) and ending with the call to order of the Board's annual meeting three years later. To the extent possible, the Board should stagger elections so that the terms of approximately one-third (1/3) of elected directors expire each year.
- 4.1.5.2 **Term Limits.** Elected directors may succeed themselves, but elected directors who have served four (4) consecutive terms (including any partial term) shall not be eligible for reelection until one (1) year has elapsed after the end of their fourth term. The terms of elected directors on the Board shall be extended to enable them to complete their terms as Chair or as Chair-Elect/Chair. Any elected director serving a current term on the effective date of the term limits set forth in this Section 4.1.5.2 that exceeds said term limits shall be allowed to complete their current term.
- 4.1.5.3 **Nomination.** Before the Association of Congregation's annual meeting each year, the Board shall nominate a slate of candidates for election.
- 4.1.5.4 **Vacancies.** Vacant elected director seats on the Board may be filled by the Board until the next meeting of the Association of Congregations, at which time a director shall be elected by the Association of Congregations to complete the remainder of the unexpired term of the director whose position was vacant.

4.1.6 **Resignation.** Any director may resign by delivering written notice to the Chair or the President. The resignation shall be effective upon delivery or at such later time given in the notice.

4.1.7 **Removal.** All directors serve at the pleasure of the Board and may be removed at any regular meeting by a two-thirds (2/3) majority of directors present and voting.

4.1.8 **Expectations For Directors.** The Board expects all directors to share certain characteristics:

- 4.1.8.1 A deep commitment to the College; to its mission, vision, values, and purpose; and to Lutheran higher education.
- 4.1.8.2 A genuine care for the education, health, and spiritual development of the College's students.
- 4.1.8.3 A passion for the welfare and development of the administration, faculty, and staff of the College.
- 4.1.8.4 An understanding of educational and organizational administration.
- 4.1.8.5 A willingness to serve as an advocate for the College.
- 4.1.8.6 A sense of stewardship for the College, its people, and its property.
- 4.1.8.7 A willingness and ability to contribute to the Board's work by attending meetings, participating in committee projects, and being present on campus frequently for College activities.
- 4.1.8.8 A commitment to support the College financially at a level that is generous and appropriate in light of the director's means.
- 4.1.8.9 A commitment to avoid a conflict of interest with the College and, when not feasible, disclose any and all possible conflicts of interest in accordance with Board/College policies.

Article 5: Officers Of The College

5.1 **Officers Identified.** The officers of the College shall be (i) the Chair; (ii) one or more Vice Chairs; (iii) the President; (iv) the Secretary; (v) the Provost; (vi) the Treasurer; and (vii) any other officer positions created by the Board upon the recommendation of the President.

5.2 **Chair.** At an annual meeting, the Board shall elect the Chair from among the directors for a three-year (3-year) term. No director may serve as Chair for more than one (1) consecutive three-year (3-year) term; provided, however, that a two-thirds (2/3) majority of directors present and voting may choose for good cause to extend the Chair's term (and any Chair-Elect's term) for an additional one-year (1-year) term. The Chair shall preside at all Board and Executive Committee meetings and shall perform such other duties as the Board may prescribe. In addition, the Chair shall be the Board's principal spokesperson and its principal agent for dealing with the President. At the annual meeting of the Board in the last year of the Chair's term, the Board shall elect one of its members as the Chair-Elect, who shall, unless provided otherwise by the Board, take office as Chair at the annual meeting at which the current Chair's term expires. At any time there is a Chair-Elect, the Chair shall work to affect a smooth transition of the Chair-Elect to the office of the Chair.

5.3 **Vice Chair.** At each annual meeting, the Board shall elect one (1) or more Vice Chairs from among the directors for one-year (1-year) terms. In the absence of the Chair, a Vice Chair shall preside at Board and Executive Committee meetings. Each Vice Chair shall perform such other duties as the Board may prescribe.

5.4 **Secretary.** At each annual meeting, the Board shall elect the Secretary for a one-year (1-year) term. The Secretary may be a director, but need not be. The Secretary shall ensure that the minutes of all Board and Executive Committee meetings are accurate and distributed to all directors and that all Board policy

statements and official records are properly maintained. The Board may assign additional responsibilities to the Secretary.

5.5 President and Other Officers. The Board shall elect the President and appoint other officers from the administrative team as set out in Article 6 below.

5.6 Vacancies, Resignations, And Removals. The Board may fill any vacant office at any regular or special meeting. Any officer may resign at any time by delivering written notice to the Chair or the President. The resignation shall be effective upon delivery or at such later time given in the notice. The Board may remove any officer at any time, with or without cause, by an affirmative vote of a majority of all directors.

Article 6: The President and Administrative Officers

6.1 Election Of The President. The Board shall elect the President, who shall serve at the pleasure of the Board. The Board shall set the President's compensation and other terms of employment.

6.2 Duties Of The President. The President shall be the College's chief executive officer. The President's authority is derived from the Board and includes responsibility for all educational and managerial affairs. The President is responsible for implementing all Board policies, keeping the Board informed of important matters as appropriate, consulting with the Board on matters relating to its fiduciary and policy-making responsibilities, and serving as the chief spokesperson for the College. The President shall serve as a voting member of the executive committee and of all other Board subgroups, except the audit committee and presidential review committee.

6.3 Presidential Incapacity or Absence. In the event that the President is unable, in the Board's determination, to fulfill the duties of the office for an extended period of time due to absence or incapacity, an interim President shall be appointed by the Board to serve in his or her stead.

6.4 President's Commitment to Lutheran Higher Education. The President of the College shall be (i) a member of a congregation of the ELCA; (ii) a member of a congregation of another Lutheran Church body, the congregations of which are eligible for Association of Congregations membership under Association of Congregations bylaws; (iii) a member of a congregation of one of the church bodies in full communion with the ELCA; or (iv) able to understand, appreciate, articulate, and preserve the College's practices and values that are rooted in its Lutheran heritage. The President shall be able to effectively articulate the essence of Lutheran higher education to all College constituencies.

6.5 Administrative Officers. Upon the recommendation of the President, the Board shall appoint (i) the Provost and (ii) the Treasurer. Upon the recommendation of the President, the Board may appoint additional administrative officers. The President shall have the authority to determine the process by which he or she selects the persons recommended for appointment as an administrative officer.

6.6 Terms, Authority, And Responsibilities of Administrative Officers And Other Administrative Leaders. The administrative officers and other administrative leaders serve at the pleasure of the President. The President shall set the employment terms for all administrative vice presidents and other administrative leaders and is responsible for evaluating the performance of all such persons. The President shall define for the Board the duties of each administrative officer and each other administrative leader.

Article 7: Board Meetings

7.1 Regular Meetings. The Board shall hold at least three (3) regular meetings each year. The first regular meeting following May 1 of each year shall be the Board's annual meeting.

7.2 **Special Meetings.** The President or Chair may call a special meeting of the Board. The Chair shall call a special meeting upon written request signed by at least five (5) directors. The request must state the purpose for the requested meeting.

7.3 **Notice.** The Chair or Secretary shall give written notice of all Board meetings at least ten (10) days in advance. Notice may be delivered either by first-class mail or by e-mail and shall be effective when sent. The notice of any special meeting shall state the purposes for the meeting. Except as specifically permitted in these Bylaws, the business at a special meeting shall be confined to the purposes stated in the notice.

7.4 **Waiver of Notice.** Any director may waive the notice requirement before, at, or after a meeting. The director should put the waiver in writing and submit it to the Secretary for inclusion with the minutes. The director's attendance at a meeting shall be a waiver of any required notice unless the director appears solely to contest the legality of the meeting.

7.5 **Meeting Location.** The Board and each Board subgroup shall determine the location for each meeting. The location shall be included in the meeting notice.

7.6 **Remote Meetings.** Any meeting of the Board and each Board subgroup may be conducted solely by one or more means of remote communication, including electronic communication, conference telephone, video conference, the internet, or such other means by which persons not physically present in the same location may communicate with each other on a substantially simultaneous basis.

7.7 **Remote Participation.** A director may participate in a meeting of the Board or Board subgroup by means of conference telephone, or by such other means of remote communication including electronic communication, video conference, the internet, or such other means by which persons not physically present in the same location may communicate with each other on a substantially simultaneous basis, through which that director and other directors so participating and all directors physically present at the meeting may participate with each other during the meeting.

7.8 **Confidentiality.** Confidentiality at meetings of the Board and Board subgroups is vital to promoting free and candid discussions, deliberations, records and other information generated in connection with the activities of the Board. Board meetings and materials are considered confidential unless the subject matter is otherwise generally available or known to the public. At times, for the avoidance of doubt, the Chair, President, Vice-Chairs, Vice Presidents or others may designate certain agenda items or topics as confidential. Members of the Board shall make no disclosure regarding these confidential items or topics, and those which are not so designated but are not generally known to the public, except as authorized by the Chair or President. This obligation of confidentiality continues for a period of ten (10) years and survives a director's term on the Board, including a director's resignation or removal.

7.9 **Action in Writing.** Any action required or permitted to be taken at a meeting of the Board (or a Board subgroup) may be taken by written action signed, or consented to by e-mail, by the number of directors (or subgroup members) that would be required to take the same action at a meeting of the Board (or subgroup) at which all directors (or members) were present, provided that when the action is taken by less than all directors (or members), all directors (or members) must be notified immediately of its text and effective date. The written action shall be effective when signed or consented to by the required number of directors (or members), unless a different effective time is provided in the written action. Failure to provide the notice does not invalidate the written action. A director (or member) who does not sign or consent to the written action is not liable for the action.

7.10 **Quorum.** A majority of participants (in-person and remote) shall constitute a quorum of the Board and of all Board subgroups.

7.11 **Rules Of Procedure.** Except where the Board has adopted an alternative rule, the Board and all Board subgroups shall conduct their proceedings using *Robert's Rules of Order*, latest edition.

Article 8: The Executive Committee

8.1 **Composition.** The executive committee shall consist of (i) the Chair; (ii) each Vice Chair; (iii) the President; (iv) the Secretary, if the Secretary is a director; (v) the immediate past Chair for one (1) year after leaving office, if the immediate past Chair continues to be a director; (vi) the President of the Association of Congregations; (vii) any Chair Elect; and (viii) up to four (4) and not fewer than two (2) additional directors elected at the annual meeting for one-year (1-year) terms. The Secretary, even if not a member, shall attend executive committee meetings in order to take the minutes, unless the committee determines that the matters under consideration would render such attendance inappropriate.

8.2 **Duties.** The executive committee shall (i) undertake any duties assigned to it by the Board; (ii) assist the Chair and the President with their shared responsibility for effective Board operations by, among other things, participating in the preparation of Board-meeting agendas; and (iii) take any action for the Board that the executive committee determines must be taken before the Board meets again, endeavoring always to preserve for the Board the fullest possible flexibility for addressing the matter at its next meeting. The executive committee shall have the authority to act for the Board on all matters except for the following, which shall be reserved for the Board: presidential selection and termination; director and Board officer elections, changes in institutional mission and purpose, and changes to the Articles of Incorporation or the Bylaws. The executive committee shall provide to all directors prior to each Board meeting minutes of all executive committee meetings that have taken place since the previous Board meeting, and such minutes shall disclose all action as taken by the executive committee.

8.3 **Notice.** The Chair or Secretary shall give written notice of all executive committee meetings at least three (3) days in advance. Notice shall be delivered by e-mail and shall be effective when sent.

8.4 **Waiver Of Notice.** Any executive committee member may waive the notice requirement before, at, or after a meeting. The member should put the waiver in writing and submit it to the Secretary for inclusion with the minutes. The member's attendance at a meeting shall be a waiver of any required notice unless the member appears solely to contest the legality of the meeting.

Article 9: Other Board Subgroups

9.1 **Audit and Presidential Review Committees.** The Board shall have an audit committee and a presidential review committee and shall develop an appropriate charter for each.

9.2 **Other Board Subgroups.** The Board may form such other subgroups as it deems appropriate. The Board shall develop an appropriate charter for each such subgroup. All Board subgroups, irrespective of name, shall be Board committees under the Minnesota Nonprofit Corporation Act.

9.3 **Subgroup Composition.** A director shall chair each Board subgroup. However, the Board may permit non-directors to hold full, voting membership in particular subgroups. All subgroup members serve at the pleasure of the Board. Moreover, in connection with their service, all subgroup members are bound by the standard-of-conduct rules and the conflict-of-interest rules that apply to directors under Minnesota law.

Article 10: The Faculty

10.1 **Faculty Policies and Tenure.** The composition, rights, responsibilities and duties, authority and privileges of the faculty, together with rules of procedure and organization relating thereto, shall be contained in the Faculty Manual, which shall include the provision that all members of the faculty are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure formulated by the American Association of University Professors. Amendments to the Faculty Manual can be

made and approved only by action of both the Board and the faculty. Continuous tenure shall be conferred only by the Board acting on the recommendation of the President.

Article 11: The Students

11.1 Student Policies. Subject to review and approval by the Board, the President and administrative leadership shall prescribe rules, policies, and procedures that govern student life and that are consistent with the mission, vision, purposes, and policies set by the Board. The President shall ensure that these rules, policies, and procedures are published in a form that is available to faculty, students, parents, and all others with a need to know them. The President also shall ensure that the rules, policies, and procedures are fairly and consistently enforced.

11.2 Non-Discrimination. The College is open to academically qualified students without regard to race, creed, religion, pregnancy, color, sex, sexual orientation, gender identity, age, national origin, genetic information, or disability.

Article 12: Fiscal Year

12.1 Fiscal Year. The fiscal year shall begin on June 1 and end on May 31 each year.

Article 13: Limitations on Liability And Indemnification

13.1 Indemnification. The College shall indemnify persons acting in an official capacity on behalf of the College in the manner and to the extent set forth in the Minnesota Nonprofit Corporation Act (Minn. Stat. § 317A.521). However, if two or more persons seek indemnification with respect to one or more proceedings that arise from a single transaction or occurrence, or closely related transactions or occurrences, the Board may condition indemnification, in whole or in part, upon agreement of those persons to joint representation by legal counsel (who may be counsel for the College), except: (1) as to matters with respect to which legal counsel concludes joint representation is impermissible under applicable Rules of Professional Conduct or would materially prejudice the ability of a jointly represented person to assert a defense that in good faith is available to that person or to assert a mandatory counterclaim; or (2) if a court determines that joint representation by legal counsel is unreasonable under the circumstances. In addition, the College may, in the sole discretion of the Board of Directors, indemnify such persons or any other person under such circumstances or different circumstances as the Board of Directors shall deem appropriate as long as the Board reasonably believes such indemnification to be in the best interests of the College.

13.2 Advances. If a person acting in his or her official capacity on behalf of the College is made or threatened to be made a party to a legal proceeding, the person is entitled, upon written request to the College, to payment or reimbursement by the College of reasonable expenses, including attorneys' fees and disbursements, incurred by the person in advance of the final disposition of the proceeding, (a) on receipt by the College of a written affirmation by the person of a good faith belief that the criteria for indemnification described in Section 13.1 have been satisfied, and a written undertaking by the person to repay all amounts so paid or reimbursed by the College, if it is ultimately determined that the criteria for indemnification have not been satisfied, and (b) after a determination that the facts then known to those making the determination would not preclude indemnification. The written undertaking that is made a precondition to advances under this Section 13.2 shall be an unlimited general obligation of the person making it, but need not be secured and shall be accepted without reference of financial ability of the maker to make the payment.

13.3 Rights Not Exclusive. Nothing contained in this Article 13 shall affect any rights to indemnification to which the College's employees may be entitled by contract or otherwise under law.

13.4 **Insurance.** The College shall purchase and maintain insurance on behalf of a person in that person's official capacity against any liability asserted against or incurred by the person in or arising from that capacity, regardless of whether the College would have been required to indemnify the person against the liability.

Article 14: Amendments to The Bylaws

14.1 **Amendment.** The Board may amend these Bylaws at any regular meeting (i) upon the approval of two-thirds (2/3) of directors present and voting or (ii) upon the approval of a majority of directors present and voting, provided that the proposed amendment was delivered to all directors at least thirty (30) days before the beginning of the meeting.

7/93; 6/96; 10/01; 4/03; 1/06; 4/06; 3/07; 6/08; 1/09; 6/10; 2/20; 5/22

Articles of Incorporation of Gustavus Adolphus College Association of Congregations of the Evangelical Lutheran Church of America

We, the undersigned, for the purpose of forming a corporation under and pursuant to the provisions of Chapter 317 Minnesota Statutes, known as the Minnesota Non-Profit Corporation Act, do hereby associate ourselves together as a body corporate and adopt the following Articles of Incorporation.

Article I: Name

The name of this corporation shall be Gustavus Adolphus College Association of Congregations of the Evangelical Lutheran Church in America.

Article II: Purpose

The purpose for which this corporation is formed and organized is to elect persons to serve on the Board of Trustees of Gustavus Adolphus College; to strengthen Gustavus Adolphus College spiritually and academically; to support the Lutheran tradition of academic freedom; and to provide oversight and whatever financial assistance it may find feasible and appropriate.

Article III: Members

The members of this corporation shall be members of the Board of Trustees of Gustavus Adolphus College and the congregations of the Evangelical Lutheran Church in America that elect membership in the corporation according to the procedures established in the by-laws or constitution of this corporation.

Article IV: Pecuniary Gain

This corporation shall be a non-profit organization and shall not afford pecuniary gain, incidentally or otherwise, to its members.

Article V: Duration

The duration of this corporation shall be perpetual.

Article VI: Registered Office

The registered office of this corporation shall be in the City of St. Peter, in the County of Nicollet and State of Minnesota.

Article VII: Individual Liability of Members

The members of this corporation shall not be personally liable for the obligations of the corporation.

Article VIII: Capital Stock

This corporation shall have no capital stock, and no dues or fees shall be required as a condition of membership.

Article IX: Board of Directors of the Gustavus Adolphus College Association

Section 1: The government and management of this corporation shall be vested in its Board of Directors of at least six and not more than thirty-six (36) members, who shall be elected so that as nearly as possible one-third of their number are elected for three-year terms each year.

Section 2: The number, manner of election, and powers and duties of the Board of Directors shall be set forth in the Constitution of Gustavus Adolphus College Association of Congregations of the Evangelical Lutheran Church in America and amendments thereto.

Section 3: The incorporators of this corporation shall be the first Board of Directors until their successors are elected pursuant to the Constitution of the corporation.

Article X: Officers

The officers of this corporation shall consist of a president, one or more vice-presidents, a secretary, a treasurer and such other officers as the Board of Directors shall provide from time to time. The President shall be a member of the corporation.

Article XI: By-Laws

This corporation may have and adopt by-laws for the purpose of administering and regulating the affairs of the corporation, which by-laws shall for convenience be called and known as “The Constitution” of the corporation.

Article XII: Powers

This corporation shall have and enjoy all the powers granted corporations organized under the provisions of the Minnesota Non-Profit Corporation Act, and amendments thereof, under which it is now established and governed, including the power to take, hold, and invest trust property.

Article XIII: Incorporators

The names and post office addresses of the incorporators of the corporation are as follows:

Board of Trustees of Gustavus Adolphus College

Clyde E. Allen
10736 James Circle
Bloomington, MN 55431

Warren Beck
4421 West 52nd Street
Edina, MN 55424

Thomas G. Boman
2045 Woodland Avenue
Duluth, MN 55803

Daniel Buendorf
Pastor, First Lutheran Church
703 South Sibley
Litchfield, MN 55355

Edgar M. Carlson
5320 Brookview Avenue
Minneapolis, MN 55424

Ogden P. Confer
Chairman of the Board
Hubbard Milling Company
424 North Front Street
Mankato, MN 56001

James Hansen
R.R. 2
Brookings, SD 57006

Dwight Holcombe
Hok Ridge Farm
11349 219th Avenue, N.W.
Elk River, MN 55330

Ben Johnson
1628 13th Avenue, N.W.
St. Cloud, MN 56301

Carl M. Johnson
Route 3, Box 60
Saint Peter, MN 56082

Edgar F. Johnson
520 Ninth Street, N.E.
Waseca, MN 56093

John S. Kendall
President
Gustavus Adolphus College
Saint Peter, MN 56082

Theodore M. Kunze
603 Ninth Avenue, North
St. James, MN 56081

Harold R. Lohr
Bishop, Red River Valley Synod
Lutheran Church in America
1351 Page Drive, Suite 320
Fargo, ND 58103

Patricia Lund
4814 Lakeview Drive
Minneapolis, MN 55424

Peter Erickson
Deputy Bishop, Minnesota Synod
of the Lutheran Church in America
122 West Franklin, Room 600
Minneapolis, MN 55404

Kim Erickson Cornell
Director of Risk Management
The Pillsbury Company
200 South 6th Street
Minneapolis, MN 55402

Thomas O. Dahlstrand
556 North Prospect Street
Hartville, OH 44632

Richard A. DeRemee
2209 5th Avenue, N.E.
Rochester, MN 55904

Lloyd Engelsma
5208 Dundee Road
Minneapolis, MN 55436

Rev. Dr. Paul A. Gustafson
Box 61
Warroad, MN 56763

Eric J. Gustavson, Jr.
1700 Baywood Shores Drive
Mound, MN 55364

Paul A. Magnuson
Judge
754 Federal Court Building
St. Paul, MN 55101

John Manz
2114 Palace Avenue
St. Paul, MN 55105

Terry R. Morehouse
Minister, Trinity Lutheran Church
Ill Sixth Avenue, South
Princeton, MN 55371

Gwendolyn Peyton
1005 Carroll Avenue
St. Paul, MN 55104

Marge Pihl
2605 North Shore Drive
Wayzata, MN 55391

Dennis M. Sobolik
Hallock, MN 56728

Florence Sponberg
Route 2, Box 9
Mankato, MN 56001

Lloyd O. Swanson
249 Interlachen Road
Hopkins, MN 55343

Gretchen Taylor
625 Owatonna Street
Mankato, MN 56001

Sybil L. Wersell
5124 Tifton Drive
Edina, MN 55435

Phyllis M. Young
414 Forest Avenue, North
Fargo, ND 58102

Article XIV: Amendments

These Articles of Incorporation may be amended by the members of the corporation at an annual meeting of the members on a two-thirds majority vote of all members present and voting after the proposed amendment has been first submitted to the members at the preceding annual meeting.

9/92, 4/07

Constitution (By-Laws) Gustavus Adolphus College Association of Congregations of the Evangelical Lutheran Church in America

Saint Peter, Minnesota

Article I: Members

Section 1 - Membership: Any congregation of the ELCA shall be eligible for membership by electing or appointing delegates to the annual convention of the corporation. Notification of this election or appointment should be sent to the corporation.

Section 2 - Voting Members: The voting members of the corporation shall be the members of the Board of Trustees of Gustavus Adolphus College; the members of the Board of Directors of the Association; the pastor(s) of each member congregation; and one lay delegate per 500 baptized members, or fraction thereof, with one additional delegate for every additional 500 baptized, or greater fraction thereof, of each member congregation.

Section 3 - Annual Meeting: The annual meeting of the voting members of the corporation shall be held on a date determined by the Board of Directors.

Section 4 - Notice of Meeting: Notice of the annual meeting of the voting members shall be given to all members of the corporation not less than 30 days prior to the date of such meeting. Said notice shall be by written notice sent to each member congregation. Notice to a member congregation shall serve as the notice to all pastors and lay delegates from that member congregation.

Section 5 - Quorum: A quorum of the voting members for any annual or special meeting shall consist of no fewer than fifty (50) members.

Section 6 - Special Meeting: The Board of Directors may call a special meeting at any time upon 60 days written notice to all members. Notice to a member congregation shall serve as the notice to all pastors and lay delegates from that member congregation.

Section 7 - Place of Meeting: The annual and any special meetings of the voting members of the corporation shall be held at such place as shall be determined by the Board of Directors.

Section 8 - Proxies: No member at any meeting of the voting members may vote or be represented by proxy.

Article II: Board of Directors

Section 1 - Management: The management of the corporation shall be vested in the Board of Directors composed of nine (9) elected members.

Section 2 - Members: The president of Gustavus Adolphus College and a bishop of the regional unit of the Evangelical Lutheran Church in America in which the College is located shall be members of the Board of Directors. These are ex officio members who serve with the 9 elected members.

Section 3 - Term of Office: Members of the Board of Directors shall hold office from the adjournment of the annual meeting of the corporation at which they are elected until the adjournment of the annual meeting of the corporation the third calendar year thereafter.

Section 4 - Election: One-third of the members of the Board of Directors shall be elected at each annual meeting of the voting members of the corporation.

Section 5 - Nomination: Nominations to the Board of Directors of the Gustavus Adolphus College Association of Congregations shall be made by a nominating committee consisting of five persons: two representatives from the current Board of Directors of the Association and three at-large delegates to the GACAC. Nominations to this committee shall be made by the Board of Directors of the Association with the at-large nominees elected annually by the convention delegates.

Section 6 - Meetings: The Board of Directors shall meet at such times and places as the Board of Directors may designate.

Section 7 - Quorum: A quorum of the Board of Directors for any meeting shall consist of not less than one-third of the Board of Directors.

Section 8 - Vacancies: Vacant elected seats on the Board of Directors may be filled by Board appointment until the next meeting of the Association, at which time a director shall be elected by the Association to fill out the remainder of the unexpired term of the director whose position was vacant. Vacancies in any office of the Board may be filled by the Board at the next meeting thereof.

Section 9 - Operating Rules: The Board of Directors shall adopt such operating rules as in its discretion it deems appropriate to manage the corporation.

Article III: Election of Trustees of Gustavus Adolphus College

Section 1 - Nominating Committee: The Board of Trustees of Gustavus Adolphus College shall constitute the nominating committee to submit names of persons to the general members of the corporation for election to the Board of Trustees of Gustavus Adolphus College. This nominating committee shall seek recommendations for candidates from members of the corporation.

Section 2 - Floor Nominations: Nominations from the floor at annual meetings shall be permitted in all categories of trustees except for those trustees to be elected at large.

Article IV: Officers

Section 1 - Appointment: The Board of Directors shall appoint a president, vice president, treasurer and secretary of the corporation. The secretary of the corporation shall also act as secretary to the Board of Directors. The Board of Directors shall have the authority to create and appoint such other committees or officers as they determine appropriate to manage the affairs of the corporation.

Section 2 - Duties: The president of the corporation shall be the chief executive officer of the corporation. The vice president shall serve in the absence of the president and shall perform such other duties as may be designated by the president. The treasurer of the corporation shall have charge and custody and be responsible for all funds of the corporation. The secretary of the corporation shall keep the minutes of the meeting of the voting members of the corporation and the minutes of the Board of Directors and such other functions as shall be designated by the Board of Directors.

Article V: Amendment

These By-laws may be amended at any annual meeting of the members of this corporation upon a two-thirds vote of all members present and voting.

4/95, 4/07

Gustavus Shared Governance Principles

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In 2013 the Gustavus Adolphus College Board of Trustees created a Shared Governance Working Group. This document is the product of working group deliberations that drew on various sources and took into account differing perspectives. Most notably, the working group relied heavily on input gathered through a series of well-attended open meetings under the umbrella title “Revitalizing Our Covenant: A Discussion of Shared Governance at Gustavus, In Which the Trustees, Administration, and Faculty Work Together to Understand Working Together.”

Effective governance is a shared responsibility and is essential for a healthy academic community. We recognize the need for the active engagement of all members of the community in order to live the Gustavus mission and core values to their fullest extent. This recognition is consonant with the liberal arts and Lutheran higher education traditions and positions Gustavus Adolphus College with confidence and high aspiration for the 21st century and beyond.

With this document, the Board, Administration, and Faculty of Gustavus Adolphus College clarify and recommit to the foundational principles and best practices of a shared governance model, which also undergird the College’s Amended Constitution (By-Laws) and *Faculty Manual*. The intention of this document is to contextualize shared governance as discussed in the Constitution, *Faculty Manual*, and other properly enacted policy documents of the College, and not to amend or replace them. While this document is mostly concerned with the relationship between the three principal shared governance parties, namely the Board, the Faculty, and the Administration, we also recognize the importance of staff and students in fostering and maintaining a productive and healthy community of learners.

Principles

Mission and Vision

The entire Gustavus Adolphus College community participates in fulfilling the College's mission and envisioning its future. Tradition and best practice bring the Board of Trustees, the Administration, and the Faculty together in a cooperative spirit of engagement around shared governance in order that the College's mission might be realized.

Academic Excellence

Students are at the center of our mission, and all parties to these principles commit to operate in a way that prioritizes academic excellence and student academic success in both the short and long term.

Strategic and Financial Planning

The College's mission and vision will be realized through effective advance planning with respect to programs, facilities, and related resources. This planning is an essential joint effort in our approach to shared governance. Strategic and financial planning will be led by the Administration and approved by the Board. It will feature early and continuous involvement from the Faculty and, where appropriate, other interested members of the community. Planning aims to anticipate institutional challenges and determine overall strategic direction to create and maintain distinction. This allows the prioritization of objectives, which should act to reduce unpleasant surprises and provide a context for discussing trade-offs and resource allocation. All parties are responsible for playing their part – initiating discussions early and digging in to craft solutions ahead of need.

Budgeting

Budget development and execution is primarily the domain of the Administration. Although necessarily including elements that are confidential, budgeting will be done with the early and continuous involvement of the Internal Budget Committee (IBC) or its successor, consulting relevant constituencies as appropriate. The internal budgeting process should recognize the formal governance role afforded to the Faculty¹ by providing for representation on the IBC or its successor through standard faculty procedures.

Curriculum

Curriculum development and execution within resource constraints is primarily the domain of the Faculty in accordance with the 1966 Statement. When disagreements arise relating to curriculum development or execution, the parties involved should work to (a) respect and, wherever possible, concur with faculty judgment on these matters; and (b) maintain open lines of communication until a final decision has been reached. As in matters of faculty status, final curricular decisions “should be exercised adversely (to faculty judgment) only in exceptional circumstances, and for reasons communicated to the faculty.”²

Faculty Status

In matters of faculty status, the composition of the faculty, as well as processes for appointment, advancement, and termination are all articulated in the *Faculty Manual*. Once the Faculty has exercised its professional judgment regarding appointment and advancement, the Board and Administration commit to generally respect that judgment in keeping with the 1966 Joint Statement. In particular, for high-profile faculty appointments (e.g., Distinguished Endowed Chairs, Artists-in-Residence) the Board, Administration,

¹ AAUP 1966 Statement on Government of Colleges and Universities.

² AAUP 1966 Statement.

and Faculty commit to communicate clearly so that the full range of qualifications is reflected in the position description at the outset of any search.

Selection of President

The Board selects the President. It commits to engage a diverse set of members of the community and to provide formal roles for the Faculty, Administration, and Board in the search process. The final decision should seek to concur with the sentiment of the working group convened for purposes of the search.

Selection of Chief Academic Officer

Selection of the Chief Academic Officer should be a joint effort including the Faculty, Administration, and members of the Board. The President's recommendation to the Board for appointment should take into account the considerations of the Faculty, Administration, and Board, and the basis for the recommendation should be communicated to the Board.

Reviews

For all employees, the ethic of performance reviews should be honest and developmental in the interest of joint effort and shared governance.

Presidential reviews will be conducted in accordance with a Board policy made available to the College community and consist of a mix of annual reviews and comprehensive reviews as defined in that policy. The contents of these reviews will not be public, but their occurrence should be known and all members of the Board should have access to their contents. (The President, though a member of the Board, will naturally have limited access to some elements of the review file.) This approach recognizes the formal governance role played by the Faculty by providing a specific mechanism for its inclusion in any comprehensive review of the President.

The President will establish the process for evaluating the Provost's performance. That process will conform to the College's governing documents. The process, among other things, will provide a role for faculty participation. Again, the contents of these reviews will not be public, but their occurrence should be known and members of the faculty should have the opportunity to provide input.

Communication

With this document the Board, Administration, and Faculty of Gustavus Adolphus College recommit to open, honest, and respectful communication while pledging to maintain confidentiality when appropriate. We further pledge to address serious disagreements by developing and regularly exercising a shared mechanism to improve communication and to engage in productive conflict resolution strategies as appropriate. In support of a culture of continuous improvement, our individuals and organizational entities will also communicate to provide and obtain constructive, developmental advice.

Appendix

Governance practices requiring clarification via a collaborative process, which should be initiated by the primarily responsible body

1. Selection and review of the President and Provost.

Primary Responsibility for Selection and Review of the President: Board; Primary responsibility for Selection and Review of the Provost: President

The Board, Administration, and Faculty agree that the selection and review of the leadership of the College shall be conducted in accord with the College's governing documents and the widely accepted best practices of higher education shared governance in the United States. We pledge to work cooperatively towards a future in which such best practices are documented, standard procedure at Gustavus.

2. Faculty Status

Primary Responsibility for Determining Faculty Status: Faculty

Gustavus has long subscribed to the norm that "Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal."³ Despite this general consensus, the matter of faculty status may, in some particular instances, intersect strongly enough with Administrative or Board interests to benefit from engagement deeper than routine concurrence. We seek to work collectively to anticipate such intersections and develop a protocol specified in the *Faculty Manual* for dealing with them.

3. Curriculum Development and Implementation

Primary Responsibility for Curriculum Development and Implementation: Faculty

The mission of the College is advanced by adhering to the broadly accepted principle that "the faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process."⁴ Each governance constituency pledges to collectively develop a mechanism, based on clear two-way communication, to resolve any curricular disputes.

4. Strategic Plan Development and Resource Allocation

Primary Responsibility for Strategic Plan Development and Resource Allocation: Administration

All decisions regarding resource allocation and the offering of curricular and co-curricular programs ought to be driven by the College's strategic priorities. Because these priorities intersect the core concerns of all constituencies, and because prioritization inherently involves tradeoffs, strategic planning ought to be a prime example of joint effort and shared governance. The Board, Administration, and Faculty commit to develop a college wide strategic plan through a shared governance process. Furthermore, all parties will seek to work collaboratively to ensure that future resource allocations are in harmony with this strategic vision.

5. Disagreement Resolution

Primary Responsibility for Disagreement Resolution: The entire community⁵

We must make good on our pledge to develop and regularly exercise a shared mechanism to improve communication and deal with outstanding governance questions before they have a chance to become acute.

³ AAUP 1966 Statement.

⁴ AAUP 1966 Statement.

⁵ The collaborative clarification process is to be initiated by the President.

Although our priority is to resolve disagreements without allowing them to become conflicts, we will develop conflict resolution mechanisms for use when needed.

6. Ongoing Self-Assessment of Shared Governance Structures and Mechanisms

Primary Responsibility for Self-Assessment: President

We will develop specific practices for ongoing self-assessment of shared governance structures and mechanisms including regular review of this document.

Working Group: *Becky Bergman, Mark Braun, Dan Currell, Bill Frame, Jim Gale, Max Hailperin, Paul Saulnier, Kathi Tunheim, Ken Westphal*

Endorsed by the Faculty on December 12, 2014, the Cabinet on December 16, 2014, and the Board of Trustees on January 23, 2015.