The University Faculty met on Tuesday, March 1 and March 8 in the Langone Center Forum. Professor Kim Daubman, Chair of the Faculty, called the meeting to order at 12:00 PM on both days.

1. Remarks by the Chair of the Faculty

Kim encouraged attendance at Faculty Scholarship Reception March 3. She also thanked people who responded to the poll asking for interest in running for university committees. As not that many people responded, the Faculty Council will be asking other people to run.

2. Approval of February 2016 minutes

The Minutes were approved as written.

3. Report from the Committee on Instruction [Addenda 1, 2, 3]

Professors Jan Knoedler and Tom Solomon presented the report attached below regarding the changes in the IDEA form, the demise of the paper version of IDEA, and two ad hoc committees charged respectively with evaluation of the IDEA system, and of how teaching is assessed more broadly. They emphasized that the new IDEA form has only a few changed items and the Bucknell questions will continue to appear.

In response to several questions, Associate Provost Robert Midkiff emphasized that the time window for on-line response can be no shorter than 24 hours and response rate is above 90% for the proctored on-line administration. He noted that the changed items on the IDEA form are a normal part of reviewing psychometric properties of items and that not periodically updating the form would be worrying. He also emphasized the speedy return of feedback in the online vs. the paper version (IDEA will not process paper forms anymore, in any case). It may be possible to increase the number of instructor-generated items. In response to another question, Chris Magee, representing the URC, said that his committee had reviewed the changes and saw no issues; CAFT has not yet reviewed this but Jan said that would happen.
4. Report from Faculty Council [Addenda 4, 5]

Because Kim Daubman was presenting these items, Faculty Council member Pam Gorkin temporarily filled in as Chair. She reminded the group that as is true for all Handbook motions, only questions of clarification were in order at this first reading; debate would take place in April.

a. Proposed Handbook Change to II.F.1, II.F.3, and II.F.

No questions were raised about these changes to general election procedures.

b. Proposal to Revise Membership on Faculty and University Committees, Handbook II.F.6 and II.C

Kim explained the principles and process for revising the governance structure, given the advent of the College of Management. Her Powerpoint presentation is on the Governance Moodle site. She emphasized that there had already been widespread consultation, which would continue via an Open Forum (on March 22), and there would be a review 5 years after implementation. Faculty Council also considered issues of proportionality, burden on faculty time, and faculty/administration ratios. This yielded a proposed divisional structure whereby Colleges of Management and Engineering comprise one division for purposes of most committees. Proposed committee structures are as per the attached report; the total addition of faculty slots on committees amounts to two, as representation on URC and CAFT include a faculty member each from CoM and CoE.

In response to questions, Kim made several clarifications: As CoM has several departments, recusal would only occur if someone under review was from the same department as the URC member. URC Co-Chair James Shields noted that this version of the proposal had not yet been discussed in the URC. If the proposal passes (which is being proposed as a package), a plan for a transition to the new system would then be considered by Faculty Council

4. Report from Faculty and Academic Personnel Committee [Addenda 6, 7, 8]

a. Report on proposed salary increases for 2016-17

Nancy White reported on this item.

The Board of Trustees approved a 3.25% increase in salary pool for faculty. The inflation rate based on the change in consumer price index is 1.02.

FAPC recommends that the 3.25% annual salary increase pool be distributed as follows:

Promotion and equity adjustments 0.50%

Professor and Associate Professor
• Across-the-board increase 0.51%
• Merit-based increase 2.24%

Assistant Professor
• Uniform increase 2.75%

FAPC will report in April on the distribution of the 1.5% salary adjustment. We are currently discussing the form and content of the information session and faculty forum regarding total compensation, including merit, from the Sibson compensation study.

Kim then suggested we rearrange the Agenda to next deal with the report on procedures for tied votes in the URC.

5. Report from the University Review Committee [Addendum 9]

Procedure for Tied Votes

URC Co-Chair Chris Magee reiterated that ties were quite rare; in fact, Co-Chair James Shields said he had never heard of a tied vote. President John Bravman corrected one point, that URC decisions are conveyed by the President to the Trustee Academic Affairs Committee, not Educational Policy Committee. He also noted that the vote count of the URC is never reported to the Board. In response to a concern that the policy of simply bringing a tie to the Board of Trustees abrogates faculty power over retention and promotion decisions, Chris observed that a tied vote would be a complete breakdown of URC. Past members of the URC did note that some votes are very close. The URC considered an alternative approach, of letting a DRC decision stand in the case of ties, but decided against that.

At this point, the meeting was suspended, to be continued in one week.

Continuation of March Faculty Meeting

URC Co-Chairs Shields and Magee announced that the committee was withdrawing their report on the tied vote procedure. They intend to bring a new plan forward in the near future.

4. Report from Faculty and Academic Personnel Committee, continued [Addenda 6, 7, 8]


Kim Daubman began by reminding the faculty that in April of last year, CAFT raised concerns that the procedures specified in an appendix to the Faculty Handbook were in contradiction to what was contained in the body of the Handbook. A motion to have Handbook language take
precedence was referred to CAFT. On behalf of CAFT, Co-Chairs G. C. Waldrep and Laura Beninati said they had worked with FAPC and the University Counsel on the policy here presented, and they agree that the proposed policy adequately addresses their concerns.

Nancy White on behalf of FAPC introduced the report by noting that procedures on sanctions and sexual harassment required updating to be consistent with laws and best practices. The new procedures address two concerns: to allow for faculty to participate in investigations (via the Faculty Hearing Committee) and to allow attorneys advising complainants and respondents to be present during proceedings.

General Counsel Amy Foerster then highlighted some of the details of the proposed Handbook changes. Extant language in the Handbook incorporates AAUP Regulation 5 when the administration determines that a severe sanction is warranted, including when arising from instances of alleged sexual misconduct. In current practice, once the administration determines that a severe sanction is appropriate, two faculty bodies get involved: Faculty Council conducts an informal inquiry to determine whether it believes the severe sanction should be imposed. That determination is not binding on the president. Assuming the administration continues to believe a severe sanction is appropriate, the FHC holds a hearing. These groups however recommend back to the President, so the whole process is circular. The Board of Trustees makes final decisions.

The current procedure is particularly problematic with respect to sexual misconduct charges. In addition to the circularity referred to above, federal guidelines and regulations require prompt resolution of sexual misconduct cases (generally within 60 days), an appeal process that is equally available to both parties if it is provided at all, training for hearing board members, and a standard of “preponderance of evidence” in order to find a respondent responsible for the conduct alleged.

The proposed procedures refer only to charges of sex discrimination, sexual harassment, sexual assault, relationship violence and stalking; other kinds of misconduct would continue to be handled as currently. The procedures only apply to complaints against faculty, although there are parallel processes for complaints against students and staff. The process begins with a written complaint to the Title IX coordinator, allows the possibility of informal resolution if complainant is a faculty or staff member (but not if a student). If a formal resolution is necessary, the Title IX Coordinator gathers information, during which attorneys can be present. He or she prepares a report shared with both parties and the hearing panel (FHC). If a determination is made that there is enough information suggesting that a violation may have occurred, the FHC convenes a hearing to determine responsibility and recommend sanctions to the Provost, who makes the final determination of responsibility and sanctions. Both parties can appeal to President.

Several points were clarified via questions from the audience. This process is independent of any potential parallel criminal proceedings. The 60 day resolution guideline is not actually in the federal law but has been enforced in practice. Attorneys can be present at the hearing and may confer with clients, but not otherwise participate in proceedings. And the federal regulations are unlikely to change with a new administration.
Nancy reminded us that debate and vote on the Handbook changes and Sexual Harassment Policy would take place in April. If the Policy changes in the future, the Faculty would get to vote on it.

c. Proposed change to Handbook Section II.B

Nancy introduced the general issue of who is allowed to vote at Faculty Meetings. The Handbook hadn’t been updated since many administrative titles changed and is also out of date in other respects on this issue.

Professional librarians currently can vote in faculty meetings. However, Bucknell no longer requires that librarians have degrees in library science. Other people on campus who play important supportive roles analogous to librarians do not vote nor does the Vice President for Library and Information Technology. The changes would not affect the access to CAFT available now to librarians.

In response to questions, Nancy clarified that librarians do not vote in staff bodies, currently. Under the new policy, Visiting Professors can vote if on a two-semester contract; some administrators do teach two courses so they would get vote for that year. FAPC does not regulate voting procedures within departments but they encourage development of policies about voting. Questions arose about how to count half-credit courses and music lessons; Nancy said she would take that question back to FAPC for consideration.

6. Adjournment
After reminding the body of the Open Forum on Governance on March 22, the meeting was adjourned at 12:50PM.

Respectfully submitted,
Andrea Halpern
Acting Secretary of the Faculty
Addendum 1

Changes to IDEA Form

COI will convene an ad hoc committee to undertake a review of the hybrid IDEA forms (IDEA’s Learning Essentials form, supplemented with the Bucknell questions), beginning later this academic year.

The original Committee to Review the Evaluation of Teaching (CRET) included in its 2010 recommendations the recommendation that we review the new system of teaching evaluation no later than fall 2016 (see CRET’s Final Report to the Faculty, November 2010, p. 41). The ad hoc committee being convened by COI will be charged to follow the advice of CRET in surveying current and former URC members, as well as surveying faculty more generally, to assess how satisfied faculty are with the IDEA teaching evaluation instruments.

Other issues raised by the CRET report as regards evaluation of teaching will be taken up by a committee to be convened this spring by the Provost and Faculty Council to follow up on the Middle States recommendations (see recommendation 1, Ch. 4 and recommendation 1, Ch. 6 from the self-study). That committee will more broadly examine how faculty are reviewed at Bucknell, emphasizing in particular whether our review system best emphasizes the kind of activities that most promote student engagement.

In the meantime, COI has worked with Associate Provost Midkiff during this current academic year to address two required changes in the IDEA evaluation instruments that will be effective next academic year. First, IDEA will no longer process pencil/paper evaluations; all forms will be processed in an online environment. Second, the IDEA Learning Essentials form has undergone a slight revision. COI has concluded that the revised form is an effective continuation of the current instrument. COI will work with AP Midkiff to implement the new IDEA form (see attachment 1), which will continue to include the additional Bucknell questions (see attachment 2). (Please note that attachment 1 includes annotations by AP Midkiff that indicate the very slight revisions to the IDEA Learning Essentials form.) AP Midkiff will work with his staff to implement the full online version of the IDEA form in time for evaluation of teaching in fall 2016.

COI participated in a webinar with our IDEA liaison in fall 2015. We subsequently reviewed the new IDEA Learning Essentials form and the changes in a few questions (three new questions and two slightly rephrased questions). COI consulted with Geoff Schneider, who chaired CRET and has extensive background in this topic, and who supported these changes. Please note that we will retain the current Bucknell questions (questions #19-31 on attachment 2). We see only minor changes in the wording of the Learning Essentials form currently in use at Bucknell and approved by the faculty in 2010.

Moving to a completely online evaluation process will benefit faculty by making teaching evaluation results available to them in a few days after grades are due. We acknowledge that those faculty members still using the pencil/paper format will no longer be able to examine the individual evaluation forms. COI has discussed these changes at length and concurs with the
CRET report on the benefits of using a psychometrically-validated instrument. COI has also discussed the logistical problems and financial costs associated with returning to a Bucknell instrument; indeed, COI has learned that it would be significantly more expensive to return to an in-house form at this time, requiring replacement of Scantron equipment and additional staff. COI has thus concluded that the IDEA Learning Essentials form, supplemented by the Bucknell questions, remains the best option in the near term. But, in recognition of the original CRET recommendation and concerns raised by some faculty about the current instruments and process, COI welcomes input from the faculty over the next few months as we assemble the new committee to review the instruments used for student evaluations.

Addenda 2 and 3 are the PDF scans of the IDEA form, on the next two pages.
Addendum 4

Proposed Handbook Change to II.F.1, II.F.3, and II.F.4

Background: Over time, the procedures for election to Faculty and University Committees have evolved to satisfy new needs. Whereas all committee members used to be elected in April, we have been running elections for Faculty Chair and the University Review Committee in the fall or early spring semester, prior to when course schedules are due, because faculty elected to those positions are given course release. Also, the Registrar no longer administers the election. Rather, elections are done through an online survey instrument distributed by Faculty Council. Elsewhere in the Handbook, four-year terms are specified for the Chair and Secretary of the Faculty; for clarity, we added text stipulating the terms for those offices in this section.

Faculty Council moves the following Faculty Handbook changes.

(Additions are in red and deletions are struck through.)

II. F. GENERAL PROCEDURES FOR ELECTION TO AND MEMBERSHIP ON FACULTY COMMITTEES (except the Committee on Academic Freedom and Tenure) and UNIVERSITY COMMITTEES

1. Elections of faculty members to For most Faculty Committees and University Committees elections are held simultaneously in April following the regular April meeting of the Faculty. Preliminary nominations from the Faculty Council for all positions to these committees will be distributed at least five days prior to the April Faculty Meeting. Elections for Faculty Chair and the University Review Committee are held in November following the regular November meeting of the Faculty. Preliminary nominations from the Faculty Council for these positions will be distributed five days prior to the November Faculty Meeting.

2. In drawing up election slates, the Faculty Council shall provide at least 1.5 times as many nominees as there are positions to be filled.

3. The Registrar shall be responsible for procedures to count the ballots in all elections. Faculty Council shall be responsible for distributing ballots and reporting the results of all elections.

4. All committee terms begin at the start of the fall semester and are for three years. Committee members may serve no more than two consecutive terms. Terms for the Secretary of the Faculty and the Chair of the Faculty begin July 1 and are for four years.

Proposed final text

II. F. GENERAL PROCEDURES FOR ELECTION TO AND MEMBERSHIP ON FACULTY COMMITTEES (except the Committee on Academic Freedom and Tenure) and UNIVERSITY COMMITTEES

1. For most Faculty Committees and University Committees elections are held simultaneously in April following the regular April meeting of the Faculty. Preliminary nominations from the Faculty Council for all positions to these committees will be distributed at least five days prior to the April Faculty Meeting.
Elections for Faculty Chair and the University Review Committee are held in November following the regular November meeting of the Faculty. Preliminary nominations from the Faculty Council for these positions will be distributed five days prior to the November Faculty Meeting.

2. In drawing up election slates, the Faculty Council shall provide at least 1.5 times as many nominees as there are positions to be filled.

3. Faculty Council shall be responsible for distributing ballots and reporting the results of all elections.

4. All committee terms begin at the start of the fall semester and are for three years. Committee members may serve no more than two consecutive terms. Terms for the Secretary of the Faculty and the Chair of the Faculty begin July 1 and are for four years.
Addendum 5

Faculty Council Proposal to Revise Membership on Faculty and University Committees

Background

In July 2017, the School of Management, currently within the College of Arts and Sciences, will become the College of Management. This change in the academic structure of the University invites a restructuring of committee membership on Faculty and University committees. In formulating our proposal, Faculty Council was guided by the following principles:

1. Solicit input across diverse constituencies
2. Create an equitable model that gives equal status to deans without unfairly advantaging or burdening a small group of faculty
3. Create a sustainable model that recognizes the value of faculty time
4. Create a coherent model with consistent rationale

In preparing our plan, we consulted with the Provost, the Dean of Arts and Sciences, the Dean of Engineering, the Director of Management, chairs and program directors across the university, the current membership of all governance committees, and the faculties of Engineering and Management. Feedback from these constituencies has informed our proposal.

Our current system of governance recognizes the importance of divisional representation. Divisional representation is intended to provide diverse perspectives and expertise that can help the committee do its job well. No divisional grouping is perfect in that there are different perspectives and expertise within divisions and similar perspectives and expertise across divisions. Nevertheless, we believe that divisional representation does increase the diversity we strive for and our proposed plan preserves this value.

Currently, nine faculty and university committees have faculty representation by division. Additionally, the Committee on Academic Freedom and Tenure has representation by College. The only committees that elect faculty only at-large are the Committee on Campus and Student Life, the Committee on Faculty and Academic Personnel, and the Committee on Athletics.

The current divisions and number of regular (non-visiting, non-administrative) faculty are:

- Arts and Humanities (102)
- Social Sciences (98 including 24 in Management)
- Natural Sciences and Mathematics (76)
- Engineering (73)

Guided by principles 2-4 above, we propose:

1. Changing the composition of the divisions:
   - Arts and Humanities (102)
   - Social Sciences (74)
   - Natural Sciences and Mathematics (76)
   - Colleges of Engineering and Management (97)

2. Adding the dean or dean’s designee from the College of Management to all committees that currently have a dean or dean’s designee from the Colleges of Arts and Sciences and Engineering

3. Making other provisions to
   - Maintain a strong faculty voice on committees
   - Ensure that each college is represented on committees for which this is important

This plan maintains faculty groupings of similar sizes, thereby preserving an equitable distribution of governance duties. It is also important to note that by virtue of having their own deans, both Engineering and Management are guaranteed representation on eight governance committees (Committees on Faculty and Academic Personnel, Instruction, Staff Planning, Faculty Development, Planning and Budget, Library and Information Resources,
Athletics; and University Review Committee). This is not the case for the divisional groupings in Arts and Sciences, since the Arts and Sciences deans come from only one of these disciplinary areas.

Faculty Council moves the following changes to the governance structure as outlined in the Faculty Handbook; that these changes go into effect concurrent with the creation of a College of Management; and that the impact of the changes be reviewed five years after they are implemented.

(Additional text is in red and deletions are struck through. Rationale is in italics and is not intended to appear in the Handbook.)

II.F.6. Where appropriate distribution across academic divisions is required (Committees on Instruction, Staff Planning, Faculty Development, Honorary Degree, and the University Review Committee), the Faculty Council shall nominate faculty members (and librarians where eligible) from each of the following categories:

a. Colleges of Engineering and Management
b. Division of Arts and Humanities
c. Division of Social Sciences
d. Division of Natural Sciences and Mathematics

Rationale: Librarians do not come from the academic divisions, and so specifying librarians here is inappropriate.

II. C. FACULTY COMMITTEES

1. FACULTY COUNCIL

   Membership:
   Chairperson of the Faculty
   Secretary of the Faculty
   Four Five members of the Faculty elected from each of the standard groups (see II.F.6), one elected from each of the divisions in the College of Arts and Sciences, one from the College of Engineering, and one from the College of Management
   One untenured member of the Faculty, to be replaced upon receiving tenure

   RATIONALE: This change ensures representation from each College, which is appropriate given Faculty Council’s role in setting the long-term agenda of the Faculty and advising the Administration.

2. COMMITTEE ON FACULTY AND ACADEMIC PERSONNEL

   Membership:
   Provost
   Dean or the designated Associate Dean, College of Engineering
   Dean or the designated Associate Dean of Faculty, College of Arts and Sciences
   Dean or the designated Associate Dean, College of Management
   Three tenured members of the Faculty
   Two non-tenured faculty members (If a non-tenured faculty member receives tenure during his/her term of office, he/she must be replaced by an untenured member.)

3. COMMITTEE ON FACULTY DEVELOPMENT

   Membership:
   Provost or Provost’s designee
   Dean or the designated Associate Dean, College of Engineering
   Dean or the designated Associate Dean of Faculty, College of Arts and Sciences
   Dean or designated Associate Dean, College of Management
   Four members of the Faculty (one elected from each of the standard groups, see II.F.6)
   Two faculty members elected at-large; no more than one faculty member from a single department.
4. FACULTY COMMITTEE ON HONORARY DEGREES

Membership:
The Provost (or Provost’s designate) designee
Six faculty members (one elected from each of the standard groups, see II.F.6, and two elected at-large)

5. COMMITTEE ON STAFF PLANNING

The Committee develops a staff planning policy, recommends the allocation of instructional positions, coordinates with the President's Staff (charged with administrative staff planning) to develop joint staffing recommendations for faculty and administrative positions, monitors the hiring process, and regularly assesses the effectiveness of the University’s faculty staffing procedures. The Committee will make staffing recommendations to the Deans of the Colleges Provost and will report assessments and policy recommendations to the Faculty. It shall be the goal of the Committee to maintain a highly qualified Faculty while matching our Faculty to a gradually changing curriculum and promoting the affirmative action goals of the University.

To meet its charge the Committee on Staff Planning will, among other things, review faculty teaching loads in relation to department curricula, examine department and University staffing, maintain liaison with the College Curriculum Committees, and work with the President's Staff on matters concerning both faculty and administrative staffing.

Membership:
Provost, without vote
Associate Provost for Diversity, without vote
Deans of the Colleges
Four members of the Faculty (one elected from each of the standard groups, see II.F.6)
One faculty member elected at-large

RATIONALE: Current practice is for the committee to recommend to the Provost, not the Deans as stated in the current charge. The Provost has decision-making power and therefore a vote in committee is redundant. The proposed membership with voting authority maintains the balance between administrators and faculty. The Associate Provost for Diversity has been attending meetings to represent perspectives relevant to our diversity goals.

6. UNIVERSITY REVIEW COMMITTEE

Membership:
Five tenured faculty members (one elected from each of the standard groups, see II.F.6, and one elected at-large to serve as alternate) one elected from each of the divisions in the College of Arts and Sciences, one from the College of Engineering, one from the College of Management, and one at-large.
Provost
Deans of the Colleges

RATIONALE: Faculty play an essential role in shaping the composition of the faculty through hiring, retaining, and promoting faculty. As such, it seems appropriate to ensure that the faculty of all Colleges have direct involvement in all parts of this process. Additionally, replacing the alternate with a regular, voting member of the committee also helps to maintain a strong faculty voice on the committee.

7. COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Membership:
Five tenured members of the Faculty (one elected from each College and three at-large) one elected from each of the divisions in the College of Arts and Sciences, one from the College of Engineering, and one from the College of Management
Four non-tenured members of the Faculty elected at-large
RATIONALE: Given CAFT’s important role in safeguarding academic freedom for all faculty, it is appropriate for each College to have representation. Also, given CAFT’s role in reviewing DRC/PRC documents and divisional/college differences in norms for scholarship, it seems prudent to have representatives from each division of the College of Arts and Sciences as well as from the Colleges of Engineering and Management.

8. FACULTY HEARING COMMITTEE

Membership:
Five tenured faculty members (one elected from each of the standard groups, see II.F.6, and one elected at-large)

II D. UNIVERSITY COMMITTEES

1. COMMITTEE ON ATHLETICS

Membership:
Three members of the faculty elected at-large (3 yr terms)
Faculty Athletics Representative to the NCAA
Athletic Director
Dean of Students (or appointee)
VP for Enrollment Management (or appointee)
Associate Dean of Arts and Sciences
Associate Dean of Engineering
Associate Dean of Management
Senior Woman Administrator of Athletics, without vote
Senior Associate Director of Athletics, without vote
Two students (one male, one female) elected from the Student Athlete Advisory Committee (SAAC) for a term to be set by SAAC, but not less than 1 year
Student elected by the BSG, for a term to be set by the BSG, but not less than one year

2. COMMITTEE ON CAMPUS AND STUDENT LIFE

Membership:
Six faculty members elected at-large
Four students elected by the BSG
Student Affairs Chair or other Representative of the BSG
Vice President of the BSG
Provost or his/her Provost’s designee
Dean of Students

3. COMMITTEE ON INSTRUCTION

Membership:
Provost or Provost’s designee
The Dean of each College or a long-term designee
Five members of the Faculty (one elected from each of the standard groups, see II.F.6, and one elected at-large)
The Registrar or designated Associate Registrar
Two students (to be elected by the Congress of the BSG, for terms to be set by the Congress, but not less than one year)
One at-large member of the Congress of the BSG
4. COMMITTEE ON PLANNING AND BUDGET

Membership:
- Four Five members of the Faculty (one elected from each of the standard groups, see II.F.6, and one elected at-large)
- The Faculty Representative to the Trustee Finance Committee
- One member of the salaried staff other than voting members of the Faculty and direct reports of the president or vice presidents, selected by vote of those eligible to serve, in an election organized by the Administrative Forum
- Two members of the hourly staff selected by vote of those eligible to serve, in an election organized by the Support Staff Forum
- Three students, elected by the Congress of the BSG, for terms to be set by the Congress, but not less than one year
- One of the members at-large of the Congress of the BSG
- One representative from the Committee on Campus and Student Life, without vote
- One representative from the Committee on Instruction, without vote
- One representative from the Committee on Faculty and Academic Personnel, without vote
- Deans of the Colleges
- The five vice presidents of the University

RATIONALE: We no longer elect a faculty representative to the Trustee Finance Committee; rather, the chair of the Committee on Planning and Budget is the representative to the Trustee Finance Committee. To maintain five faculty on the committee, an at-large position is added. There are currently six vice-presidents.

5. COMMITTEE ON LIBRARY AND INFORMATION RESOURCES

Membership:
- Vice President for Library and Information Technology
- Director of Library Services and Instructional Technology
- Two L&IT Directors designated by Vice President for L&IT, without vote
- Faculty member – Natural Sciences and Mathematics
- Faculty member – Social Sciences
- Faculty member – Arts and Humanities
- Faculty member – Engineering
- Four members of the Faculty (one elected from each of the standard groups, see II.F.6)
- One untenured faculty member, elected at-large
- Dean or designee of Arts and Sciences
- Dean or designee of Engineering
- Dean or designee of Management
- Director of Teaching and Learning Center or designee
- Student member appointed by Bucknell Student Government (BSG)
- Student member appointed by CLIR

RATIONALE: The administrative structure of L&IT has changed since CLIR was initially created. Instead of a single Director of Library Services and Instructional Technology there are now two individuals that fulfill this role. This change to the committee membership is recommended so that the committee better reflects the current structure of L&IT’s administration. To maintain the balance of faculty to administrators on the committee, these two positions should be designated as non-voting.
The proposed language for Section II. F. 6 would read

II.F.6. Where appropriate distribution across academic divisions is required, the Faculty Council shall nominate faculty members from each of the following categories:
   a. Colleges of Engineering and Management
   b. Division of Arts and Humanities
   c. Division of Social Sciences
   d. Division of Natural Sciences and Mathematics

The proposed language for Section II. C. would read

II. C. FACULTY COMMITTEES

1. FACULTY COUNCIL

   Membership:
   Chairperson of the Faculty
   Secretary of the Faculty
   Five members of the Faculty, one elected from each of the divisions in the College of Arts and Sciences, one from the College of Engineering, and one from the College of Management
   One untenured member of the Faculty, to be replaced upon receiving tenure

2. COMMITTEE ON FACULTY AND ACADEMIC PERSONNEL

   Membership:
   Provost
   Dean or the designated Associate Dean, College of Engineering
   Dean or the designated Associate Dean of Faculty, College of Arts and Sciences
   Dean or the designated Associate Dean, College of Management
   Three tenured members of the Faculty
   Two non-tenured faculty members (If a non-tenured faculty member receives tenure during his/her term of office, he/she must be replaced by an untenured member.)

3. COMMITTEE ON FACULTY DEVELOPMENT

   Membership:
   Provost or Provost’s designe
   Dean or the designated Associate Dean, College of Engineering
   Dean or the designated Associate Dean of Faculty, College of Arts and Sciences
   Dean or designated Associate Dean, College of Management
   Four members of the Faculty (one elected from each of the standard groups, see II.F.6)
   Two faculty members elected at-large; no more than one faculty member from a single department

4. FACULTY COMMITTEE ON HONORARY DEGREES

   Membership:
   Provost or Provost’s designee
   Six faculty members (one elected from each of the standard groups, see II.F.6, and two elected at-large)

5. COMMITTEE ON STAFF PLANNING

   The Committee develops a staff planning policy, recommends the allocation of instructional positions, coordinates with the President's Staff (charged with administrative staff planning) to develop joint staffing recommendations for faculty and administrative positions, monitors the hiring process, and regularly assesses the effectiveness of the University’s faculty staffing procedures. The Committee will make staffing recommendations to the Provost and will report assessments and policy recommendations to the Faculty. It shall
be the goal of the Committee to maintain a highly qualified Faculty while matching our Faculty to a gradually changing curriculum and promoting the affirmative action goals of the University.

To meet its charge the Committee on Staff Planning will, among other things, review faculty teaching loads in relation to department curricula, examine department and University staffing, maintain liaison with the College Curriculum Committees, and work with the President's Staff on matters concerning both faculty and administrative staffing.

Membership:

- Provost, without vote
- Associate Provost for Diversity, without vote
- Deans of the Colleges
- Four members of the Faculty (one elected from each of the standard groups, see II.F.6)
- One faculty member elected at-large

6. UNIVERSITY REVIEW COMMITTEE

Membership:

- Six tenured faculty members, one elected from each of the divisions in the College of Arts and Sciences, one from the College of Engineering, one from the College of Management, and one at-large.
- Provost
- Deans of the Colleges

7. COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Membership:

- Five tenured members of the Faculty (one elected from each of the divisions in the College of Arts and Sciences, one from the College of Engineering, and one from the College of Management)
- Four non-tenured members of the Faculty elected at-large

8. FACULTY HEARING COMMITTEE

Membership:

- Five tenured faculty members (one elected from each of the standard groups, see II.F.6, and one elected at-large)

II D. UNIVERSITY COMMITTEES

1. COMMITTEE ON ATHLETICS

Membership:

- Three members of the faculty elected at-large (3-yr terms)
- Faculty Athletics Representative to the NCAA
- Athletic Director
- Dean of Students (or appointee)
- VP for Enrollment Management (or appointee)
- Associate Dean of Arts and Sciences
- Associate Dean of Engineering
- Associate Dean of Management
- Senior Woman Administrator of Athletics, without vote
- Senior Associate Director of Athletics, without vote
- Two students (one male, one female) elected from the Student Athlete Advisory Committee (SAAC) for a term to be set by SAAC, but not less than 1 year
- Student elected by the BSG, for a term to be set by the BSG, but not less than one year
2. COMMITTEE ON CAMPUS AND STUDENT LIFE

   Membership:
   Six faculty members elected at-large
   Four students elected by the BSG
   Student Affairs Chair or other Representative of the BSG
   Vice President of the BSG
   Provost or Provost’s designee
   Dean of Students

3. COMMITTEE ON INSTRUCTION

   Membership:
   Provost or Provost’s designee
   Dean of each College or a long-term designee
   Five members of the Faculty (one elected from each of the standard groups, see II.F.6, and one elected at-large)
   Registrar or designated Associate Registrar
   Two students (to be elected by the Congress of the BSG, for terms to be set by the Congress, but not less than one year)
   One at-large member of the Congress of the BSG

4. COMMITTEE ON PLANNING AND BUDGET

   Membership:
   Five members of the Faculty (one elected from each of the standard groups, see II.F.6, and one elected at-large)
   One member of the salaried staff other than voting members of the Faculty and direct reports of the president or vice presidents, selected by vote of those eligible to serve, in an election organized by the Administrative Forum
   Two members of the hourly staff selected by vote of those eligible to serve, in an election organized by the Support Staff Forum
   Three students, elected by the Congress of the BSG, for terms to be set by the Congress, but not less than one year
   One of the members at-large of the Congress of the BSG
   One representative from the Committee on Campus and Student Life, without vote
   One representative from the Committee on Instruction, without vote
   One representative from the Committee on Faculty and Academic Personnel, without vote
   Deans of the Colleges
   The vice presidents of the University

5. COMMITTEE ON LIBRARY AND INFORMATION RESOURCES

   Membership:
   Vice President for Library and Information Technology
   Two L&IT Directors designated by Vice President for L&IT, without vote
   Four members of the Faculty (one elected from each of the standard groups, see II.F.6)
   One untenured faculty member, elected at-large
   Dean or designee of Arts and Sciences
   Dean or designee of Engineering
   Dean or designee of Management
   Director of Teaching and Learning Center or designee
   Student member appointed by Bucknell Student Government (BSG)
   Student member appointed by CLIR
Addendum 6

Proposed change to Handbook Sections III. N, O, and S, Procedures for Imposition of Sanctions Other than Dismissal, Termination of Contract, and Bucknell Policy on Sexual Harassment

Rationale: According to Amy Foerster, two major concerns were previously raised about the procedures being used to investigate complaints of sexual misconduct against faculty, both of which have been addressed in this draft policy and are reflected in the proposed revisions to Section III.N. First, the concern was raised that faculty did not have a role in the investigation. Under this model, a faculty body is involved before any decision is made by the administration. Second, a concern was raised that the procedures in Section III.N. allow for attorneys to be involved on behalf of the accused faculty member, but the prior procedures being used to investigate complaints did not allow for such involvement. This draft policy allows for the involvement of attorneys on behalf of faculty. The proposed draft procedures, and the Handbook revisions that follow, bring the University's procedures into compliance with the law and federal guidance.

Proposed changes in red and strikethrough

N. PROCEDURES FOR IMPOSITION OF SANCTIONS OTHER THAN DISMISSAL

1. This Section III.N. does not apply to sanctions resulting from a violation of the Bucknell University Sex Discrimination, Sexual Misconduct, Relationship Violence and Stalking Policy and Procedures for Resolving Complaints Against Faculty, dated [DATE OF APRIL FACULTY MEETING VOTE], included in Appendix A. Sanctions resulting from such a violation will be addressed solely under that Policy. To the extent the Policy is revised without Faculty adoption of such revisions, this Section (N)(1) shall be voided.

2. Severe Sanction

If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, the administration may institute a proceeding to impose such a severe sanction; the procedures outlined in Regulation 5 of the AAUP Recommended Institutional Regulations on Academic Freedom and Tenure (1999) will govern such a proceeding. Severe sanctions include a penalty that has severe adverse financial consequences for a faculty member and/or a penalty that significantly abridges the faculty members normal rights and responsibilities within the University. Specifically, a severe sanction is defined as follows:

   a. Any raise below the minimum raise permitted by the merit procedures (normally ½ of CPI) is considered a severe sanction. In particular, a sanction that reduces base salary is considered a severe sanction. A loss of merit pay through the review process for any reason, including failure to participate in the merit review process, is a review consequence, not a sanction.

   b. In a one year period, a financial penalty greater than $1000 or 1% of annual salary, whichever is lesser, is considered a severe sanction; a smaller amount is considered a minor sanction. Financial penalties are above and beyond reimbursement for theft, misuse of University property or funds, or other transgressions for which restitution is appropriate. Financial penalties may be deducted from pay over a 12-month period at the request of the sanctioned party.

   c. Sanctions that significantly impair an employee’s ability to perform essential professional duties will be considered severe. Examples of such severe sanctions would include...
the loss of office space, suspension from meeting classes, and sanctions that significantly impair a faculty member’s ability to engage in research.

3. Minor Sanction
If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction that does not impair essential professional duties, such as a letter of reprimand, it will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed. A faculty member who believes that a major sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may, pursuant to Section III.R.3. of the Faculty Handbook, petition the Faculty Hearing Committee (see III. O.) for such action as may be appropriate.

O. TERMINATION OF CONTRACT
1. This Section III.O. does not apply to sanctions resulting from a violation of the Bucknell University Sex Discrimination, Sexual Misconduct, Relationship Violence and Stalking Policy and Procedures for Resolving Complaints Against Faculty, dated [DATE OF APRIL FACULTY MEETING VOTE], included in Appendix A. Sanctions resulting from such a violation will be addressed solely under that Policy. To the extent the Policy is revised without Faculty adoption of such revisions, this Section (O)(1) shall be voided.

2. Bucknell may terminate an appointment with continuous tenure, or a provisional or temporary appointment before the end of the specified term, but only for adequate cause established by following the procedures and standards prescribed for the cause alleged. The burden of proof that adequate cause exists rests with the University. Should the cause alleged be (a) bona fide financial exigency, or (b) discontinuance of a program or department of instruction upon educational considerations, or (c) incapacity of the faculty member to continue to fulfill the terms and conditions of an appointment for medical reasons, then the procedures and standards to be followed are those stipulated in the appropriate section of Regulation 4 of the AAUP Recommended Institutional Regulations on Academic Freedom and Tenure (1999). The Faculty Council shall recommend to the faculty for its approval appropriate faculty committees or bodies to execute the tasks assigned in (c) and (d) of Regulation 4. If the cause alleged is related, directly and substantially, to the fitness of a faculty member in his or her professional capacity as teacher or scholar or researcher, the termination of the appointment is considered dismissal for cause, and the procedures to be followed are those stipulated in Regulations 5 and 6 of the Recommended Institutional Regulations. The willful failure to fulfill obligations for teaching, sexual harassment of students or colleagues (see definition in Section III.S), conviction for a serious crime, and physical interference with students or colleagues in the exercise of their civil or academic rights are examples of adequate cause for dismissal. The informal inquiry that is mandated in Regulation 5 (b) will be conducted by the Faculty Council. The Faculty Hearing Committee shall discharge the several tasks which are assigned to faculty committees by Regulation 5 (c), and as described in III.N.2. and III.R, and in accordance with the procedural regulations stipulated therein.

S. BUCKNELL POLICY ON SEXUAL HARASSMENT
1. Bucknell faculty is committed to maintaining an academic environment in which members of its community can pursue their academic and professional activities of teaching, learning, and research. This environment cannot thrive unless each member is accepted as a discrete individual and is treated civilly, without regard to his or her sex or sexual orientation or any other factor
irrelevant to participation in the life of the University. The faculty is committed to providing such an environment, free from all forms of harassment and illegal discrimination, including sexual harassment. Sexual harassment compromises the integrity of the University, its tradition of academic freedom and learning, and the trust placed in its members. Bucknell will work to eliminate sexual harassment on campus, and the University intends to take all necessary actions to prevent, correct, and, where appropriate, discipline sexual harassment. Sexual harassment, whether between people of different sexes or the same sex, includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in an academic program; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting that individual, including, for example, grades, pay, promotions and transfers; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile or offensive working or educational environment and has no legitimate relationship to the subject matter of a course or academic research. As members of an academic community committed both to the elimination of sexual harassment and the free and open exchange of ideas, the faculty intends this policy to foster an environment permitting full participation by all of its members, while not inhibiting the robust and open pursuit of ideas and freedom of speech. Nonetheless, members of the faculty should understand that a standard of respect, civility and tolerance should shape our interactions, regardless of whether particular conduct constitutes "sexual harassment" or not. Certain types of behavior may be inappropriate even though not illegal; speech can be offensive even though allowed. Sexual harassment may take many forms. Some are overt and unambiguous, while others may be more subtle and indirect. Direct forms of sexual harassment include sexual advances accompanied by an offer of reward or a threat of reprisal. Such behavior constitutes serious misconduct, and a single incident establishes grounds for disciplinary action. Other forms of sexual harassment may include sexual advances, physical or verbal, or other severe or repeated conduct of a sexual nature that the harasser knows is unwanted (such as stalking). Sexual harassment between peers is also prohibited by this policy. The faculty encourages the reporting of all perceived incidents of sexual harassment. Supervisors, department chairs, and deans who may receive complaints alleging sexual harassment are expected to consult with the Title IX Coordinator or Vice President for Human Resources, Director of Personnel Services or the Affirmative Action Officer to insure that the University's response is prompt, effective and consistent with university this policy. Complainants are assured that their reports will be handled with discretion and in a manner intended to preserve their privacy as much as possible, subject to the University's obligation to respond promptly and effectively to all instances of sexual harassment. The faculty also prohibit threats or acts of reprisal against anyone who initiates a report or complaint of sexual harassment in good faith. The proposed final text

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BUCKNELL UNIVERSITY SEX DISCRIMINATION, SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE & STALKING POLICY & PROCEDURES FOR RESOLVING COMPLAINTS AGAINST FACULTY

Bucknell University is committed to maintaining an academic environment in which members of its community can pursue their academic and professional activities. This environment cannot thrive unless each member of the University community is valued as an individual and is treated respectfully. Sex Discrimination (which includes Sexual Misconduct), Relationship Violence and Stalking are antithetical to the standards and values of the University, violate University policy and, in some instances, state and federal law, and will not be tolerated.

This Policy sets forth the options and resources available to an individual making a report of Sex Discrimination (including Sexual Misconduct), Relationship Violence or Stalking. Reports alleging such conduct committed by faculty in their capacity as Bucknell employees and/or otherwise against Bucknell faculty, staff or students will be resolved according to the procedures outlined in this Policy. Reports alleging such conduct committed by students or staff members will be resolved consistent with the procedures outlined in the student and staff handbooks and policies.

I. POLICY DEFINITIONS & VIOLATIONS

This Policy prohibits “Sex Discrimination” (including “Sexual Misconduct”), “Relationship Violence” and “Stalking,” broad categories encompassing the conduct defined below. Anyone can be found responsible for having committed Sex Discrimination (including Sexual Misconduct), Relationship Violence or Stalking, which can occur between people of the same or different sexes or genders.

SEX DISCRIMINATION

Title IX of the Educational Amendments of 1972, 20 U.S.C. §§1681 et seq., prohibits discrimination on the basis of sex in educational programs and activities operated by recipients of federal financial assistance, including in employment by such institutions. Title VII of the Civil Rights Act of 1964 likewise prohibits discrimination in employment. The University complies with Title IX and Title VII and does not discriminate on the basis of sex in educational programs and activities, admissions, or employment. It complies with all applicable federal and state laws regarding nondiscrimination and equal opportunity.

Sex Discrimination occurs when someone is treated adversely because of, or on the basis of, their sex or gender. It is important to understand that Sex Discrimination includes sexual harassment, sexual assault and other forms of misconduct as discussed below. Sex Discrimination also includes discrimination or harassment of a person based on the person’s nonconformity with gender stereotypes.
Sex Discrimination is a violation of this Policy.

**Sexual Misconduct**

Sexual Misconduct is a form of Sex Discrimination and encompasses the conduct described below:

**Sexual Harassment:** Unwelcome conduct of a sexual nature when i) submission to such conduct is made either explicitly or implicitly a term or condition of a person’s employment or education; ii) submission to or rejection of such conduct by a person is used as the basis for a decision affecting that person’s employment or education; or iii) such conduct has the purpose or effect of unreasonably interfering with a person’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment, and has no legitimate relationship to the subject matter of a course or academic research. Sexual Harassment also includes gender-based harassment and harassment based on an individual’s failure to conform with gender stereotypes.

**Sexual Assault:** Having or attempting to have sexual intercourse or oral sex (cunnilingus or fellatio) without Consent. Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger or inanimate object.

**Non-Consensual Fondling:** The touching or attempted touching of another’s breasts, genitals, or buttocks (over or under clothes), for the purpose of sexual gratification, without Consent. Non-consensual fondling also includes forcing or attempting to force another to touch the breasts, genitals or buttocks of the Respondent, for the purpose of sexual gratification, without Consent.

**Sexual Exploitation:** The abuse or exploitation of another person’s sexuality. Examples of sexual exploitation include, but are not limited to, non-consensual observation of individuals who are undressed or engaging in sexual acts, non-consensual audio- or videotaping of sexual activity, prostituting another person, allowing others to observe a personal consensual sexual act without the knowledge or consent of all involved parties, and knowingly exposing an individual to a sexually transmitted infection without that individual’s knowledge.

**RELATIONSHIP VIOLENCE**

Relationship Violence includes the following violations:

**Domestic Violence:** Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a current or former spouse or intimate partner or any other person from whom the Alleged Victim is protected under federal or Pennsylvania law.

**Dating Violence:** Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Alleged Victim. The existence of such a relationship will be determined based on a consideration of the length and type of relationship and the frequency of interaction.

**STALKING**
Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts in which a person directly, indirectly or through third parties, 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.

OTHER PROHIBITED CONDUCT

Complicity: Assisting, facilitating, or encouraging the commission of a violation of this Policy.

Retaliation: Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this Policy, or as retribution or revenge against anyone who has reported Sex Discrimination (including Sexual Misconduct), Relationship Violence or Stalking or who has participated (or is expected to participate) in any manner in an investigation or proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination. Title IX prohibits Retaliation.

For purposes of this Policy, an attempt requires a substantial step towards committing a violation.

Other Definitions

• **Alleged Victim:** Any individual who has allegedly experienced a violation of this Policy.

• **Adviser:** An individual who has agreed to support and advise an Alleged Victim or Respondent, which may include legal advice or other professional support. The Adviser may accompany an Alleged Victim or Respondent to any proceeding or meeting that is held in connection with the Investigation and Formal Resolution of a Complaint. The Adviser may not speak aloud during the proceeding or meeting, including by addressing anyone other than the Alleged Victim or Respondent whom the Adviser is advising. The Adviser may confer quietly or by means of written notes with that Alleged Victim or Respondent. An Adviser whose presence is deemed at the sole discretion of the University employee conducting the proceeding or meeting to be improperly interfering with the proceeding or meeting will be required to leave and may be prohibited from participating in further meetings or proceedings under this Policy.

• **Appellant:** A Party appealing a decision of the Hearing Panel.

• **Appellee:** A Party opposing an appeal.

• **Complainant:** An individual who invokes the University's processes to determine whether this Policy has been violated. The Complainant is normally the Alleged Victim.

• **Complaint:** A written statement submitted by the Complainant to the Title IX Coordinator or Human Resources for the purpose of initiating an Investigation. The University reserves the right to investigate and take action with regard to information brought to its attention regardless of the wishes of the parties or whether any Complaint is filed.
• **Consent:** Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Silence alone, without actions evidencing permission, does not demonstrate Consent.

Consent must be knowing and voluntary. To give Consent, a person must be of legal age. Assent does not constitute Consent if obtained through Coercion or from an individual whom the Respondent knows or reasonably should know is Incapacitated.

Coercion is the use of express or implied threats, intimidation, or physical force which places an individual in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. Coercion also includes administering a drug, intoxicant, or similar substance with the intent to impair that person’s ability to Consent prior to engaging in sexual activity.

An individual is considered to be Incapacitated if, by reason of mental or physical condition, the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Someone who is drunk or intoxicated is not necessarily Incapacitated. Individuals who are asleep, unresponsive or unconscious are Incapacitated. Other indicators that an individual may be Incapacitated include, but are not limited to, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance.

An individual’s use of alcohol or drugs does not diminish that individual’s responsibility to obtain Consent.

Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of Consent has been expressed, the sexual activity must cease. Consent is automatically withdrawn by a person who is no longer capable of giving Consent.

A current or previous consensual dating or sexual relationship between the Parties does not itself imply Consent or preclude a finding of responsibility for misconduct.

• **Hearing Panel:** The panel charged with adjudicating an alleged violation of this Policy. The Faculty-elected Faculty Hearing Committee, as defined in the Faculty Handbook, constitutes the Hearing Panel for purposes of this Policy. In the event that at least three (3) members of the Faculty Hearing Committee are not available to serve as the Hearing Panel, including due to conflict of interest, the Provost and Chair of the Faculty shall jointly appoint other available faculty members to serve on the Panel to ensure a timely hearing. The Chair of the Faculty Hearing Committee shall serve as the Hearing Panel Chair. In the event the Chair of the Faculty Hearing Committee is unable to serve on the Hearing Panel, the Hearing Panel shall elect one of its members to serve as the Hearing Panel Chair.

All members of a Hearing Panel will receive at least annual training on i) issues related to Sex Discrimination, including Sexual Misconduct, Relationship Violence, and Stalking; ii)
the purpose and implementation of this policy; and iii) how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

- **Hostile Environment**: Allocated discrimination that is sufficiently serious to limit or deny an individual’s ability to participate in or benefit from the University’s educational program.

In evaluating whether a Hostile Environment has been created, the University will consider the alleged conduct from both a subjective and objective perspective. Specifically, it will evaluate the alleged conduct from the perspective of a reasonable person in the Alleged Victim’s position, considering all the circumstances. If the University determines that a Hostile Environment exists, it will take steps to eliminate the Hostile Environment, prevent its recurrence, and, as appropriate, remedy its effects.

- **Investigation**: An investigation of a Complaint, which may include a hearing.
- **Investigator**: An individual or individuals, typically the Title IX Coordinator, who investigates a Complaint.
- **Party or Parties**: A term referring individually or collectively to the Complainant and/or Respondent.
- **Respondent**: Any faculty member alleged to have violated this Policy.
- **Responsible Employee**: Any regular full or part-time University employee, unless the employee is authorized or required by law to keep information confidential by virtue of the employee’s professional role (e.g., the Advocates, Bucknell Student Health, Counseling & Student Development Center, and the Chaplains’ office).
- **Investigative Report**: A report prepared by the Investigator for the purpose of resolving a Complaint.
- **Witness**: Any individual who has seen, heard, or otherwise knows or has information about facts related to an alleged violation or attempted violation of this Policy. Expert witnesses are not permitted unless the expert has specific, factual information related to an alleged violation or attempted violation of this Policy. Individuals identified to provide information about a Party's character may not serve as witnesses. The Investigator’s role is not that of a witness, and the Investigator may not be questioned by the Complainant or Respondent.

**RELATIONSHIPS WITH INDIVIDUALS INVOLVING DISPROPORTIONATE AUTHORITY**

A sexual or romantic relationship between students and faculty/staff and between employees in a supervisory/subordinate relationship (one individual being directly or indirectly supervised or evaluated by the other) is strongly discouraged. There will be a strong presumption that sexual activity between students and faculty/staff members and between employees in a
supervisory/subordinate relationship is unwelcome and nonconsensual. Furthermore, such interactions may constitute violations of other University policies and professional standards.

II. REPORTING

The University encourages anyone who has information pertaining to a potential violation of this Policy to report it to the Title IX Coordinator or Human Resources.

**Title IX Coordinator:** 570-577-1554  
331 Cooley Hall, Bucknell University  
Lewisburg, PA 17837  
titleix@bucknell.edu  
www.bucknell.edu/titleix

**Human Resources:** 570-577-1631  
1st Floor, Cooley Hall, Bucknell University  
Lewisburg, PA 17837  
hr@bucknell.edu  
www.bucknell.edu/humanresources

If the incident involves alleged criminal activity or presents a safety concern, it may also be reported to the Department of Public Safety.

**Department of Public Safety:** 570-577-1111 (emergency) 570-577-3333 (non-emergency)  
580 Snake Road, Bucknell University  
Lewisburg, PA 17837  
www.bucknell.edu/publicsafety

The University does not limit the time frame for reporting under this Policy, although a delay in reporting may impact the University’s ability to take certain actions. The University retains the authority to pursue disciplinary action against faculty members who resign or are on a leave of absence from the University after an incident of Sex Discrimination (including Sexual Misconduct), Relationship Violence or Stalking is alleged to have occurred.

Alleged Victims have other reporting options, which they can pursue regardless of whether or not they choose to invoke the disciplinary process on campus. These options are not mutually exclusive. Alleged Victims can pursue criminal charges (through the University’s Department of Public Safety or local authorities) and, in some instances, may wish to talk with a private attorney about civil litigation. University personnel will assist the Alleged Victim in notifying authorities if the Alleged Victim so requests. It is important to understand that the standard for criminal prosecution is different from that used in student conduct proceedings. As a result, decisions rendered in either forum are not determinative of what will happen in the other.
Additionally, in most situations, where a report is made on campus, it will move forward without regard to the status of criminal or civil proceedings.

**Responsible Employees:** If a Responsible Employee becomes aware of an instance of alleged Sexual Misconduct, Relationship Violence or Stalking involving a student, the employee must promptly report that information to the Title IX Coordinator. The Title IX Coordinator makes an online reporting form available for this purpose at www.bucknell.edu/TitleIX.

**III. CONFIDENTIALITY**

The University will seek to protect the privacy and confidentiality of the individuals involved in any report of alleged Sex Discrimination (including Sexual Misconduct), Relationship Violence or Stalking to the extent possible and allowed by law. The Title IX Coordinator will evaluate any request for confidentiality in the context of the University’s responsibility to provide a safe and nondiscriminatory environment to all members of its community.

The University will complete any publicly available record-keeping, including Clery Act reporting and disclosure, without the inclusion of identifying information about the Alleged Victim. It will also maintain as confidential any interim measures or remedies provided to the Alleged Victim to the extent that maintaining confidentiality will not impair its ability to provide the interim measures or remedies.

Confidential resources and support services, such as the Advocates, are listed in Section IX of this Policy.

**IV. INTERIM MEASURES**

During the Investigation and prior to a final determination, the Title IX Coordinator, with the Provost and Human Resources, as appropriate, will take appropriate interim measures to protect the Alleged Victim. These measures may include, but are not limited to, the imposition of a no-contact order and/or employment, transportation, residence, and academic modifications. The Provost, in consultation with the Title IX Coordinator, may temporarily limit a Respondent’s access to certain University facilities or activities pending resolution of the matter if the Provost determines that the action is necessary in order to protect the safety and well being of members of the Bucknell community.

**V. INVESTIGATING REPORTS OF SEX DISCRIMINATION (INCLUDING SEXUAL MISCONDUCT), RELATIONSHIP VIOLENCE & STALKING**

The University will investigate reports of Sex Discrimination (including Sexual Misconduct), Relationship Violence and Stalking to the extent appropriate and possible.
Investigation and resolution of all reports made under this Policy will be conducted in a prompt and equitable manner by an Investigator and Hearing Panel who have received appropriate training. Resolution will typically be completed within 60 days. This time frame may be extended at the sole discretion of the Title IX Coordinator.

VI. DISCIPLINARY PROCEEDINGS

Complaint: To initiate an Investigation, the Complainant must submit a written statement to the Title IX Coordinator or Human Resources that contains:

- The name of the Respondent, if known;
- A description of the alleged Sex Discrimination (including Sexual Misconduct), Relationship Violence or Stalking; and
- The date, approximate time, and location of the alleged violation, if known.

Regardless of whether the Complaint is submitted to the Title IX Coordinator or Human Resources, both offices will receive a copy of the Complaint.

The Title IX Coordinator will provide the Complainant with a copy of this Policy, review procedures, and inform the Complainant of available resources, support services, and options, including the option to be assisted by an Adviser of choice.

The Title IX Coordinator will meet with the Respondent to notify the Respondent that a Complaint has been filed and will be investigated. The Title IX Coordinator will provide the Respondent with a copy of this Policy, review procedures, and inform the Respondent of available resources, support services and options, including the option to be assisted by an Adviser of choice.

A. Informal Resolution

Either the Complainant or Respondent may request the opportunity to pursue an informal resolution by providing written notice to the Title IX Coordinator. Participation of both the Complainant and Respondent in informal resolution is voluntary. The goal of informal resolution is to provide a forum where the Complainant and Respondent can, with the aid of the Title IX Coordinator or designee, come to a mutually agreed upon resolution. If a mutually agreed upon resolution is not reached or either party chooses not to engage in Informal Resolution, either of the parties may invoke the formal resolution process.

Informal Resolution may not be used to resolve allegations of Sexual Assault, Non-Consensual Fondling, Stalking, or Relationship Violence, regardless of the identity of the Complainant. Additionally, Informal Resolution may not be used to resolve any alleged violation of this policy if the Complainant is a student.

B. Formal Resolution
Either the Complainant or Respondent may invoke the formal resolution process by providing written notification to the Title IX Coordinator. The University may also, either before or after conducting an Investigation, independently invoke the formal resolution process.

**Investigative Report:** After a Complaint is submitted, the Investigator will conduct an Investigation and prepare an Investigative Report, which may be accompanied by supporting documentation or items (for example, statements, photographs, etc.). The Investigator will move forward with a hearing if sufficient information of a violation of this Policy is found.

If the Investigator determines to hold a hearing, the Investigator will inform the Parties in writing of the date, time and place of the hearing, the alleged violations that will be investigated in the hearing, and the names of those who have been selected to serve as the Hearing Panel.

Each Party shall have an opportunity to challenge Hearing Panel members for bias or conflict of interest. The challenge must be rooted in a specific bias or conflict of interest (e.g., the proposed Hearing Panel member is someone with whom a Party has had a previous documented conflict or relationship) rather than a general objection (race, religion, gender, etc.). A challenge must be made in writing to the Investigator within two (2) calendar days of notification of the composition of the Hearing Panel. The Provost shall determine whether a Hearing Panel member will be removed for possible bias or conflict of interest.

**Acceptance of Responsibility:** If the Respondent chooses to accept responsibility for the alleged violation(s), the Respondent will provide the Investigator with a written statement identifying the specific violation(s) and/or conduct to which the Respondent admits. The Investigator will share the Respondent’s statement with the Complainant and the Hearing Panel. Sanctions will be determined by the Hearing Panel, which may hold a hearing solely for the purpose of determining sanctions.

**Information:** Information relevant to the alleged violation(s) or defenses thereto may be presented at the hearing. Statements concerning a Party’s character do not constitute Information.

The Hearing Panel will review the Investigative Report with the Investigator and will determine which witnesses, documentation, and other information will be called or presented at the hearing. No later than five (5) calendar days prior to the hearing, the Investigator will provide the Parties with a copy of the alleged violation(s), the Investigative Report, the list of witnesses, and any other information that will be presented at the hearing. The Investigator may redact the Investigative Report to the extent necessary to comply with the law.

No later than three (3) calendar days prior to the hearing, the Parties may request that additional witnesses, supporting documentation, or other information be presented at the hearing. The request must be in writing, submitted to the Investigator, and include a brief description of why the information is relevant to the determination of responsibility. The Parties may not introduce witnesses, documentation, or other information at the hearing that were not provided to the Investigator by this deadline. Exceptions may be made at the sole discretion of the Hearing Panel if the identity of the witness or the documentation or other information was not available to the Party as of this deadline or for other extenuating circumstances.
The Investigator has sole discretion to alter the time frames provided in this Policy for good cause and with written notice of the delay and reason for delay to the Parties.

Prior to the hearing, the Investigator will offer to meet with each Party to review hearing procedures, the alleged violation(s), and the list of witnesses and other information that will be presented at the hearing.

The Investigator will forward a copy of the alleged violation(s), the Investigative Report, the final list of witnesses, and any other information that will be presented at the hearing to the Hearing Panel in advance of the hearing.

Hearing Panel members and Advisers are required to keep the information learned in preparation for the hearing and at the hearing confidential. No copies of documents provided are to be made or shared with any third parties. All copies provided must be returned to the Investigator, or deleted if provided in electronic form, at the conclusion of the hearing or, if applicable, the appeal. The Investigator will advise when materials are to be returned or deleted.

**Statements Relevant to Sanctioning:** On or before the day of the hearing, the Respondent may submit a written statement relevant to sanctioning and the Alleged Victim or Complainant may submit a written impact statement for consideration by the Hearing Panel. The statement must be provided to the Investigator in a sealed envelope. The statements will be read by the Hearing Panel only if it has found the Respondent responsible. If the Hearing Panel does not find the Respondent responsible, the envelopes will be destroyed, unopened, by the Investigator.

**Hearing:**

**Participants:** Hearings are closed proceedings. The individuals who may appear before a Hearing Panel are: the Complainant (who may be accompanied by an Adviser), the Respondent (who may be accompanied by an Adviser), and Witnesses. The Complainant and Respondent, and their Advisers, may be present throughout the responsibility phase of the hearing. Witnesses are permitted in the hearing room only when they providing information to the Hearing Panel. The Investigator will attend and question witnesses. Other University personnel may attend as necessary at the discretion of the Provost.

**Attendance at Hearings:** If a Party fails to attend a hearing, the hearing may be held in the Party’s absence. The Hearing Panel Chair has discretion to reschedule a hearing if the Chair determines that it is necessary in order to achieve a prompt and equitable resolution.

**Standard of Proof:** The Hearing Panel will find the Respondent responsible if a preponderance of the evidence indicates that the Respondent violated this Policy. This means the Hearing Panel must determine whether it is more likely than not, based on the information presented at the hearing, that the Respondent is responsible.

**Supplemental Material:** If the Hearing Panel Chair believes further information is necessary to make an informed decision, the Chair may allow additional information to be presented and/or call additional witnesses, regardless of whether or not such information or individuals were previously identified.


**Audio Recording:** The Investigator will audio-record the hearing, but not the deliberations of the Hearing Panel. The audio recording is created for two limited purposes only: for reference by the Hearing Panel during deliberations and for review by the Appeal Panel during an appeal. The audio recording is kept for ten (10) days after all appeal options are exhausted. After that time, the audio recording is destroyed by the Investigator.

**Hearing Procedures:** The following procedures are meant to be general guidelines for conducting a hearing. The Hearing Panel Chair may vary the procedures, including adjourning the hearing, if the Chair determines it is appropriate to do so in order to reach a full and fair understanding of the facts. Procedural issues that arise during the hearing (e.g., relevancy determinations) will be resolved by the Hearing Panel Chair, who may consult with the Hearing Panel, the Investigator, and/or the Provost before making a determination. The Provost also has authority to vary procedures as necessary to ensure the prompt and equitable resolution of Complaints.

1. **Introduction:** After the Parties enter the hearing room, the Hearing Panel Chair will call the hearing to order. The Investigator will introduce all of the individuals present and provide an opportunity for the Parties to ask procedural questions. The Investigator will inform the Parties that the hearing is being recorded.

2. **Reading of the Alleged Violation(s):** The Investigator will read the alleged violation(s). To each alleged violation, the Respondent will either accept or deny responsibility. If the Respondent declines to answer, the hearing will still proceed. If the Respondent admits responsibility, the Investigator may question the Respondent to identify the conduct to which the Respondent is admitting.

   If the Respondent admits responsibility to the conduct giving rise to all of the alleged violations, the Hearing Panel will abbreviate the hearing and only consider information relevant to sanctioning.

   If the Respondent admits responsibility to some but not all of the alleged violations, the Hearing Panel may abbreviate the hearing, considering information relevant both to responsibility and sanctioning on the disputed violation(s) and relevant only to sanctioning on the violation(s) admitted.

3. **Presentation of Information:** The Investigator will call and question all witnesses, including the Parties. The Parties may ask the Investigator to pose additional questions or inquire further into specific matters by submitting these requests in writing or orally, at the discretion of the Chair. The Chair is empowered to reframe or disallow any questions that are irrelevant, redundant, or otherwise inappropriate. The Hearing Board Panel may pose additional questions or inquire further into specific matters.

   Parties and Witnesses are expected to respond honestly, and to the best of their knowledge, without guessing or speculating.

   Parties have the option not to provide information at the hearing. If a party so chooses, the Hearing Panel will base its decision on the Investigative Report and the information provided at the Hearing.
**Complainant Presentation:** Generally, the Complainant will be questioned first and is encouraged to provide all pertinent information to the Hearing Panel regarding the alleged violation(s). The Complainant may also be questioned about written statements, documents, items, or oral information.

**Respondent Presentation:** After the Complainant has been questioned, the Respondent will be questioned and encouraged to provide all pertinent information regarding the alleged violation(s) or any defense thereto. The Respondent may also be questioned about written statements, documents, items, or oral information.

**Witness Presentations:** A similar process will be followed for each Witness called by the Investigator.

Questions about the Complainant’s sexual history with anyone other than the Respondent are not permitted.

The Investigator and/or the Hearing Panel Chair reserve the right to recall any Party or Witness for further questions and to seek additional information.

4. **Closing Statements:** After all information is presented, each Party will have the opportunity to make a brief closing statement. The Hearing Panel Chair has the authority to limit lengthy or irrelevant statements. Closing statements are not subject to questioning by the Parties.

5. **Determination of Responsibility:** After the closing statements, everyone will be dismissed from the hearing room and the audio-recording device will be turned off so that the Hearing Panel may deliberate in private. The Investigator is not an active member of deliberations but is available to answer questions during the deliberations. In determining responsibility, the Hearing Panel must reach a decision by majority vote. The vote itself will not be shared with the parties.

6. **Determination of Sanction:** If the Hearing Panel finds the Respondent responsible, it will immediately deliberate recommended sanctions. Only the Hearing Panel and the Investigator are present for the deliberations. The Investigator will share the Respondent’s prior disciplinary record on matters of Sex Discrimination, Sexual Misconduct, Relationship Violence and Stalking if any, and the sanctioning statements with the Hearing Panel.

Recommended sanctions may range from a letter of reprimand to termination of employment, and may also include any educational, remedial or corrective actions as warranted. The recommendation of sanctions is based upon a number of factors, including: the nature of the violation; the harm suffered by the Victim; any ongoing risk to either the Victim or the community posed by Respondent; the impact of the violation on the University community; any previous conduct violations; and any mitigating or aggravating circumstances. While the Hearing Panel has the discretion to recommend any sanction it deems appropriate, a first finding of sexual harassment typically will be sanctioned with a letter of reprimand, with appropriate educational or remedial measures,
whereas a finding of stalking, non-consensual fondling or sexual assault typically will be sanctioned with suspension or termination of employment. The Hearing Panel will determine recommended sanctions by majority vote.

7. Outcome: The Hearing Panel will communicate its determination of responsibility and, if applicable, recommended sanctions to the Provost (with a copy to Human Resources and the Title IX Coordinator). The Provost will have access to the record of the hearing, including the investigative report, other documentation and the audio recording of the hearing. In rendering a final decision, the Provost may accept or modify the Hearing Panel’s determination of responsibility and, if applicable, recommended sanctions. The Provost will communicate the outcome in writing to both Parties (with a copy to Human Resources and the Title IX Coordinator) to the extent that it is required under federal law.

VII. REMEDIES

Following a hearing, the Title IX Coordinator or Human Resources will determine whether remedies for the Alleged Victim and/or the University community are necessary to eliminate any Hostile Environment, prevent its occurrence, and remedy its effects.

Remedies for the Alleged Victim may include, but are not limited to, the imposition or continuation of a no-contact order, employment, transportation, residence, or academic modifications, support services, and other measures to ensure safety. Remedies for the broader University community may include, but are not limited to, training and education, support services, review and, if appropriate, revision of policy, assessment of campus climate, and other measures to promote safety.

VIII. APPEAL

Either Party may appeal the Provost’s decision within five (5) calendar days from the time of written notification of the decision. The appeal may be based only on one or more of the following grounds:

(1) there is previously unavailable relevant evidence that likely would have significantly impacted the outcome of a hearing;

(2) there was procedural error that likely would have significantly impacted the outcome of the hearing; or

(3) the sanctions imposed were substantially disproportionate to the finding of responsibility.

Appeals must be in writing and submitted to the President. The appeal shall consist of a written statement requesting review of the conduct decision or sanction and explaining grounds for appeal. The Appellee will be provided a copy of the appeal (with grounds not subject to appeal redacted) and will have three (3) calendar days from date of the written notification to submit a written response to the President, if desired. A copy of the response will be provided to the
Appellant. No further communications from the Parties in support of or opposition to the appeal will be accepted. The Hearing Panel and Provost may have the opportunity to submit a written statement explaining the basis for the decision and/or sanction(s).

The President or designee shall determine whether grounds for appeal have been met. The decision will typically be made within ten (10) calendar days after the time for the Appellee to respond to the appeal has passed.

The President may uphold the decision of the Provost or may require further action, as set forth below:

- If the President or designee determines that previously unavailable relevant information is presented that likely would have significantly impacted the outcome of the hearing, the President or designee will ask the original Hearing Panel to reconvene to consider the information and render a determination after considering the new information.

- If the President or designee determines there was procedural error that likely would have significantly impacted the outcome of the hearing, the President or designee will order a new hearing before a new Hearing Panel.

- If the President or designee determines the sanction to substantially disproportionate to the findings, the President or designee may revise the sanction or order a new hearing before a new Hearing Panel solely for the purpose of sanctioning.

The President or designee will provide written notification (which may include by email) of the result of the appeal (consistent with the University’s obligations under federal law) to the Parties within three (3) calendar days from the date of the decision. The President's decision is final.

IX. RESOURCES & SUPPORT SERVICES

CONFIDENTIAL RESOURCES

Employee Assistance Plan+Work-Life 866-799-2728
For Employees
Licensed professional counselors are available 24 hours a day, seven days a week, through the toll-free number. There is no charge to staff or faculty members for the use of the program.

Bucknell University Chaplains & Religious Life (business hours) 570-577-1592
For Alleged Victims & Respondents
The University Chaplain, the Chaplain for the Catholic Community, and the Jewish Chaplain are available to discuss religious, spiritual, and personal issues.

Transitions (24 hours) 800-850-7948
For Alleged Victims
Transitions is a local crisis center that provides confidential counseling services, advocacy, emergency shelter, and relocation assistance to survivors of sexual assault, domestic violence, and other serious offenses.

**Evangelical Community Hospital**

Evangelical Community Hospital’s Sexual Assault Nurse Examiners (SANE nurses) are on call 24 hours a day to conduct sexual assault evidentiary examinations to collect and preserve evidence (generally within 96 hours of an incident). Ordinarily, when an evidentiary examination is performed, the hospital will contact local police to inform them that evidence was collected, but this does not mean that one has to proceed with criminal charges. Treatment is also available to prevent pregnancy and certain sexually transmitted infections (generally within 72 hours of an incident) and for injuries.

**ADDITIONAL RESOURCES**

**Human Resources** 570-577-1631
1st Floor, Cooley Hall, Bucknell University
Lewisburg, PA 17837
hr@bucknell.edu
www.bucknell.edu/humanresources

Allegations of Sex Discrimination (including Sexual Misconduct), Relationship Violence and Stalking may be reported to Human Resources. Human Resources can answer questions and provide information concerning this Policy, available resources and support services, and external criminal and legal options.

**Title IX Coordinator:** 570-577-1554
331 Cooley Hall, Bucknell University
Lewisburg, PA 17837
titleix@bucknell.edu
www.bucknell.edu/titleix

The University’s Title IX Coordinator is responsible for overseeing reports of Sex Discrimination (including Sexual Misconduct), Relationship Violence and Stalking and identifying and addressing any patterns or systemic problems that arise during review of such reports. Allegations may be reported directly to the Title IX Coordinator. The Title IX Coordinator can answer questions and provide information concerning this Policy, available resources and support services, and external criminal and legal options.

The Title IX Coordinator will protect privacy and confidentiality to the extent possible and allowed by law. The Title IX Coordinator will evaluate any request for confidentiality in the context of the University’s responsibility to provide a safe and nondiscriminatory environment to all members of its community.
Department of Public Safety  570-577-1111 (emergency)  570-577-3333 (non-emergency)
580 Snake Road, Bucknell University
Lewisburg, PA 17837
www.bucknell.edu/publicsafety

Buffalo Valley Regional Police:  911 (emergency)  570-524-5151 (non-emergency)
2009 West Market Street
Lewisburg, PA  17837

Additional resources for students are listed in the Bucknell University Sex Discrimination, Sexual Misconduct, Relationship Violence & Stalking Policy & Procedures for Resolving Complaints Against Students. The Policy is located in the student handbook and online at www.bucknell.edu/titleix.
Addendum 8

Proposed change to Handbook Section II.B

FAPC moves that Section II.B. “Faculty Meetings” be revised as follows. However, until issue of CAFT’s services for librarians is resolved, FAPC moves that librarians may avail themselves of the services of CAFT.

(Proposed changes in red and strikethrough.)

The privilege of voting at Faculty meetings extends to: all persons who are members of the Faculty holding appointments as professor, associate professor, assistant professor, and instructor (including those designated as visiting), as well as those non-ranked members of the Faculty who teach on an annual contract at least one-half time in the University in regularly scheduled classes and laboratories; all persons on an annual contract who teach at least two courses during an academic year in regularly scheduled classes and laboratories; the President; the Provost, and the academic deans. the Vice President for Finance and Administration; the Vice President for Student Affairs; the Vice President for Development and University Relations; the Vice President for Enrollment Management; the Deans of the Colleges; the Associate Vice President for Information Services and Resources, and the professional librarians. The Director of the Military Science Program may vote only in matters directly affecting the Military Science Program.

Although professional librarians (defined by contract as a librarian with the requisite professional degree in library science) are not members of the ranked Faculty, the University Faculty has extended to them voting status, as well as the right to stand for election to committees. By action of the Faculty, the services of the Committee on Academic Freedom and Tenure are available to librarians.

Programs, departments, schools, and colleges are encouraged to develop their own internal policies on voting practices.

Rationale: FAPC received a question from a faculty member about the voting rights of persons who hold faculty associate positions. The Committee reviewed the Handbook language, which had not been updated since the change to a five course load and changes in the President’s senior staff. The Committee decided that faculty associates with annual contracts who teach at least two courses per year would be extended the privilege of voting at faculty meetings. President Bravman suggested that senior staff with faculty status be eligible to vote at faculty meetings. FAPC deliberated carefully over Footnote 4 and chose to delete. The University no longer issues contracts to librarians as defined in the footnote. The right to stand for election to committees has recently been limited to faculty. There are persons in other positions on campus (residential life) who play important supportive roles in the curriculum who do not have voting rights. Some librarians would have voting rights without teaching while the VP for Library and Information Technology would not. The sentence regarding the services of CAFT does not belong in this section. If the motion passes, we ask CAFT to review its change, which currently
includes professional librarians, and to make the necessary updates to section II.C.7 of the Handbook.

(Proposed final text.)

The privilege of voting at Faculty meetings extends to:

- all persons who are members of the Faculty holding appointments as professor, associate professor, assistant professor, and instructor (including those designated as visiting);
- all persons on an annual contract who teach at least two courses during an academic year in regularly scheduled classes and laboratories;
- the President; the Provost; the academic deans;
- The Director of the Military Science Program may vote only in matters directly affecting the Military Science Program.

Programs, departments, schools, and colleges are encouraged to develop their own internal policies on voting practices.
Addendum 9

URC Procedure for Tied Votes

Background

A tie vote in URC deliberations would be an extremely rare event. Split votes in the URC do not happen very often, and cases decided by just one vote almost never happen. When votes are that close, the URC continues its deliberation and ongoing discussion usually leads to a greater degree of consensus. Thus, the URC sees a tie vote as something that is very unlikely. Before URC recommendations are submitted to the Board of Trustees, the cases are discussed with the President, who can ask the URC to reconsider its recommendation if he or she disagrees with the URC’s initial opinion. The Faculty Handbook language on this process (Section II C 6) reads as follows:

Prior to the forwarding of the Committee’s recommendations to the Board of Trustees for final action, the President meets with the Committee in order to be fully apprised of the documentation and deliberations which enter into the Committee’s recommendations. In individual instances, the President may request the Committee to extend its review and/or reconsider its judgment. The President does not initiate or conduct any separate reviews. The recommendation of the Committee as submitted is forwarded by the President to the Educational Policy Committee of the Board of Trustees. The final authority to grant appointments, promotions, and tenure rests with the Board. The President, as agent of the Board, is not required to concur with, nor is the Board required to accept, a recommendation of the department or of the University Review Committee.

The logic of the proposed language for dealing with tie votes below is that the President conveys the outcome of the URC process to the Board of Trustees for every case. The proposal gives the URC several opportunities to break a tie through discussion. If it remains unable to do so, then the President would convey that tie vote to the Board along with his/her own recommendation, which he/she can give on any case regardless of whether the URC vote is tied or not.

New language to be incorporated into the “University Review Committee Reviews for Retention and Tenure” document:

If an initial URC vote on retention or promotion of a candidate is tied, conversation continues until a new vote breaks the tie or until all members of the URC agree that no change in the vote will occur. If the vote remains tied, the URC will discuss the case with the President and reconvene for more discussion and a new vote. If the URC remains deadlocked on a case, then the President conveys the split vote in the URC to the Board of Trustees along with the President's own recommendation.