

Constitution, Bylaws, and Rules of Procedure of the Faculty



November 2017

The Constitution and Rules of Procedure
were ratified by the Faculty of Reed College on May 18, 1967,
and ratified by the Board of Trustees of Reed College on May 20, 1967.
The Bylaws were ratified by the Faculty on May 27, 1967.

Table of Contents

Article	Constitution	Page
I.	The Faculty.....	1
II.	The President.....	2
III.	The Dean of the Faculty.....	2
IV.	Faculty Appointments, Promotions, and Granting of Academic Tenure.....	3
V.	Academic Freedom and Responsibility.....	5
VI.	Termination of Appointment or Academic Tenure.....	5
VII.	The Committee on Advancement and Tenure.....	5
VIII.	The Appeals and Review Committee.....	6
IX.	The Committee on Academic Policy and Planning.....	7
X.	Community Government.....	8
XI.	Rules of Procedure and Bylaws.....	8
XII.	Amendments.....	8
XIII.	Ratification.....	9

Bylaws

I.	Meetings.....	10
II.	Faculty Government.....	10
III.	Administrative Faculty.....	11
IV.	Committees.....	11
	Committee on Advancement and Tenure (CAT).....	11
	Appeals and Review Committee.....	12
	Committee on Academic Policy and Planning.....	13
	Administration Committee.....	15
	Committee on Admission and Financial Aid.....	16
	Library Board.....	16
	Off-Campus Study Programs Committee.....	16
	Grievance Review Panel.....	16
	Committee on Diversity.....	16
V.	The Faculty Handbook.....	17
VI.	The Faculty Code.....	17
VII.	Community Government.....	18
VIII.	Amendments.....	19
IX.	Ratification.....	19

Rules of Procedure

A.	Faculty Activities.....	20
B.	Conditions of Appointment of Faculty Members.....	20
C.	Sabbatical Leaves and Leaves of Absence.....	21
D.	Resignations of Faculty Members.....	24
E.	Retirement of Faculty.....	25
F.	Non-Sexual Harassment/Misconduct Complaints and Charges Brought against Members of the Faculty.....	25
G.	Procedures for Sanctions Less than Fixed-Term Suspension or Termination.....	27

Table of Contents

Rules of Procedure (Continued)

H.	Procedures for Fixed-Term Suspension or Termination of Academic Tenure or of Fixed Term Appointment Prior to Expiration for a Reason other than Financial Exigency	28
I.	Proceedings for Termination because of Financial Exigency	30
J.	Title IX Complaints against Members of the Faculty involving Allegations of Sexual Harassment/Misconduct	31
K.	Procedures for Sanctions Less than Fixed-Term Suspension or Termination	36
L.	Procedures for Fixed-Term Suspension or Termination of Academic Tenure or of Fixed-Term Appointment Prior to Expiration in Response to Charges of Sexual Harassment/Misconduct.....	38

Appendix

I.	AAUP Statement on Professional Ethics	42
II.	Resolutions Governing Conduct of Faculty Meetings	43
	Index	44

CONSTITUTION

Article I: The Faculty

Section 1 The Faculty of Reed College shall consist of academic members and administrative members as follows:

A. Academic members shall include:

Each member of the teaching or research staff who hold academic rank, including those on visiting appointments, those on sabbatical and leave, and those emeritus faculty teaching during the current academic year. "Academic rank" means the rank of Assistant Professor, Associate Professor, or Professor.

B. Administrative members shall include:

1) The President, Dean of the Faculty, Vice Presidents, Librarian, Registrar, Chief Information Officer, Dean for Institutional Diversity and Dean of Admission.

2) Each member appointed to the Faculty with the title of Assistant Director, Associate Director or Director, including those on "Acting" or "Visiting" appointments.

3) Administrative officers appointed to membership in the Faculty by the President with the approval of the Committee on Advancement and Tenure for one-year terms that shall not be extended except after discussion with the Faculty.

Section 2 Unless otherwise specified,

A. "Faculty" and "Faculty members" when used with reference to the operations, rights, and responsibilities of the collective group, shall mean both academic and administrative members, and

B. "Faculty member" when used with reference to the rights, privileges, appointments, academic tenure, etc. of individuals, means an academic member.

Section 3 The Faculty, in cooperation with the President and the Dean of the Faculty as Chief Academic Officer, is charged by the Board of Trustees with the fundamental responsibility for the formulation, revision, and continuous review of educational policy. The Board of Trustees shall make no alterations in the basic educational policy of the College without a prior and full review by the Faculty.

Section 4 The President shall appoint all committees of the Faculty, except those otherwise provided for in this Constitution or the Faculty Bylaws. He or she may assign to appointive committees individuals who are not members of the Faculty.

Section 5 The Faculty shall determine the time for holding regular Faculty meetings. A special meeting may be called by the President, by the Committee on Advancement and Tenure, by the Committee on Academic Policy and Planning, or by any fifteen members of the Faculty, at any time. Written notice stating the time and place and the business to be considered shall be given at least 48 hours in advance of any special meeting.

Section 6 The President with the approval of the Committee on Academic Policy and Planning shall annually or semi-annually appoint a Clerk of the Faculty. The Clerk shall keep minutes of all Faculty

meetings and distribute them regularly to all members of the Faculty including those on leaves of absence and sabbatical.

Section 7 One-half of the total membership of the Faculty not on Sabbatical or other leaves of absence shall constitute a quorum for the conduct of all business at Faculty meetings other than taking any action for which the vote of a larger percentage is required.

Article II: The President

Section 1 As specified in the Bylaws of the Reed Institute, the President of Reed College is the chief executive officer of the College. He or she is appointed by the Board of Trustees and holds office at the pleasure of the Board. He or she is selected from the nominee or nominees of a special search committee appointed by the Chair of the Board of Trustees and including equal numbers of Faculty and Trustee members, plus the Chair of the Board *ex officio*. The Committee on Advancement and Tenure, after discussion with the Faculty, will present nominations to the Chair for such Faculty membership on the Search Committee.

Section 2 If there is a vacancy in the office of President, the Board of Trustees may appoint an Acting President, after receiving the advice of the Committee on Advancement and Tenure. During his or her term in office, an Acting President carries out the duties of President unless limited in specific ways by action of the Board.

Section 3 The President is directly responsible to the Board of Trustees. He or she recommends the appointment, promotions, salaries, academic tenure, and other conditions of employment for the members of the Faculty and for administrative officers. Within budgetary and other limitations set by the Board or Executive Committee, he or she employs other required staff members of the College. He or she recommends budgets for the management and operation of the College, and he or she is responsible for sound financial conduct of the College. He or she reports on the state of the College and makes recommendations on desirable changes or clarifications of policy at each regular meeting and at appropriate special meetings of the Board.

Section 4 The President is the presiding officer of the Faculty and the representative of the Faculty to the Board.

Article III: The Dean of the Faculty

Section 1 The Dean of the Faculty shall be the Chief Academic Officer of the College, and in the absence of the President, assumes the role of chief executive officer of the College. The Dean of the Faculty shall be appointed by the President from the recommendations of a search committee appointed by the President on recommendation of the CAT. If there is a vacancy in the office of Dean, the President may appoint an Acting Dean, after receiving the advice of the Committee on Advancement and Tenure. An Acting Dean may serve until a Dean has been appointed pursuant to the second sentence of this section.

Section 2 The Dean of the Faculty shall be a tenured member of the Faculty or shall be appointed to a regular faculty position and considered for tenure no later than immediately following his/her third semester of service as Dean of the Faculty. If tenure is granted, this shall be considered an addition to the regular FTE allocation for the college. This additional FTE will therefore not pre-empt any existing FTE assignments. If the Dean of the Faculty does not receive tenure, his or her term as Dean of the Faculty will conclude with the end of the academic year following the negative tenure decision.

Section 3 As Chief Academic Officer, the Dean of the Faculty is the representative of the Faculty to the President, serves as Chair of the CAPP, *ex officio* non-voting member of the CAT, and such other

committees as the President shall direct. He or she is a member of the President's Executive Staff with standing equal to that of the rank of Vice President, and participates in meetings as representative of the Faculty and Chief Academic Officer, and participates as representative of the College and the Faculty to external constituencies as the President directs. Working with the President and the Faculty (consistent with Article I, Section 3), and the CAPP (consistent with Article IX), he or she shall have administrative and planning responsibility for educational policy and the academic program. In addition, the Dean of the Faculty shall have administrative and planning responsibility for Faculty personnel policy and processes working with the CAT (consistent with Article VII). The Office of the Dean of the Faculty shall provide staff assistance and support to the CAT, the CAPP and other College committees as the President directs.

Section 4 The Dean of the Faculty serves at the pleasure of the President. An evaluation of the performance of the Dean of the Faculty in his or her role as Chief Academic officer shall be conducted by the CAT at the end of the first year of service as Dean of the Faculty, and at least every two years after that.

Article IV: Faculty Appointments, Promotions, and Granting of Academic Tenure

Section 1 The mission of Reed College is to provide a serious and systematic program of undergraduate education in the liberal arts and sciences. Academic Faculty at all ranks are appointed initially on the basis of their potential for outstanding contribution to this goal, based on the criteria of Article IV, Section 2. Academic Faculty are evaluated for advancement (continuation of appointment, promotion in rank and salary, or granting of academic tenure) on the basis of demonstrated achievement and promise of continuing contribution to this goal, based on the criteria of Article IV, Section 2.

Section 2 The criteria for Academic Faculty appointment and advancement are listed below, in rank of order of importance. Demonstrated achievement in both teaching and scholarship as defined below is expected of all Reed faculty. Community service is a secondary consideration; high levels of achievement on this criterion alone are not sufficient for advancement. However, unsatisfactory community service can be sufficient for denial of advancement. All of the criteria below require performance conducted in a professional manner.

- A. *Effectiveness of teaching*, including, as appropriate, conference leadership, lecturing, laboratory teaching, studio teaching, curriculum development, thesis advising and general academic advising.
- B. *Scholarship*, defined as knowledge and understanding of, and active engagement with, the materials of one's discipline and, where appropriate, of related disciplines.
- C. *Service* to the Reed community (and to external communities where relevant) through department and committee work, or through activity that fosters and enhances the quality of the intellectual community.

Candidates who have not completed the terminal degree in their field at the time of tenure decision shall not normally be eligible for tenure.

Section 3 An academic member of the Faculty on regular appointment shall be notified whether or not he or she has been granted tenure at the end of his or her probationary period. The normal probationary period shall be six years of appointment (either tenure track or visiting) at Reed College at the rank of Assistant Professor or higher. The probationary period must include at least eight semesters of full-time teaching at Reed that have been completed prior to the semester in which the CAT tenure evaluation occurs. If at least eight semesters of full-time teaching at Reed have not been completed prior to the semester in which the tenure evaluation is scheduled to occur, the probationary period will

be extended – hence the tenure evaluation delayed – so as to permit the completion of the required number of semesters.

A. For faculty who, prior to joining the Reed Faculty, have held a full-time teaching appointment at a college or university that awards a baccalaureate or higher degree, the normal probationary period may be reduced by one year, and the full-time teaching requirement reduced by two semesters, for each year of prior full-time teaching, except that in no case will a tenure evaluation occur until the faculty member has completed at least four semesters of full-time teaching at Reed.

B. For faculty who have not held a previous full-time teaching appointment at a college or university that awards a baccalaureate or higher degree but who have held, at such a college or university, either one or more previous full-time full-year post-doctoral research appointments or one or more previous full-time full-year appointments involving a combination of teaching and post-doctoral research, the normal probationary period may be reduced by one year and the full-time teaching requirement reduced by two semesters.

C. For faculty who have held a previous full-time teaching appointment at a college or university that awards a baccalaureate or higher degree and have also held either one or more previous full-time full-year post-doctoral research appointments or one or more previous full-time full-year appointments involving a combination of teaching and post-doctoral research, the normal probationary period may be reduced by one year for each year of such full-time appointment, except that in no case will a tenure evaluation occur until the faculty member has completed (1) at least four semesters of full-time teaching at Reed if the previous experience includes two or more years of full-time teaching or (2) at least six semesters of full-time teaching at Reed if the previous experience includes one year of full-time teaching.

D. The decision as to whether or not to reduce the probationary period and the full-time teaching requirement in accordance with Sections A, B or C must be communicated by the faculty member to the Dean of the Faculty no later than during the semester immediately following the faculty member's first full evaluation (which itself normally occurs in the Fall semester of the second year of the faculty member's appointment).

E. The normal probationary period of six years may be extended by one year for each parental leave that a faculty member requests and receives in accordance with college policy. In such cases, the decision as to whether or not to extend the probationary period must be communicated by the faculty member to the Dean of the Faculty as part of the formal leave request.

Section 4 A temporary Academic Faculty appointment, such as for sabbatical or leave replacements or for positions that are not funded beyond a fixed term, shall be designated as "visiting."

A. Full-time or nearly full-time appointments for visiting faculty members shall not exceed five years. There is no specific limitation on the duration of appointments for visiting faculty members that are not full-time or nearly full-time appointments.

B. Faculty members on visiting appointments shall not be considered for a tenure track appointment, except on the basis of a full national search or in accord with policies explicitly adopted by the Faculty.

Section 5 The evaluation of performance of an Administrative member of the Faculty and the assessment of a candidate for appointment to such a position shall take account of present and potential effectiveness of his or her relationship with other Faculty members and of his or her effectiveness as a member of that body. In such evaluation and assessment, the President shall seek advice of the Committee on Advancement and Tenure.

Section 6 Procedures for appointment and advancement of the Academic Faculty shall be agreed upon by the President, the Committee on Advancement and Tenure, the Committee on Academic Policy and Planning (where appropriate), and the Faculty, and shall be specified in the Faculty Handbook.

Article V: Academic Freedom and Responsibility

Section 1 Each Faculty member has individual freedom of inquiry and expression in research, in publication, and in the teaching of his or her subjects and courses. Academic freedom and responsibility are here defined as the liberty and obligation to study, to investigate, and to discuss facts and ideas concerning all branches and fields of learning. No limitations on such freedom shall be imposed other than those required by generally accepted standards of responsible scholarship and research.

Section 2 When a faculty member speaks, writes, or acts as a citizen, he or she shall be free from institutional censorship or discipline, and he or she should undertake to avoid any implication that he or she is speaking on behalf of the institution.

Section 3 No individual shall be excluded from initial appointments to academic rank, from continuation of appointments, or from academic tenure, nor shall any individual have his or her appointment terminated before the end of his or her stated term or have his or her academic tenure terminated because of his or her views or associations.

Article VI: Termination of Appointment or Academic Tenure

Section 1 Termination of the appointment of any Academic Faculty member on academic tenure, or of any other Academic Faculty member prior to the end of the term for which he or she was appointed, shall be only on the basis of:

- A. Academic cause, which means service falling significantly below the standard that the College may reasonably expect of a person holding the academic rank attained, as such standard is defined according to the criteria set forth in Article IV, Section 2.
- B. Physical or mental disability of such a nature as to produce academic cause as defined in paragraph A.
- C. Personal conduct in flagrant conflict with the purposes of teaching and scholarship.
- D. Bona fide financial exigency of the College.

Section 2 The President and the Board of Trustees recognize the necessity for judgment by an Academic Faculty member's colleagues prior to a decision on termination of appointment. Proceedings to terminate an appointment shall be governed by the Faculty Rules of Procedure.

Article VII: The Committee on Advancement and Tenure

Section 1 The Academic Faculty shall select annually a Committee on Advancement and Tenure. The President shall preside at Meetings of the Committee, but shall not be a member of the Committee. The Dean of the Faculty shall be an *ex officio*, non-voting member of the Committee. The Committee shall select from among its members a secretary who shall keep minutes of the meetings and other records,

who shall preside in the absence of the President, and who shall serve as the representative of the Committee in presentations to the Faculty.

Section 2 The President shall refer to the Committee for its advice on the membership of search committees and search committee recommendations and all recommendations by the President to the Board of Trustees relating to the appointment of new members or changes in title, salary or term of service of any existing member of the Faculty, including members of the Committee. The President shall also seek advice of the Committee on performance of administrative officers in their roles as Faculty members and may seek advice of the Committee on performance of other staff members of the College. The Committee shall have the responsibility for assembling and evaluating the evidence upon which its advice is based. The recommendations of the Committee and the rationales thereof shall be submitted to the President in writing.

Section 3 Any action taken by the President at a time when the Committee cannot meet on a matter that would normally come before the Committee shall be reported promptly to the Committee.

Section 4 If a majority of the Committee disagrees with a recommendation by the President to the Board of Trustees, the Committee may refer the matter to the Appeals and Review Committee. The Committee, the President, and the affected faculty member may submit written explanations of their respective positions to the Appeals and Review Committee.

Section 5 Any faculty member shall have the right to present to the Committee and the President a written objection to any decision affecting his or her employment status. If the matter is not satisfactorily resolved, he or she may refer the matter to the Appeals and Review Committee, to which he or she may present a written statement. The Appeals and Review Committee shall respond in writing.

Article VIII: The Appeals and Review Committee

Section 1

A. The Appeals and Review Committee as established under the bylaws of the Reed Institute consists of ten members: four Trustees appointed by the chair of the Board of Trustees, four members of the Academic Faculty elected by the Faculty, and the chair of the Board and the President *ex officio*. The Committee chooses its own chair. The Committee meets on the call of the President or upon the written request of two or more members. The Office of the Dean of the Faculty, and where appropriate the Office of the President and College Relations, provide administrative support to the Committee.

B. The Appeals and Review Committee shall consider appeals concerning tenure decisions and tenure-track reappointment decisions. The committee shall also consider any other matters referred to it by the Board of Trustees, the President, the Faculty, the Committee on Advancement and Tenure, or the Committee on Academic Policy and Planning, that in the determination of the president, have important financial or legal implications for the college. In reviewing Academic Faculty employment matters, the Committee should not re-deliberate the case but should limit its review to determining whether the original decision was reasonable insofar as it (1) was supported by substantial evidence, and/or whether there is any new evidence so substantial that the complaint should be reconsidered and (2) followed fair and adequate procedures. In making this determination, the Committee reviews the evidence in the record before the Committee on Advancement and Tenure that made the original recommendation, supplemented by any written statements that the Committee on Advancement and Tenure, the President or the affected faculty member may wish to submit.

If supporting statements are submitted, the Committee may solicit additional information or materials to clarify particular claims made in the statements, but it will neither hold a hearing nor interview parties to the case. The Dean of the Faculty may operate in an advisory capacity to the President and the

Committee on Advancement and Tenure in helping them prepare their statements. Appeals and supporting statements will be forwarded to the Committee upon receipt.

At the conclusion of its review, the Committee makes such written reports or recommendations to the Board of Trustees, to the officers of the Board, or to the officers of the College as it deems advisable, transmitting a copy of such reports or recommendations to the Committee on Advancement and Tenure or the Committee on Academic Policy and Planning. In case of disagreement, a minority may, if they desire, submit a written minority report to the Board of Trustees or its officers or to the officers of the College, with a copy to the Committee on Advancement and Tenure or the Committee on Academic Policy and Planning.

Section 2

The four faculty members of the Appeals and Review Committee shall constitute the Faculty Appeals and Review Committee and shall have authority to consider appeals regarding any faculty employment matters (other than those matters delegated to the Appeals and Review Committee under Section 1B) and all matters concerning the Constitution, Bylaws and Rules of Procedure of the Faculty, including, but not limited to, the oversight of elections and making recommendations relating to constitutional changes proposed by other committees. The Faculty Appeals and Review Committee shall elect a chair to oversee its proceedings at the beginning of each academic year. In reviewing Academic Faculty employment matters, the Faculty Appeals and Review Committee shall observe the same procedures and constraints as the Appeals and Review Committee.

Article IX: The Committee on Academic Policy and Planning

Section 1 The Academic Faculty shall select annually the members of a Committee on Academic Policy and Planning. The President and Dean of the Faculty shall be *ex officio*, non-voting members of this Committee. The Dean, or in his or her absence, a Chair selected by the Faculty members of the Committee from among its members, shall preside at meetings of the Committee. The Committee shall select from among its members a Secretary who shall keep minutes of the meeting and other records. The Committee may include student members with such rights and privileges as the Faculty may specify.

Section 2 The President shall use the Faculty members of the Committee as a forum for testing and seeking advice about Faculty opinion on matters concerning the College and its resources. This shall include, but is not necessarily limited to, the following:

A. The President shall seek the advice of the Committee during the preparation and review of the College budgets that are to be submitted to the Board of Trustees for approval.

B. The President shall refer to the Committee for discussion all issues relating to the assignment of Faculty FTEs or to Faculty awards and workloads. These shall include: requests for leaves and sabbaticals; requests for replacements for leaves, sabbaticals, resignations, and retirements; assignment of temporary FTEs and new positions; approval of job descriptions for regular and temporary appointments; staffing (FTE allocations) in the humanities and other interdisciplinary programs; the appointment of faculty members to committees.

Section 3 The Committee shall work with departments and divisions in order to maintain a working knowledge of the current curriculum and to formulate and maintain a long-range plan of curricular priorities from which it may initiate and shall review all proposals relating to the curriculum and educational goals of the College, including: proposals for new programs and majors, combined

programs, foreign programs; proposals for changes in departmental or divisional structure; proposals for new courses and new requirement structures; extramural grant proposals that affect the curriculum. The Committee shall report its findings and recommendations to the Faculty. The Committee shall also coordinate, with other appropriate bodies, any external reviews of the College's academic programs or departments. The committee is responsible for setting the academic calendar, upon recommendation of the Registrar.

Section 4 If a majority of the Committee disagrees with a recommendation by the President to the Board of Trustees, the committee may refer the matter to the Appeals and Review Committee, to which it may present its position in whatever way it desires.

Article X: Community Government

Section 1 The Faculty may join with the student body to institute procedures and set policies for such matters of joint concern as they may jointly deem appropriate and as do not infringe on the authority and responsibility of the Board of Trustees.

Article XI: Rules of Procedure and Bylaws

Section 1 The attached appendix setting forth rules of procedure shall constitute a part of this Constitution.

Section 2 The Faculty may adopt and amend such Bylaws and other regulations as it desires consistent with this Constitution and Rules of Procedure.

Article XII: Amendments

Section 1 This Constitution, including the Rules of Procedure but excluding the Bylaws, may be amended by the following procedure:

A. An amendment originating from the Faculty or the Board of Trustees shall be submitted to the Appeals and Review Committee for consideration and recommendation.

B. The proposed amendment shall be submitted to the Academic Faculty for approval.

1) Approval of an amendment shall require an affirmative vote of at least two-thirds of the Academic Faculty who have cast ballots, provided that the number of affirmative votes is equal to at least one-half of all members of the Academic Faculty.

2) Voting shall be by secret mail ballot and the voting period shall be determined by the Academic Faculty. The Dean of the Faculty shall monitor during the voting period and maintain after the voting period a record of faculty who did and did not cast ballots.

C. The proposed amendment shall be submitted to the Board of Trustees. Upon their approval, it shall become effective. If the Faculty fails to approve, or if the President opposes an amendment, the text of the amendment and the fact of the opposition shall be submitted to the Board at one meeting and action on the amendment shall be postponed until the next regular meeting of the Board. In cases of Faculty opposition, approval shall be by two-thirds vote of all members of the Board.

Section 2 Amendment of the Bylaws of the Reed Institute affecting any matter covered by Article IV or Article VII of this Constitution shall automatically amend this Constitution to conform with the Bylaws of the Reed Institute. The Board of Trustees shall not consider or adopt such an amendment to the

Bylaws of the Reed Institute without first discussing the matter with the Faculty and receiving the recommendations of the Committee on Academic Policy and Planning.

Article XIII: Ratification

Section 1 This Constitution and the Rules of Procedure shall be in effect upon approval by two-thirds of the Faculty not on sabbatical or other leaves of absence, and upon approval by the Board of Trustees.

BYLAWS

Article I: Meetings

Section 1 Regular meetings of the Faculty shall be held monthly during the academic year. At any meeting of the Faculty, each faculty member shall have one vote.

Section 2 The order of business for a regular meeting shall normally be:

- approval of minutes of previous meeting(s)
- announcements by the President
- special order of business
- reports of committees and Divisions
- unfinished business
- new business

Section 3 The meetings shall be conducted according to the usual rules of parliamentary procedure.

Section 4 The President may invite any member of the college staff to attend any meeting of the Faculty when such attendance will contribute useful information or assist the staff member in the performance of his or her duties.

Section 5 When business is brought to a meeting of the Faculty by a Faculty committee with student members, those student members may be requested by the chair of the committee to attend and participate in a full discussion of that business.

Section 6 The President shall release to the Reed Community a tentative Agenda of a regular Faculty meeting three or four days before the meeting. In the case of any other meeting, the President shall release the Agenda at least 48 hours before the meeting, excluding weekends, breaks and holidays.

Section 7 A sign-up sheet for non-participating student observers shall be provided outside the President's Office at the time of the release of the Agenda for all meetings other than Grade Reviews. A total of eleven seats shall be allocated for student observers at each meeting. One of these seats shall be reserved for a Quest reporter. The remaining ten seats shall be open to the first ten students signing up for the meeting. The Faculty reserves the right to move into closed session at any time by means of a vote of a majority of those members present.

Section 8 Any motion before a Faculty meeting must be voted on by secret ballot if any member of the Academic Faculty so requests. Any motion before a Faculty meeting shall be voted on by secret mail ballot if a motion for such a ballot is approved by a majority vote at that meeting.

Article II: Faculty Government

Section 1 The Academic Faculty shall be grouped into the following Divisions:

- The Arts
- History and Social Sciences
- Literature and Language
- Mathematics and Natural Sciences
- Philosophy, Religion, Psychology, and Linguistics

The administration of major subjects and responsibility for the work of major students shall be assumed by the Division. Each Division shall elect a chair and secretary annually. Copies of the divisional minutes shall be sent to the President and to the Registrar, and be available to all members of the Faculty.

Section 2 There shall be a Museum Art School Committee that shall act in the place of a Division for students taking the combined Reed College–Pacific Northwest College of Art program.

Section 3 There shall be a Committee on Graduate Studies that shall exercise general supervision over the Master of Arts in Liberal Studies program.

Section 4 Each Division shall be divided into such Departments as are determined by the Academic Faculty. Each Department shall select, by simple majority vote of the Faculty members of the Department, a Department Chair to administer departmental matters not specifically reserved to some other body.

Article III: Administrative Faculty

Section 1 The Dean of Admission is responsible for the recruitment and selection of new students.

Section 2 The Registrar shall be responsible for the academic schedule and the examination schedule; the matriculation of students; the recording, certification, and maintenance of all student records; and the compilation of statistical data from these records.

Section 3 The Librarian is responsible to the Faculty for those areas of library policy and administration that affect the educational objectives of the College.

Article IV: Committees

Section 1 The Committee on Advancement and Tenure

A. The Committee on Advancement and Tenure (CAT) shall consist of seven members of the Academic Faculty selected by the procedure below, the Dean of the Faculty, *ex officio*, and the President as presiding officer. Faculty will serve for two years, and terms will be staggered such that, if at all possible, three or four new members are normally elected each year. No more than one faculty member from any one department and no more than two from any division shall serve on the committee at any one time except as specified in item 4 below.

- 1) All members of the Academic Faculty are eligible to vote for the Committee on Advancement and Tenure.
- 2) All members of the Academic Faculty on continuing appointments of .5 FTE or higher are eligible to serve, except faculty members on either full or part time appointments as members of the administrative staff or Faculty who have just served in total any combination of four consecutive years on the CAT or CAPP. Faculty members that have just served in total any combination of four consecutive years on the CAT or CAPP shall be ineligible for membership in the next year in which they are on a teaching appointment of .5 FTE or above. Faculty members should regard it as part of their normal responsibilities to make themselves available for service on CAT.
- 3) Each year all members of the Academic Faculty shall be sent a nominating ballot listing all faculty members who are eligible for the Committee in the following year and who have not withdrawn their names by notifying the President's Office in advance of a ballot distribution date announced by the Appeals and Review Committee. Faculty from any department that retains one

sitting member or any Division that retains two sitting members, are not eligible for nomination. Each faculty member may vote for as many candidates as she or he wishes.

4) The number of names on the second ballot will be equal to twice the number of vacancies to be filled (normally six or eight names), or as many names as are necessary to permit departmental and divisional distribution as limited by paragraph (3) above and to assure that no candidate on the second ballot is automatically elected. These names will be the top vote-getters on the initial ballot, with additional names in case of a tie for the final position. Each faculty member may vote for not more than the number of candidates for which vacancies exist (normally three or four). The faculty members receiving the highest number of votes on the second ballot will be elected to CAT, except that, if the pool allows, no more than two members of the CAT shall be from the same division, and no more than one member shall come from an individual department. Thus, once one member of a department or two members of a division are seated, others from that department or division will be dropped from the pool, being reinstated only if no one else remains. Ties shall be broken by a "coin flip" supervised by the Appeals and Review Committee.

5) In case unanticipated leaves create more than three or four vacant positions in a given year, the number elected for the second ballot shall be increased accordingly to fill the Committee. In case resignations occur between the time of election and the completion of a full year's service, replacements shall be elected by the same procedures set forth above.

6) The election shall be conducted by the faculty members of the Appeals and Review Committee who shall determine suitable dates for ballot distribution so that all Faculty elections shall be completed by the end of the academic year. The order of election shall be as follows: CAT, CAPP, A&R.

B. The new Committee shall take office on August 15. During the summer the President or the Dean may invite new members-designate to meet with the Committee.

C. Meetings of the Committee on Advancement and Tenure may be called by the President or, at his or her designation, by either the Dean of the Faculty or Secretary of the Committee or by any three members of the Committee at any time, provided that written notice of the meeting be sent to all members of the Committee at least forty-eight hours before the time of the meeting.

D. Five members of the Committee on Advancement and Tenure shall constitute a quorum. When there is no quorum at a meeting duly called, the President may take whatever action seems to him or her to be immediately necessary and report such action to the Committee at its next meeting.

E. The Committee on Advancement and Tenure shall make routine reports to the Faculty and shall, at a regular spring meeting, review with the Faculty the criteria and procedures it uses in deliberating evaluation, promotion and tenure.

Section 2 The Appeals and Review Committee

A. The four faculty members of the Appeals and Review Committee shall be chosen by the following procedure:

1) All members of the Academic Faculty are eligible to vote for the Appeals and Review Committee.

2) Eligibility for election to the Appeals and Review Committee shall be restricted to those members of the Academic Faculty on continuing appointments of .5 FTE or higher (except for those faculty on either full or part time appointments as members of the administrative staff, and

those faculty already elected to CAT or CAPP). Faculty members should regard it as part of their normal responsibilities to make themselves available for service on the Appeals and Review Committee.

3) Any member of the Faculty who has been selected for the Committee on Advancement and Tenure or for the Committee on Academic Policy and Planning shall be ineligible for membership during the year he or she is a member of either committee.

4) Any member of the Faculty who will be on leave for a semester or longer shall be ineligible for membership during the year he or she is on leave.

5) Each year all members of the Faculty shall be sent a first ballot listing all members of the Faculty eligible for the Committee in the following year. Each faculty member may vote for not more than eight candidates.

6) The second ballot, also to be sent to all members of the Faculty, shall list the eight individuals receiving the highest number of votes on the first ballot (with additional names in case of ties). Each faculty member may vote for not more than four candidates.

7) The four individuals receiving the highest number of votes on the second ballot shall be elected to the Committee. Ties shall be broken by additional Faculty balloting.

8) Any vacancy in the Committee shall be filled by ballot vote of the Faculty.

9) Generally, a faculty member shall recuse him/herself in the event of any circumstance that might reasonably be perceived to impair his/her impartiality regarding a specific case. In the event a faculty member is recused or is otherwise unable to serve, the faculty member will be replaced for that case by the person who received the next highest number of votes on the Appeals and Review ballot and who would not need to be recused.

B. The new faculty members of the Appeals and Review Committee shall take office on September 1.

Section 3 The Committee on Academic Policy and Planning

A. The Committee on Academic Policy and Planning (CAPP) shall consist of seven Academic Faculty members selected by the procedures given below, plus the President and Dean of the Faculty as *ex officio* members. Faculty will serve for two years, and terms will be staggered such that, if at all possible, three or four new members are normally elected each year. The Dean shall serve as presiding officer, and a Chair of the Committee shall be selected by the faculty members of the Committee from among its members to preside at meetings in the absence of the Dean. Each Division of the College shall be represented by at least one member on the Committee.

1) All members of the Academic Faculty are eligible to vote for the Committee on Academic Policy and Planning.

2) Eligibility for election to the Committee on Academic Policy and Planning shall be restricted to those members of the Academic Faculty on continuing appointments of .5 FTE or higher (except for those faculty on either full or part time appointments as members of the administrative staff, and those faculty already elected to CAT). Faculty members should regard it as part of their normal responsibilities to make themselves available for service on CAPP.

3) Any member of the Faculty who has served four consecutive years on the Committee, or a combination of two consecutive years each on CAT and CAPP, shall be ineligible for membership in the next year in which they are on a teaching appointment of .5 FTE or above.

4) Any member of the Faculty who will be on leave for a semester or longer shall be ineligible for membership during the year he or she is on leave.

5) Each year all members of the Academic Faculty shall be sent a nominating ballot listing all faculty members who are eligible for the Committee in the following year and who have not withdrawn their names by notifying the President's Office in advance of a ballot distribution date announced by the Appeals and Review Committee. The ballot shall list the candidates by Divisions. Faculty from any Division that retains two sitting members on the Committee will not be eligible for nomination. Each faculty member may vote for not more than twice the number of candidates for which vacancies exist (normally six or eight).

6) The second ballot, also sent to each member of the Academic Faculty, shall contain the names of nominees selected as follows: First, from the candidates from each Division, the two individuals receiving the highest number of votes (with additional names in case of ties) and second, from the names remaining after Divisional nominees have been determined, the four individuals receiving the highest number of votes (with additional names in cases of a tie). The ballot shall list the nominees by Division and alphabetically within each Division. Each faculty member may vote for not more than the number of nominees for which vacancies exist (normally three or four).

7) Those Elected to the Committee shall consist of the following: First, that nominee from each Division not represented by a continuing member receiving the highest number of votes and second, from the names remaining after Divisional members have been determined, the number of individuals receiving the highest number of votes required to make a total of seven (normally one or two). Ties shall be broken by a "coin flip" supervised by the Appeals and Review Committee.

8) Any vacancy in the faculty membership of the Committee shall be filled by ballot vote of the entire Academic Faculty. If necessary to ensure that the Committee membership will include at least one individual from each Division, the list of candidates will be restricted to members of the appropriate Division.

9) The elections for faculty members shall be conducted by the faculty members of the Appeals and Review Committee. They shall determine suitable dates for ballot distribution so that all Faculty elections will be completed by the end of the academic year.

B. The new Committee shall take office on August 15. During the summer the President or the Dean may invite new members-designate to meet with the Committee.

C. Regular meetings of the Committee on Academic Policy and Planning shall be scheduled at the beginning of each semester and the calendar of meetings published. The agenda of a regular meeting shall be published at least three working days in advance of the meeting.

1) Meetings of the Committee may be closed when dealing with matters involving individual faculty members and in instances when the Committee is fulfilling a confidential advisory role at the request of the President.

2) The allocation in general of Faculty positions, definition of new positions and appointments, approval of job descriptions, and all matters dealing with the functions of the Committee as defined in Article IX, Section 3 of the Constitution shall be considered at open meetings.

D. The Committee on Academic Policy and Planning shall meet with the Student Committee on Academic Policy and Planning at least once each semester, and at any other reasonable time when either committee requests a joint meeting. The Committee on Academic Policy and Planning shall routinely send to its student counterpart copies of all its minutes, memoranda, and working documents, except those pertaining to meetings defined as "closed" to the Faculty at large in paragraph C.1 above.

E. The Committee on Academic Policy and Planning shall receive and consider recommendations from the Student Committee on Academic Policy and Planning.

F. If after joint deliberation, the Faculty Committee on Academic Policy and Planning rejects a recommendation of its student counterpart, that recommendation shall lie on the table of the next regular meeting of the Faculty. If by the beginning of that meeting the student committee has formally appealed the rejection, this shall have the effect of taking the recommendation from the table and of giving members of the student committee the right to participate at that meeting in an informal discussion prior to Faculty debate on the question. If the Faculty Committee forwards to the Faculty a recommendation to which its student counterpart has objections, the student committee may forward its own report, and shall have the right to participate at that meeting in an informal discussion prior to Faculty debate on the question.

G. Special meetings of the Committee may be called by the President or by its Chair or by any four members at any time provided that written notice be sent to each member at least forty-eight hours before the time of the meeting.

H. Five faculty members of the Committee on Academic Policy and Planning shall constitute a quorum. When there is no quorum at a meeting duly called, the President may take whatever action seems to him or her to be immediately necessary and report such action to the Committee at its next meeting.

I. The Committee shall keep written records of its meetings. It shall report to the Faculty at each Regular meeting of the Faculty.

J. The faculty members of the Committee shall select from among its members a CAPP Budget Advisory Subcommittee (CBAS) to follow the construction of the College budget and to inform Committee members of the budget's progress and its bearing on the academic program.

K. The Committee may appoint ad hoc subcommittees that include members selected from the administrative staff, Faculty and student body at large.

L. On the nomination of the President and with the agreement of the Committee on Academic Policy and Planning, administrative officers of the College may be appointed as *ex officio* members of the Committee for one-year renewable terms.

Section 4 The President shall have power to appoint such standing committees or special committees as he or she deems necessary or when requested by a vote of the Faculty. Among the standing committees shall be:

- Administration Committee
- Committee on Admission and Financial Aid
- Grievance Review Panel
- Library Board
- Off-Campus Study Programs Committee
- Committee on Diversity

A. The Administration Committee shall consist of the Registrar, the Vice President and Dean of Student Services, and one faculty member from each Division. The President shall appoint the Chair of the Committee from the latter group. The President may, when he or she deems it advisable, appoint additional members of the Faculty to the Committee. The Administration Committee shall have the responsibility of recommending to the Faculty scholastic disciplinary actions for underclass students. The Committee shall be responsible for interpreting the Faculty Code, for taking such actions as are delegated to it by the Faculty, and for proposing such changes in policy as are within its field of competence. The Committee shall share with the Registrar the responsibility for issuing revised editions of the Faculty Code at regular intervals.

B. The Committee on Admission and Financial Aid shall consist of the Vice President and Dean of Admission and Financial Aid, *ex officio*, Director of Financial Aid, *ex officio*, the Vice President/Treasurer, *ex officio*, the Vice President for Student Services, *ex officio*, five Academic Faculty members, typically one representing each division, appointed by the President, and at least two students appointed by the President, with the advice of the President of the Student Body.

The committee shall review, consult, and approve on policy regarding admission and financial aid, actively support the work of the admission and financial aid team in related activities, and act as a liaison with the faculty, seeking faculty input in relevant committee matters and periodically providing information about the committee's work to the faculty.

The President shall appoint one of the Academic Faculty members as Chair, who may not be a member of the Committee on Advancement and Tenure or the Committee on Academic Policy and Planning. The Vice President and Dean of Admission and Financial Aid, as well as the Chair, shall be empowered to call meetings and prepare agendas.

C. The Library Board shall consist of the librarian *ex officio*, as chair, four faculty members, with broad divisional representation, appointed by the President, plus three students appointed by the President of the Student Body. The Board shall pass on matters of general Library policy subject to the approval of the Faculty and shall apportion books and periodical funds. The Librarian shall present any proposed Library budget, exclusive of individual staff salaries, to the Library Board before submitting it to the President or to his or her designee.

D. The Off-Campus Study Programs Committee shall consist of the Registrar, *ex officio*, the Dean of Admission, *ex officio*, the Director of Financial Aid, *ex officio*, the Director of International Programs, *ex officio*, the Vice President and Dean of Students, *ex officio*, up to five Academic Faculty members appointed by the President, and two senior students appointed by the President with the advice of the President of the Student Body. The President shall appoint one of the Academic Faculty members as Chair. The Committee shall formulate policy regarding off-campus study programs (both foreign and domestic); shall review proposals for such programs from Departments or Divisions and shall report its findings and recommendations to the Committee on Academic Policy and Planning; and shall review and decide upon applications from students for participation in approved programs.

E. The Grievance Review Panel shall consist of six members of the Faculty, appointed by the President in consultation with the Committee on Advancement and Tenure and the Committee on Academic Policy and Planning. No member of the committee shall be a current member of the Committee on Advancement and Tenure or of the Appeals and Review Committee. The President shall appoint the Chair of the Grievance Review Panel.

F. The Committee on Diversity shall consist of five faculty members appointed by the President in consultation with the Committee on Academic Policy and Planning and drawn broadly from the

College's academic divisions; the Dean of Admission; and the senior member of the student services staff responsible for multicultural affairs. The committee will be responsible for monitoring the various programs and policies adopted by the College in pursuing its commitment to diversity; for presenting recommendations to the Faculty and its elected committees, and to the various administrative units of the College, regarding policies and practices that the committee believes would contribute to the diversity of the College community through better recruitment and retention of faculty, staff and students from under-represented ethnic and racial minorities; and for fostering communication among the faculty, faculty committees, and the offices of admissions and student services regarding challenges of diversity that reach across standard administrative boundaries.

Section 5 A majority of each committee shall have power to act in all matters under its jurisdiction except those specifically reserved for action by the Faculty.

Section 6 In all cases where there are student members of a committee the student members shall have an equal vote with the faculty members of the committee.

Article V: The Faculty Handbook

The Faculty Handbook is a compilation of policies and practices pertaining to faculty members at Reed College. It was created by the Dean of the Faculty in 1990, and is updated each year by the office of the Dean of the Faculty. The Handbook is composed of authoritative documents or document excerpts, including selected sections of the Reed Faculty Constitution, By-Laws, and Rules of Procedure, individual items of Faculty legislation (including decisions made by vote or discussion in meetings of the full Faculty or elected Faculty committees), established policy statements from administrative offices, and the like.

The Faculty Handbook does not include many policies that govern faculty activities, including rules that pertain to students, staff, employees, alumni and other members of the Reed community. Faculty members should consult the original sources wherever serious questions arise. Faculty members may obtain copies of the Faculty Constitution from the Dean of the Faculty. Oregon legal statutes are available from the Reed College Office of Human Resources. Minutes of the Faculty and CAPP meetings are available from the Dean's Office or may be found in the Reed Archives.

Article VI: The Faculty Code

Section 1 In exercising its responsibility for the formulation and administration of educational policy, the Faculty may legislate on all matters which in its judgment affect education policy, and which are not specifically reserved to some other body. Such matters include, but are not restricted to: requirements for admission; procedures for registration, withdrawal and transfer; curricula and degree requirements; grading and examination policy; student academic discipline; student living and conduct; and the setting of fees except for tuition and board and room charges.

The Faculty may, at its pleasure, delegate responsibility for the administration of any of these matters, in whole or in part, to a subordinate body.

Section 2 The accumulated body of legislation passed by the Faculty is the Faculty Code. It shall be the responsibility of the Registrar, with the advice of the Administration Committee, to maintain an up-to-date version of the Faculty Code and to distribute at the beginning of each academic year a current version of the Faculty Code to all members of the Faculty and to such staff members as need it in their operations.

Section 3 Proposed changes in the Faculty Code must be presented to the Faculty, in writing, at least one week prior to the time they are introduced at a Faculty meeting. Such changes may be adopted by a simple majority vote.

Article VII: Community Government

Section 1 The Faculty subscribes to the Constitution of the Reed Community as an instrument enabling the academic and administrative Faculty, Student Body, and Staff to share responsibility for the government of community affairs.

Section 2 The legislative process for community government shall be as described in the Reed College Community Constitution.

A. The Community Affairs Committee shall consist of three members of the Faculty, with membership and chair appointed by the President with the advice of the Committee on Academic Policy and Planning, and with the Vice President for Student Services as an *ex officio*, non-voting member.

B. The Community Affairs Committee shall represent the views of the faculty to the student body Senate and to the staff of the college. It shall:

1) be informed by the Legislation Committee of any new policy ideas brought to that body, and, in accordance with the procedures outlined in Article III of the Community Constitution, work with the Legislation Committee in the creation, revision, or abolishment of community legislation.

2) serve the Vice President for Student Services as a forum for testing and seeking advice about faculty opinion on issues and policies regarding the conduct of that office, and on general matters of student welfare.

3) be available to the student body Senate for consultation at their discretion to discuss issues of mutual concern. Such meetings however should occur at least once per semester.

C. The Legislation Committee shall consist of two members of the faculty, exactly one of whom is a member of CAC, two members of the student body, and two members of the staff. Either the Vice President for Student Services or the Dean of Institutional Diversity shall serve as the committee's *ex officio* chair.

D. The Legislation Committee shall receive all proposals for the creation, revision, or abolishment of community-wide legislation in accordance with the procedures outlined in Article III of the Community Constitution.

E. All legislation approved under the provisions of the Community Constitution shall take the form of a recommendation to the President.

F. Should the President disagree with such a recommendation, the Faculty may choose to have the question referred to the Appeals and Review Committee.

Section 3 The judicial process for community government shall be as described in the Reed College Community Constitution. During any period when the Statement of the Honor Principle and Community Conduct, and the Judicial Code therein described, have not been ratified by the constitutionally specified procedures, the statement of the Honor Principle and the judicial process for community government shall be as described in the 1986-87 Community Constitution and Bylaws, except that wherever the terms "Student Representative," "Senate," and "Chair of the Senate" appear, the terms "Student Senator," "Community Affairs Committee of the Faculty," and "Chair of the

Community Affairs Committee of the Faculty" shall be substituted. The Judicial Board shall conduct its business according to the procedures established in the Judicial Board Code as of 1986-87.

Article VIII: Amendments

Section 1 Amendments or additions to the Bylaws may be made according to the following procedure.

Any member of the Academic Faculty may supply each member with the written text of a proposed amendment. It may then be voted upon at a regular meeting or a special meeting (provided that two weeks shall have elapsed since the publication of the text), when it shall be adopted or rejected by a majority vote of the Academic Faculty members present.

Article IX: Ratification

Section 1 These Bylaws shall take effect upon approval by two-thirds of the Academic Faculty.

Rules of Procedure

These rules of procedure constitute a part of the Constitution of the Faculty of Reed College.

A. Faculty Activities

Section A-1 In principle, the College encourages faculty research and participation in professional, educational, and public activities beyond the classroom, and it is the responsibility of the Faculty member to determine that such activities do not interfere with the fulfillment of his or her other obligations to the College.

Section A-2 The faculty member is obligated to keep the College informed of major outside commitments to teaching, lecture programs, consulting activities, and other employment and to discuss in advance with the Dean of the Faculty any such commitments that involve the use of College facilities or significant amounts of Faculty time.

Section A-3 No formal application shall be finally submitted for a research grant or other grant that is to be administered by the College except after approval by the President.

B. Conditions of Appointment of Faculty Members

Section B-1 The precise terms and conditions of every appointment or reappointment shall be stated in writing and be in possession of both the faculty member and the College before the appointment is consummated. There are three types of appointment contracts, tenure track, tenured and visiting (as described in Article IV, Section 4 of the Constitution.)

Section B-2 Notice that a tenure track appointment for a fixed term will not be renewed or extended shall be given to the faculty member in writing as soon as such decision is made and, unless delay is caused by a bona fide emergency situation, shall also be in accordance with the following schedule:

A. If the individual has been a member of the Faculty for less than two years, as early as possible before the beginning of the Christmas recess of the last year of his or her appointment.

B. If the individual has been a member of the Faculty for two or more years, at least 12 months prior to the date of termination of his or her appointment.

Section B-3 Visiting appointments terminate as described in the appointment letter without further notice of non-renewal.

Section B-4 Once a faculty member has acquired academic tenure, the presumption of both the Faculty and the College is for continuation of service from year to year in the absence of written notice to the contrary. The College will provide annually a statement of the salary established for the ensuing year and, as occasion requires, written notice of promotions and of other specific changes of terms, such as approval of leaves.

Section B-5 Except for matters covered by Section B-3 above, the College shall notify all Faculty members not later than May 15 of each year concerning their status for the next academic year, including rank and (unless unavoidable budgetary conditions forbid) prospective salary.

Section B-6 A faculty member may ask the Committee on Advancement and Tenure to reconsider any decision affecting employment status pursuant to Article VII, Section 5 of the Constitution. A policy describing procedures for any such reconsideration shall be determined by the Faculty and shall be

published in the Faculty Handbook. In no case shall requests for reconsideration limit a faculty member's right to submit a formal appeal to the Appeals and Review committee, as per Article VIII, Section 2 of the Faculty Constitution.

Section B-7 Normally, academic tenure will apply only to full-time academic members of the Faculty, but it may occasionally be desirable to accord it to personnel having additional employment outside the College. A faculty member having academic tenure who reduces his or her employment at the College to a continuing part-time basis shall not necessarily lose his or her status of academic tenure as a result. All special cases involving part-time employment shall be accepted or rejected on their individual merits.

Section B-8 An individual on academic tenure will retain such status during official leaves of absence.

C. Sabbatical Leaves and Leaves of Absence

Section C-1 Effective classroom teaching at Reed demands a serious, active engagement with the scholarly materials of one's field. The purpose of a sabbatical leave is to encourage scholarship, research and/or creative endeavor so as to maintain and enhance the intellectual quality of the Faculty and to help ensure thereby the highest quality teaching. A sabbatical leave is defined as one semester or one year of Reed College employment at full pay, without teaching or administrative responsibilities and devoted to independent inquiry and/or creative endeavor. (For the purposes of Section C the term "sabbatical leave of one semester at full pay" shall be interpreted to include sabbatical leave of one year at half pay.)

Section C-2 Requests for sabbatical leave must be approved by the President upon recommendation of the Committee on Academic Policy and Planning. All such requests should include a description of the research or other professional activity to be pursued during the sabbatical period. Requests should also be accompanied by a statement from the faculty member's department – and from the relevant Humanities staff and/or interdisciplinary program, where appropriate – regarding the curricular impact of the proposed sabbatical leave.

Section C-3 For faculty members on academic tenure, eligibility for sabbatical leave is earned after every twelve semesters – consecutive or otherwise – of full-time teaching at the College (except in unusual cases as described in Section C-4 and Section C-7). Semesters of part-time teaching will accumulate on a pro-rated basis. Faculty members on academic tenure whose probationary period was three or four years of full-time teaching at Reed because of full-time teaching experience prior to joining the Reed Faculty and who did not enjoy sabbatical leaves at their previous institutions may request that some or all of the prior full-time teaching experience accrue toward eligibility for the first post-tenure sabbatical leave. Such requests may be made at or after the time of appointment, and will be considered on a case-by-case basis by the President in consultation with CAPP. For untenured tenure-track faculty who take a one-semester sabbatical leave at full pay under the provisions of Section C-5, that semester will count as one of the twelve semesters required for subsequent sabbatical eligibility. Semesters of unpaid leave taken by untenured tenure-track faculty will not count as one of the twelve semesters required for subsequent sabbatical eligibility.

Section C-4 In unusual circumstances, a sabbatical period may occur earlier or later than the normally scheduled semester or year of eligibility (as described in Section C-3). Requests for early or late sabbatical leave must be based on clear and compelling reasons having to do with departmental or programmatic staffing or extraordinary scholarly opportunities, and must be endorsed by the relevant department and/or program. Where an early sabbatical period occurs, the number of semesters of full-time teaching at the College required for subsequent sabbatical eligibility will increase equivalently. Where a late sabbatical period occurs, the number of semesters of full-time teaching at the College required for subsequent sabbatical eligibility will decrease equivalently. However, in all cases (except in unusual cases as described in Section C-7) at least eight semesters of full-time teaching at the College must intervene between consecutive sabbatical periods.

Section C-5 A one semester sabbatical leave at full pay will be awarded to all untenured tenure-track faculty whose probationary period is either five or six years of full-time teaching at Reed, whose initial appointment was not deferred because of extramural professional development opportunities, who have earned the terminal degree in an appropriate field, and who submit proposals that are judged to be excellent by the Paid Leave Award Committee, as described in Section C-8. (For individuals who fall into this category except that their original proposals are not judged to be excellent, the Paid Leave Award Committee shall communicate its concerns through the Dean of the Faculty, and shall invite revised proposals for reconsideration in the same academic year.) Normally, untenured faculty will take their sabbatical leaves in the third or fourth year of the probationary period.

Section C-6 For tenured faculty members, sabbatical periods may be for one semester at full pay or one year at full pay. Eligibility to apply for a full year sabbatical at full pay will be determined by the President in consultation with CAPP, as described in Section C-2. Full year sabbatical leaves at full pay will be granted only on the basis of a research proposal submitted to the Paid Leave Award Committee and judged excellent by that committee, as described in Section C-8. (For individuals who fall into this category except that their original proposals are not judged to be excellent, the Paid Leave Award Committee shall communicate its concerns through the Dean of the Faculty, and shall invite revised proposals for reconsideration in the same academic year.) Further, the Paid Leave Award Committee will consider and evaluate such research proposals from only those tenured faculty members who also successfully certify that they have either received significant support – which may or may not be faculty salary support – for their projects from extramural funding entities recognized for supporting research or creative endeavor in the relevant field or are seeking such support for their projects from at least two such extramural funding entities. Typically, certification will be achieved by submitting to CAPP complete copies of the extramural grant applications (excluding confidential letters of recommendation that the extramural funding entities may require). In cases where extramural grant proposals will be submitted only after the Paid Leave Award Committee makes its decisions, those decisions will be provisional, pending subsequent submission of extramural proposals to CAPP and certification by CAPP. The Dean of the Faculty will annually provide a list of recognized funding entities, and will work closely with CAPP and individual departments to ensure that the list is appropriately inclusive and up to date. In cases where it is unreasonable to expect the faculty member to apply for extramural grant support – for example, in disciplines where such support is entirely unavailable – the Dean of the Faculty will work closely with CAPP and the individual faculty member to find an approach that may successfully address the spirit of this requirement. CAPP will have the final decision as to whether a faculty member's extramural applications for support are sufficient – in terms of the type of support requested, the purposes for which the support are sought, and the relative standing of the extramural entity – to make the faculty member eligible to apply for a full year sabbatical at full pay. In the event that extramural grant applications submitted to CAPP under this program are successful, the College's financial support for the faculty member's sabbatical will in all cases be reduced by an amount equal to the total amount of support that the faculty member will receive from extramural entities for salary and benefits (excluding extramural funds explicitly designated for summer salary). However, all sabbatical-eligible faculty are entitled (subject to the provisions of Section C-2) to one semester of college-paid sabbatical regardless of extramural support. In the absence of a research proposal that the Paid Leave Award Committee judges excellent, or if CAPP determines that the individual has failed to certify that he or she is seeking appropriate extramural support, the sabbatical period will in all cases be for one semester at full pay.

Section C-7 In unusual circumstances, the Paid Leave Award Committee may consider a single proposal from a tenured faculty member for two non-consecutive semesters of sabbatical at full pay, the first of which would occur after six semesters of full-time teaching at the College and the second of which would occur during one of the subsequent semesters of the same sabbatical cycle for that faculty member. (This modifies Section C-3 and Section C-4.) Eligibility to apply for two non-consecutive semesters of sabbatical at full pay will be determined by the President in consultation with CAPP, as described in Section C-2. Such applications will be approved only on the basis of a research proposal submitted to the

Paid Leave Award Committee and judged excellent by that committee, as described in Section C-8, and only after a determination by the CAPP (1) that the proposal is based on considerations involving extraordinary and important research opportunities that require two non-consecutive semesters of sabbatical at full pay instead of one full year of sabbatical at full pay and (2) that such opportunities are sufficiently important to outweigh considerations of curricular and pedagogical continuity that reflect the centrality of the College's teaching mission. Further, the Paid Leave Award Committee will consider and evaluate such research proposals from only those tenured faculty members who successfully certify that they are also seeking to obtain financial support from extramural funding entities, following the same procedures, and subject to the same rules and limitations, described in Section C-6.

Section C-8 Untenured faculty who request a one semester sabbatical leave at full pay and who are eligible for this under Section C-5, and tenured faculty who request a full year sabbatical (or two non-consecutive semesters of sabbatical) at full pay and who are eligible for this under either Section C-6 or C-7, must submit a full research proposal to the Paid Leave Award Committee. A full research proposal must include:

- a. A completed cover page.
- b. A brief (300 word) description of the project, intended for a non-specialists audience.
- c. A detailed description of the relationship of the project (not to exceed 1500 words), comprising both a specific statement of the hypotheses to be tested, the questions to be answered, or the goals to be achieved and an account of the project's significance to the field, the curriculum, and the faculty member's intellectual and/or professional development.
- d. A description of the relationship of this award to other possible sources of funding, and the total funding required to complete the project.
- e. A curriculum vitae and a summary of outcomes of recent leaves or summer research projects.
- f. Two letters of support. To the extent possible, letters should come from persons with expertise in the relevant field or area of specialization. At least one of these letters should come from outside of the institution.

The Paid Leave Award Committee will be appointed by the President with the approval of CAPP and CAT. The committee will be composed of one representative from each division of the College. One member of the committee shall be designated Chair by the President with the approval of CAPP and CAT. Committee service will be for two year terms, staggered for purposes of continuity. Faculty members planning to apply in any given year for one semester sabbaticals under C-5 or for one year sabbaticals (or two non-consecutive semesters of sabbatical) under either C-6 or C-7 are not eligible to serve on the committee in that year.

Section C-9 Requests for unpaid leaves of absence may be granted by the President upon the recommendation of CAPP. All such requests should be accompanied by a statement from the faculty member's department -- and from the relevant Humanities staff and/or interdisciplinary program, where appropriate -- regarding the curricular impact of the proposed unpaid leave of absence. Requests for unpaid leave should be made in a timely fashion so that the College has a reasonable opportunity to secure a satisfactory replacement, if necessary.

Section C-10 A single continuous period of leave – composed of sabbatical and unpaid leave in any combination – shall not exceed four semesters except in extraordinary circumstances and in no event shall exceed six semesters. (This restriction does not apply to leaves covered by Section C-13 and/or C-14.)

Section C-11 Any single period of leave of either one semester or one year in duration, and in any combination of sabbatical and unpaid leave, must be both preceded and followed by at least four consecutive semesters of full-time teaching. Any single period of leave of either three or four semesters in duration, and in any combination of sabbatical and unpaid leave, must be both preceded and followed by at least six consecutive semesters of full-time teaching. Upon the recommendation of the Committee on Academic Policy and Planning, the President may grant exceptions to this rule. However, such exceptions will presuppose professional development opportunities of extraordinary benefit to the College and will be granted only when exigencies of scheduling are such that similar opportunities are unlikely to be available at another time. (The restrictions described in this Section do not apply to leaves covered by Section C-13 and/or C-14.)

Section C-12 After completing a sabbatical, the faculty member will summarize the activities undertaken as a written report to the Dean of the Faculty on achievements during a sabbatical, including copies of materials produced, publications, etc. The Dean of the Faculty will place a copy of this report in the faculty member's permanent evaluation file. The faculty member is expected to report on his or her research in a form suitable for dissemination to the Reed community (for example, as a colloquium or a published document).

Section C-13 In accordance with the requirements of ORS 659.630, parental leave will be granted upon the request of a faculty member. The faculty member shall provide written notice of the dates of intended parental leave. This notice must be received by the College at least 30 days before the anticipated date of birth or the date of physical custody of an adopted child under six years of age. In the event of premature birth, maternal incapacity due to birth rendering her unable to care of the child, or the unanticipated taking of custody of an adopted child, the faculty member shall give the College notice of revised dates of parental leave within seven days after birth or taking custody. In order to reduce the impact on operations of the College, including staffing requirements and class offerings, informal notification should be provided as soon as is practical. Parental leave will be for 12 weeks in duration. Faculty will receive one-half of their contractual salary amount during the parental leave. In no event shall the parental leave extend beyond one year from the date of birth.

Section C-14 The College may require that a faculty member accept a leave of absence for reasons of health, whether or not the individual requests such a leave, on the following conditions:

- a. If the individual disagrees on the need for the leave, he or she may appeal to the Appeals and Review Committee. The written appeal must be received within 30 calendar days of notification.
- b. A person required to take leave under this paragraph shall receive every benefit that would be available to a faculty member who qualified for total disability benefits under any applicable disability plan maintained by the College.
- c. A special leave of absence under this paragraph shall be reviewed at least once every two years.

D. Resignations of Faculty Members

Section D-1 A faculty member who contemplates resigning or is seriously negotiating other employment shall not delay informing the College of his or her intentions longer than is necessary to protect his or her rights and convenience in seeking employment.

Section D-2 A faculty member who concludes a binding agreement to accept employment elsewhere is obligated to notify the College immediately.

Section D-3 Except in emergency situations, a faculty member is under obligation not to submit a resignation less than six weeks before the end of spring semester to take effect at the end of the

academic year. If such a resignation is submitted, the College may refuse to accept the resignation and the faculty member is obligated to conform to the College's decision.

E. Retirement of Faculty

Section E-1 Faculty members whose appointment began prior to September 1, 2001, and who retire both after ten or more years as a member of the Faculty and at the age of fifty-five years or above attain, upon retirement, the title “emeritus” or “emerita” and become eligible for retiree benefits, as specified in written college policies concerning such benefits. Faculty members whose appointment began on or after September 1, 2001, and who retire both after twenty or more years as a member of the Faculty and at the age of fifty-five years or above attain, upon retirement, the title “emeritus” or “emerita” and become eligible for retiree benefits, as specified in written college policies concerning such benefits.

Section E-2 Emeritus members of the Faculty shall retain all normal faculty library privileges. Emeritus members of the Faculty shall retain e-mail accounts as long as they wish, and the College will make reasonable efforts to supply emeritus faculty with technical computing support and, where appropriate and necessary, with equipment, according to policies published in the Faculty Handbook. Where possible and desirable, according to mutual agreement among affected persons and departments, emeritus faculty may retain certain laboratory facilities and research privileges. Emeritus faculty may be principal investigators for research projects, and consonant with the efficient allocation of staff resources, are entitled to assistance in applying for external grants. In accordance with policies established by the Dean of the Faculty and published in the Faculty Handbook, emeritus faculty may be assigned office space and may receive secretarial support.

F. Non-Sexual Harassment/Misconduct Complaints and Charges Brought against Members of the Faculty

(For grievance procedures involving sexual harassment/misconduct see Sections J, K, L below.)

Section F-1 Preliminary Considerations and Procedures

- a. Any member of the Student Body, Staff, or Faculty who has a complaint against a member of the Faculty should first consider informal resolution of the matter through discussion with the faculty member in question or through mediation under Honor Council auspices.
- b. Complaints shall be limited to alleged violations of the Honor Principle, alleged violations of duly enacted policies and regulations of the College or alleged violations of the statement of professional ethics enacted as Appendix I of the Constitution of the Faculty.
- c. If an informal resolution is deemed inappropriate or cannot be obtained, the complainant may bring the matter to the attention of the Dean of the Faculty. The complainant should present the complaint as soon as possible after the alleged misconduct occurs. Whenever possible, the initial discussion between the complainant and the Dean of the Faculty shall be kept confidential, with no official written record.
- d. No sanction shall be recommended or imposed for speech, writing, or other action protected by the provisions of Article V of the Constitution of the Faculty.
- e. These procedures, including the procedures of Sections G and H, shall be executed within the time periods specified, or if circumstances prohibit this, in as expeditious a manner as possible.

Section F-2 Formal Complaints or Charges

a. Any member of the Student Body, Staff, or Faculty may file with the Dean of the Faculty a formal signed complaint against a faculty member. If after discussion with the complainant, the Dean (or his or her designee) concludes that the complaint is without foundation or cannot reasonably be investigated due to the passage of time, and if no duly enacted policy or compelling legal reason mandates further investigation, he or she shall dismiss the complaint. In all other cases, the faculty member shall receive a copy of the signed complaint and shall have five working days in which to reply and to state his or her position. Every effort shall be made to protect the complainant from retaliatory action.

The Dean of the Faculty (or his or her designee) shall promptly discuss the complaint and the response with the complainant and the accused faculty member. A resolution of the complaint may be agreed to by the faculty member, the Dean of the Faculty (or his or her designee), and the complainant. If no such agreement is reached within ten working days after a complaint has been filed, the Dean of the Faculty shall forward the complaint to the Chair of the Grievance Review Panel, unless the alleged conduct appears to warrant fixed term suspension or termination of tenure or of fixed-term appointment prior to expiration, in which case the Dean shall consult with the Committee on Advancement and Tenure as to whether to initiate proceedings under the provisions of Section H of these Rules of Procedure.

b. In the absence of or independent of a formal signed complaint, the Dean of the Faculty (after informal inquiries and consultation with the Committee on Advancement and Tenure), or the Committee on Advancement and Tenure itself, may determine that an investigation of unprofessional conduct may be warranted according to the procedures of Section G or Section H. Any informal inquiries undertaken by the Dean or the Committee shall be strictly limited to determining whether a formal investigation is warranted. If the Dean or the Committee on Advancement and Tenure determines that possible charges do warrant investigation according to the procedures of Sections G or H, the faculty member in question shall promptly receive a written statement of the nature and grounds of the possible charges to be considered and shall have five working days from receipt of this statement in which to reply and to state his or her position. The Dean of the Faculty and the Committee on Advancement and Tenure shall have five working days from receipt of the faculty member's reply to determine whether the possible charges require investigation.

If the Dean of the Faculty and the Committee on Advancement and Tenure determine that plausible grounds for investigation or adverse action do not exist, the Dean of the Faculty shall immediately so inform the faculty member in writing. If the Dean of the Faculty or the Committee determines that plausible grounds for adverse action may exist, the Dean, the Committee, and the faculty member are bound in good faith to seek an informal resolution of the matter among themselves before formal steps are taken. If a resolution does not seem possible or is not agreed to within fifteen working days of the determination that grounds for adverse action may exist, and if the alleged conduct appears to warrant a sanction less than fixed-term suspension or termination, such as a warning or reprimand, the Dean of the Faculty shall promptly forward charges to the Chair of the Grievance Review Panel. If the Dean of the Faculty or the Committee on Advancement and Tenure determines that the alleged conduct appears to warrant fixed term suspension or termination of tenure or of fixed-term appointment prior to expiration, then the Dean of the Faculty or the Committee on Advancement and Tenure, whichever has so determined, shall promptly initiate proceedings pursuant to Section H.

c. In the event that a hearing according to the procedures of Sections G or H overlaps in time with a personnel review affecting title, salary, or term of service of the accused faculty member, that review shall be suspended pending the final outcome of those procedures.

d. In the event that a hearing according to the procedures of Sections G or H comes about because of an allegation submitted to the Committee on Advancement and Tenure, that allegation shall normally

remain in the faculty member's evaluation file. In cases where such an allegation is discredited by a hearing that clears the accused faculty member of wrongdoing, the Committee on Advancement and Tenure shall either insert a statement to that effect into the evaluation file or delete the discredited allegation.

e. The Dean of the Faculty, the Committee on Advancement and Tenure and the President, and any Grievance Hearing Board or Investigating Committee, shall make every effort to safeguard as fully as possible the confidentiality of any disciplinary proceeding according to the procedures of Sections G or H.

Section F-3 Record Keeping

a. If sanctions have been imposed under the provisions of Section G or H, and appeal is unsuccessful, a statement of these sanctions and of their grounds shall be placed in the faculty member's evaluation file. Informal or mediated resolutions of complaints or charges may stipulate that an appropriate statement be placed in the faculty member's evaluation file.

b. All other records arising from formal complaints or charges against members of the Faculty, all other records arising from informal resolutions reached through interaction with the Dean of the Faculty or the Committee on Advancement and Tenure, and records arising from mediation through the Honor Council which results in acknowledgment of injury to a community member, shall be kept by the Dean of the Faculty in confidential complaint files separate from all other records pertaining to a faculty member. A Hearing Board or Investigating Committee shall not consult these files except when considering what sanctions to recommend in a case where allegations have been substantiated through the procedures of Sections G or H. The Committee on Advancement and Tenure shall not consult these files except when determining whether to initiate proceedings pursuant to Section F-2 above. As stated in the Community Constitution, these files shall be maintained for the duration of a faculty member's employment at Reed, or longer if legally required, and shall be destroyed at the end of that period.

G. Procedures for Sanctions Less than Fixed-Term Suspension or Termination

Section G-1

a. Within five working days of the receipt of a complaint filed by a member of the Community or of charges forwarded by the Dean of the Faculty or the Committee on Advancement and Tenure, the Chair of the Grievance Review Panel shall appoint from that panel a Grievance Hearing Board, made up of three members of the Faculty, taking care that the board is composed in a way likely to be impartial with respect to these allegations. The Hearing Board shall meet not more than five working days after its appointment to discuss the allegations, and shall normally complete its deliberations within twenty working days from receipt of a complaint or charges.

b. The Hearing Board shall conduct an investigation, call witnesses, and gather information it deems necessary to assist it in reaching a determination as to the merits of the allegations. Unless the Hearing Board concludes that the allegations are without merit, it shall invite any parties to a dispute to appear before it and to confront any adverse witnesses.

c. In any appearance before a Hearing Board, a complainant and the alleged offender each have the right to be accompanied by not more than two advisers from within the Reed Community, each of whom shall be a currently enrolled student or a current member of the Faculty or Staff. No such adviser may participate in the hearing as representing any party, or in any other way. Legal counsel,

including College counsel, shall not be permitted to observe or participate in any appearance before or meeting of a Hearing Board.

d. In arriving at its ultimate determination as to the merits of the allegations, the Hearing Board shall be guided by a standard of the preponderance of the evidence in the information before it, considered as a whole.

Section G-2 Report of the Hearing Board

a. In cases arising from a formal complaint, the Hearing Board shall communicate its determination as to the merits of the allegations in writing to the complainant. A summary of the basis for the board's determination shall be provided to the complainant upon request. In all cases, the Hearing Board shall supply the Dean of the Faculty and the person charged with a report consisting of its determination as to the merits of the allegations, any recommendations for sanctions against the faculty member, and a statement of the evidence gathered in the course of its investigations.

b. If the Hearing Board recommends seeking fixed term suspension or termination of tenure or of fixed-term appointment prior to expiration, the report of the Hearing Board shall immediately be forwarded to the Committee on Advancement and Tenure, at which point the procedures of Section H shall come into force. If the Hearing Board recommends the imposition of some lesser sanction, such as a warning or reprimand, the Dean of the Faculty shall forward this recommendation to the President, who shall determine whether to impose that sanction.

c. The affected faculty member may appeal to the Appeals and Review Committee any action by the President that is based on a recommendation by a Hearing Board. The written appeal must be received within 30 calendar days of notification of the action.

H. Procedures for Fixed-Term Suspension or Termination of Academic Tenure or of Fixed Term Appointment Prior to Expiration for a Reason Other than Financial Exigency

Section H-1 Proceedings for termination or fixed-term suspension for a reason other than financial exigency shall be carried out as follows:

a. Prior to or in lieu of Section H proceedings, the College and the faculty member may agree to arbitration or mediation. If such a resolution of the matter cannot be agreed upon, either the Committee on Advancement and Tenure or the Dean of the Faculty, after consultation between them, may present formal charges against the faculty member to the Committee on Tenure. The burden of proof of the charges shall lie with the Dean or the Committee on Advancement and Tenure, whichever has initiated the proceeding, and will be satisfied only by clear and convincing evidence in the record considered as a whole.

b. The Committee on Tenure shall consist of the Faculty members of the Appeals and Review Committee with the following exceptions:

1) If the person whose termination or fixed-term suspension is proposed is a member of the Committee, he or she shall withdraw until his or her case is completed.

2) Any member of the Committee who feels in his or her own judgment that he or she cannot participate impartially in a particular case shall withdraw for the duration of the case.

3) Vacancies because of one or two withdrawals shall be filled by faculty members chosen by the remaining members of the Committee. If there are more than two vacancies because of withdrawals, all of the vacancies shall be filled by faculty members elected by the Faculty from nominees of the Committee on Advancement and Tenure in a number equal to twice the number to be elected.

c. The Committee on Tenure shall promptly appoint an Investigating Committee of five faculty members on academic tenure, one of whom shall be chosen from among three nominated by the individual under investigation, one of whom shall be chosen from among three nominated by the President, and one of whom shall be chosen from among three nominated by the Committee on Advancement and Tenure. The Investigating Committee shall choose its own chair.

d. The Investigating Committee shall investigate the charges, hold hearings, and make recommendations as follows:

1) The person charged shall be fully informed in writing of the charges against him or her and shall have the opportunity to respond to the charges, to confront witnesses in hearings and to cross-examine them, to be heard in his or her own defense, to produce witnesses in his or her own behalf and to have with him or her at most two academic advisers of his or her own choosing. Where witnesses cannot or will not appear, but the Investigating Committee determines that the interests of justice require admission of their statements, the Investigating Committee will identify the witnesses, disclose their statements, and if possible provide for interrogatories. Legal counsel, including College counsel, shall not be permitted to observe or participate in any appearance before or meeting of the Investigating Committee.

2) The Investigating Committee may see all documents held by the College that pertain to the case. The Committee shall hold such hearings as may be necessary to fully explore the charges. If the charges include that of academic incompetence, testimony may include that of teachers and other scholars from the College or from other institutions of higher learning. A complete stenographic record of all hearings shall be kept and a transcript shall be prepared and supplied to the person charged upon his or her request. The hearings shall be open to the Faculty only if the person charged so requests.

3) The Investigating Committee shall normally complete its investigation within thirty working days of its appointment. Upon the completion of its investigation, the Investigating Committee shall meet, consider the evidence, and reach its conclusions by a secret ballot in which the chair shall have the right to vote.

4) If the proceedings have arisen from a formal complaint, the complainant shall receive a written statement of the Investigating Committee's determination as to the merits of the allegations, and upon request, a statement of the grounds for this determination. The Investigating Committee shall submit a written report to the President, the person charged, and to the Dean of the Faculty or the Committee on Advancement and Tenure, whichever has initiated the proceedings. The report shall include a summary of the Committee's findings and recommendations for the disposition of the case and shall have attached a transcript of any hearings of which transcripts have been prepared. If the Investigating Committee concludes that adequate cause for suspension or termination has not been established by the evidence in the record, it will so state in its report. If the Investigating Committee concludes that an academic penalty less than suspension or termination would be more appropriate, it will so recommend in its report, with supporting reasons.

e. The President or his or her designated representatives shall have the right to attend any hearings or meetings of the Investigating Committee or the Committee on Tenure as an observer.

f. The President may seek clarification or further information from the Investigating Committee, and this additional information will become a part of the report of the Committee. Within five working days of receiving the final report of the Investigating Committee, the person accused may submit a written statement of his or her position to the President. If the President rejects the recommendations of the report, the President will state the reasons for so doing, in writing, to the Investigating Committee and to the faculty member, and will provide an opportunity for response before transmitting the case to the Board of Trustees. The faculty member or the President may request a review and recommendation from the Appeals and Review Committee, based on the record of the Investigating Committee hearing, supplemented by any written statements which the Investigating Committee, the President, or the affected faculty member may wish to submit.

g. If the President recommends termination or fixed-term suspension, the President will transmit to the Board of Trustees the entire record of the case. The Board of Trustees' review will be based on this record, and the Board of Trustees will provide opportunity for argument, oral or written or both, by the principals in the case or by their representatives. The decision of the Investigating Committee will either be sustained or the proceedings returned to the Committee with specific objections. The Investigating Committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees will make a final decision only after study of the Committee's reconsideration.

h. The President, after consultation with the Committee on Tenure, may suspend a person charged during the proceedings only if immediate harm to him or herself, the College, or others is threatened by his or her continuance. Any such suspension shall be with pay.

i. The Board of Trustees shall fix the financial arrangements with respect to termination. In the case of tenured faculty, unless the grounds for termination include personal conduct covered by Article VI, Section 1.C of the Constitution, the individual shall receive 12 months' salary from the date of termination at his or her prevailing rate. Fixed-term suspension shall normally extend over not more than one academic year. Such suspension will be without pay or benefits, except for health insurance benefits.

I. Proceedings for Termination because of Financial Exigency

Section I-1 Proceedings for termination because of financial exigency shall be carried out as follows:

a. The existence and extent of a bona fide financial exigency shall first be discussed with the Faculty and all means of meeting the exigency shall be analyzed.

b. Only after consultation with the Committee on Academic Policy and Planning, the President or the Board of Trustees may carry out the termination.

c. The person terminated may, after receiving notice of termination, request a written statement from the President giving the reasons for his or her being selected for termination and may appeal the decision in writing to the Appeals and Review Committee. The written appeal must be received within 30 calendar days of receiving the President's statement or, in cases where the faculty member has also asked to have a copy of the faculty member's file upon which the decision was made, within 30 calendar days after having received that copy, whichever comes later. In event of appeal, the person terminated may make such written or oral presentation as he or she desires and may present witnesses and other evidence in his or her behalf. He or she may be accompanied by an academic advisor or legal counsel of his or her own choosing or both.

d. The Board of Trustees shall fix the financial arrangements with respect to termination. In the case of tenured faculty, the individual shall receive 12 months' salary from the date of termination at his or her prevailing rate; however, the College and the individual shall use reasonable efforts to obtain another position for the individual and, if another position is obtained, the termination pay shall cease when pay from the new position begins.

J. Title IX Complaints against Members of the Faculty involving Allegations of Sexual Harassment/Misconduct

Section J-1 Preliminary Considerations

a. Overview

The following three sections of the Rules of Procedure, J, K, L detail the procedures for complaints against faculty members involving sexual harassment/misconduct. Sexual harassment/misconduct is unwelcome conduct of a sexual nature. For the purpose of this policy sexual harassment/misconduct is defined as sexual violence, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. These procedures are intended to create an environment free of sex-based discrimination and harassment in accord with the College's regulations and policies, the Honor Principle, and the requirements of the U.S. Department of Education's Office of Civil Rights. These procedures are not intended to regulate academic discourse or content of speech. Academic discourse involving acts or speech of a sexual nature, even if perceived by some as offensive is not sufficient basis in and of itself to establish sexual harassment/misconduct. For academic discourse to be considered harassing, and/or to potentially create a sex-based discriminatory environment, it must also be persistent, pervasive, and not germane to the scholarly exploration of the subject matter.

b. Advisers

For all sexual harassment/misconduct cases conducted under section J, K, and L, the Complainant and the Respondent each may retain legal counsel and have as many as two advisers from the College community assist in the formal complaint process. The role of an adviser from the college community is to help the Complainant or Respondent prepare for any investigation or hearing, to advise on procedure, and to be a non-participating supporter in any interview or hearing that may result. The Complainant and the Respondent are, however, expected to represent themselves in any hearing or interview. Outside counsel may attend, but may not speak during hearings and the proceedings that form part of any sexual harassment/misconduct investigation.

c. Confidentiality

The Dean of the Faculty and anyone who has been designated to perform the Dean's functions in the grievance process shall endeavor to the degree possible to protect the confidentiality of Complainants and Respondents, but must comply with obligations and responsibilities placed on the College by Title IX regulations. The Title IX Coordinator will be advised of reports or complaints of sexual harassment/misconduct. This will include the names of the Complainant(s) and Respondent(s), as well as a brief statement of the event or events which are the cause of the complaint, including the date or dates.

Complainants, Respondents and witnesses are required to keep confidential the details of any formal complaint investigation, resolution or grievance hearing. They may disclose their own experiences that led to the filing of a complaint, and they may disclose details of the case to confidential parties, such as counselors, clergy, family members and lawyers or the advisers

allowed by this policy. They may also state that they are participating or have participated in a formal complaint or grievance procedure, whether as Complainant, Respondent, Hearing Board member, witness, or in another role. They must, however, keep confidential any details about the proceedings, the other participants, and any new information gained from testimony given or evidence submitted as part of a hearing or investigation. In cases of sexual assault, Complainants and Respondents may, after the completion of the process, including all appeals, also disclose three additional pieces of information: the name of the Respondent; the institution's final determination concerning the allegation of sexual assault; and any sanction imposed on the Respondent as a result of a finding of sexual assault.

d. Retaliation

The Dean shall endeavor to protect all parties involved from retaliation as necessary, during or after an investigation and its resolution. Retaliation includes intimidation, threats, coercion or adverse employment or educational actions taken against an individual because of the individual's participation in the reporting, investigation or resolution of a complaint. Retaliation may include acts committed by Complainants, Respondents or any other individual or group of individuals.

A student Complainant may bring to the Dean's attention any concerns about completion of a particular course or concerns about any evaluations of his or her performance. The Dean will follow relevant college policy where it exists, and consult with and inform the Title IX Coordinator as appropriate.

e. Record Keeping

If sanctions have been imposed under the provisions of Section K or L, and appeal is unsuccessful, a statement of these sanctions and of their grounds shall be placed in the Respondent's evaluation file. Informal or mediated resolutions of complaints or charges arising from a section J proceeding may stipulate that an appropriate statement be placed in the Respondent's evaluation file.

In the event that a hearing according to the procedures of Sections K or L comes about because of an allegation submitted to the Committee on Advancement and Tenure as part of the faculty evaluation process, that allegation shall normally remain in the Respondent's evaluation file. In cases where such an allegation is discredited by a hearing that clears the Respondent of wrongdoing, the Committee on Advancement and Tenure shall insert a statement to that effect into the evaluation file.

All other records arising from formal complaints against members of the Faculty, all other records arising from informal resolutions reached through interaction with the Dean of the Faculty or the Committee on Advancement and Tenure, and records arising from mediation through the Honor Council which results in acknowledgment of injury to a community member, shall be kept by the Dean of the Faculty in confidential complaint files separate from all other records pertaining to a faculty member. A Hearing Board or Investigating Committee on sexual harassment/misconduct shall consult these files only when determining what sanctions to recommend in a case where allegations have been substantiated through the procedures of Sections K or L. The Committee on Advancement and Tenure shall not consult these files except when determining whether to initiate proceedings pursuant to Section J-3 below. As stated in the Community Constitution, these files shall be maintained for the duration of a faculty member's employment at Reed, or longer if legally required, and shall be destroyed at the end of that period.

All complaints alleging possible violations of Title IX that are brought to the attention of the Dean of Faculty or the Chair of the Grievance Review Panel shall be reported to the Title IX coordinator. The Title IX Coordinator shall be kept informed of the status and outcomes of the investigation and adjudication of such complaints and any resolution, including in cases where the complaint is unsubstantiated.

f. Suspension and Resumption of Personnel Review

In the event that a hearing according to the procedures of Sections K or L overlap in time with a personnel review affecting title, salary, or term of service of the Respondent, that review shall be suspended pending the final outcome of those procedures. As soon as the procedures are complete, the personnel review will be resumed, and no financial or status penalty will accrue to the Respondent solely by virtue of the delay.

g. Timeline

The time limits identified in this policy, including for the procedures of Sections K and L, shall be observed in normal circumstances, but may be extended for good cause shown, provided that prompt resolution of a complaint is not prevented by the extension. Excluding appeals, the investigation and resolution of a formal complaint shall in normal circumstances take no longer than sixty days.

Section J-2 Formal Complaints

a. Filing a Complaint

Any student, staff, or faculty member of Reed College, any parent or guardian of a Reed student or any other legitimate user of the facilities and programs of Reed College, may file with the Dean of the Faculty a formal complaint of sexual harassment/misconduct against a faculty member.

In cases of sexual harassment/misconduct complaints against the Dean of the Faculty or in cases where the Dean of the Faculty may have a real or perceived conflict of interest in investigating a complaint, a formal complaint should be filed with the Chair of the Grievance Review Panel under Section K below.

At all times, the Complainant has the right to file a criminal complaint with law enforcement or to seek civil remedy, in addition to the College's procedures.

b. Investigation

The Dean of the Faculty shall endeavor to obtain consent from the Complainant before beginning an investigation. If the Complainant requests confidentiality, the College shall take all reasonable steps outlined under Section J-3 below to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the College shall inform the Complainant that it will be limited in its ability to investigate and respond to the complaint.

The Dean of the Faculty shall ensure that the complaint is promptly investigated. He or she may do the investigation, or designate an appropriate investigator. The Complainant, Respondent and other individuals identified as having information pertinent to the case shall be interviewed, and pertinent evidence shall be reviewed. The purpose of the investigation is to establish whether or

not there is sufficient evidence to suggest that sexual harassment/misconduct has occurred. The investigation shall normally be completed within fifteen days.

Failure to cooperate with or interference in an investigation may result in discipline up to and including discharge for employees (including faculty members), and suspension or expulsion for students, in accordance with the College's established grievance procedures.

c. Results of the Investigation and Resolution

On the basis of the investigation, the investigator shall prepare a written report describing the complaint and the response (or absence of a response), the information provided by any witnesses, and any other evidence. On the basis of this report, the Dean of the Faculty, or his or her designee, shall communicate in an addendum to the report whether he or she believes that it is more likely than not that sexual harassment/misconduct occurred. If the Dean, or his or her designee, concludes that it is more likely than not that the Respondent has committed an act of sexual harassment/misconduct, he or she shall recommend in the addendum what disciplinary action would be appropriate for such a violation.

If the Dean, or his or her designee, concludes that it is more likely than not that the Respondent has not committed an act of sexual harassment/misconduct, he or she shall provide the Complainant and the Respondent written notice of this finding and of the procedures for appeal.

Both the Complainant and the Respondent have the right to appeal to the President, asking within five days of the date of the notice to meet with the President to discuss the finding. In such a case, the Dean, or his or her designee, will forward the investigative report and addendum to the President. If the Complainant or the Respondent presents compelling evidence of procedural irregularities, provides significant new information or otherwise identifies a basis for reconsideration, the President shall refer the matter back to the Dean of the Faculty, or the designee, for reconsideration. Otherwise, the President may accept, modify or reject the findings of the Dean, or his or her designee. The President will provide written notice of his or her decision to the Complainant, the Respondent and the Dean, and the Dean will pursue resolution of the complaint, when appropriate, according to the procedures outlined below.

If the Dean or his or her designee concludes that it is more likely than not that the Respondent has committed an act of sexual harassment/misconduct, he or she shall provide the Complainant and the Respondent written notice of this finding and of the procedures for appeal. At this point, the Respondent may accept the findings of the report and accept any sanctions proposed in the addendum, or some other resolution of the complaint may be agreed to by the Respondent, the Dean of the Faculty (or his or her designee), and the Complainant. Any resolution shall include a final determination of the College's finding regarding the occurrence of an act of sexual harassment/misconduct, and any sanctions imposed on the Respondent that directly relate to the Complainant's participation in college programs shall be disclosed to the Complainant.

If no such agreement is reached within five days after notice of the investigation has been received, and if the recommended disciplinary action is less than suspension or termination, the Dean of the Faculty shall forward the complaint together with the written report of the investigation, including the addendum, to the Chair of the Grievance Review Panel. In cases in which the recommended disciplinary action is fixed-term suspension or termination of tenure or of fixed-term appointment prior to expiration, the Dean shall consult with the Committee on Advancement and Tenure as to whether to initiate proceedings under the provisions of Section L of these Rules of Procedure, or instead to pass the complaint to the Chair of the Grievance Review Panel in order to instigate a proceeding under Section K.

Section J-3 Investigation in the Absence of a Formal Complaint

a. Initiating an Investigation

In cases involving informal complaints of sexual harassment/misconduct or cases when a complainant does not consent to his or her name being used in an investigation of sexual harassment/misconduct, the Dean of Faculty and the Committee on Advancement and Tenure will carefully weigh the wishes of the potential Complainant(s) and the College's responsibility to provide a safe and non-discriminatory environment for all members of the community. If necessary, interim measures will be taken to protect any potential Complainant's health and participation in college programs and to protect against retaliation.

If the Dean or the Committee on Advancement and Tenure determines that possible charges do warrant instituting procedures under Section K or if the Committee on Advancement and Tenure determines that possible charges do warrant instituting procedures under Section K, the Respondent shall within two days receive a written statement of the nature and grounds of the possible charges to be considered against him or her and shall have five days from receipt of this statement in which to reply and to state his or her position, unless there is a substantial reason for extending that deadline.

b. Investigation

The Dean of the Faculty and the Committee on Advancement and Tenure shall have fifteen days from receipt of the Respondent's reply to conduct an investigation. The purpose of the investigation is to establish whether or not there is sufficient evidence to suggest that an act of sexual harassment/misconduct has occurred.

c. Results of the Investigation and Resolution

On the basis of the investigation, the investigator shall prepare a written report describing the complaint and the response (or absence of a response), the information provided by any witnesses, and any other evidence. On the basis of this report, the Dean and the Committee on Advancement and Tenure shall communicate in an addendum to the report whether the Committee on Advancement and Tenure believes, by majority vote, that it is more likely than not that the alleged act(s) of sexual harassment/misconduct occurred. If the Committee on Advancement and Tenure conclude that it is more likely than not that the Respondent has committed an act of sexual harassment/misconduct, the Dean, the Committee on Advancement and Tenure, and the Respondent are bound in good faith to seek resolution of the matter among themselves before instituting proceedings under Sections K or L. Such resolution shall include a final determination of whether or not an act of sexual harassment/misconduct occurred, and may include sanctions stipulated by the Dean of the Faculty and the Committee on Advancement and Tenure. Sanctions imposed on the Respondent that directly relate to any informal or potential Complainant's participation in college programs shall be disclosed to that Complainant.

If a resolution is not agreed to within five days of the determination that grounds for adverse action may exist, and if the alleged conduct appears to warrant a sanction less than fixed-term suspension or termination, the Dean of the Faculty shall promptly forward the written report prepared by the Dean and the Committee on Advancement and Tenure to the Chair of the Grievance Review Panel. If the Committee on Advancement and Tenure determines that the alleged conduct could warrant fixed-term suspension or termination of tenure or of fixed-term appointment prior to expiration, then the Committee on Advancement and Tenure shall promptly initiate proceedings pursuant to Section H.

If the Dean of the Faculty and the Committee on Advancement and Tenure determine that plausible grounds for proceedings under Sections K or L or other adverse action do not exist, the Dean of the Faculty shall immediately so inform the Respondent, and any informal or potential Complainant, in writing.

K. Procedures for Sanctions Less than Fixed-Term Suspension or Termination

Section K-1 Investigation by the Grievance Hearing Board

a. Filing a Complaint

The Chair of the Grievance Review Panel shall receive sexual harassment/misconduct complaints from the Dean of the Faculty or the Committee on Advancement and Tenure or from any legitimate user of the facilities and programs of Reed College who believes the Dean of the Faculty has a conflict of interest investigating his or sexual harassment/misconduct complaint.

b. Constitution of a Grievance Hearing Board

Within five working days of the receipt of a complaint, the Chair of the Grievance Review Panel shall appoint from that panel a Grievance Hearing Board, made up of three members of the Faculty, who do not have any real or perceived conflict of interest in reviewing the complaint.

c. Investigation by the Grievance Hearing Board

The Hearing Board shall meet not more than five working days after its appointment to discuss the allegations. If the Hearing Board judges that the allegation could warrant fixed-term suspension or termination of tenure or of fixed-term appointment prior to expiration, the Hearing Board shall immediately forward the complaint to the Committee on Advancement and Tenure, at which point the procedures of Section L shall come into force, and proceedings under Section K shall terminate. If the Hearing Board does not forward the complaint to the Committee on Advancement and Tenure, it shall normally complete its investigations and determinations within twenty working days from receipt of a complaint.

The Hearing Board shall conduct an investigation, call witnesses, and gather information it deems necessary to assist it in reaching a determination as to the merits of the allegations. Unless the Hearing Board concludes that the allegations are without merit and dismisses the complaint, it shall invite, in writing, as many Respondents or Complainants as are party to a dispute to appear before it.

The Complainant(s) and the Respondent(s) may be present at the hearing if they choose, or they may choose to participate in the hearing by telephone or video conference. Neither the Respondent(s) nor the Complainant(s) shall, however, be allowed to cross-examine each other, or the witnesses, during the hearing. Questions may be submitted by Respondent(s) and Complainant(s) in advance to the Board, which shall decide whether those questions are relevant to the matter and, where applicable, in compliance with Title IX or other legal requirements.

Where appropriate, the Complainant(s) shall be offered the opportunity to participate in the hearing without being in the presence of the Respondent(s), or accommodations shall be made so that the Complainant(s) may participate in the hearing without facing the Respondent(s). Similarly, where appropriate, the Respondent(s) shall be offered the opportunity to participate in the hearing without being in the presence of the Complainant(s), or accommodations shall

be made so that the Respondent(s) may participate in the hearing without facing the Complainant(s). A transcript or audio recording of any hearing shall be made.

Failure to cooperate with or interference in an investigation may result in discipline up to and including discharge for employees (including faculty members), and suspension or expulsion for students, in accordance with the College's established grievance procedures.

In arriving at its ultimate determination as to whether sexual harassment/misconduct occurred, the Hearing Board shall be guided by a standard of the preponderance of the evidence in the information before it, considered as a whole. The determination will be based on the majority vote of the Hearing Board.

Section K-2 Report of the Hearing Board

a. Communication of the Hearing Board's Decision

In cases arising from a formal complaint, the Hearing Board shall state whether an act of sexual harassment/misconduct occurred together with a summary of the basis for the Board's determination and the options for appeal, in a written report to the Complainant, the Respondent, and the Dean of Faculty (or the President, in cases against the Dean of the Faculty). The Hearing Board shall also communicate in writing to the Dean of the Faculty (or the President, in cases against the Dean of the Faculty) and the Respondent any recommendations for sanctions against the Respondent. The Hearing Board shall state whether an act of sexual harassment/misconduct occurred.

b. Sanctions

If the Hearing Board recommends a sanction, the Dean of the Faculty shall forward this recommendation to the President, who shall determine whether to impose that sanction or a different sanction. In case of a complaint against the Dean of Faculty, the Hearing Board shall give its recommendation directly to the President.

The Hearing board cannot recommend fixed-term suspension or termination of tenure or of fixed-term appointment prior to expiration. Should a substantially new allegation come to light during proceedings, the Hearing Board shall refer that new allegation to the Committee on Advancement and Tenure, which will proceed according to the procedures of Section J-3. The Hearing Board shall complete its hearing of the allegation before it.

Any sanctions imposed on the Respondent that directly relate to the Complainant's participation in college programs shall be disclosed to the Complainant in writing.

c. Appeal

The Respondent and the Complainant may each appeal to the Appeals and Review Committee the dismissal of the complaint by the Hearing Board or any action by the President that is based on a recommendation by the Hearing Board. The Appeals and Review Committee does not hold a new hearing. Its review is limited to determining whether due process has been followed, whether the dismissal or any action of the President was based on a body of evidence sufficient to allow for a reasonably well informed judgment, and/or whether there is any new evidence so substantial that the complaint should be reconsidered. It will make its determinations according to a majority vote of the committee.

If the Appeals and Review Committee rejects the dismissal of the complaint, it will refer the complaint back to the Grievance Hearing Board for a new investigation of the complaint. If the Committee considers an action of the President to be not based on a body of evidence sufficient to allow for a reasonably well informed judgment or considers that there is substantial new evidence that was not considered by the Grievance Hearing Board, it will refer the case back to the Grievance Hearing Board for reconsideration.

In the case of an appeal, the Appeals and Review Committee will normally complete its work within ten days of receipt of the appeal.

**L. Procedures for Fixed-Term Suspension or Termination of Academic Tenure
or Termination of Fixed-Term Appointment Prior to Expiration
in Response to Charges of Sexual Harassment/Misconduct**

a. Presentation of Formal Charges

In cases of alleged sexual assault, informal resolution is not an appropriate tool and will not be used by the College to resolve complaints. In other cases, prior to or in lieu of Section L proceedings, the College and the faculty member may agree to informal resolution, such as arbitration or mediation. If such a resolution of the matter cannot be agreed upon, either the Committee on Advancement and Tenure or the Dean of the Faculty, after consultation between them, may present formal charges against the faculty member to the Committee on Tenure.

b. The Committee on Tenure

The Committee on Tenure (not to be confused with the Committee on Advancement and Tenure) shall consist of the Faculty members of the Appeals and Review Committee with the following exceptions:

- If the person whose termination or fixed-term suspension is proposed is a member of the Committee, he or she shall withdraw until his or her case is completed.
- Any member of the Committee who feels in his or her own judgment that he or she cannot participate impartially in a particular case shall withdraw for the duration of the case.

Vacancies because of one or two withdrawals shall be filled by faculty members chosen by the remaining members of the Committee from the nominating ballot of the most recent election for the Appeals and Review Committee. If this does not yield sufficient numbers to constitute the Committee on Tenure, the President shall appoint the remaining members.

c. Constitution of the Investigating Committee

The Committee on Tenure shall within three days appoint an Investigating Committee of five faculty members on academic tenure, one of whom shall be chosen from among three nominated by the Respondent, one of whom shall be chosen from among three nominated by the President, and one of whom shall be chosen from among three nominated by the Committee on Advancement and Tenure. The Investigating Committee shall choose its own chair.

d. Investigation and Recommendations of the Investigating Committee

The Respondent shall be fully informed in writing of the charges against him or her and shall have the opportunity to respond to the charges, to be heard in his or her own defense, to

produce witnesses in his or her own behalf and to have with him or her at most two advisers of his or her own choosing and drawn from the college community. The Complainant shall have the same opportunity to produce witnesses and have advisers. Where witnesses cannot or will not appear, but the Investigating Committee determines that the interests of justice require admission of their statements, the Investigating Committee will identify the witnesses in any hearing and introduce their statements.

The Complainant and the Respondent may be present at the hearing if they choose, or they may choose to participate in the hearing by telephone or video conference. Neither the Respondent nor the Complainant shall be allowed to cross-examine the other during the hearing. Questions may be submitted by the Complainant and the Respondent in advance to the Investigating Committee, which shall decide whether those questions are relevant to the matter and, where applicable, in compliance with Title IX or other legal requirements.

Where appropriate, the Complainant shall be offered the opportunity to participate in the hearing without being in the presence of the Respondent, or accommodations shall be made so that the Complainant may participate in the hearing without facing the Respondent. Similarly, where appropriate, the Respondent shall be offered the opportunity to participate in the hearing without being in the presence of the Complainant, or accommodations shall be made so that the Respondent may participate in the hearing without facing the Complainant. Outside counsel may attend, but may not speak during hearings and the proceedings that form part of the investigation.

Failure to cooperate with or interference in an investigation may result in discipline up to and including discharge for employees (including faculty members), and suspension or expulsion for students, in accordance with the College's established grievance procedures.

The Investigating Committee may see all documents held by the College that pertain to the case. The Committee shall hold such hearings as may be necessary to fully explore the charges. A complete transcript or audio recording of all hearings shall be kept and a transcript shall be prepared and supplied to the person charged upon his or her request. The hearings shall be open to the Faculty only if the Respondent and the Complainant agree to this.

Upon the completion of its investigation, the Investigating Committee shall meet, consider the evidence, and reach its conclusions by a majority vote reached by a secret ballot in which the chair shall have the right to vote. The Committee will make its judgments according to the preponderance of the evidence in the information before it, considered as a whole.

If the proceedings have arisen from a formal complaint, the Complainant shall receive a written statement of the Investigating Committee's determination as to the merits of the allegations, including a determination of whether or not an act of sexual harassment/misconduct severe enough to warrant fixed-term suspension or termination of tenure or fixed-term appointment prior to expiration occurred, and a statement of the grounds for the determination. Any decision to recommend suspension or termination should be based on a careful consideration of whether or not the nature of the accusation and the nature of the evidence in support of that accusation are sufficient to warrant such a sanction. The Investigating Committee shall submit a written report to the President, the person charged, the Committee on Advancement and Tenure, and the Title IX Coordinator. The report shall include a summary of the Committee's findings and recommendations of the disposition of the case and shall have attached a transcript of any hearings of which transcripts have been prepared. If the Investigating Committee concludes that adequate cause for suspension or termination has not been established by the evidence in record, it will so state in its report. If the Investigating Committee concludes that an academic penalty less than suspension or

termination would be more appropriate, it will so recommend in its report, with supporting reasons. If the Investigating Committee recommends in favor of suspension or termination, the report shall provide explicit reasons in support of such a recommendation.

The Investigating Committee shall normally complete its investigation within fifteen working days of its appointment, unless the complaint originates from a complaint filed directly with the Chair of the Grievance Review Panel, in which case, the Investigating Committee shall normally complete its investigation within thirty working days of its appointment.

e. Review of the President and Trustees

The President or his or her designated representatives shall have the right to attend any hearings or meetings of the Investigating Committee or the Committee on Tenure as an observer.

The President may seek clarification or further information from the Investigating Committee, and this additional information will become a part of the report of the Committee. Within three days of receiving the final report of the Investigating Committee, both the Respondent and the Complainant (where applicable) may submit a written statement of his or her position to the President. The President shall either accept or reject the findings and recommendations of the report. He or she will inform in writing the Investigating Committee, the Respondent and the Complainant (where applicable) of his or her decision, stating the reasons for his or her action in the case where the report is rejected, and making clear the options for appeal. The President will provide an opportunity for a written response before transmitting the case, including all supporting documentation, to the Board of Trustees within five days of receiving the final report of the Investigating Committee.

The Respondent, the Complainant (where applicable) or the President may request a review and recommendation from the Appeals and Review Committee, based on the record of the Investigating Committee hearing, supplemented by any written statements which the Investigating Committee, the President, or the affected faculty member may wish to submit. The review of the Appeals and Review Committee shall be limited to determining whether due process has been followed, whether the determination of the Investigating Committee was based on a body of evidence sufficient to allow for a reasonably well informed judgment, and whether there is any new evidence that is so substantial that the Investigating Committee should reconsider its conclusions. It will make its determinations according to a majority vote of the committee, and will normally complete its work within ten days of receipt of the appeal.

If the President recommends termination or fixed-term suspension, the President will transmit to the Board of Trustees the entire record of the case, including the result of any appeal to the Appeals and Review Committee. The Board of Trustees' review will be based on this record, and the Board of Trustees will provide opportunity for an appeal, oral or written or both, by the principals in the case or by their representatives. The decision of the Investigating Committee will either be sustained or the proceedings returned to the Committee with specific objections. The Investigating Committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees will make a final decision only after study of the Committee's reconsideration. The Board of Trustees' review of the case will, in the absence of any appeal, normally take no more than ten days.

f. Interim Suspension

The President, after consultation with the Committee on Tenure, may suspend a respondent during the proceedings if immediate harm to him or herself, the College, or others is threatened

by his or her continuance or if his or her continued presence on campus is judged to have a sufficiently negative impact on the Complainant. Any such suspension shall be with pay.

g. Financial Consideration with Respect to Termination

The Board of Trustees shall fix any financial arrangements with respect to termination. Fixed-term suspension shall normally extend over not more than one academic year. Such suspension will be without pay or benefits, except for health insurance benefits.

Appendix I

AAUP Statement on Professional Ethics

I. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

II. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

III. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

IV. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

V. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Appendix II

Resolutions Adopted by the Faculty Governing Conduct of Faculty Meetings

1. The practice of using a tabling motion to cut off discussion of an issue before the Faculty is prohibited in meetings of the Faculty. (September 6, 1962)
2. New business may be introduced at special Faculty meetings by two-thirds vote of those present, provided that a quorum of 60 percent of the Faculty not on leave or sabbatical is present when this procedure is invoked. The Clerk shall be responsible for determining the existence of such a quorum. (September 29, 1969)
3. Regular and special meetings of the Faculty shall be considered to be closed to all members of the community except those defined as Faculty in Article I, Section 1 of the Faculty Constitution of Reed College. Other community members, for example staff or students, may be invited to attend and participate as non-voting members upon invitation by the Faculty. (March 30, 1970)
4. A Motion to reconsider shall require at least 48 hours written notice to the Faculty. (December 7, 1970)
5. The Committee on Academic Policy and Planning shall report its findings and recommendations to the Faculty on all matters except new courses before spring vacation. (November 27, 1972)
6. A motion to ban smoking at Faculty meetings. (May 14, 1973)

Index

A

AAUP, 42
Academic Freedom And Responsibility, 5
Ad hoc subcommittees, 15
Administration Committee, 15, 17
Administrative Faculty, 11
Advancement, 3, 4
Amendments, 8, 19
Appeals and Review Committee, 6, 7, 11, 12, 14, 16,
18, 28, 30, 37,40
Arbitration. *See* mediation

B

Board of Trustees, 1, 2, 5, 6, 7, 8, 9, 30, 31, 40, 41
Bylaws, 1, 2, 7, 8, 9, 18, 19

C

Chair of the Board of Trustees, 2, 6
Chief Academic Officer, 1
Chief Executive Officer, 2
Chief Information Officer, 1
Clerk of the Faculty, 1
Committee on Academic Policy and Planning (CAPP),
1, 3, 9, 10, 11, 12, 13, 15, 16, 17, 18, 20, 21,
22, 23, 24, 30, 43
 Budget Advisory Subcommittee, 15
Committee on Admission and Financial Aid, 15, 16
Committee on Advancement and Tenure (CAT), 1, 2,
3, 4, 5, 11, 13, 16, 20, 26, 27, 28, 29, 32, 34, 35,
37, 38, 39, 40
Committee on Tenure, 28, 29, 30
Committee on Graduate Studies, 11
Community Affairs Committee, 18
Community Constitution, 18, 27, 32
Community government, 8, 18
Complaints against faculty, 25, 31
Conditions of Appointment, 20
Confidentiality, 27, 31, 33

D

Dean of Admission, 1, 11, 16
Dean of the Faculty, 1, 2, 4, 5, 6, 7, 11, 12, 13, 17, 20,
22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35,
36, 37, 38
Dean of Institutional Diversity, 1
Dean of Student Services, 15, 18
Departments, 7, 8, 11, 16, 22, 23
Director of Financial Aid, 16
Divisions, 7, 10, 14, 16

E

Elections, 11-14, 38
Emeritus, 1, 25
Evaluation, 12, 24, 27, 32
 Administrative Faculty, 4
 Dean of the Faculty, 3
Executive Staff, 3

F

Faculty
 Academic, 1, 10, 14, 16, 19
 Administrative, 1, 11
 appointment
 conditions of, 20
 non-renewal, 20
 part-time, 21
 tenure, 3, 28, 38
 termination, 5, 28, 30, 38
 visiting, 3, 4, 20
 awards, 7
 complaints against, 25, 31
 evaluation file, 27
 FTE, 7
 meetings
 agenda, 10
 closed session, 10
 conduct of, 43
 minutes, 1, 10, 17
 quorum, 2, 43
 student observers, 10
 Resignation, 24
 salary, 20
 workload, 7
Faculty Code, 14, 16
Faculty Government, 10
Faculty Handbook, 5, 17, 21, 25
Financial exigency, 5, 28, 30

G

Grievance Hearing Board, 7, 36
Grievance Review Panel, 14, 16, 26, 27, 33, 35, 36

H

Honor Council, 25, 27, 32
Honor Principle, 18, 25, 31
Humanities, staffing, 7

I

Investigating Committee, 27, 29, 30, 32, 38-40

J

Judicial Board, 19
Judicial Board Code, 19

L

Legislation Committee, 18
Librarian, 1, 11, 16
Library Board, 15, 16
Leaves of absence, 2, 9, 16, 21, 23, 23, 24

M

Master of Arts in Liberal Studies, 11
Mediation, 25, 27, 28, 32, 38
Museum Art School Committee, 11

N

Non-Sexual Harassment/Misconduct Complaints and Charges, 25

O

Off-Campus Study Programs Committee, 15, 16

P

Parliamentary procedure, 10
Paid Leave Award Committee, 22, 23
Parental Leave, 4, 24
President, 1-8, 10-16, 18, 20-24, 27-30, 34, 37-40
President of the Student Body, 16

Q

Quest, 10

R

Record Keeping, 27, 32
Registrar, 1, 8, 11, 15, 16, 17
Retirement, 7, 25
Rules of Procedure, 5, 7, 8, 9, 17, 20, 26, 31, 34

S

Sabbaticals, 1, 2, 4, 7, 21-24
Standing committees, 15
Statement on Professional Ethics, 42
Status of student member on committees, 7, 10, 17
Student Senate, 18
Student Committee on Academic Policy and Planning, 14, 15
Suspension, 26, 28-30, 33-41

T

Title IX Complaints against Members of the Faculty, 31

V

Vice President, 1, 3, 15, 16, 18