

CSB/SJU Faculty Handbook Committee:

Annual report, academic year 2018-19

Submitted by Jennifer Galovich, Chair

May 2019

Membership 2017-18

Ordinarily, the Faculty Handbook Committee (FHC) has seven at-large voting members, each of them elected by the Joint Faculty Assembly (JFA). For academic year 2017-18, the voting members were:

Jean Didier (2016-December 2018)

Kathy Ohman (2018-2021)

Dan Finn (2017-2020)

Jennifer Galovich (2016-2019) *Chair*

Michael Livingston (2015-18)

Mary Stenson (2017-2019)

Julie Strelow (2017-2020)

The FHC also has one nonvoting member, either the Provost or the Provost's delegate; Terry Check, Dean of the Faculty, served as the Provost's delegate to the FHC in 2018-19

We met approximately biweekly during both semesters, a total of 14 meetings.

Membership 2019-20

Dan Finn (2017-2020)

Greg Schroeder (2019-2022) *Chair*

Michael Livingston (2018-2021)

Kathy Ohman (2018-2021)

Julie Strelow (2017-2020)

Sarah Yost (2019-2020)

Sarah Yost will serve in a one year position as sabbatical replacement for Michael Livingston (Fall 2019) and Kathy Ohmann (Spring 2020)

Terry Check will continue to serve as the Provost's delegate to the FHC for 2019-20

Tasks completed, 2018-19

The FHC duties are to consider and process Handbook amendments, to maintain the Handbook and to oversee any grievances.

There were no grievances in 2018-19.

In addition to reviewing proposed revisions to the FHB, the committee developed guidelines for FHB numbering format. The pace of proposed revisions, however, prevented full implementation of this project, though some renumbering in Part II was made. The committee asked for, and received, permission from the Offices of the Presidents to make necessary formatting changes to Part I.

In addition to several sets of editorial revisions, the FHC reviewed and processed the following. Items in red require additional action by the JFA before they can be put in the FHB. Item in green requires approval of Presidents after which it can also go into the FHB.

Part I:

Extensive revisions were proposed by the Presidents and reviewed by the FHC. These revisions were prompted by Board of Trustees actions taken in Spring 2017.

Part II:

Revised section 2.16.3 in various places to adjust the timing of the response by the Presidents.
Revised 2.6 and 2.7 regarding the departmental meeting for discussion of candidates for tenure and/or promotion

Revision of 2.5.4.1 on faculty service

Revision of 2.6 and 2.7 regarding initialing of files

Part III:

Revision of 3.4.2 to clarify definition of full-time benefit eligible.

Revision of 3.2.1 regarding hiring requests

Substantive revision of the Sexual Misconduct Policy, replacing section 3.5.1

Revision of 3.4.2.8.1 regarding Parental Leave

Part IV:

Added 4.5.1 and 4.5.2 sections on administrative committees.

Part V

Revised sections 5.3 to adjust the sizes and names of committees

Added to the charge for APBC, item 5.3.5.2.k

Revised section 5.4 to correct the size of the Senate

Revised section 5.3.7 to form one Rank and Tenure Committee

Added section 5.4.6.5 to form the IEJ Committee

Revised 5.4 regarding filling JFS temporary vacancies

Revised sections 5.1.4 and 5.4.5 to remove locus of appointment considerations for Chair and Vice Chair of the JFA

Items on the docket for 2019-20:

1. Exigency policy and procedures; MYBS policy and procedures together with whatever additional FHB changes are needed in part 2 to implement these.
2. Mentions of full-time
3. Review of Part III policies to organize by which ones are institutional only and which are driven by law. Work with HR on this.
4. Re numbering and reformatting of FHB using the Finn/Livingston guidelines. Have permission to do this for part I. Part 2 has been done tentatively, but not reviewed.
5. Word “goals” used ambiguously throughout the FHB. Task force appointed by JFS, with Kathy Ohman on it.
6. Ensure that FDRC guidelines are clear and consistent with 2.9. (Two known issues: use of “full time” and use of “mission and goals”) This is related to items 2 and 5 above.
7. Changes to part 2 required by any shift to electronic contracts (waiting on Ben Stommes for this)
8. Inadequate definition of faculty workload - -Barb May was supposed to be working on this
9. Any changes due to work of *ad hoc* JFS committee on faculty rank
10. Parental rights and lactation rooms – Family Friendly is on this
11. Hiring practices document from Terry needs to go to the JFA for comment and then into part III.
12. changes that may come from Terry re joint appointments
13. Review and hiring processes for endowed chairs?
14. Language needed in part II for required syllabi (from JFS 4/17/19)
15. Paperless files? 2.6.5.2 (approved by the JFA 4/24, but still must go to the Boards. JFA must approve post-contract insertion in the FHB per 2.16.5.1)
16. Possible delegation of authority from the Presidents to the Provost to approve some changes to parts 4 or 5. (from Richard Ice)
17. Suggest need part 3 policy on conversion of positions from staff to faculty, (viz. Kyhl Lyndgaard)
18. slight inconsistency of 2.16.4.1 and 2.16.5.1
19. Part 2 changes re faculty rank (charge from JFS 4/17/19)
20. Consistency of new Sexual Misconduct Policy with 2.13.6. Needs 2.13.6 adjustments in the fall. (Carol Abell, Jody Terhaar)
21. Changes to language regarding departmental service (2.5.4.1) (approved by the JFA 4/24 but still must go to the Boards. JFA must approve post-contract insertion in the FHB per 2.16.5.1)
22. Required reporting on syllabi? Terry to check with Title IX team (see minutes of 2-19-19).

EDITORIAL:

1. 3.4.2.5 Sick Leave, under the section “Medical Certification,” it says for further information on FMLA refer to 3.1.4.4. That should be 3.4.1.4. The numbers are switched around.
2. Also, there’s a section that was missed when we made all the references to the Dean of the Faculty. Section 2.11.1 and 2.11.2 say requests for leaves should go to the academic dean, but they should actually go to the dean of the faculty. So here just replace the phrase “academic dean” by “dean of the faculty”:

Requests for leaves are submitted in writing to the ~~academic dean~~ **dean of the faculty** [and/or the dean of the School of Theology] along with a written recommendation on the leave from the department chair. In the case of emergency leaves for compassionate reasons, the requests may be made to the ~~academic dean~~ **dean of the faculty** [and/or the dean of the School of Theology], who may waive a written request in view of the circumstances.

A faculty member wishing to have an extended leave without pay for any of the above reasons should make a written request to the ~~academic dean~~ **dean of faculty** [and/or the dean of the School of Theology as appropriate], accompanied by an evaluation by the department chair. Ordinarily such leaves are not granted for more than one academic year. An effort should be made to arrange the leave to coincide...

3. There is a typo in the faculty handbook. 5.3.2.2 Responsibilities (d) should read student learning “outcomes” and not “commons”.
4. Section 4.1.4.1 is currently misnumbered as 4.1.3.1. page 234.
5. A typo on p. 231 at the top, just before the heading for section 4.1. That sentence currently refers to the Joint Faculty Assembly, but it should say Joint Faculty Senate.
 1. The procedures for electronic voting are as follows:
 - (i) The Chair of the Joint faculty Senate will send a message electronically to the voting membership of the JFA
 - (a) Presenting the motion and rationale for the motion and
 - (b) Initiating an electronic discussion of the motion

- (ii) Voting members of the JFA will have a minimum of 5 working days to hold an electronic discussion of the motion before the Senate Chair sends out the electronic ballot.
- (iii) Voting members of the JFA will have five working days to cast their electronic ballot, with confidentiality of ballots **ensured** by the Senate Executive Committees.

6. The next two are in 2.16.3.5.2 and 2.16.3.5.2.a. p. 101: at the top of the page the reference to 5.4.2.f.1 should be 5.4.2.2.f.1 and in the next paragraph, the reference to 5.4.2.f.2 should be 5.4.2.2.f.2
7. In 5.3, all the committees are listed, with parenthetical references to the sections that describe them. When we added CCAPS and PAC and deleted APSAC this list should have been adjusted.

So can you fix this in the next edition?

You will need to make 5.3.b the reference to the PAC and parenthetically (5.3.2) and then shift all the other parenthetical numbers in 5.3 by 1 so that they match the number of the section that describes them.

5.3.b Program Assessment Committee (PAC) (Section 5.3.2)

8.
 - a) Monitor academic policies that relate to the work of the office of Academic Affairs, including that of the registrar, ~~Library~~, media, calendar committee and the office of Academic Advising. Refer recommended changes to the JFS **for** action.
 - b) Monitor academic policies that relate to the work of the office of Academic Affairs, including that of the registrar, ~~Library~~, media, calendar committee and the office of Academic Advising. Refer recommended changes to the JFS **for** action.

9.

1. In 2.6.5.5, add letter e:

d. The provost informs the candidate of the Board's decision as soon as possible.

e. A copy of the formal notification is also sent to the department chair [and/or the dean of the School of Theology] and the dean of the faculty, and academic dean.

2. In 2.7.2.4, add letter f:

e. The provost informs the candidate of the Board's decision as soon as possible.

f. A copy of the formal notification is also sent to the department chair [and/or the dean of the School of Theology] the dean of the faculty, and academic dean.

3. In 2.9.2.3, add spacing between items a, b and c:

- a. the professional quality of the sabbatical proposal and the applicant's capacity to accomplish the goals indicated;
- b. how the leave will affect the applicant's professional growth, as well as the department and its offerings; and
- c. the department's staffing during the faculty member's sabbatical, as well as extra-departmental effects, if any.

4. In 2.14.4.4.d.2, change lettering to lower case roman numerals (see on next page)

- d. Data to be used in review process by all parties:
 - 1. Trend data, particularly over the past 10 years (to the extent feasible) will be extensively used.
 - 2. Data for the review may come from many sources of information, including but not limited to:
 - i. Integrated Postsecondary Education Data System (IPEDS)
 - ii. Program reviews,
 - iii. Academic assessment plans,
 - iv. Departmental annual reports,
 - v. Registrar's Office statistics,
 - vi. General education contribution information,

- vii. Student and alumni achievement data,
- viii. Accreditation reports where they are relevant,
- ix. Board of Trustees approved Strategic Plan,
- x. Enrollment Management statistics.

5. In 2.16.3.2.c. change to Arabic, not roman numerals:

2.16.3.2.c. Review of proposals by the Faculty Assemblies of the college and university

If the JFA considers the proposal, it will take one of the following actions:

1. Approve the proposal as submitted
2. Amend the proposal and approve the amended proposal.
3. Return the proposal to the Faculty Handbook Committee with comments and/or instruction for further work.
4. Reject the proposal

6. Similarly in 2.16.3.2.d:

proposal to the Provost who will communicate the proposal to the Presidents. The JFA requests that upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit their decision to the Provost:

- (i) Approve the proposal as presented
- (ii) Return the proposal to the Executive Committee with comments and/or instruction

- for further work.
- (iii) Reject the proposal

7. Similarly in 2.16.3.4.c:

2.16.3.4.c Review of proposals by the Presidents

If a proposal is approved by the JFS, then, within ten [10] working days of approval, the Chair of the Faculty Handbook Committee will transmit the proposal to the Provost. Within ten [10] working days of receipt of the proposal from the Chair, the Provost will initiate review of the proposal with the Presidents of the college [university]. The JFA requests that upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit the decision to the Provost:

- (i) Approve the proposal as presented
- (ii) Return the proposal to the Executive Committee with comments and/or instruction for further work.
- (iii) Reject the proposal

Within ten [10] working days, the Provost will inform the chair of the Faculty Handbook Committee of the Presidents' decision. All approved changes will be implemented and published as described in section 2.16.5.

Should the President(s) reject the proposed amendment, the Chair of the Faculty Handbook Committee, the Provost and the officers of the Joint Faculty Assembly shall meet to discuss the next steps. These steps may include further study, modification, and/or resubmission of the proposal to the Faculty Handbook Committee and the Joint Faculty Assembly (if necessary) and reconsideration by the President(s).

8. and in these next two sections:

2.16.3.5.1.b. Review of proposals by the Joint Faculty Senate

The Joint Faculty Senate will consider the proposal and will take one of the following actions:

1. Approve the proposal as submitted
2. Amend the proposal and approve the amended proposal.
3. Return the proposal to the Faculty Handbook Committee with comments and/or instruction for further work.
4. Reject the proposal

If the proposal is approved, either as submitted, or as amended, the chair of the JFA will so inform the chair of the Faculty Handbook Committee. Note that proposals for revisions of sections 5.0 – 5.3 do not require further review by the JFA.

2.16.3.5.1.c Review of proposals by the Presidents

If a proposal is approved by the JFS, then, within ten [10] working days of approval, the Chair of the Faculty Handbook Committee will transmit the proposal to the Provost. Within ten [10] working days of receipt of the proposal from the Chair, the Provost will initiate review of the proposal with the Presidents of the college [university]. The JFA requests that upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit the decision to the Provost:

- (i) Approve the proposal as presented
- (ii) Return the proposal to the Executive Committee with comments and/or instruction for further work.
- (iii) Reject the proposal

The Provost will then inform the chair of the Faculty Handbook Committee of the Presidents' decision. All approved changes will be implemented and published as described in section 2.16.6

CHANGES TO PART I

Institutional Structure

1.2.1 The College of Saint Benedict Organization and Institutional Structure

The College of Saint Benedict was founded in 1913 by the Sisters of the Order of Saint Benedict, Saint Joseph, Minnesota, and operates under a charter granted in 1887. From the time the college was founded until 1961, the college was part of the religious community corporation. In 1961, the college was separately incorporated as a charitable, nonprofit corporation. The Articles of Incorporation provide for the college to be governed by corporate members and a Board of Trustees. No distinct functions were stated for the corporate members, however, since the incorporators chose to have members of the Board of Trustees also serve as the corporate members.

In October 1976, the Articles were amended to provide that the corporate members be distinct from the Board members, with separate functions. The corporate membership consists of the five officers of the religious community corporation, the sponsoring body. The Board of Trustees shall have and exercise those corporate powers prescribed by law. Its ultimate authority is affirmed through its policy-making functions and its responsibility for the Corporation's financial health and welfare.

1.2.2 Saint John's University Corporate and Institutional Structure

Saint John's University comprises a College of Arts and Sciences and a School of Theology Seminary. On March 6, 1857, the Benedictine monks, who had settled in the Territory of Minnesota the previous year, secured from the Territorial Legislature a charter incorporating their small community as the "Order of Saint Benedict" . . . "for scientific, educational and ecclesiastical purposes" and authorizing them "to establish and erect an institution, or seminary, in Stearns County . . . to be known by the name and style of Saint John's Seminary." Though this was its legal title, the school was known from its first years as Saint John's College. On March 5, 1869, Saint John's was authorized to confer academic degrees, and 14 years later, on February 17, 1883, the legal title was changed to Saint John's University. The text of the charter, or Articles of Incorporation, and its amendments are included in the Governance Documents of the University.

The "Order of Saint Benedict, Collegetown, Minnesota," includes the religious superiors and members of Saint John's Abbey as the successors of the original incorporators. This corporation functions under bylaws last adopted in 2001. Intended for the governance of the religious community, the bylaws of the corporation specifically include the Code of Canon Law (1983) and the Rule of Saint Benedict (sixth century) with its formally approved modifications.

In order to have one corporate entity focused fully on the operations and educational mission of Saint John's University, in 2012 the Order of Saint Benedict transferred the assets for operating the university to a newly formed Saint John's University non-profit corporation. Under the Saint John's University by-laws, the university operates under the guidance and control of the Board of Trustees.

1.3 Governance and Bylaws

1.3.1 The College of Saint Benedict General Governance from Bylaws

The College of Saint Benedict is an independent, nonprofit corporation sponsored by the Sisters of the Order of Saint Benedict, Saint Joseph, Minnesota. Governance and management of the College of Saint Benedict is delineated in the bylaws as amended in 2017.

While the Board of Trustees retains responsibility for the operational aspects of the college, the corporate members have ultimate responsibility for the authority over certain restricted matters. Specifically, governance decisions of the corporate members are restricted to those that help to ensure that the Catholic purpose and Benedictine identity of the college is preserved. The corporate members are responsible for:

- 1) appointing those persons who serve as voting members of the Board of Trustees;
- 2) approving any merger, acquisition, or dissolution of the Corporation;
- 3) approving the sale or encumbrance of all or substantially all of the assets of the Corporation;
- 4) amending the Articles of Incorporation; and
- 5) making and amending the Bylaws of the Corporation.

The Board of Trustees is composed of not fewer than twenty-five (25), nor more than forty (40) persons, some of whom shall be members of the Sisters of the Order of Saint Benedict, Saint Joseph, Minnesota. Members serve a three-year term and may be reelected to a second and third three-year term for a consecutive tenure of not more than nine years.

The Board of Trustees is the policy-making body of the College of Saint Benedict. Implementation of its policies is the responsibility of the president, whom the Board of Trustees has the responsibility to select. The Board shall have at least three regular meetings annually on such dates and at such places as it shall determine. The annual meeting, for the purpose of electing officers, shall be the spring meeting each year. The work of the Board of Trustees in preparation for policy decisions is achieved through its committee structure.

1.3.2 Saint John's University General Governance from University Bylaws

Saint John's University is an independent Minnesota non-profit corporation operated, as authorized, as an apostolate of Saint John's Abbey, a Benedictine monastery and public juridic person of the Roman Catholic Church. Governance and management of the Saint John's University is delineated in the Bylaws as amended in 2017.

The Bylaws establish two classes of corporate members of the University: Class A Members consist of five monks of Saint John's Abbey, including the Abbot and the canonical Treasurer. Class B Members consist of the finally professed members of Saint John's Abbey in good standing. Together, the Class A and Class B Members have the authority to appoint five members of the University Board of Trustees. Although authority for the management and direction of the University is vested in the Board of Trustees, the Class A Members retain certain reserved powers over particular matters. In addition to the power to elect Trustees, the Class A Members retain the right to approve the appointment of the President of the University, the sale, lease, or encumbrance of the University's real property, and other matters detailed in Sections 2.05 and 2.06 of the Bylaws. Taken as a whole, these reserved powers

give the corporate Members authority to ensure that the Catholic purpose and Benedictine identity of the University is preserved.

The Bylaws establish the Board of Trustees as the governing body of the University. The Board is composed of between 24 and 44 persons, at least five of whom are finally professed members of Saint John's Abbey. Trustees, except the Trustees nominated by the alumni association serve three-year terms, and may serve up to three consecutive three-year terms. The alumni association nominates one person for election by the Board of Trustees to serve as a voting member of the Board; these Trustees serve two-year terms and may serve up to three consecutive two-year terms. Elections are held at the annual Board meeting in the spring of each year.

The Bylaws provide for a President of the University to serve as its chief executive officer. The President is appointed by the Board of Trustees, with the approval of the Class A Members, and serves a specified term of up to six years.

The Abbot of Saint John's Abbey, in the exercise of his canonical responsibilities as Ordinary of the Abbey, gives canonical approval for pastoral positions, including University Chaplain, Director of Campus Ministry, and Faculty Residents.

1.3.3 Faculty Representation to the Board of Trustees of the College of Saint Benedict

Faculty senate leadership, as determined by faculty, attend and participate in Board of Trustee meetings, exclusive of executive session, as non-voting faculty representatives. Faculty senate leadership will have access to the board materials and opportunities to engage in board conversation.

1.3.4 Faculty Representation to the Board of Trustees of Saint John's University

Faculty senate leadership as determined by faculty attend and participate in the SJU Board of Trustee meetings, exclusive of executive session, as non-voting faculty representatives. Faculty senate leadership will have access to the board materials and opportunities to engage in board conversation.

1.3.5 Faculty Representation on CSB and Joint/Coordinate Committees of the Boards

Article XIII, Section 4 of the College of Saint Benedict Bylaws states:

Governing boards accomplish much of their work in and through committees, and constituent group voices should be sought there. Faculty and students will serve as voting members on certain board committees where their experience and knowledge appropriately contribute to shaping recommendations for governing board consideration. The elected leader of the Faculty Senate and a student representative will serve on the Academic Affairs and Enrollment and Marketing Committees, with voting privileges. A student and a faculty member will also serve on the Student Development and Buildings and Grounds Committees, with voting privileges.

Ad hoc members (voting and nonvoting) may be appointed to all committees, with the exception of the Trusteeship Committee, Executive, Audit, and Joint Presidential Advisory Committees.

In practice, a faculty representative serves as a non-voting member of the CSB Finance Committee, as well as the Coordinate Finance Committee, in a three-year term position. This representative is selected by the CSB Board's Trusteeship Committee from a list of two or three candidates selected by the Senate Executive Committee. Upon agreement with the committee chair and committee VP staff, faculty may be invited to attend meetings of other committees on an ad hoc basis, excluding the committees noted above where ad hoc members are not permitted.

The appointment of the faculty member to the Enrollment and Marketing Committee is coordinated between CSB and SJU.

1.3.6 Faculty Representation on SJU and Joint/Coordinate Committees of the Boards

Section 9.02 of the Saint John's University Bylaws states:

The Chair shall appoint a faculty member and a student per committee, from nominations received from the Faculty Senate and the Student Senate, to serve as voting members on certain board committees, as the Chair determines, but including the Academic Affairs, Enrollment and Marketing, Student Development, and Buildings and Grounds Committees. The Chair shall appoint a faculty member to serve as a non-voting member of the [SJU] Finance Committee.

In practice, the faculty member appointed to the SJU Finance Committee also serves as a non-voting member of the Coordinate Finance Committee, and the elected leader of the Faculty Senate serves on the Academic Affairs Committee. The appointment of the faculty member to the Enrollment and Marketing Committee is coordinated between SJU and CSB.

1.4 Faculty Role in Governance

1.4.1 Faculty Role in the Governance of the College of Saint Benedict

To further its educational mission and goals, the College of Saint Benedict is committed to cooperation among the Board of Trustees, the administration, the faculty, the students, Saint Benedict's Monastery, and Saint John's University. The broadest possible exchange of information and opinion is necessary for effective planning and implementation of the educational objectives of the College.

Each constituency of the academic community has different initiating and decision-making responsibilities. The primary role of the faculty in governance is the implementation of the educational goals held separately and in common by the College of Saint Benedict and Saint John's University. In this capacity the faculty is primarily responsible for curriculum planning, policy, and review, and curricular requirements including but not limited to: admissions and graduation requirements; the core curriculum; additions and deletions of majors, minors, or programs.

Although changes in educational policy may be proposed by any faculty individual or group, the provost, president or Board of Trustees, any major changes require consultation with the faculty prior to final action by the provost, president, or Board of Trustees as is appropriate, unless there is formal agreement to do otherwise. That consultation would take place through any mutually agreed upon procedure which provides a means for the faculty (as a whole or through authorized representatives) to present its judgment in the form of a recommendation,

vote or other expression sufficiently explicit to record the position or positions taken by the faculty.

The faculty is also responsible for the setting and maintaining of faculty standards, including, but not limited to, recommendations regarding tenure, promotion, sabbaticals, and the use of faculty development funds.

Finally, the faculty in collaboration with the Provost is responsible for recommendations regarding the procedures used to determine faculty salary increases and the creation and implementation of faculty salary schedules. The faculty, through its representatives on the Joint Benefits Committee, consults with other employee groups in order to formulate recommendations regarding working conditions and joint employee benefits.

The faculty participates in institutional governance through the Joint Faculty Assembly, and through its representatives on standing committees or *ad hoc* committees of the Joint Faculty Assembly. Faculty members have additional responsibilities to exchange information with and serve as consultants to constituencies of the College. These responsibilities may be fulfilled by participation in committees of the Board of Trustees or the Administration, divisional and/or departmental governance, or *ad hoc* committees.

The faculty is subject to the reserve power of control by the Board of Trustees in their initiation, review and recommendation of requirements for admission, the curriculum requirements for graduation, the nature and number of degrees to be conferred, and regulations for the conduct of the educational work of the College. In particular, no exercise of the powers herein conferred on the faculty that, in the judgment of the President of the College, involves a major issue in the educational policy of the College shall take effect without the concurrence of the President of the College and the approval of the Board of Trustees. The power of review or final decision in these areas is lodged in the Board of Trustees or delegated by it to the President. Only in exceptional circumstances, however, is non-concurrence exercised, and the reasons for the action are communicated to the faculty by the President.

1.4.2 Faculty Role in the Governance of Saint John's University

To further its educational mission and goals, Saint John's University is committed to cooperation among the Board of Trustees, the administration, the faculty, the students, the monastic community of Saint John's Abbey, and the College of Saint Benedict. The broadest possible exchange of information and opinion is necessary for effective planning and implementation of the University's educational objectives.

Each constituency of the academic community has different initiating and decision-making responsibilities. The primary role of the faculty in governance is the implementation of the educational goals held separately and in common by Saint John's University and the College of Saint Benedict. In this capacity the faculty is primarily responsible for curriculum planning, policy, and review, and curricular requirements including but not limited to: admissions and graduation requirements; the core curriculum; additions and deletions of majors, minors, or programs.

Although changes in educational policy may be proposed by any faculty individual or group, the provost, President or Board of Trustees, any major changes require consultation with the

faculty prior to final action by the provost, president, or Board of Trustees as is appropriate, unless there is formal agreement to do otherwise. That consultation would take place through any mutually agreed upon procedure which provides a means for the faculty (as a whole or through authorized representatives) to present its judgment in the form of a recommendation, vote or other expression sufficiently explicit to record the position or positions taken by the faculty.

The faculty is also responsible for the setting and maintaining of faculty standards, including, but not limited to, recommendations regarding tenure, promotion, sabbaticals, and the use of faculty development funds. The faculty, through its representatives on the Joint Benefits Committee, consults with other employee groups in order to formulate recommendations regarding working conditions and joint employee benefits.

Finally, the faculty is responsible for recommendations regarding the procedures used to determine faculty salary increases and the creation and implementation of faculty salary schedules. The faculty also consults with other employee groups in order to formulate recommendations regarding employee benefits and working conditions.

The faculty participates in institutional governance through the Joint Faculty Assembly and through its representatives on standing committees or *ad hoc* committees of the Joint Faculty Assembly. Faculty members have additional responsibilities to exchange information with and serve as consultants to constituencies of the University. These responsibilities may be fulfilled by participation in committees of the Board of Trustees or the Administration, divisional and/or departmental governance, or *ad hoc* committees.

The faculty is subject to the reserve power of control by the Board of Trustees in their initiation, review and recommendation of requirements for admission, the curriculum requirements for graduation, the nature and number of degrees to be conferred, and regulations for the conduct of the educational work of the University. In particular, no exercise of the powers herein conferred on the faculty that, in the judgment of the President of the University, involves a major issue in the educational policy of the University shall take effect without the concurrence of the President of the University and the approval of the Board of Trustees. The power of review or final decision in these areas is lodged in the Board of Trustees or delegated by it to the President. Only in exceptional circumstances, however, is non-concurrence exercised, and the reasons for the action are communicated to the faculty by the President

CHANGES TO PART II

Re changes to part II:

2.16.3.2.d Review of proposals by the Presidents

If a proposal is approved by both Faculty Assemblies, then, within five [5] working days of approval, the Chair of the Faculty Handbook Committee will transmit the proposal to the Provost who will communicate the proposal to the Presidents. The JFA requests that

upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit their decision to the Provost:

- (iv) Approve the proposal as presented
- (v) Return the proposal to the Executive Committee with comments and/or instruction for further work.
- (vi) Reject the proposal
- (vii) Delay the decision. In this case, the Presidents should provide a rationale for the delay and an expected date for the final decision.

Commented [GJ1]: We propose this addition to the list of responses.

The Provost will inform the chair of the JFA and the chair of the Faculty Handbook Committee of the Presidents' decision within six calendar weeks of the Provost's receipt of the proposal from the FHC.

Should the President(s) reject the proposed amendment, the Chair of the Faculty Handbook Committee, the Provost and the officers of the Joint Faculty Assembly shall meet to discuss the next steps. These steps may include further study, modification, and/or resubmission of the proposal to the Faculty Handbook Committee and the Joint Faculty Assembly (if necessary) and reconsideration by the Presidents. If in agreement with the proposed amendment to the *Faculty Handbook*, the President submits it to the Board.

Re changes to part IV:

2.16.3.4.c Review of proposals by the Presidents

If a proposal is approved by the JFS, then, within ten [10] working days of approval, the Chair of the Faculty Handbook Committee will transmit the proposal to the Provost. Within ten [10] working days of receipt of the proposal from the Chair, the Provost will initiate review of the proposal with the Presidents of the college [university]. The JFA requests that upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit the decision to the Provost:

- (iv) Approve the proposal as presented
- (v) Return the proposal to the Executive Committee with comments and/or instruction for further work.
- (vi) Reject the proposal
- (vii) Delay the decision. In this case, the Presidents should provide a rationale for the delay and an expected date for the final decision.

The Provost will inform the chair of the JFA and the chair of the Faculty Handbook Committee of the Presidents' decision within four calendar weeks of the Provost's receipt of the proposal from the FHC.

~~Within ten [10] working days, the Provost will inform the chair of the Faculty Handbook Committee of the Presidents' decision. All approved changes will be implemented and published as described in section 2.16.5.~~

Should the President(s) reject the proposed amendment, the Chair of the Faculty Handbook Committee, the Provost and the officers of the Joint Faculty Assembly shall meet to discuss the next steps. These steps may include further study, modification, and/or resubmission of the proposal to the Faculty Handbook Committee and the Joint Faculty Assembly (if necessary) and reconsideration by the President(s).

Re changes to part V, excepting 5.4:

2.16.3.5.1.c Review of proposals by the Presidents

If a proposal is approved by the JFS, then, within ten [10] working days of approval, the Chair of the Faculty Handbook Committee will transmit the proposal to the Provost. Within ten [10] working days of receipt of the proposal from the Chair, the Provost will initiate review of the proposal with the Presidents of the college [university]. The JFA requests that upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit the decision to the Provost:

- (iv) Approve the proposal as presented
- (v) Return the proposal to the Executive Committee with comments and/or instruction for further work.
- (vi) Reject the proposal
- (vii) Delay the decision. In this case, the Presidents should provide a rationale for the delay and an expected date for the final decision.

Commented [p2]:

We propose this addition to the timeline for changes to part V and this addition to the list of responses

The Provost will inform the chair of the JFA and the chair of the Faculty Handbook Committee of the Presidents' decision within four calendar weeks of the Provost's receipt of the proposal from the FHC.

The Provost will then inform the chair of the Faculty Handbook Committee of the Presidents' decision. All approved changes will be implemented and published as described in section 2.16.6

Should the President(s) reject the proposed amendment, the Chair of the Faculty Handbook Committee, the Provost and the officers of the Joint Faculty Assembly shall meet to discuss the next steps. These steps may include further study, modification, and/or resubmission of the proposal to the Faculty Handbook Committee and the Joint Faculty Assembly (if necessary) and reconsideration by the President(s).

Re changes to section 5.4:

2.16.3.5.2.b Review of proposals by the Presidents

If a proposal is approved by the JFA, then, within ten [10] working days of approval, the Chair of the Faculty Handbook Committee will transmit the proposal to the Provost. Within ten [10] working days of receipt of the proposal from the Chair, the Provost will initiate review of the proposal with the Presidents of the college [university]. The JFA requests that upon receipt of the proposal from the Provost, the Presidents, acting jointly, will take one of the following actions and transmit the decision to the Provost:

- (i) Approve the proposal as presented
- (ii) Return the proposal to the Executive Committee with comments and/or instruction for further work.
- (iii) Reject the proposal
- (iv) Delay the decision. In this case, the Presidents should provide a rationale for the delay and an expected date for the final decision.

Commented [p3]:

We propose this addition to the timeline for changes to part V and this addition to the list of responses

The Provost will inform the chair of the JFA and the chair of the Faculty Handbook Committee of the Presidents' decision within four calendar weeks of the Provost's receipt of the proposal from the FHC. Within ten [10] working days, the Provost will inform the chair of the Faculty Handbook Committee of the Presidents' decision. All approved changes will be implemented and published as described in section 2.16.5

Commented [p4]: We propose this addition to the timeline for changes to part V and this addition to the list of responses

Should the President(s) reject the proposed amendment, the Chair of the Faculty Handbook Committee, the Provost and the officers of the Joint Faculty Assembly shall meet to discuss the next steps. These steps may include further study, modification, and/or resubmission of the proposal to the Faculty Handbook Committee and the Joint Faculty Assembly (if necessary) and reconsideration by the President(s).

2.6.5.2.1 paragraph three

Note: Current language from FHB is in black. Finn amendment already passed by the JFA is in green, however, the JFS wishes to strike it. Proposed new language for your consideration is in red. The ~~tenured/tenure-track~~ **tenured, tenure track** suggestion is editorial.

In addition to the chair's letter described above, a departmental letter will be composed as follows: The department chair [and/or dean of the School of Theology] will schedule a meeting of all ~~tenured/tenure-track~~ **tenured, tenure track and full-time term contract** members of the department [School] for the purpose of evaluating a candidate using the criteria set forth in section 2.5. ~~At the option of the department, separate meetings for tenured and untenured members may be called for this purpose.~~ Tenured members not on sabbatical, leave or external appointment (e.g. study abroad) are required to attend. **Tenure track and full-time term contract members are invited, but not required to attend.** (See also section 2.6.5.2.2)

2.6.5.2.2 Evaluation by Department Members

At both third-year and sixth-year review, the Rank and Tenure Committee solicits an evaluation of each candidate from all **tenured, tenure-track and full-time term** members of that person's department(s) [and/or the School of Theology]. Departments may establish policies for this review process, but in any case the department chair should arrange with the candidate a date for making appropriate materials available for review by department members.

It is the responsibility of every tenured member of the department conscientiously to submit to the committee a signed evaluation of the candidate for inclusion in File B by the deadline. The chair, as a member of the department, may submit a separate letter to File B but is not required to do so. However, in light of the candidate's responsibility to submit in File A sufficient evidence to warrant positive action by the committee, any

departmental colleague may choose to have the candidate include in File A his or her signed evaluation. Any non-tenured member who wished not to submit a written evaluation may abstain. In the spirit of open dialogue, faculty members are encouraged to share their written evaluations with the candidate, but only the chair is required to do so.

Paragraph b in 2.7.2.3 referring to File B:

File B: Materials solicited by the Rank and Tenure Committee as described below:

The Rank and Tenure Committee solicits an evaluation of each candidate from all members of that person's department(s) [and/or the School of Theology].

- a. a letter of evaluation from the appropriate department chair(s) [and/or the Dean of the School of Theology]. The candidate will have the opportunity to respond to the contents of the letter as described in the last paragraph of section 2.6.5.2.1.
- b. a departmental letter composed as follows: The department chair [and/or dean of the School of Theology] will schedule a meeting of all tenured/tenure-track **tenured, tenure track and full-time term contract** members of the department [School] for the purpose of evaluating a candidate using the criteria set forth in section 2.5. Tenured members not on sabbatical, leave or external appointment (e.g. study abroad) are required to attend. **Tenure track and full-time term contract members are invited, but not required to attend. (See also section 2.6.5.2.2)**

One person chosen by those present at the meeting will act as the secretary at the meeting. Ordinarily, the department chair cannot serve as secretary; however, if no non-chair tenured member of the department is available or present to serve as secretary, the chair (or chair-designate) will serve as secretary. The secretary will draft a departmental letter preserving the anonymity of persons making comments. This letter will be circulated among those who attended the meeting. If a department member feels that his/her comments are not accurately represented, that member and the secretary will work together to resolve the discrepancy. After the final draft has been distributed, all faculty members in the department who attended the meeting will indicate their agreement with the accuracy of the letter's representation of the department meeting by signing it. Tenured members who are not present at the meeting because of sabbatical, leave, study abroad appointment or for other reasons have the right to review the letter but do not sign it. The candidate will have the opportunity to respond to the contents of the letter as specified in section 2.6.5.2.1.

There were changes to parts 2.5.4.1; 2.6.5.2; and 2.7.2.3 approved by the faculty and the Trustees after the deadline for contracts. These can be put into the FHB as soon as the JFA agrees to do so.

CHANGES TO PART III

3.4.2 Eligibility Definitions

Full-Time Benefit Eligible: A faculty member ~~contracted~~ **under contract for both semesters of an academic year** to work greater than 3/6ths FTE ~~the academic year~~ is eligible for the following benefits:

Rationale: This clarifies that a person who happens to be contracted for more than 3/6 FTE but who is under contract for only one semester is *not* benefit eligible.

3.2.1 Hiring Requests for New Full-time Tenure-Track Positions, Tenure-Track Replacement Positions, Tenure-Track Conversions, and Multi-Year Term Positions.

Requests for 1) new tenure-track or multi-year term hires; 2) replacement positions for a tenured faculty member ~~who~~ **in cases of separation from the college [university] retires, resigns, is put on permanent disability, etc.**, and 3) the conversion of a non-tenure track line to a tenure-track line must be submitted to the dean of the faculty by March 15 for searches conducted during the following academic year. Department chairs and program directors must make the case for these positions based on analysis of pertinent data as described in these documents: *Guidelines and Process for Tenure-Track and Multi-year Faculty Position Requests* and *Guidelines and Process for Requests to Convert a Non-Tenure-Track Appointment to a Tenure-Track Appointment*. These documents can be accessed through the Department Chairs section of the Academic Affairs website. Changes to these documents will be processed as revisions of Part III of the Faculty Handbook. ~~such as the ability of the position to reduce enrollment pressures in the department or program and to satisfy ongoing or projected student need for courses in the department or program; the importance of the position to the missions and strategic directions of the colleges; the ability of the position to contribute to the general education curriculum, or to give departments the flexibility to staff the general education program, as well as service contributions to other departments and programs; the potential for the position to enhance the diversity of the faculty and/or the academic curriculum, and the ability of the department to recruit a diverse applicant pool; the ability of the position to foster interdisciplinary collaboration and/or promote flexibility within the department or program; the ability~~

~~of the department or program to successfully meet student learning outcomes; and the capacity of the department or program to mentor colleagues.~~

Rationale: Departments and programs given authorization to hire need additional time to prepare for, and conduct, effective searches. The current deadline of July 1 does not provide Academic Affairs with enough time to review position requests and notify departments so that timely searches can be held in a competitive market. Feedback from departments involved in recent national searches indicate the need to begin searches earlier to maximize recruitment. The addition of a search advocate in faculty searches improves the process, but also requires that search committees spend more time on each stage of the search process. In addition, under the new process for review of position requests, the Academic Planning and Budget Committee (APBC) reviews position requests and forwards its recommendations by the end of the spring semester to the dean of the faculty and the provost. In order to complete this work, an earlier deadline must be established for the position requests.

Moreover, changes to the criteria and documentation required in the position requests are based on the new documents *Guidelines and Process for Tenure-Track and Multi-year Faculty Position Requests* and *Guidelines and Process for Requests to Convert a Non-Tenure-Track Appointment to a Tenure-Track Appointment*, created by Academic Affairs in consultation with department chairs and based upon a review of practices at other institutions. The language in the revised 3.2.1 now aligns with the actual criteria used to make decisions about position requests.

Sexual Misconduct Policy
College of Saint Benedict & Saint John's University

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I. PURPOSE, NOTICE OF NON-DISCRIMINATION, SCOPE, AND DEFINITIONS

A. Purpose and Notice of Non-discrimination.

The purpose of this Policy is to maintain an environment that is free from the physical and emotional threat of sexual misconduct, including sexual harassment, sexual assault, and other forms of sexual

violence. The College of Saint Benedict (CSB) and Saint John's University (SJU) have ~~zero tolerance for~~will not tolerate sexual misconduct in any form.

CSB and SJU are committed to compliance with all applicable anti-discrimination laws and do not unlawfully discriminate on the basis of race, religion, color, national origin, sex, sexual orientation, age, marital status, disability, familial status, status with regard to public assistance, or other legally protected category or characteristic, in their programs and activities. Harassment based upon an individual's legally protected status is a form of prohibited discrimination.

In accordance with Title IX, this Policy addresses the institutions' prohibition of sexual misconduct, including sexual harassment, sexual assault, and other forms of sexual violence. Sexual harassment, sexual assault, and all other forms of sexual misconduct are forms of sex discrimination. Not only are they prohibited by this Policy, but they are also prohibited by various federal and state laws, including Title IX of the Educational Amendments of 1972 and the Minnesota Human Rights Act. Allegations of sex discrimination that do not involve sexual misconduct will be handled in accordance with the Human Rights Policy.

As institutions which espouse Catholic and Benedictine values, every community member's awareness of and respect for the rights and human dignity of all persons undergirds community life. These values demand that we strive to create an environment where the sacredness of each person is honored. Sexual assault, sexual harassment, and other sexual misconduct violate the sacredness of the person, weaken the health of the community, and are antithetical to the missions of our institutions.

The College of Saint Benedict and Saint John's University will investigate and promptly seek the equitable resolution of all allegations of sexual misconduct, take steps to prevent the recurrence of sexual misconduct, and to correct its effects on victims and others.

Questions or concerns regarding Title IX, sex discrimination, sexual harassment or sexual misconduct may be directed to the institutions' Lead Title IX Coordinators:

Kathryn Enke
Chief of Staff

CSB Lead Title IX Coordinator

kenke@csbsju.edu

(320) 363-5070

37 South College Avenue

Mary Commons 223

Saint Joseph, MN 56374

Patti Epsky

Chief of Staff

SJU Lead Title IX Coordinator

pepsky@csbsju.edu

(320) 363-2246

PO Box 2000

Quad 142A

Collegeville, MN 56321Collegeville, MN 56321

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

Web Address: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Mailing Address: US Department of Education Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue SW
Washington, DC 20202-1100

Telephone: 800-421-3481
Fax: 202-453-6012
TDD: 800-877-8339
Email: OCR@ed.gov

B. Scope.

This Policy applies to all students, faculty, and staff of CSB and SJU. Other individuals or organizations engaging in or conducting activities associated with CSB and/or SJU or doing business at or with CSB and/or SJU are also required to comply with the provisions of this Policy. All community members will abide by this Policy at all times, whether on campus or away from campus, when engaged in programs or activities sponsored by the institution(s) or which otherwise relate to the institution(s) or its business. Such activities include, but are not limited to, professional meetings, classes, practica, seminars, study abroad programs, and all other activities involving or relating to the institution(s).

This Policy applies to sexual misconduct that occurs on campus or CSB and/or SJU property. This Policy applies to sexual misconduct that occurs at CSB and/or SJU-sanctioned events or programs that take place off campus. This Policy also applies to sexual misconduct that occurs off campus and outside the context of a CSB and/or SJU-sponsored event or program, but that CSB and/or SJU determines may cause or threaten to cause an unacceptable disruption at the institution(s) or which may interfere with an individual's right to a non-discriminatory educational environment.

C. Definitions.

~~**1. Sexual Misconduct.1. Sexual misconduct** incorporates a variety of behaviors, including sexual assault, sexual violence, sexual harassment, stalking, domestic violence, dating partner violence, sex-based cyber harassment, hazing of a sexual nature, peeping, voyeurism, going beyond the boundaries of consent (such as secretly allowing others to watch a sexual encounter), and any other conduct of a sexual nature that is nonconsensual or has the purpose or effect of threatening, intimidating, coercing or interfering with the rights of another person or persons.~~

and sexual exploitation. Much sexual misconduct includes nonconsensual sexual contact, but this is not a necessary component. Threatening or intimidating speech, which meets the definition of sexual harassment, for example, will constitute sexual misconduct. Photographs, video, or other visual or auditory records of sexual activity made or shared without explicit consent constitute sexual misconduct, even if the activity documented was consensual. Domestic violence and dating partner violence constitute sexual misconduct, regardless of whether the intimate or sexual relationship between the parties is consensual. In addition, some instances of dating violence, domestic violence, and stalking may not be sexual in nature. For purposes of this Policy, the term “sexual misconduct” encompasses all instances of dating violence, domestic violence, and stalking (as those terms are defined in this Policy), regardless of whether there is a sexual component to the behavior.

2. Sexual assault is defined as sexual contact, including but not limited to penetration, without consent. Sexual assault is a form of sexual violence and a severe form of sexual harassment. Sexual assault includes, but is not limited to rape (including sodomy and sexual assault with an object, the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim); fondling (the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim); incest; and statutory rape.

Sexual assault is a criminal act under state law. See Minnesota Statutes Section 609.341 et seq. for applicable criminal law definitions of criminal sexual conduct in Minnesota.

3. Sexual contact, for purposes of this Policy, shall have the same meaning as it has under Minnesota law. “Sexual contact” includes, but is not limited to, the intentional touching by an individual of another’s intimate parts (including an individual’s breasts, inner thighs, buttocks, genitals and/or groin area, whether clothed or unclothed); or the coerced touching by an individual of another’s intimate parts. Sexual contact also includes the intentional removal or attempted removal of clothing covering an individual’s another’s intimate parts.

4. Consent means words or overt actions by a person indicating a freely given, present agreement to perform or engage in a particular sexual act with the person initiating sexual contact. Consent must be informed and freely and actively given.

- a. Consent requires more than the existence of a prior or current social or sexual relationship between the parties. In cases involving prior or current social or sexual relationships, the manner and nature of prior communications between the parties and the context of the relationship may be factors in determining whether there was consent.
- b. Consent to one sexual act does not by itself, imply consent to another. Consent has to be specific to the act and persons involved, at the time of the act. Past consent to sexual activity does not imply ongoing future consent. Consent can be withdrawn at any time. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent.
- c. Simple silence, the lack of a negative response, or failure to resist, in and of itself, is not consent. It is the responsibility of the person initiating sexual contact to obtain consent to any and all sexual contact that person initiates.

d. Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent.

e-e. The use or threatened use of force or other forms of coercion or intimidation take away a person's ability to give consent to sexual contact. Coercion refers to conduct or intimidation that would compel an individual to do something against his or her will by (1) the use of ~~psychological~~ pressure, that would cause a reasonable person to fear severely damaging consequences, (2) the use of physical force, or (3) threats of severely damaging consequences. Coercion is more than an effort to persuade or attract another person to engage in sexual activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone used to obtain consent from another.

e-f. A person who is incapacitated cannot give valid consent to sexual contact. Incapacitation means the inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol.

With respect to incapacitation due to the influence of drugs or alcohol, incapacitation requires more than being under the influence of drugs or alcohol; a person is not incapacitated simply because he or she has been drinking or using drugs.

Where drugs and/or alcohol are involved, incapacitation is determined based on the facts and circumstances of the particular situation looking at: (1) whether the individual was able to understand the fact, nature, or extent of the sexual situation, (2) whether the individual was able to communicate decisions regarding consent, non-consent, or the withdrawal of consent, and (3) whether such condition was known or reasonably known to the respondent or a sober, reasonable person in respondent's position. Use of drugs or alcohol by the respondent is not a defense against allegations of sexual misconduct and does not diminish personal accountability or criminal liability.

f-g. A person who has not reached the legal age of consent cannot give consent. The legal age of consent may vary depending on the circumstances and the applicable state law. In Minnesota, the age of consent is 16.

g-h. Where there is otherwise credible evidence to support a finding of non-consent, corroborating testimony is not required.

5. **Sexual harassment**, a form of discrimination based on sex, is defined in part as follows:

- a. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual ~~or gender-based~~ nature when:
 - i. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience; or submission or rejection of such conduct by an individual is used as the basis of employment decisions or academic or education-related decisions affecting such individual (**Quid Pro Quo Sexual Harassment**); or

- ii. such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's work or educational experience or creating an intimidating, hostile, or offensive working, residential, or educational environment (Hostile Environment Sexual Harassment).

~~residential, or educational environment. (Hostile Environment Sexual Harassment).~~

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

c. Hostile environment harassment exists when there is unwelcome conduct that is sufficiently severe, pervasive/persistent, and clearly/objectively offensive that it alters the conditions of education or employment. The circumstances to determine when an environment is “hostile” could include:

i. The frequency of the conduct;

ii. The nature and severity of the conduct;

iii. Whether the conduct was physically threatening;

iv. The effect of the conduct on the victim’s mental or emotional state;

v. Whether the conduct was directed at more than one person;

vi. Whether the conduct arose in the context of other discriminatory conduct;

vii. Whether the conduct unreasonably interfered with the victim’s educational or work performance;

viii. Whether the conduct was merely a discourteous, rude, or insensitive statement or action;

ix. Whether the speech or conduct deserves the protections of academic freedom.

b-d. Examples of sexual harassment. The determination of what constitutes sexual harassment depends upon the specific facts of each situation in the context in which the conduct occurs. Sexual harassment may take many forms. It may be subtle and indirect, or blatant and overt. It may be conduct affecting an individual of the opposite sex or conduct affecting an individual of the same sex. It may occur between peers or between individuals in a hierarchical relationship. If it meets the conditions set forth in the above definition, conduct such as the following may be considered sexual harassment:

- i. **Non-verbal harassment** may include suggestive or insulting sounds, leering, whistling, obscene or sexual gestures, and visual displays;
- ii. **Verbal harassment** may include statements (written or spoken) drawing upon sexual innuendo, suggestive comments, insults, humor or jokes emphasizing gender-specific traits or clothing that are sexual in nature, sexual propositions (including repeated unwelcome invitations to social engagements), or sexual threats;
- iii. **Physical harassment** may include unwanted touching, pinching, patting, hugging, or brushing of one's body. In its most extreme form, physical sexual harassment includes sexual assault.

i. ~~**Gender-based harassment** may include non-verbal, verbal or physical harassment directed at an individual or a group of individuals solely on the basis of gender, whether or not such conduct is sexual in nature. It also may include harassment based on stereotypical notions of what is female/feminine and male/masculine or a failure to conform to those gender stereotypes.~~

- iv. In some cases, consensual romantic or sexual relationships may form the basis for a claim of sexual harassment. These relationships are particularly complex when there is a power imbalance between the individuals involved in the relationship. Such relationships may also affect other members of the campus community adversely and give rise to conflict of interest concerns when there is real or perceived favorable treatment or an unacceptable work environment. Refer to the policies on Consensual Romantic or Sexual Relationships for further information at <http://88/www.csbsju.edu/human-rights/consensual-romantic-or-sexual-relationships>. ~~[rights/consensual-romantic-or-sexual-relationships](#)~~.

Dating Violence-6. Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited. Examples of sexual exploitation include, but are not limited to:

- a. Intentional and repeated invasion of sexual privacy (e.g., walking into another person's room or private space with the purpose or result of invading sexual privacy);
- b. Prostituting another person;
- c. Non-consensual taking of photographs/images, video recording, and/or audio recording of a sexual activity;
- d. Non-consensual distribution of photographs/images, video recording, audio recording, or live-streaming of a sexual activity;
- e. Allowing third parties to observe sexual activities or view another's breasts, inner thighs, buttocks, genitals and/or groin area, in a place where that person would have a reasonable expectation of privacy, without consent;

f. Engaging in non-consensual voyeurism;

g. Knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person without the person's knowledge;

h. Intentional removal or attempted removal of clothing that exposes an individual's bra, underwear, breasts, inner thighs, buttocks, genitals and/or groin area, or that is otherwise sexual in nature, without consent;

i. Exposing one's breasts, buttocks, genitals and/or groin area in non-consensual circumstances;

j. Inducing another to expose his/her breasts, inner thighs, buttocks, genitals and/or groin area in non-consensual circumstances;

k. Distributing or displaying pornography to another without that individual's consent.

7. Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the statement of the individual alleging the dating violence and a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse, such as sexual assault, physical harm, bodily injury, or criminal assault, or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Dating violence is prohibited by state law. See Minnesota Statutes Section 518B.01 Domestic Violence. for applicable criminal law definitions related to dating violence in Minnesota.

8. Domestic violence is violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Minnesota, or by any other person against an adult or youth victim who is protected from that person's acts under domestic or family violence laws. In addition to the relationships described above, Minnesota law defines domestic violence to include violence committed between parents and children, blood relatives, persons who are presently residing together or who have resided together in the past, persons involved in a significant romantic relationship, and a man and woman, if the woman is pregnant and the man is alleged to be the father. While not exhaustive, the following are examples of conduct that can constitute domestic violence: physical harm, bodily injury or assault; the infliction of fear of imminent physical harm, bodily injury, or assault; terroristic threats; criminal sexual conduct; or interference with an emergency call.

Domestic violence may also be called domestic abuse or spousal/intimate partner/relationship abuse or violence and is prohibited by state law. See Minnesota Statutes Section 518B.01

Stalking for applicable criminal law definitions related to domestic violence in Minnesota.

9. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress. For purposes of this definition, “**course of conduct**” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Stalking can be a form of sexual harassment. Stalking behavior includes, but is not limited to:

- a. Repeated, unwanted, intrusive, and frightening communications by phone, mail, text, email, and/or social media;
- b. Repeatedly leaving or sending victim unwanted items, presents, or flowers;
- c. Following or laying-in-wait for the victim at places such as home, school, work, or recreation place;
- d. Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets;
- e. Damaging or threatening to damage the victim's property;
- f. Posting personal information or spreading rumors about the victim on the internet, in a public place, or by word of mouth;
- g. Unreasonably obtaining personal information about the victim.

Stalking is prohibited by state law. See Minnesota Statutes Section 609.749As defined by Minnesota law, stalking means “to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.”

[for applicable definitions of criminal stalking.](#)

D. Other Important Terms.

- 1. Associate** refers to any individual or organization engaging in or conducting activities associated with CSB and/or SJU or doing business at or with CSB and/or SJU, including members of Saint John's Abbey and Saint Benedict's Monastery.
- 2. Campus** refers to the entire physical grounds of CSB and SJU.
- 3. Campus authorities** refer to the Department of Security at the College of Saint Benedict, Life Safety Services at Saint John's University, and/or the Dean(s) of Students, or Lead or Deputy Title IX Coordinators.
- 4. Community and institutions** refer to CSB and SJU and in the case of community, all of their students, faculty and staff, and associates.
- 5. Complainant** means a person alleged to have been subjected to a Policy violation, but need not be the person who initiates the complaint.
- 6. Complaint** refers to an alleged Policy violation that initiates a complaint process as set forth in the Procedures.
- 7. Complaint process** refers to the process used to investigate and adjudicate complaints made under the Procedures, from initiation of complaint through determination and appeal, if any.
- 8. Faculty** refers to a person employed by CSB or SJU in a faculty appointment.
- 9. Policy** refers to the Sexual Misconduct Policy for the College of Saint Benedict and Saint John's University.
- 10. Procedures** refer to the Sexual Misconduct Complaint Procedures for the College of Saint Benedict and Saint John's University. The procedures can be found at www.csbsju.edu/sexualmisconductprocedure.
- 11. Report** refers to the providing of any information to the institution(s) regarding conduct that may violate the Policy.
- 12. Respondent** refers to a person alleged to have violated the Policy.
- 13. Sanctions for students:** The purpose of sanctions will be to ensure the health and safety of our campus communities by preventing the recurrence of problematic behavior and addressing its effects including the effects of the violation on the complainant. In determining sanctions, the Deans of Students (or their designees) may consider a variety of factors, including but not limited to, the type and severity of misconduct, the weight of the evidence, and the respondent's complete disciplinary record.
~~Possible~~**Further information on sanctions can include any one or more for students is covered in Section VIII.A of the following: this policy.**

- i. ~~Expulsion: the permanent disenrollment of the student from the institution.~~
- ii. ~~Suspension: the disenrollment of a student for a specific period of time. Students who are suspended from the institution(s) generally may not be present on the premises of the College of Saint Benedict or Saint John's University for the period of the suspension or leave and may be subject to other conditions as well. Suspension is also an interim measure that may be taken while an investigation is being conducted.~~
- iii. ~~Other sanctions include: disciplinary probation, no contact or limited contact directive, required assessment and/or counseling, required attendance at educational programs, restitution, community service hours, restriction of privileges, administrative referrals, behavioral contracts, reflection paper, and/or written warning.~~

14. Sanctions for faculty and staff: The purpose of sanctions will be to ensure the health and safety of our campus communities by preventing the recurrence of problematic behavior and addressing its effects including the effects of the violation on the complainant. In determining sanctions, the Human Resources Director and appropriate administrator (or designees) may consider a variety of factors, including but not limited to, the type and severity of misconduct, the weight of the evidence, and the respondent's employment/disciplinary record. Further information on sanctions for faculty and staff is covered in Section VIII.B. of this policy.

~~Suspension is a sanction that may be used for faculty or staff. It is also an interim measure that may be taken while an investigation is being conducted.~~

~~Suspension as an interim measure for faculty and staff:~~

- ~~a. For a faculty member, suspension as an interim measure refers to a temporary suspension of work duties and will be implemented in accordance with Section 2.13.6.4 of the Faculty Handbook. In accord with 2.13.6.4, and pending the results of the investigation, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the college [university], to its students, or to other individual members of the college [university] community is threatened by continuance. Before implementing 2.13.6.4, the President will consult with the Provost as to the length, and the other conditions of the suspension. Salary and benefits will continue during the period of the suspension.~~

~~i. For a staff member, suspension as an interim measure is termed an Involuntary Leave of Absence and refers to a temporary suspension of work duties when the staff member is the subject of an investigation or when the staff member's presence poses an immediate threat of harm within the institution. This interim measure will be implemented in accordance with the Involuntary Leave of Absence section of the appropriate Administrative and Support Staff Handbook. Before~~

~~b. a. imposing the involuntary leave, the employee's supervisor will consult with the Human Resources department and the appropriate Vice President as to the length, and the other conditions of the suspension. Salary and benefits will continue during the period of the suspension.~~

Suspension as a sanction for faculty and staff:

For a faculty member, suspension as a sanction will be implemented in accord with section 2.13.6.3 of the Faculty Handbook. Again, the President will consult with the Provost as to the length, and the other conditions of the suspension.

~~i. For a staff member, suspension as a sanction will be implemented in accord with the Disciplinary Action section of the Administrative and Support Staff Handbook. Before imposing the suspension as a sanction, the employee's supervisor will consult with the Human Resources department and the appropriate Vice President as to the length, and the other conditions of the suspension.~~

~~ii. In accordance with the applicable handbook, members of Saint Benedict's Monastery and Saint John's Abbey serving in faculty or staff appointments for the College or University are subject to the above provisions, as well as to applicable Bylaws of the respective Orders~~

15. Staff refers to a person employed by CSB or SJU in an administrative or support staff appointment.

16. Student refers to any person enrolled in CSB or SJU, undergraduate or graduate.

17. Supervisor refers to administrators, department chairs, faculty, residence directors, faculty residents, residence assistants, staff persons, and others who have the responsibility for faculty, staff, or students' terms and/or conditions of employment, educational and academic opportunities, and living situations.

18. Title IX Coordinators are officials of CSB and SJU who have been appointed by their respective institutions to address issues of gender-based discrimination and/or sexual misconduct, including overseeing Title IX complaints, identifying and addressing any patterns or systemic problems that arise during the review of such complaints, and assisting in answering any questions related to the Policy and Procedures. The Title IX Coordinators for each institution who have responsibility for sexual misconduct complaints are listed in the contact information at the end of this Policy and at the end of the Sexual Misconduct Complaint Procedures. See the Sexual Misconduct Complaint Procedures, Part I — Responsibility (www.csbsju.edu/sexualmisconductprocedure).

II. THE LAW

Sexual harassment, sexual assault, and other forms of sexual misconduct are forms of sex discrimination. Not only are they prohibited by this Policy and the Policy on Human Rights, but they are also prohibited by various laws, including Title IX of the Educational Amendments of 1972 (<https://www.justice.gov/crt/title-ix-education-amendments-1972>) and the Minnesota Human Rights Act

(<http://mn.gov/mdhr/yourrights/mhra.html>). The College of Saint Benedict and Saint John's University are guided in their resolution of sexual misconduct allegations by their mission and values, as well as by law.

In addition, some forms of sexual misconduct are crimes. The College of Saint Benedict and St. John's University strongly encourage individuals who have experienced sexual violence (i.e., sexual assault, dating or domestic violence, stalking) to notify law enforcement. The institutions will promptly assist an individual who reports having experienced an incident of sexual violence with making a report to law enforcement. The institutions do not report incidents of sexual violence to law enforcement without the consent of the complainant unless the incident involves a minor or presents a serious risk to the health and safety of individuals or the campus community.

Victims of crimes in Minnesota also have certain rights. The following is a summary of crime victims' rights under Minnesota law.

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

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

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

Complete information about crime victims' rights can be found at: <https://dps.mn.gov/divisions/oip/help-for-crime-victims/Pages/crime-victims-rights.aspx>. Information about victims' rights is also available from the Dean(s) of Students or Deputy Title IX Coordinator(s) or from the Minnesota Department of Public Safety, Office of Justice Programs.

III. REPORTING SEXUAL MISCONDUCT

Because of the significant interaction between students and employees of CSB and SJU, the institutions have determined that reports of sexual misconduct at one institution shall be shared with the other institution so that each institution can take appropriate measures.

A. Reports of Sexual Misconduct to CSB and/or SJU.

1. Complainants. Any community member who believes that he or she has experienced sexual misconduct in violation of this Policy is strongly encouraged to report the alleged violation to a Title IX Coordinator, CSB Security, or SJU Life Safety Services as soon as possible. (See contact information below.) CSB and SJU understand that it can be difficult for victims of sexual misconduct to come forward. Victims of sexual misconduct are NOT to blame for what has occurred.

The purpose of reporting allegations of sexual misconduct is so that CSB and SJU can investigate and respond appropriately. This includes providing support to the complainant and taking other actions as necessary to stop sexual misconduct, prevent its recurrence, and address its effects.

An individual who is not prepared to make a report, but who still seeks information and support, is encouraged to contact a confidential resource. Confidential resources include medical and mental health professionals at CSB and SJU, including designated staff members in Counseling and Health Promotion and CSB Health Services, ordained clergy (when bound by the seal of sacramental confession), the Central MN Sexual Assault Center (320-251-4357), and the Employee Assistance Program (Vital WorkLife at 800-383-1908). Conversations with confidential resources are privileged, meaning that legally they cannot be disclosed to another without the reporter's consent, except in certain limited circumstances such as allegations involving the physical or sexual abuse of a person under 18 or an immediate and serious threat to any person or property. Confidential resources may submit non-identifying information about violations of the Policy to CSB Security and/or SJU Life Safety Services for purposes of anonymous statistical reporting under federal and state law. See [Section VI](#) below for additional information on confidentiality.

An individual who reports an incident of sexual assault to CSB or SJU, at his or her request, shall be provided access the report as it was reported to the institution(s) consistent with state and federal laws governing privacy of education records. Such requests should be made to CSB or SJU Dean of Students Office or Human Resources as appropriate.

2. All Community Members. All community members who have observed others experiencing what they believe to be an incident of sexual misconduct or who have received a report of sexual misconduct are ~~expected~~[required](#) to report this information to a Title IX Coordinator, CSB Security, or SJU Life Safety Services at once. Similarly, any community member who receives a report of sexual misconduct (with the exception of those listed as confidential resources) is also ~~expected~~[required](#) to report this information to a Title IX Coordinator, CSB Security, or SJU Life Safety Services at once.

3. Supervisors. Institutional supervisors (See Section I, Definitions) have the further responsibility to use their best efforts to assure that sexual misconduct does not occur and that sexual misconduct is reported if it does occur. When a supervisor receives a report of, or otherwise identifies a problem as being one

involving a potential claim of sexual misconduct in violation of this Policy, the supervisor shall report the alleged incident to a Title IX Coordinator.

4. Anonymous Reporting. The institutions will accept anonymous reports to a Title IX Coordinator, CSB Security, or SJU Life Safety Services of conduct alleged to violate this Policy. Anonymous reports can also be made online at www.csbsju.edu/report-sexual-misconduct. The individual making the report is encouraged to provide as much detail as possible to allow the institution(s) to investigate and respond as required by this Policy. The institution(s) may be limited in their ability to effectively investigate and respond to an anonymous report.

5. Confidentiality of Reports. When a Title IX Coordinator, CSB Security, SJU Life Safety Services, or a Supervisor receives a report of sexual misconduct, they cannot guarantee complete confidentiality because they may have a legal obligation to respond to the report. See Part VI — Confidentiality below for further information on steps CSB and SJU will take to protect confidentiality when reports are made and about confidential resources available to faculty, staff, and students who want to discuss an incident confidentially.

6. Response of CSB and SJU to Reports. Upon receiving a report of sexual misconduct, CSB and/or SJU will provide a written explanation of the individual's rights and options and procedures. The individual will also receive written notification about how to request changes to academic, living, transportation and work situations, and assistance in identifying options and requesting changes. Reporting a sexual assault or sexual misconduct incident to ~~campus security~~ [CSB Security, SJU Life Safety Services](#), a Title IX Coordinator, or law enforcement authorities does not require the complainant to initiate or participate in the complaint process. When CSB or SJU receives a report of sexual misconduct, the institutions have a legal obligation to respond in a timely and appropriate manner. The response of the institution(s) will vary depending on the circumstances, including the seriousness of the alleged offense, the facts reported, and the complainant's preferences on responsive actions. A reporting party's preferences cannot be followed in every circumstance, but the institution(s) will consider and will take reasonable steps to accommodate the reporting party's preferences to the extent possible consistent with the legal obligations of the institutions. However, based on information gathered, one or both institutions may determine that the institution(s) have a responsibility to move forward with the complaint process (even without the complainant's participation). See Part VI — Confidentiality below for additional information. ~~In accordance with the~~ [Sexual Misconduct Complaint Procedures](#)

~~(CSB and/or SJU will respond to all reports of sexual misconduct received.~~
Support Resources and Accommodations. **7. Support Resources and Accommodations.** At any time after a report of a potential violation of this policy has been received by CSB and SJU, a Title IX Coordinator will consider whether interim actions or protective measures are reasonably necessary or appropriate to protect the parties and the campus community, pending the completion of the complaint process. CSB and SJU are obligated to comply with a student's reasonable request for a living and/or academic situation change and for an employee's reasonable request for a change in work environment following an alleged incident of sexual misconduct. CSB and SJU must take such steps even when an individual asks to keep a reported violation confidential, when a request is made to not investigate, and regardless of whether an individual chooses to report to Campus Security Authorities or local law enforcement.

CSB and SJU will seek to support any person adversely impacted by sexual misconduct that violates this Policy: and/or by the complaint process, including the complainant, the respondent, and witnesses. Support services that may be available include, but are not limited to:

- a. connecting the individual with appropriate, fair, and respectful on-campus and off-campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and support services.
- b. making changes to academic, living, transportation, and/or working arrangements,
- c. assistance in filing a criminal complaint, and
- d. providing information about restraining orders and other available protections and services.

Individuals may request such accommodations and protective measures by contacting any official listed in the contact information section. Such measures will vary based on the particular facts and circumstances, including, but not limited to, the specific need expressed by the individual, the age of the student[s] involved, the severity or pervasiveness of the allegations, any continuing effects on the individual, whether the complainant and alleged respondent share the same residence hall, dining hall, class, transportation, or job location, or have a work relationship and whether other measures have been taken to protect the complainant. A Title IX Coordinator will be responsible for determining what measures will be put in place.

An individual does not need to report sexual misconduct to law enforcement in order to receive support services from CSB or SJU. CSB and SJU will strive to maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality will not impair the ability of the institutions to provide the accommodations or protective measures. CSB and SJU will only disclose information necessary to provide the accommodations or protective measures in a timely manner. A Title IX Coordinator will determine what information about an individual should be disclosed and to whom this information will be disclosed based on the facts and circumstances of the specific situation and the accommodation to be provided. CSB and SJU will inform the individual before sharing personally identifying information that CSB and SJU believes is necessary to provide an accommodation or protective measure. CSB and SJU will tell the individual which information will be shared, with whom it will be shared, and why it will be shared.

Additional information regarding resources for immediate and ongoing assistance available to victims of sexual misconduct, and what to do if you have been sexually assaulted, is available on the institutions' website:

<http://www.csbsju.edu/human-rights/sexual-misconduct/resources>
<http://www.csbsju.edu/human-rights/sexual-misconduct>
<http://www.csbsju.edu/chp/sexual-assault-survivors-guide>

8. Waiver of Drug, Alcohol and Open House Policy Violations. CSB and SJU strongly encourage students to report instances of sexual misconduct. Therefore, any student who makes a good faith report about sexual misconduct and/or who participates in an investigation into allegations of a violation of the Policy will not be disciplined by CSB or SJU for any violation of the institutions' drug, alcohol, or open house policies in which they might have engaged in connection with the reported incident. [CSB or SJU may still require the individual to participate in educational or restorative action. In instances where any individual is harmed by conduct constituting a violation of the institutions' drug, alcohol, or open house policies, a waiver may not be extended and in such cases, the institutions may still pursue disciplinary action for the alleged violation of the institutions' drug, alcohol, or open house policies.](#)

[B. Reports of Criminal Sexual Misconduct to Law Enforcement](#)

Members of the community who believe they have been subject to criminal sexual misconduct (or who believe that another crime has occurred) are strongly encouraged to notify CSB Security or SJU Life Safety Services ~~at SJU~~ and/or local law enforcement authorities immediately so that the alleged perpetrator can be apprehended if still in the area and so that law enforcement is able to gather evidence. Time is a critical factor for evidence collection and preservation. Victims should be aware of the importance of preserving evidence, which may be necessary to the proof of criminal sexual assault, domestic violence, dating violence, or stalking, or to obtain an order of protection. [Evidence collection does not require you to make a police report, but it does help preserve the evidence if you later decide to file a police report. To obtain a forensic medical exam, go to the St. Cloud Hospital, 1406 6th Ave. N., St. Cloud, MN 56303. For more information about preserving evidence, see the Sexual Assault Survivor's Guide.](#)
<https://www.csbsju.edu/chp/sexual-assault-survivors-guide>

[Individuals who believe they have been subjected to criminal sexual misconduct are encouraged to report the incident to law enforcement.](#)

[St. Joseph Police Department](#)

[Emergency: 911](#)

[Non-emergency: 320-363-8250](#)

[75 Callaway Street East, St. Joseph, MN 56374](#)

<http://www.cityofstjoseph.com/114/Police-Department>

[Stearns County Sheriff](#)

[Emergency: 911](#)

[Non-emergency: 320-259-3700](#)

[807 Courthouse Square, Room S100, St. Cloud, MN 56303](#)

<https://co.stearns.mn.us/Government/CountyDepartments/SheriffsOffice>

The Central Minnesota Sexual Assault Center (CMSAC) is a 24-hour crisis intervention agency providing direct services to people affected by any form of sexual violence. The Center's purpose is to offer non-judgmental, confidential, free, direct services to victims of sexual assault, their partners, families, coworkers, and friends. Advocates at the Center can also assist individuals with reports to law enforcement and in seeking medical care.

Helpful information regarding reporting to law enforcement is available here:

<https://cmsac.org/reporting-a-sexual-assault/>
<https://cmsac.org/education-safety-reporting/>
<https://rainn.org/articles/reporting-law-enforcement>
<https://rainn.org/articles/communicating-law-enforcement>

CSB and SJU will comply with an individual's request for assistance in notifying authorities. CSB Security and SJU Life Safety Services are available to assist an individual who wants to make a report to law enforcement. In addition, CSB Security, SJU Life Safety Services, or local law enforcement can ensure that the individual has access to appropriate medical treatment and tests, crisis counseling, information, and other support services.

Reporting an incident of sexual misconduct to law enforcement is not necessary for the institutions to proceed with a complaint process under this Policy.

Members of the community who are aware of criminal sexual misconduct involving a minor must make reports as required by the Joint Policy on Reporting Suspected Child Abuse:
[http://www.csbsju.edu/human-rights/child-protection/reporting-suspected-child-abuse.](http://www.csbsju.edu/human-rights/child-protection/reporting-suspected-child-abuse)

C. Restraining Orders, Orders for Protection, Domestic Abuse No Contact Orders, and CSB/SJU No Contact Directives.

Individuals who would like to avoid contact with another individual have several options available to them, including seeking a restraining order or an order for protection from a civil court, a criminal domestic abuse no contact order, or requesting a no contact directive from CSB and/or SJU.

1. Harassment restraining orders and orders for protection are legal orders issued by a state court that forbid someone from harassing and/or making contact with another. A harassment restraining order is a civil court order issued against an alleged harasser, regardless of the relationship between the alleged harasser and the alleged victim, which orders the harasser to stop harassing the victim and/or to have no contact with the victim. An order for protection is a civil court order that protects one family or household member from domestic abuse by another family or household member. CSB and SJU do not issue such orders, however, petition forms to apply for harassment restraining orders or to seek an order for protection are available at the Court Administration Office located at the Stearns County District Courthouse, 725 Courthouse Square, St. Cloud, MN 56303 or online from the Minnesota Judicial Branch website, <http://www.mncourts.gov/GetForms.aspx?c=17#subcat39>. The telephone number for the Court Administrator is (320) 656-3620. More information about writing and filing a petition for an order for protection is available at <https://co.stearns.mn.us/LawPublicSafety/CrimeVictimServices/OrdersforProtection>. More information

[about writing and filing a petition for a restraining order is available at https://co.stearns.mn.us/LawPublicSafety/CrimeVictimServices/HarassmentRestrainingOrders](https://co.stearns.mn.us/LawPublicSafety/CrimeVictimServices/HarassmentRestrainingOrders). Domestic abuse no contact orders are legal orders issued by a court against a defendant in a criminal proceeding for domestic abuse, harassment or stalking of a family or household member, violation of an order for protection, or violation of a prior no contact order. A domestic abuse no contact order may be issued before the end of the criminal case or following a conviction. An order of protection, harassment restraining order, and/or a domestic abuse no contact order can be enforced by contacting local law enforcement. CSB and SJU will fully cooperate with any such order issued by a criminal, civil, or tribal court. For more information and assistance, individuals should contact the CSB or SJU Dean of Students or the Associate Director of Human Resources.

2. No Contact Directives are institution-issued directives that prohibit one or both parties from communication or contact with another due to safety concerns. No Contact Directives generally are issued under this Policy in cases involving allegations of sexual misconduct and/or to address safety concerns; No Contact Directives are not otherwise issued based on dislike of or discomfort with another individual alone. CSB and SJU No Contact Directives are issued under the authority and procedures of the institution(s) and violations are addressed by the Title IX Deputy Coordinator(s) and could result in further restrictions. No Contact Directives may be mutual or one-sided. Generally, No Contact Directives issued pending the outcome of an investigation will be mutual and serve as notice to both parties that they must not have verbal, electronic, or written communication with one another, or communication through another on a party's behalf. To request a No Contact Directive from CSB or SJU, students should contact the CSB or SJU Dean of Students. Faculty and staff should contact the Associate Director of Human Resources. An institutional No Contact Directive may be enforced by contacting the CSB or SJU Dean of Students, the Associate Director of Human Resources, CSB Security, or SJU Life Safety Services.

CSB and SJU are responsible for honoring requests for information about available options for orders for protection, harassment restraining orders, and No Contact Directives and will comply with and enforce such orders.

IV. FAIR AND EQUITABLE TREATMENT OF THE PARTIES

A. Rights of Parties Involved in Sexual Misconduct Incident.

CSB and SJU recognize that community support for both the complainant and the respondent is essential to a fair and just response to a sexual misconduct report. Therefore, CSB and SJU strive to provide parties involved in a sexual misconduct incident the following:

- a. Privacy and treatment of sensitive information in a confidential manner, to the extent possible;
- b. Treatment with dignity and nonjudgmental assistance and, with regard to complainants, treatment that does not suggest that he or she is a fault for sexual assault or that he or she should have done something differently to avoid becoming a victim;
- c. Meaningful support from CSB and SJU departments and individuals, as appropriate (i.e., counseling, campus ministry, residential life, dean of students, department chairs, etc.);
- d. Prompt, fair, and impartial investigation and resolution of a sexual misconduct report;
- e. An explanation of the complaint procedures for sexual misconduct complaints;
- f. An explanation of the allegations made against a party under this Policy;

- g. The ability to participate or not participate in a complaint process regarding a sexual misconduct incident and an explanation of consequences if a party chooses not to participate;
- h. Information about the identity of witnesses who have been interviewed during the investigation;
- i. The opportunity to speak on his or her own behalf during the complaint process;
- j. ~~An advisor~~ For cases in which (1) the respondent is a student or (2) the respondent is a staff or faculty member and the allegations involve sexual assault, domestic violence, dating violence, or stalking, an advisor during the complaint process as outlined in Part V.-4j of the Sexual Misconduct Complaint Procedures — Right to an Advisor
<http://www.csbsju.edu/sexualmisconductprocedure>;
- k. A complaint process conducted by officials, selected in accordance with the Sexual Misconduct Complaint Procedures (www.csbsju.edu/sexualmisconductprocedure), who do not have a conflict of interest for or against a complainant or respondent;
- l. Privacy during the complaint process regarding his or her irrelevant past sexual/relationship history;
- m. Timely written notification about the outcome of any complaint process, to the extent allowed by law; and
- n. The opportunity to appeal the outcome of a complaint process under certain conditions.

B. Additional Rights of Parties in Response to Allegations of Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

In cases involving allegations of sexual assault, domestic violence, dating violence, or stalking, the following rights will be afforded to the complainant and the respondent in addition to those rights described above.

- a. The right to the assistance of campus personnel (during and after the complaint process), in cooperation with the appropriate law enforcement authorities, in shielding the complainant or respondent, at their request, from unwanted contact with the complainant or respondent, including but not limited to a campus issued no-contact directive, transfer to alternative classes or to alternative institution-owned housing, if alternative classes or housing are available and feasible, change in work location or schedule, or reassignment, if available and feasible; and to receive assistance with academic issues; and written notification about how to request changes to academic, living, transportation and work situations, and assistance in identifying options and requesting changes;
- b. The complainant has the right to decide when to repeat a description of an incident of sexual assault, domestic violence, dating violence, or stalking and the respondent has the right to decide when to repeat a description of a defense to such allegations;
- c. The right to the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual assault incident;
- d. The right to the assistance of campus authorities in preserving materials relevant to a campus complaint process;
- e. The complainant and the respondent have the right to be provided access to their description of the incident, as it was reported to the institution, including if the individual transfers to another post-secondary institution, subject to compliance with FERPA, the Clery Act, Title IX, and other federal or state law. Requests for an individual's description of the incident should be made to a Title IX Coordinator.

C. Additional Rights of a Complainant who Alleges Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

In addition, a complainant who alleges sexual assault, domestic violence, dating violence, or stalking has the following rights:

- a. The right to be informed by the institutions of options to notify proper law enforcement authorities, including on-campus and local police, of a sexual assault incident, or to decline to notify such authorities;
- b. ~~The right to be offered fair and respectful health care, counseling services, or referrals to such services and notice of the availability of campus or local programs providing sexual assault advocacy, dating violence, domestic violence, or stalking services;~~
- b.c. The right to the prompt assistance of campus authorities, at the request of the complainant, in notifying the appropriate law enforcement officials and CSB and/or SJU officials of a sexual assault incident;
- e.d. The right to the complete and prompt assistance of campus authorities, at the ~~complainant's~~complainant's request, in filing criminal charges with local law enforcement officials in sexual assault cases;
 - 1. ~~The right to the prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual assault incident;~~
 - 1. ~~The right to assistance of campus authorities in preserving materials relevant to a campus complaint process for a sexual assault complainant;~~
 - 2. ~~The right to the assistance of campus personnel (during and after the complaint process) in shielding the complainant, at his or her request, from unwanted contact with the respondent, including but not limited to a campus issued no-contact order, transfer to alternative classes or to alternative college-owned housing, if alternative classes or housing are available and feasible, change in work location or schedule, or reassignment, if available and feasible; and to receive assistance with academic issues.~~
- e.e. The right to assistance from the Crime Victim Reparations Board and the Commissioner of Public Safety;
- e.f. For students who choose to transfer to another post-secondary institution, the right to receive information, upon request, about resources for victims of sexual assault at the institution to which the victim is transferring.

V. COMPLAINT PROCEDURE

A victim of sexual assault or other crime that violates this Policy has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a complaint through CSB and/or SJU through appropriate Procedures, or to pursue both processes simultaneously. ~~Regardless of the option chosen, CSB and/or SJU will respond to reports made to Campus Authorities or a Supervisor in accordance with the Sexual Misconduct Complaint Procedures.~~

When ~~CSB and/or SJU receive~~ a complaint ~~involves~~involving allegations of sexual misconduct, the complaint will ~~generally~~ be processed according to the Sexual Misconduct Complaint Procedures www.csbsju.edu/sexualmisconductprocedure. Allegations of retaliation, violations of interim measures, or

violation of sanctions should be reported to the CSB or SJU Dean of Students, CSB Security or SJU Life Safety Services. Such allegations will be processed according to the Interference with Procedure section of the Sexual Misconduct Complaint Procedures.

When CSB and/or SJU receive a report or complaint of a violation of this Policy, CSB and/or SJU will generally apply the complaint resolution procedures from the Sexual Misconduct Complaint Procedures that are in effect at the time that the report or complaint is made and generally will apply the sexual misconduct definitions from the Sexual Misconduct Policy that was in effect at the time the alleged misconduct occurred.

CSB and SJU strive to treat all who are involved in an internal complaint process in a fair and equitable manner.

VI. CONFIDENTIALITY AND REQUEST FOR NO ACTION

~~Members of the community who are aware of criminal sexual misconduct involving a minor must make reports as required by the Joint Policy on Reporting Sexual Child Abuse.~~ Because of the sensitive nature of sexual misconduct complaints, the need to protect the privacy of the parties, and the interest in resolving complaints as quickly and effectively as possible, the institutions strive to protect the confidentiality interests of all parties involved in a sexual misconduct reporting and complaint process. However, CSB and SJU have an obligation to respond to reports made under this Policy and to take reasonable steps to prevent sexual misconduct. Therefore, strict confidentiality cannot be guaranteed. When a report is made to CSB and SJU, CSB and SJU will strive to ensure confidentiality to the extent possible, subject to CSB's and SJU's need to investigate and respond to such complaints and to report campus crimes in accordance with applicable law. CSB and SJU will protect a complainant's confidentiality to the extent possible even if the complainant does not specifically request confidentiality.

~~Notwithstanding the preceding paragraph, CSB and SJU have an obligation to respond to reports and complaints under this Policy in accordance with the process outlined in the Sexual Misconduct Complaint Procedures (and to take reasonable steps to prevent ongoing harassment, discrimination, sexual misconduct and related retaliation, so strict confidentiality cannot be guaranteed when a person makes a report or complaint to Campus Authorities, including the Human Rights Officer(s) or a Title IX Coordinator, or to a person considered a "Supervisor" under this Policy.~~

Individuals wishing to discuss an incident confidentially should speak to a confidential resource. In general, the law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional. The medical and mental health professionals at CSB and SJU, including those designated staff within Counseling and Health Promotion, ordained clergy (when bound by the seal of sacramental confession), and representatives of the Employee Assistance Program, advocates at the Central Minnesota Sexual Assault Center, and care providers at the St. Cloud Hospital respect and protect confidential communications from students, faculty, and staff to the extent they are legally able to do so. Conversations with confidential resources are privileged, meaning that they cannot be disclosed to another without the reporter's consent, except in certain limited circumstances. Any of these professionals may have to breach a confidence, however, when he or she perceives an immediate and serious threat to any person or property. In addition, medical and mental health professionals are required by law to report any allegation of sexual or other abuse of a person under 18. For purposes of anonymous statistical reporting

under federal and state law, confidential resources may submit information about violations of the Policy to CSB Security and/or SJU Life Safety Services, which does not personally identify any of the parties.

If a complainant or reporting party asks a Human Rights Officer, Title IX Coordinator, or another Supervisor that his or her name or other identifiable information not be revealed or that the institution(s) take no action, CSB and/or SJU will evaluate the request in the context of their responsibility to provide a safe and nondiscriminatory environment for all students, faculty and staff. In some cases, a confidentiality request may hinder the investigation. CSB and SJU strive to honor any request that a complainant may make to keep any such report confidential or for CSB and SJU not to investigate or respond to such report, but complying with any such request will limit the ability of the CSB and/or SJU to look into and respond to a report. Thus, CSB and/or SJU will weigh the request for confidentiality or for no action to be taken against the following factors: the ability to conduct an investigation without revealing identifiable information, the seriousness of the alleged conduct, whether there has been other discrimination, harassment, sexual misconduct, or retaliation complaints about the same individual, and the extent of any threat to the CSB and/or SJU community. While CSB and SJU cannot guarantee confidentiality, the institutions will strive to accommodate the complainant's or reporting party's requests to the extent possible consistent with the legal obligations of CSB and/or SJU to respond effectively to reports and complaints. The determination of whether to honor the request for confidentiality or for no action will be made by a Title IX Coordinator.

CSB and SJU may also be required to share information with individuals or organizations outside the institutions under reporting or other obligations under federal and state law, such as reporting of Clery Act crime statistics. Clery Act reporting and disclosures such as the annual security report and daily crime log will not include names or other information that may personally identify either the complainant or the respondent. To ensure that a complainant's personally identifying information will not be included in publicly available recordkeeping, the Director of CSB Security or Director of SJU Life Safety describes the alleged incidents by removing the complainant's and respondent's names and any other identifiers that would enable the public to identify the complainant or respondent in the context of the incident report. In addition, if there is a criminal investigation or civil lawsuit related to the alleged misconduct, CSB and/or SJU may be subject to a subpoena or court order requiring the institutions to disclose information to law enforcement and/or the parties to a lawsuit. In such cases, personally identifying information will not be reported to the extent allowed by law and, if reported, affected students will be notified consistent with the institutions' responsibilities under the Family Educational Rights and Privacy Act, as allowed by law.

In addition, the requirement of confidentiality will not be interpreted as unduly limiting the ability of either party to a formal complaint to know the substance of the allegations being made against him or her and to have an opportunity to respond. Furthermore, the requirement of confidentiality will not be interpreted as unduly limiting the institutions' responsibility to investigate and take corrective action in response to sexual misconduct complaints. Information regarding sexual misconduct incidents occurring on campus may be released to the campus community to allow members of the community to make informed decisions regarding safety and take appropriate preventive measures. The name of the complainant and other personally identifiable information will not be released in any such warning to the campus community.

Anyone with concerns about confidentiality issues is encouraged to speak with a Title IX Coordinator.

VII. RETALIATION

CSB and SJU strictly prohibit retaliation against any person who complains in good faith of a Sexual Misconduct Policy violation. In addition, CSB and SJU strictly prohibit retaliation against any person(s) because of their good faith involvement in an investigation or determination as part of the complaint process. Encouraging others to retaliate also violates this Policy.

Retaliation is any materially adverse action, or threat thereof, against an individual because of the individual's good faith report or complaint of a potential Policy violation or their good faith participation in an investigation or adjudication. Retaliatory acts may include, but are not limited to: adverse changes in employment status or opportunities; adverse academic action; adverse changes to academic, educational and extra-curricular opportunities; harassment; intimidation; acts or comments intended to embarrass the individual; and seeking out or attempting to discover the parties and witnesses involved in a report or complaint process for the purpose of influencing their participation or testimony or taking adverse action against them. Retaliatory conduct by community members and third-parties is prohibited regardless of whether it occurs on or off campus, in person, or through social media, e-mail, or other form of communication.

CSB and SJU cannot stop retaliation unless they know about it. Allegations should be reported to a campus authority immediately. Reports of retaliation and other conduct constituting interference with procedure will be addressed in accordance with the process outlined in the VI.D. Interference with Procedure section of the Sexual Misconduct Complaint Procedures (www.csbsju.edu/sexualmisconductprocedure).

VIII. SANCTIONS

Upon a finding that a violation of the Policy has occurred, disciplinary action may be imposed pursuant to the procedures set forth in the Sexual Misconduct Complaint Procedures (www.csbsju.edu/sexualmisconductprocedure) and applicable Faculty/Staff/Student Handbooks. Likewise, a malicious false report will lead to disciplinary action, up to and including termination of employment and suspension or expulsion from the academic community. Sanctions will be issued in accordance with the appropriate handbook policy or procedure. Each of the following sanctions may be imposed alone or in combination for a respondent found responsible for sexual misconduct.

A. Sanctions for Students.

The purpose of sanctions will be to ensure the health and safety of our campus communities by preventing the recurrence of problematic behavior and addressing its effects including the effects of the violation on the complainant. ~~The purpose of sanctions will be to ensure the health and safety of our campus communities by preventing the recurrence of problematic behavior and addressing its effects including the effects of the violation on the complainant.~~ **Sanctions for students:** In determining sanctions, the Deans of Students (or their designees) may consider a variety of factors, including but not limited to, the type and severity of misconduct, the weight of the evidence, and the respondent's/respondent's complete disciplinary record. Possible sanctions can include any one or more of the following:

a. **Expulsion:** the permanent separation from the College of Saint Benedict or Saint John's University. The college/university may notify parents if their student is expelled to the extent allowable under state and federal law.

i. **College/University Suspension:** a sanction imposed for a specific period of one semester to five years based on the severity of a violation, the accumulation of violations, or failure to complete or comply with other sanctions previously administered. Students placed on College/University Suspension are not permitted to engage in any of the privileges, courses, organizations, events, or activities associated with being a student at CSB or SJU. College/University Suspension includes the immediate disenrollment of the student from the institution.

a. **Suspension:** ~~the disenrollment of a student for a specific period of time. Students who are suspended from the institution(s) generally all courses not already completed. Students sanctioned with College/University Suspension may not be present on the premises of the College of Saint Benedict or Saint John's University for during the period of the suspension or leave without the express permission of the Dean of Students, and may be subject to other sanctions/conditions as well. Following the period of College/University Suspension, a student is eligible to apply for readmission. Readmission requirements for suspended students may include behavioral contracts, required attendance at educational programs, demonstrated rehabilitation, conditions upon the individual's presence on campus or at institution events, required assessment and/or recommended counseling.~~ Suspension is also an interim measure that may be taken while an investigation is being conducted. To the extent allowable under state and federal law, the college/university may notify parents if their student is placed on College/University Suspension.

b. **Disciplinary Suspension:** a sanction imposed for a specific period of one semester to five years based on the severity of a violation, the accumulation of violations, failure to complete or comply with other sanctions previously administered, or as an interim measure while an investigation is being conducted. Students placed on Disciplinary Suspension may be permitted on campus only for the purpose of completing academic requirements such as attending class, labs, or required academic experiences such as speakers or performances, and to take care of normal administrative functions related to being a student. Students placed on Disciplinary Suspension may be restricted from campus residence halls and apartments, dining areas, fitness centers, and other campus facilities or events. While on Disciplinary Suspension, a student may not participate in any co-curricular activities or events or represent the college/university in any way. Additional sanctions/conditions may also be imposed with Disciplinary Suspension. Further violations occurring while on Disciplinary Suspension will initiate a review of the student's status at CSB or SJU, and could result in College/University Suspension or Expulsion. To the extent allowable under state and federal law, the college/university may notify parents if their student is placed on Disciplinary Suspension.

c. **Disciplinary Probation:** A probationary status imposed as a sanction on a student for a specific period of time from one semester to five years with specific conditions. Disciplinary Probation is administered for serious violations, the continued accumulation of violations, or for failure to complete or comply with other sanctions previously administered. Students on Disciplinary Probation are not in good standing with the college/university. Students on Disciplinary Probation may be prohibited from participating in study abroad and/or from representing the college/university in activities such as athletic teams, student organizations, performances, recognition, campus delegations, etc. During the period of probation, any further violations will initiate a review of the student's status at CSB or SJU, and could result in Disciplinary Suspension,

College/University Suspension, or Expulsion. To the extent possible, the college/university may notify parents if their student is placed on Disciplinary Probation.

b-d. Other sanctions may include: ~~disciplinary probation~~, no contact or limited contact directive, required assessment and/or counseling, required attendance at educational programs, restitution, community service hours, restriction of privileges, revocation of admission to CSB or SJU, restrictions on re-enrollment at CSB or SJU, withholding of diploma or degree for a defined period of time or until the completion of assigned sanctions, administrative referrals, behavioral contracts, reflection paper, and/or written warning.

B. Sanctions for Faculty and Staff.

The purpose of sanctions will be to ensure the health and safety of our campus communities by preventing the recurrence of problematic behavior and addressing its effects including the effects of the violation on the complainant.

Sanctions for Faculty and Staff: ~~The purpose of sanctions will be to ensure the health and safety of our campus communities by preventing the recurrence of problematic behavior and addressing its effects including the effects of the violation on the complainant.~~ In determining sanctions, the Human Resources Director and appropriate administrator (or designees) may consider a variety of factors, including but not limited to, the type and severity of misconduct, the weight of the evidence, and the ~~respondent's employment/disciplinary record~~ respondent's employment/disciplinary record. Sanctions may include a variety of institutional responses or requirements and can include any of the following: verbal warning, written warning, written reprimand, required training, no-contact directives, suspension, suspension of promotion and salary increments, suspension or withdrawal of faculty privileges, reassignment, probation, demotion, and dismissal.

For a faculty member, sanctions will be implemented in accord with Section 2.13.6 of the Faculty Handbook on Discipline and/or Dismissal for Cause. Before taking action, the President will consult with the Provost as to the level of sanction to be imposed.

For a staff member, sanctions will be implemented in accord with the Disciplinary Action section of the Administrative and Support Staff Handbook. Before taking action, the employee's supervisor will consult with the Human Resources department and the appropriate Vice President as to the level of sanction to be imposed.

Suspension as a sanction for faculty and staff: Suspension is a sanction that may be used for faculty or staff. Suspension may last for a specific period of one day up to one year based on the severity of a violation, the accumulation of violations, or failure to complete or comply with other sanctions previously administered. Employees sanctioned with suspension may not be present on the premises of the College of Saint Benedict or Saint John's University during the period of the suspension without the express permission of the Human Resources Director or Provost, and may be subject to other sanctions/conditions as well. Following the period of suspension, an employee may be eligible for reinstatement contingent upon meeting reinstatement requirements. Reinstatement requirements for suspended employees may include one or more of the following: behavioral contracts, required attendance at educational programs, demonstrated rehabilitation, conditions upon the individual's presence on campus or at institution events, and/or required assessment or counseling. It is also an interim measure that may be taken while an investigation is being conducted.

- a. For a faculty member, suspension as an interim measure refers to a temporary suspension of work duties and will be implemented in accordance with Section 2.13.6.4 of the Faculty Handbook. In accord with 2.13.6.4, and pending the results of the investigation, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the college [university], to its students, or to other individual members of the college [university] community is threatened by continuance. Before implementing 2.13.6.4, the President will consult with the Provost as to the length, and the other conditions of the suspension. Salary and benefits will continue during the period of the suspension.
For a faculty member, suspension as a sanction will be implemented in accord with section 2.13.6.3 of the Faculty Handbook. Again, the President will consult with the Provost as to the length, and the other conditions of the suspension.

i. ~~For a faculty member, suspension as an interim measure refers to a temporary suspension of work duties and will be implemented in accordance with Section 2.13.6.4 of the Faculty Handbook. In accord with 2.13.6.4, and pending the results of the investigation, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the college [university], to its students, or to other individual members of the college [university] community is threatened by continuance. Before implementing 2.13.6.4, the president will consult with the Provost as to the length, and the other conditions of the suspension. Salary and benefits will continue during the period of the suspension.~~

~~For a faculty member, suspension as a sanction will be implemented in accord with section 2.13.6.3 of the Faculty Handbook. Again, the president will consult with the Provost as to the length, and the other conditions of the suspension.~~

b. For a staff member, suspension as an interim measure is termed an Involuntary Leave of Absence and refers to a temporary suspension of work duties when the staff member is the subject of an investigation or when the staff member's presence poses an immediate threat of harm within the institution. This interim measure will be implemented in accordance with the Involuntary Leave of Absence section of the appropriate Administrative and Support Staff Handbook. ~~This interim measure will be implemented in accordance with the Involuntary Leave of Absence section of the appropriate Administrative and Support Staff Handbook.~~ Before imposing the involuntary leave, the employee's supervisor will consult with the Human Resources department and the appropriate Vice President as to the length, and the other conditions of the suspension. Salary and benefits will continue during the period of the suspension.
~~employee's supervisor will consult with the Human Resources department~~

~~and the appropriate Vice President as to the length, and the other conditions of the suspension. Salary and benefits will continue during the period of the suspension.~~

For a staff member, suspension as a sanction will be implemented in accord with the Disciplinary Action section of the Administrative and Support Staff Handbook. Before imposing the suspension as a sanction, the employee's supervisor will consult with the Human Resources department and the appropriate Vice President as to the length, and the other conditions of the suspension.

IX. EXTERNAL COMPLAINTS

Nothing in the Policy or the Procedures is intended to interfere with the right of any individual to pursue other avenues of recourse which may include, but is not limited to, filing a complaint with the United States Department of Education's Office for Civil Rights (OCR). If you filed a complaint under the Policy and believe the institution(s)' response was inadequate, or you otherwise believe you have been discriminated against by the institution(s), you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Chicago or the Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Department of Justice.

Web Address: <http://www2.ed.gov/about/offices/list/ocr/index.html>
Mailing Address: US Department of Education Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue SW
Washington, DC 20202-1100
Telephone: 800-421-3481
Fax: 202-453-6012
TDD: 800-877-8339
Email: OCR@ed.gov

X. CONTACT INFORMATION

College of Saint Benedict	
Chief of Staff Lead Title IX Coordinator	Kathryn Enke kenke@csbsju.edu , 320-363-5070
Vice President for Student Development Deputy Title IX Coordinator	Mary Geller mgeller@csbsju.edu , 320-363-5601
Dean of Students Deputy Title IX Coordinator	Jody Terhaar jterhaar@csbsju.edu , 320-363-5270

Associate HR Director Deputy Title IX Coordinator	Judy Bednar jbednar@csbsju.edu, 320-363-5071
Security Director	Darren Swanson dswanson@csbsju.edu, 320-363-5000

Saint John's University (including School of Theology and Seminary)	
Chief of Staff Lead Title IX Coordinator	Patti Epsky pepsky@csbsju.edu, 320-363-2246
Vice President for Student Development Deputy Title IX Coordinator	Doug Mullin, OSB dmullin@csbsju.edu, 320-363-2737
Dean of Students Deputy Title IX Coordinator	Michael Connolly mconnolly@csbsju.edu, 320-363-3171
Associate HR Director Deputy Title IX Coordinator	Judy Bednar jbednar@csbsju.edu, 320-363-5071
Life Safety Services Director	Shawn Vierzba svierzba@csbsju.edu, 320-363-2144
Dean, School of Theology and Seminary Deputy Title IX Coordinator	Dale Launderville, OSB dlaundervill@csbsju.edu, 320-363-3389

As changes are made in the persons holding these positions, current information will be available on the CSB/SJU Title IX website (www.csbsju.edu/joint-student-development/title-ix).

CHANGES TO PART IV

4.5 Federally Mandated Committees

4.5.1 Institutional Review Board

4.5.2 Institutional Animal Care and Use Committee

4.5 Faculty Administrative Committees

The faculty of the college and university may serve on administrative committees. Administrative committees have a designated purpose, such as the protection of human and animal subjects in research, but are outside of the formal faculty governance

structure. Members may be volunteers or appointed by the administrative committee. Participation on these committees is recognized as service to the college and university.

4.5.1 Institutional Review Board

The United States Department of Health and Human Services has established regulations for the protection of human subjects according to the Code of Federal Regulations, Title 45, Part 46 (45 CFR 46). The Institutional Review Board (hereafter known as the IRB) carries out the requirements of 45 CFR 46. The IRB's policies apply to all human research and research-related activities for which this institution is a responsible participant regardless of the source of funding or whether or not funding exists.

4.5.1.1 Composition

The IRB shall be composed of at least 11 members including faculty, staff, and non-college community representatives. The number and composition shall be in compliance with 45 CFR 46.107. Members of the IRB will serve staggered three-year terms, with no limit to the number of terms for any member. The committee is appointed by the Vice Provost or Provost.

4.5.1.2 Responsibilities

All research involving human subjects must be reviewed by the IRB. In order to approve research, the IRB shall determine that research requirements are satisfied.

The IRB will notify investigators in writing of its decision to approve or disapprove the proposed research activity, or of modifications required to secure IRB approval. If the IRB disapproves a research activity, it will include in its written notification a statement of the reasons for its decision and give the investigator an opportunity to respond in person and in writing.

The use of human subjects is a privilege granted to the investigator rather than a right. The policies and procedures of this board are designed to meet minimal criteria established by Federal law and Federal regulations.

4.5.2 Institutional Animal Care and Use Committee

The [Institutional Animal Care and Use Committee \(IACUC\)](#) at CSB/SJU reviews research protocols involving animals to ensure compliance with Federal standards. It also oversees the animal care and use program at these institutions. All research involving animals must be reviewed and approved by the Committee before work may begin.

4.5.2.1 Composition

The committee is composed of faculty representatives from the sciences and at least one non-science member of the faculty. In addition, the IACUC must include a community member from outside the institutions, as well as the consulting veterinarian. The committee is appointed by the Vice Provost or Provost.

4.5.2.2 Responsibilities

The committee reviews research proposals involving animal subjects on an as-needed basis, inspects campus facilities that house animal subjects (biannually), maintains ongoing records of campus care and use of animals, prepares annual reports for and the USDA and receive unannounced inspections from USDA representatives.

CHANGES TO PART V

5.3.3 The General Education Curriculum Committee (GECC)

The General Education Curriculum Committee oversees the quality and functioning of the General Education Curriculum.

5.3.3.1 Composition

The members of the General Education Curriculum Committee are:

- a. seven faculty, elected to three-year terms—one elected from each of the four academic divisions and three elected at large. At least three of the faculty members must be tenured.

Ex-officio administrative members are:

- b. the Academic Dean;
- c. the Registrar, the Director of Academic Advising, the Director of the Libraries;
- d. two students, one from Saint John's University and one from the College of Saint Benedict, appointed by their respective student governments, and
- e. the Assistant Dean.
- f. In addition, when deemed appropriate by the General Education Curriculum Committee Chair, other faculty members who are charged with administration of the Common Curriculum and Integrations Curriculum may serve as consultants.

5.3.3.2 Responsibilities

The duties and responsibilities of the General Education Curriculum Committee are to:

- a. oversee the ongoing development of the Common Curriculum and Integrations Curriculum;
- b. create, review, and revise policies relating to the Common Curriculum and Integrations Curriculum;
- c. review and act on proposals for Common Curriculum and Integrations Curriculum designations;
- d. review and act on proposals for new courses that are also applying for Common Curriculum and Integrations Curriculum designations;
- e. propose revisions in the Common Curriculum and Integrations Curriculum to the Joint Faculty Senate;
- f. communicate with the appropriate faculty committees as deemed necessary; and

- g. initiate whatever action is necessary to fulfill its duties and responsibilities.

5.3.4 The Academic Curriculum Committee (ACC)

The Academic Curriculum Committee oversees the quality and functioning of the academic curricula of majors, minors, and programs, and any other credit bearing opportunities other than areas relating to the Common Curriculum and the Integrations Curriculum.

5.3.4.1 Composition

The members of the Academic Curriculum Committee are:

- a. seven faculty, elected to three-year terms—one elected from each of the four academic divisions and three elected at large. At least three of the faculty members must be tenured.

Ex-officio administrative members are:

- b. the Academic Dean.
- c. the Registrar, the Director of Academic Advising, the Director of the Libraries,
- d. two students, one from Saint John's University and one from the College of Saint Benedict, appointed by their respective student governments, and
- e. in addition, when deemed appropriate by the Committee Chair, other faculty members who are charged with administration of programs and curriculum may serve as consultants.

5.3.5 Academic Planning and Budget Committee (APBC)

The Academic Planning and Budget Committee represents the faculty in the joint institutional strategic planning process and advises the provost on matters of budgeting and long-range programmatic, fiscal, and personnel planning for the academic areas. Although the committee regularly considers those matters referred to it by the provost, it may also respond to charges given it by the Faculty Senate and may initiate its own studies. The committee is charged with seeing that curricular planning meets the institutional missions and visions of the College and University.

5.3.5.1 Composition

The members of the Academic Planning and Budget Committee are:

five faculty members, elected to three-year terms—one faculty member from each of the four academic divisions, and one faculty member~~s~~ elected at-large. At least two of the faculty members must be tenured.

Ex-officio administrative members are:

- a. the provost or a delegate appointed by the provost, and
- b. the chair of the Joint Faculty Senate/Joint Faculty Assembly

Consultants are:

- c. the Dean of the School of Theology,
- d. the Academic Dean,
- e. the Academic Budget Analyst, and
- f. the Vice President for Enrollment, Planning, and Public Affairs.

5.4.6.5 Joint Faculty Senate Committee on Inclusion, Equity, and Justice

The JFS Committee on Inclusion, Equity, and Justice studies best practices for promoting inclusion, equity, and justice in higher education. It provides advice and recommendations to the JFS, JFA, and members of Academic Affairs concerning policies, practices, and procedures that may promote or inhibit inclusion, equity, and justice.

5.4.6.5.1 Composition

The members of the JFS Committee on Inclusion, Equity, and Justice are:

- a. three faculty members, appointed by the Executive Committee of the Senate for two-year terms – one of whom is the senator who is also appointed to the Intercultural Directions Council and two non-Senator faculty members

Ex-officio members are:

- b. Dean of the Faculty or other representative from Academic Affairs
- c. additional ex-officio members at Committee's discretion

Consultants:

- d. at Committee's discretion

5.4.6.5.2 Responsibilities

The duties and responsibilities of the JFS Committee on Inclusion, Equity, and Justice are to:

- a. undertake ongoing studies of policies, procedures, and practices that relate to equity, inclusion, and justice, and recommend changes to policies, procedures, and practices to appropriate JFA standing committees, the JFS, and Academic Affairs.
- b. communicate and collaborate with the Intercultural Directions Council and other relevant committees and councils concerned with issues of equity, justice, and inclusion.
- c. present a report to the JFS by October 31, identifying actionable priorities and report to the JFS by March 31, on progress made on those priorities.

Rationale: In recent years, multiple institutional units at CSB and SJU have pursued initiatives to create a just, equitable, and inclusive campus community, in keeping with our institutional missions and Benedictine values. The faculty play an important role on campus as agents of institutional change and can draw upon their own areas of expertise to lead theoretically- and data-informed practices toward a more just, equitable, and inclusive campus.

5.3.6 Faculty Development and Research Committee (FDRC)

The Faculty Development and Research Committee develops guidelines and implements policies, procedures, and programs which will enhance the personal, professional, and instructional development of the faculty, and it recommends institutional changes and improvements necessary to accomplish these goals.

5.3.6.1 Composition

The members of the Faculty Development and Research Committee are:

- a. six faculty members, elected to three-year terms — one elected from each of the four academic divisions, one elected from the School of Theology, and one elected at large. At least three faculty members must be tenured.

Ex-officio administrative members are:

- b. either the provost, a delegate appointed by the provost or the dean of the faculty.

5.3.9 Faculty Handbook Committee (FHC)

The Faculty Handbook Committee acts as a resource to faculty members concerning Faculty Handbook policies and coordinates faculty deliberations concerning amendments to the Faculty Handbook.

5.3.9.1 Composition

The members of the Faculty Handbook Committee are:

- a. five faculty members elected at large. At least three of the faculty members must be tenured.

Ex-officio administrative members are:

- b. the dean of the faculty or a delegate appointed by the provost.

5.3.10 Faculty Compensation and Benefits Committee

The Faculty Compensation and Benefits Committee formulates recommendations on compensation issues. The committee serves in an advisory capacity to the provost in the budgeting process as it relates to compensation.

5.3.10.1 Composition

The members of the Faculty Compensation and Benefits Committee are:

- a. five faculty members elected at large. At least four of the faculty members must be tenured.

Ex-officio administrative members are:

- b. the provost or a delegate appointed by the provost.
- c. Vice chair of the Joint Faculty Senate.

Consultants are:

- d. the senior budget analyst.
- e. an academic administrator appointed by the provost.

5.4.3.3 Size of Joint Faculty Senate

The JFS consists of 23 voting members, including the chair and vice-chair.

5.4.3.4 Representation Distribution

- a. Divisions: Eleven Senators are elected by division. In 2018 the allocation of Senators by division was:

Humanities excluding SOT (91)3

Natural Sciences (80). 3

Social Sciences (77) 3

Fine Arts (26) 1

School of Theology (11) 1

[The apportionment of the eleven divisional Senators is determined by the ratio of the number of faculty per division to the total JFA membership, multiplied by eleven. Each division is guaranteed representation by a minimum of one senator. Based on this formula, apportionment of seats to each division will be reexamined at least every ten years.]

Note: The School of Theology representative will not be eligible to vote on matters related to the undergraduate curriculum. Faculty with contracts in both the School of Theology and an undergraduate division will be eligible to vote for senators representing both the School of Theology and the undergraduate division.

b. At-large: Twelve senators, including the Chair and Vice-Chair, are elected at large by a vote of the joint faculty.

5.3.7 Rank and Tenure Committee

According to the schedule and guidelines in Sections 2.1, 2.5, 2.6 and 2.7, the Rank and Tenure Committee regularly reviews the progress of the faculty with regard to their professional growth and their fulfillment of the obligations of faculty appointments. The committee makes recommendations to the provost concerning advancement to tenure and promotion in rank as set forth in Section 2.7, "Promotion Policies and Procedures."

5.3.7.1 Composition

The members of the Rank and Tenure Committee are:

- a. twelve faculty members, elected to three-year terms — two from the Fine Arts Division, two from the Humanities Division, two from the Natural Science Division, two from the Social Science Division, one from the School of Theology, and three elected at large.
- b. dean of the faculty as ex-officio administrative member.

~~The faculty members must be tenured, with not more than two from any one department. Department chairs do not serve on the committee during a year when a member of their department is to be reviewed.~~

The committee is divided into two subcommittees, who review the files of candidates for third-year review, tenure, and promotion ~~not related to third year review or an application for tenure. to full professor.~~ One subcommittee reviews all candidates of one type of review, and the other subcommittee reviews all candidates of the other two types of review. The ~~Rank and Tenure Committee will use the~~ number of candidates under review in each type ~~to determine~~ the distribution of rank and tenure committee members between the two subcommittees.

Each subcommittee has five to seven members, including one member elected by each of the four divisions. ~~The School of Theology member serves on the subcommittee(s) reviewing a candidate from the School of Theology.~~

~~The faculty members must be tenured, with not more than two from any one department. Department chairs do not serve on the committee during a year when a member of their department is to be reviewed.~~

Commented [GJ5]: Move paragraph up to just after b. above.. Dept chair proposal from AA to be discussed by JFS

Commented [GJ6]: Too vague; need to say how the determination is made and by whom. One type is promotions not part of the tenure file. Decision made at the discretion of the committee?

Commented [GJ7]: What if there are candidates from the SOT of different types? Discretion of the committee?

Commented [GJ8]: Move paragraph up to just after b. above.. Dept chair proposal from AA to be discussed by JFS

5.3.7.2 Responsibilities

The duties and responsibilities of the Rank and Tenure Committee are to:

- a. receive data related to questions of rank, promotion, and tenure in order to assist the provost, in consultation with the dean of the faculty and the appropriate department chair, in determining when faculty members are eligible to apply for third-year review, tenure review, and promotion (see Sections 2.6.1, 2.6.3 and 2.7.1)
- b. carry out all reviews according to the process and procedures described in Sections 2.5, 2.6, and 2.7;
- c. review and recommend changes in the criteria for evaluating both the professional performance and the institutional needs governing reviews, tenure, and promotion to the Faculty Handbook Committee;
- d. develop and follow a process of faculty review that is humane and practical and which promotes faculty development and growth;
- e. advise the President on cases of suspension of faculty in accordance with procedures in Section 2.13.6.5;
- f. communicate with the appropriate faculty committees as deemed necessary; and
- g. initiate whatever action is necessary to fulfill its duties and responsibilities.
~~than two from any one department.~~

Commented [GJ9]: typo

5.4.3.4.b At-large: Twelve senators, including the *Chair and Vice-Chair*, are elected at large by a vote of the joint faculty.

Last paragraph of 5.3.7.1:

The faculty members must be tenured College of Saint Benedict faculty, with not more than two from any one department. ~~Department chairs do not serve on the committee during a year when a member of their department is to be reviewed.~~ Members from the same department as an applicant under review may serve on the committee but do not participate in deliberations and voting on that file, unless their participation is necessary in order to have divisional representation on the subcommittee to which they are assigned. Faculty members shall not serve as a member of the committee in the academic year in which they apply for promotion or tenure.

last paragraph of 5.3.8.1:

The faculty members must be tenured Saint John's University faculty, with not more than two from any one department. ~~Department chairs do not serve on the committee during a year when a member of their department is to be reviewed.~~ Members from the same department as an applicant under review may serve on the committee but do not participate in deliberations and voting on that file, unless their participation is necessary in order to have divisional representation on the subcommittee to which they are assigned. Faculty members shall not serve as a member of the committee in the academic year in which they apply for promotion or tenure.

5.4 Changes for filling temporary JFS vacancies

5.4.3.6 Removal from Office

A Senator who misses any three meetings for reasons other than conflict of a scheduled class in an academic year, ~~must forfeit~~ shall have his/her JFS membership reviewed by the Senate Executive Committee, which may remove the Senator either temporarily or for the remainder of their term and fill the seat in accordance with the Vacancies procedure in 5.4.3.7

5.4.3.7. Vacancies

- a. ~~JFS vacancies are~~ A vacancy on the JFS for no more than one year will be filled by appointment by the Senate Executive Committee or election from the appropriate constituency within 60 calendar days of the vacancy, at the discretion of the Senate Executive Committee. A vacancy in the Vice Chair position shall be filled by special election from the JFA within 60 calendar days of the vacancy. [Refer to Section 5.4.3.4 above defining "Representation Distributions."]
- b. ~~The~~ A Senator elected to fill a vacant position shall serve for the remainder of the term. A Senator appointed to fill a vacant position shall serve until the senator vacating the position can rejoin the Senate or for the remainder of the academic year, whichever is shorter.

5.4.6.1 Duties of the Executive Committee

- c. In the case of a standing committee or JFS vacancy, appoint a new member to serve the remainder of the academic year. Election to complete the remainder of the term will take place at the next regularly scheduled JFA election. At its discretion, the Executive Committee may choose to fill the vacancy by special election rather than by appointment. [See also 5.4.3.7]

Rationale: Temporary standing committee vacancies are usually filled by appointment by the Senate Executive Committee in accordance with 5.4.6.1.c. In the past, JFS temporary vacancies (sabbatical, study abroad, medical leave, mid year resignation) were filled the same way, in violation of the handbook which calls for special elections in the case of any JFS vacancy, regardless of the length. The proposed changes would bring the JFS vacancy policy in line with our recent practice, with standing committee vacancy policy, and would prevent high turnover that could result from the existing policy being followed.

5.1.4 Assemblies of the College and the University

The faculties of the college and the university retain the right to form and meet in separate assemblies to conduct business which is peculiar to that faculty.

~~Unless otherwise provided for by the separate assembly, the chair or vice-chair of the Joint Faculty Senate, whichever is under contract to the College of Saint Benedict, is ex officio chair of any assembly of the faculty of the college and vice-chair of any assembly of the faculty of the university, and the chair or vice-chair of the Joint Faculty Assembly, whichever is under contract to Saint John's University, is ex officio chair of any assembly of the faculty of the university and vice-chair of any assembly of the faculty of the college. Unless otherwise provided for by the separate assembly, the secretary and parliamentarian of the Joint Faculty Assembly are ex officio secretary and parliamentarian for meetings of the separate assemblies.~~

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Unless otherwise provided for by the separate assembly, the chair and vice-chair of the Joint Faculty Senate are ex officio also chair and vice chair for meetings of the separate assemblies.

Unless otherwise provided for by the separate assembly, the secretary and parliamentarian of the Joint Faculty Assembly are ex officio secretary and parliamentarian for meetings of the separate assemblies.

The secretary of the Joint Faculty Assembly is selected by Joint Faculty Senate
+++++

5.4.5.1 Election of Joint Faculty Senate Officers

- a. Nomination and election of the vice-chair is managed by the JFS Committee, according to provisions in Section 5.4.3.1.d above.
- b. The vice-chair assumes the office of the chair for the academic year following an academic year of service as vice-chair.

~~c. The chair and vice-chair shall have opposite campus loci of appointment, on an alternating basis.~~

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5.4.5.2 Duties and Considerations of the Chair

- a. Call and preside at all regular and special meetings of the JFS.

- b. Chair meetings of the Executive Committee.
- c. Regularly communicate with the provost and, as needed, with the presidents.
- d. Appoint ad hoc committees of the JFS as needed (committee members need not be members of the JFS).

e. Represent the JFS on administrative committees when invited to do so.

~~d. Serve as the faculty representative to the SJU Board of Trustees (if chair's locus of appointment is SJU) or serve as the faculty representative to the CSB Board of Trustees (if the chair's locus of appointment is CSB).~~

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f. Serve as the faculty representative to whichever Board of Trustees (CSB or SJU) on which the immediately preceding Chair did not serve.

e.g. In order to carry out his/her duties, the chair will receive two-sixths release time.

5.4.5.3 Duties and Considerations of the Vice-Chair

- a. Call and preside at all regular and special meetings of the JFS in the absence of the Chair.
- b. Chair meetings of the Executive Committee in the absence of the Chair.
- c. Oversee the maintenance and distribution of agendas, minutes, and voting records and other public documents of the JFS, and of the standing committees of JFA, including the annual reports of the standing committees.

~~e.d. Represent the JFS on administrative committees when invited to do so.~~

~~d. Serve as the faculty representative to the SJU Board of Trustees (if Vice-Chair's locus of appointment is SJU) or serve as the faculty representative to the CSB Board of Trustees (if the Vice-Chair's locus of appointment is CSB).~~

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e. Serve as the faculty representative to whichever Board of Trustees (CSB or SJU) on which the immediately preceding Vice-Chair did not serve.

e.f. In order to carry out his/her duties, the Vice-Chair will receive two-sixths release time.

