

GARRETT-EVANGELICAL THEOLOGICAL SEMINARY

FACULTY HANDBOOK

2010

Updated on 11/22/10

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PREFACE

The handbook contains policies and procedures mutually agreed upon by the faculty and Board of Trustees and describes the way in which the faculty functions within Garrett-Evangelical Theological Seminary, i.e., with administration, trustees and students.¹

PREAMBLE

Mission, Identity and Vision, Emphases and Initiatives

The following documents describe what Garrett-Evangelical offers to church and society through theological education.

1. Core Purpose (June, 1998)
2. Mission and Purpose Statement (May 29, 1992)
3. Identity and Vision Statement (January 18, 1989)
4. Program Centers (May 7, 1984, October 20, 1984)

1. CORE PURPOSE

The core purpose of theological education at Garrett-Evangelical Theological Seminary is “to know God in Christ, and, through preparing spiritual leaders, to help others know God in Christ.” (Approved by the Board of Trustees, Garrett-Evangelical Theological Seminary, June 1998)

2. MISSION AND PURPOSE STATEMENT

Garrett-Evangelical Theological Seminary, empowered by the Holy Spirit and supported by The United Methodist Church, is committed to the belief that God and true humanity are revealed in the life, death, and resurrection of Jesus Christ.

The mission and purpose of the seminary is to share in the Church's task of equipping the whole people of God and providing leadership in Christ's ministry of personal and social transformation. The seminary:

- Prepares persons for ordained and lay ministries in and through the Church;
- Prepares persons for university and seminary teaching in theological disciplines;
- Provides theological research and reflection for the Church.

In pursuing these goals, Garrett-Evangelical seeks to be a faithful and responsible part of the Church and to strengthen cooperative ties with other educational institutions. The basic conviction that has shaped Garrett-Evangelical is that being Christian means: faith matters, truth matters, and justice matters. The seminary values the particularity and diversity of God's human family and it presses on to manifest the transcending unity which is found in Jesus Christ. (Approved by the Board of Trustees, Garrett-Evangelical Theological Seminary, May 29, 1992.)

¹ The handbook incorporates many of the assumptions and practices recommended by the American Association of University Professors and the Association of Theological Schools.

3. IDENTITY AND VISION STATEMENT

OUR IDENTITY

In 1974, when Garrett-Evangelical Theological Seminary was formed, it already had deep roots into three pioneering institutions.

- Garrett Biblical Institute was established in 1853 in Evanston as the second Methodist Episcopal theological school in the United States. Eliza Garrett, who funded its beginning, recognized that the Methodist preachers of her day were "equaled by none in zeal, but surpassed by many as to learning."
- Evangelical Theological Seminary, founded in 1873 in Naperville, Illinois, drew on the evangelical zeal and hunger for learning of the early German itinerant preachers on the Midwest frontier, led by Bishop John Seybert of the Evangelical Association.
- Chicago Training School, developed by Lucy Rider Meyer in 1885, educated and motivated over the course of 50 years more than 4,000 students committed to urban, rural, and foreign missions and launched the deaconess movement in the Methodist Episcopal Church.

Out of this tradition, three major themes emerge that shape the present identity of the seminary.

Evangelical Commitment

The schools that became Garrett-Evangelical were formed to help pastors and laity communicate the gospel more effectively in a society that was becoming increasingly settled and better educated. Their aim was to aid in manifesting the redeeming grace of God through Jesus Christ to persons and communities. They understood that preaching and teaching sought a personal commitment to Jesus Christ. The entire work of ministry and theological education was seen as a response to God's saving initiative in Jesus Christ.

The character of this seminary continues to be shaped by the fundamental belief in God's revelation through Jesus Christ and by our commitment to help the church communicate this gospel so that its saving force may be felt in persons, the church, and the world. The experience of the grace of God as communicated by the Holy Spirit is valued as an essential part of the United Methodist heritage, to be sought and nourished by the academic program as well as the worship and devotional life of the seminary.

Critical and Creative Reason

Our predecessors in the seminary believed that evangelical faith and human reason are allies. A founder of the seminary, John Dempster, said that he considered it offensive to declare that ignorance is the mother of devotion.

This seminary requires persons of faith to examine and articulate their beliefs in the light of the whole of human learning. Because we believe truth to be of God, we are assured that God will guide and bless faithful attempts to relate the Christian revelation to all of what we come to know of nature and culture.

The witness of the scriptures must be understood in the context of all that can be learned in response to the Holy Spirit through reason, tradition and experience. The seminary has steadfastly insisted upon the unity of spirit and mind and the importance of each in an appropriate response to God.

Prophetic Participation in Society

In the tradition of our predecessors, we at Garrett-Evangelical believe that God acts in human history as revealed in Christ's love for the world. Therefore, we seek to discern the nature of the times in which we live and the judgments and promises of God in our midst, in order to respond to what we understand God's historical purposes to be.

Generations of our faculty, students, staff, and trustees have witnessed to God's purposes in their historical contexts, attempting to discover the relevance of the prophetic Biblical tradition for their own times. From the leadership of one of our presidents, Matthew Simpson, who petitioned Abraham Lincoln to abolish slavery, through the Chicago Training School faculty and students who were deeply involved in the affairs of the poor, the sick, and the orphaned, and into our present witness to racial justice, the partnership of men and women in ministry, and peace throughout the world, this prophetic ministry remains a vital element in the character of the seminary.

The basic conviction that has shaped Garrett-Evangelical is that being Christian means: faith matters, truth matters, and justice matters.

OUR VISION

Our faith in the reconciling and transforming action of God through Jesus Christ requires the dedication of our resources to seek out and prepare visionary leaders for the century ahead. Our vision reaffirms the distinctive characteristics that have marked our history: evangelical commitment, creative and critical reason, and prophetic participation in society. As we envision the educational program for the next generation of church leaders, we affirm the following:

Union of the Spiritual and the Intellectual

Response to God, we believe, is a response of the total thinking, willing, and feeling self. This vision gives rise to the search for a vital piety amongst us and causes us to repudiate any false divisions that center religious faith in one aspect of a person's self or social relationships.

Leadership in the Christian Community

The message of the Gospel is received, rehearsed, and declared in and through Christian communities that equip their members for service in the world in Christ's name. We, therefore, affirm the importance of preparing pastoral, diaconal, and lay leadership for congregations and communities, helping each person to develop the skills that strengthen the Christian community and prepare it to build up God's universal community in the world.

Ecumenical Interaction

The oneness of our origin in God and the oneness of our future as a human community becomes increasingly evident. We seek to prepare church leaders grounded in their own tradition of faith who can interact constructively with persons from a variety of religious and secular backgrounds. Our

association with ten other seminaries in the greater Chicago area and our location on the campus of a major university provide countless opportunities for ecumenical action and understanding.

Cross-cultural Experience

Christian faith has meaning when it is embodied in and speaks to a particular culture. However, any witness to faith may become captured by cultural agenda and lose the ability to provide prophetic criticism. To engage in faithful ministry, we need to understand the process of enculturation as well as our own cultural biases. Encounters with expressions of faith in other cultural settings provide this opportunity. We cherish our long-time institutional involvement with major ethnic and social communities within the United States and our emerging international relationships as resources for authentic cross-cultural theological education.

Personal and Social Transformation

Our vision of theological education for the future embraces the goal of both personal and social transformation. The leaders we seek to prepare for the new century will not merely manage an institution but also lead a movement. God is present in our world to offer reconciliation and to heal the brokenness which despoils God's good creation. We believe that God's new age was initiated in the life, death, and resurrection of Jesus Christ, by which the principalities and powers that twist and distort life are overcome. We trust God's gracious power in reshaping the lives of persons, communities, and nations, and we seek to witness to that power in and through the life and ministries of the church.

(Based on *Identity and Vision: Garrett-Evangelical Moves Toward the 21st Century*, a paper unanimously ratified by the faculty on January 18, 1989.)

4. INSTITUTIONAL EMPHASES

In 1974, three special concerns were highlighted as institutional emphases in both the seminary's academic and community life: the Church and the Black Experience, the Peace and Justice Center, and the Center for Women in Ministry. Subsequently other program commitments have been added by faculty and administration. At present, program commitments include Asian American Ministries, Church and the Black Experience, Deacon Studies, Ethics and Values (continuing the concern with Peace and Justice), Hispanic and Latin American Ministries Study, Wesleyan Studies, Women in Ministry. The president in consultation with the academic dean and appropriate faculty appoints the directors of the program centers.

A. THE FACULTY

1. Membership

- a.) Shared Governance -- All academic appointments to the faculty of Garrett-Evangelical are made by the president of the seminary, with the direct or delegated approval of the Board of Trustees in accord with the policies and procedures set forth in this handbook and in the seminary bylaws. The seminary is committed to shared governance among faculty, president, and Board of Trustees to respond to the needs of the church and ministry to the world. These three parties share in the processes of faculty deployment, selection, and review, and in the establishing of institutional goals. Provision is made for continuing consultation among these parties. Appointments may be full-time or part-time and are designated by academic rank and/or title. Terms of appointment, major responsibilities, benefits, and related provisions are specified in individual faculty contracts.
- b. The faculty has primary responsibility for the design, oversight, and implementation of the educational and research programs of the seminary.
 - 1) The faculty consists of those persons with academic appointments at the ranks of professor (tenured or term), associate professor (tenured, tenure-track or term), assistant professor (tenure-track or term), and instructor (term).
 - 2) Appointments to the faculty are primarily for instructional purposes and normally involve full-time duties in teaching, student advising, research, and research supervision. Appointees to the faculty are related to particular curricular fields and areas. Such appointments are made through appropriate procedures (as outlined in section **D** of this handbook). Appointments may be tenured, tenure-track, or term.
 - a) Tenure track are regular instructional and academic appointments defined and governed by the *Faculty Handbook*.
 - b) Term appointments are usually renewable appointments that combine instructional and academic administrative responsibilities. In some cases, persons may be named to a term appointment to give leadership to a designated program or grant.
 - 3) Term faculty. Term faculty are full members of the faculty governed by the *Faculty Handbook*, except where otherwise noted. They are reviewed, receive study leaves, and serve on seminary committees as defined. Limitations of positions are to be discussed with persons at the time of appointment.
 - a) Hours on campus are determined by the needs of the program, are defined and evaluated regularly by the president and dean, and are reviewed in the biennial and peer evaluations.

- b) These faculty appointments may be made for 9, 10, or 11 months per year depending on the needs of the program. The number of months per year devoted to academic and academic administrative responsibilities is defined in the letter of agreement at the time of hiring.
- 4) Administrators with Faculty Status. Under special circumstances part-time or full-time administrative staff of the seminary may have membership in the faculty.
- a) Procedures for Review. Such membership requires the approval of the president in consultation with the Committee on Faculty, taking into account the recommendation of the particular curricular area to which the faculty member is assigned. It shall only be granted to persons with appropriate academic qualifications who are expected to give continuing service to the seminary which includes regular part-time participation in the seminary's instructional programs.
 - 1. If reviewed for faculty status at the time of appointment, the appropriate academic field, the faculty, and the wider seminary community shall interview the person in a manner similar to that for other employed faculty. A faculty committee appointed by the president shall assess the qualifications. The committee shall make its recommendation to the president as in any other review process.
 - 2. If reviewed for faculty status after appointment, the president in consultation with the academic dean and Committee on Faculty shall establish a committee. The committee shall meet with the field and assess the appropriate academic and scholarly qualifications for the person. The committee shall report a recommendation to the president as in any other review process.
 - b) While the basic contractual relations of such persons are determined by the *Administrative Handbook*, in their faculty functions they are also governed by section **A** (The Faculty), section **B** (Individual Faculty Responsibilities and Functions), and sections **D 8 a** (Collegial Accountability) and **D 8 b** (Biennial Evaluation of the Faculty).
 - c) These appointments are reviewed periodically by the president and the Committee on Faculty. They will not be established as tenured positions and will not exceed one-fourth of the entire faculty. They are automatically relinquished when the administrative appointment by the seminary is terminated or it is determined by the president and Committee on Faculty that the person in appointment will be unable to assume teaching responsibilities.
- 5) The president of the seminary and the academic dean are members of the faculty,

with appropriate academic as well as administrative appointments.

Seminary faculty need to be rooted in the biblical faith and adept in relating the faith to concrete issues faced in congregational life and mission in the world. (These criteria are not meant to exclude the possibility of hiring a person from another faith tradition where that is appropriate.) Seminary faculty exhibit the following characteristics:

- a) Scholar who is now or promises to be a leader in her/his academic discipline, with ability to guide graduate students, teach effectively in the classroom, relate to the congregation, and contribute to international scholarship, discussion, and publication.
 - b) Person of Christian faith who is concerned about the faithfulness and effectiveness of the church. Such a faculty member will interpret the content of theological education sensitive to ecumenical and inter-religious concerns and to critical and creative reason in her/his witness to the faith.
 - c) Person capable of relating significantly and sensitively in cross-cultural situations and across class and gender lines.
 - d) Colleague who is able to work as a fellow pilgrim with students and faculty in spiritual growth and development.
 - e) Collegial faculty member who works well across disciplinary lines.
 - f) Person who is capable of relating to students and faculty of diverse theological backgrounds, able to appreciate the theological backgrounds and to help others to reflect constructively and critically upon them.
 - g) Person who is committed to the identity and vision statement and the seminary's mission and purpose statement.
 - h) Colleague who will serve effectively in student advising and counseling.
- c. From time to time additional appointments are made on a full-time or part-time basis. They include the following with ranks and titles as noted.
- 1) Visiting Appointments (professor/associate professor/assistant professor). Appointments of "visiting" faculty are made on an interim basis, for individual terms of no more than four consecutive academic semesters. Such appointments may provide for full-time teaching responsibilities as well as for associated duties in advising, supervision of research projects, and similar instructional assignments when appropriate. They have voice, without vote, at faculty meetings. Visiting appointments are designated by rank (comparable to those of the faculty) which in an

individual case is normally equivalent to the current or highest previous academic appointment rank held at an accredited institution of higher education.

2) Adjunct Appointments (professor/associate professor/assistant professor). "Adjunct" appointments to the faculty are primarily intended to supplement and enrich the curricular offerings of the seminary through the involvement of qualified professionals as part-time instructors, academic advisors for the Doctor of Ministry program, and program supervisors. Such appointments may be made for terms of one to six academic semesters and are renewable. They normally presuppose no more than half-time involvement in teaching and in the performance of other academic duties under the auspices of the seminary. They have voice, without vote, at faculty meetings. Adjunct appointment ranks are comparable to those of the faculty and are made in consideration of the academic credentials and professional experience (including previous teaching) of individual appointees.

d. Relationships to Faculties of Proximate Institutions. The seminary enjoys and encourages close working relationships with its neighboring institutions of higher education: Seabury-Western Theological Seminary and Northwestern University, particularly the Graduate School of Arts and Sciences. Cooperation between the seminary and these independent institutions includes coordination of library resources; shared use, by mutual agreement, of certain physical facilities; consultation regarding faculty appointments and curricular programs; and opportunities for joint teaching and research. The seminary also participates in cooperative efforts with other seminaries in the Association of Chicago Theological Schools (ACTS) and the North Chicago Theological Institute (NCTI).

2. Authority and Governance

a. The Board of Trustees entrusts the faculty with the primary responsibility for the design and implementation of the educational programs of the seminary.

b. Oversight of the instructional and professional programs offered under the auspices of the seminary is vested with the faculty, which has legislative authority in the following academic matters, consonant with the bylaws of the seminary.

1) Earned Academic Degrees and Degree Nomenclature. Recommendations concerning initiation of degree programs, termination of existing degree programs, or change in degree nomenclature require the approval of the faculty, exercised through majority vote at a regularly scheduled or called meeting.

2) Programs and Curricula. The faculty determines the standards, priorities, structure, and general content of the instructional programs offered under the auspices of the seminary.

3) Admissions. The faculty determines admission policies and standards for seminary degree programs, consistent with the mission of the institution, and the application of

these policies and standards to the admission of individual applicants.

- 4) Student Continuation Status and Advancement. The faculty determines and implements standards, policies, and procedures regarding continuation status and promotion of students enrolled in seminary degree programs.
- 5) Student Honors, Awards, Fellowships. The faculty is authorized to select students in seminary degree programs to receive special prizes, academic commendations, and professional awards, and may recommend students to receive honors at graduation.
- 6) Graduation. The faculty determines standards for the awarding of degrees in seminary degree programs, and recommends to the Board of Trustees individual students to receive these degrees.
- 7) Honorary Degrees. Candidates for honorary degrees may be nominated by the president of the seminary and/or members of the faculty. Nominations, with supporting data, must be submitted to the faculty by the president or the academic dean for consideration no later than April 1 of the academic year in which the degree may be awarded. All nominations for honorary degrees supported by a majority of the faculty and the president are forwarded by the president to the Board of Trustees, which is empowered to grant the degrees.
- 8) Faculty Selection, Deployment, Promotion, Tenure. In consultation with the president and academic dean, the faculty defines the fields of instruction necessary to implement the curriculum; determines and recommends the number of faculty members required in these fields; establishes priorities in the matter of new appointments to the faculty; and, in consultation with the dean, determines the deployment of individual faculty appointees to curricular areas, fields, and degree programs. It determines and implements standards, policies, and procedures for faculty appointments, promotion, evaluation, and tenure, as consonant with authority vested in the president of the seminary and the Board of Trustees.
- 9) Elected Representation. It is the prerogative of the faculty to elect from its own membership persons to serve on select advisory and governance committees or to serve as its representatives on the Board of Trustees or to other bodies as need may arise.
- 10) Role in Selection of an Academic Dean. The faculty, through direct communication and also through the forum provided by the Committee on Faculty, shall be consulted by the president in the appointment of the academic dean.
- 11) Revision of the *Faculty Handbook*. The faculty may recommend amendments or revisions of the handbook by majority vote of its members at a regularly scheduled or called meeting; such revisions or amendments are subject to approval by the Board of Trustees. Amendments or revisions of the handbook may be proposed by either the faculty or the Board of Trustees. Adoption of such proposals requires a majority vote

of both bodies, except those paragraphs otherwise noted: **A 2 d 1)** through **4)**, **A 2 e 1)** and **2)**, and **C 6 a)** through **e)**.

c. Officers and Meetings

- 1) President of the seminary. The president is the chief executive officer of the seminary and the presiding officer of the faculty, with voice and vote.
- 2) Academic Dean. Administrative and executive duties pertinent to the effective functioning of curricular programs and academic personnel of the seminary are delegated by the president to the academic dean. In the absence or at the request of the president, the academic dean serves as presiding officer at meetings of the faculty. The academic dean is also *ex officio* member of all faculty committees, with the exception of the Grievance Committee.
- 3) Recording Secretary; Minutes. The president annually appoints a recording secretary for faculty meetings. The principal responsibilities of the secretary are to record the minutes of meetings of the faculty and to distribute such minutes to the president of the seminary, the academic dean, members of the faculty (as well as other persons authorized to attend its meetings), and the chairperson of the Board of Trustees. (The secretary does not assume responsibility on behalf of absent members for the collection of discussion papers, reports, or similar documents distributed at faculty meetings.)
- 4) Scheduled and Called Meetings. Regular meetings of the faculty are scheduled as part of the annual academic calendar. Special meetings during the academic year may be called by the president, by majority vote of the faculty, or by the Committee on Faculty. In the event that called meetings are proposed, reasonable effort must be made to give ample notification of the meeting time and place to faculty members and to avoid conflicts with faculty schedules. Meetings of the faculty may not be scheduled or called following Commencement Day until late August.
- 5) Voting Privileges and Executive Sessions. Faculty members participate with voice and vote in meetings of the faculty, except that those designated as visiting faculty, adjunct faculty, or senior scholars participate with voice only. At the request of a majority of the members of the faculty, either a regularly scheduled or called meeting shall be constituted as an "executive session" restricted to the faculty members.
- 6) Confidentiality of Faculty Meetings. All discussions and votes in faculty meeting, whether regularly scheduled meetings or executive sessions, presume confidentiality.

d. Curricular Organization and Program Oversight. In accord with its general authority in matters of curriculum design and implementation, the faculty may choose to exercise its academic responsibilities through the following or any comparable organizational plan. [Note: Items 1) through 4) below may be revised by faculty action alone.]

- 1) Areas and Fields. Members of the Garrett-Evangelical faculty are deployed among academic fields organized into curricular areas. Planning and coordination of courses are normally initiated within the individual fields. Course proposals of the various fields are reviewed by faculty assigned to the respective curricular areas which have special responsibility for the designation, staffing, and coordination of foundational courses. The faculty of each area elects its own chairperson, who also represents the area as a member of the Master's Degrees Committee.
 - 2) Master's Degrees Committee. The Master's Degrees Committee is established to plan and make recommendations for the MDiv, MA, and MTS programs. Its recommendations on policy, including requirements for the curricula of these programs, are made to the faculty. The MDC is given power to make decisions establishing elective courses. The MDC is composed of the chairpersons of the curricular areas, and faculty members representing MDiv, MA, and MTS programs and related academic administrators appointed by the president. Students elect four members. A chairperson is named by the president from among faculty committee members.
 - 3) Doctor of Ministry Committee. Faculty and related academic administrators serve as members of the DMin Committee, under appointment by the president. In this capacity they are responsible to act on admissions, admissions to candidacy, and graduation. This committee formulates academic policy governing the DMin program for recommendation to the faculty, and assists the program director in providing general oversight to the program. Also serving, as members of this committee are representatives of the DMin students, who participate with voice and vote on all matters, except those of admission and advancement, where vote is reserved to the faculty.
 - 4) Doctor of Philosophy Committee. Faculty and related academic administrators serve as members of the PhD committee, under appointment by the president. In this capacity they are responsible to act on admissions, admissions to candidacy, and graduation. This committee formulates academic policy governing the PhD program for recommendation to the faculty, and assists the program director in providing general oversight to the program. Also serving as members of this committee are representatives of the PhD students, who participate with voice and vote on all matters, except those of admission and advancement, where vote is reserved to the faculty.
 - 5) Other committees may be named by the president, academic dean, or faculty for the organization and business of the faculty.
- e. Elected Representation. For purposes of its own internal governance and representation, the faculty has adopted the following organizational structures: [Note: Items 1) and 2) below may be revised by faculty action alone.]
- 1) Grievance Committee. Each year the faculty elects by secret ballot four of its members (tenured, although one may be a non-tenured associate or full professor) plus two alternates to serve as a grievance committee that handles grievances against a faculty

member, between faculty members, and between faculty and administrators. Faculty representatives to the Board of Trustees shall not serve on the Grievance Committee. When it is called, the committee elects from its own membership a chairperson and secretary. Members elected to this committee must hold to the highest standards of professional and ethical conduct and confidentiality. Violating these standards is a grievable act. Committee members shall not be advocates for either of the grieving parties and, while the committee is working, shall not discuss the grievance outside the committee. None of the committee members shall be put in jeopardy by actions seeking to resolve the grievance.

- 2) Committee on Faculty. A Committee on Faculty is composed of seven faculty members. Six are elected representing each of the curricular areas by the faculty of those areas and one elected at large by the faculty. These persons will be tenured, tenure-track, or term (at the rank of associate or full professor) and will have served on the Garrett-Evangelical faculty for a minimum of three years. A majority of the committee must be tenured.

The COF will be elected at the last faculty meeting of the academic year. Committee faculty members and the academic dean will meet for an organizational meeting to elect officers (chairperson and secretary from its own membership) and review items that will need to be addressed during the academic year.

The academic dean shall be *ex officio*. In the spirit of shared governance, the president will meet with the committee. The committee also schedules times without the president. The chairperson will establish the agenda of COF meetings in consultation with the president and the academic dean to facilitate consultation, exploration of concerns, and facilitation of responsibilities.

- a) The COF is a forum where faculty priorities and policies are reviewed. In keeping with the needs of long range planning, the committee shall consult from time to time with the president and the academic dean and review matters of faculty deployment and emerging institutional needs, making appropriate recommendations to the faculty.
- b) The COF serves as a faculty development committee. It shall review the status of individual faculty members at the beginning of each academic year; make recommendations to the president for the establishment of search, evaluation (including the six-year review), promotion, and tenure procedures for faculty; and shall recommend topics and procedures for faculty development days and retreats.
- c) The COF helps shape the agenda for the faculty meetings, follows through on agenda items that are discussed in faculty meetings, and anticipates and evaluates issues that need to be brought to the faculty meetings.
- d) The COF consults with the president on faculty search, promotion, and tenure decisions.

3) Parity Committee.

History

In the Fall of 1972, the faculty of Garrett-Evangelical Theological Seminary, with the concurrence of the Board of Trustees, established the “Parity Principle,” which provided a procedure wherein decisions relating to the hiring, advancement, and dismissal of African American/Black faculty, and their equitable treatment within the processes of the institution, would be adjudicated in the event of a dispute in which race was suspected to be an impacting variable. The same protection was extended in regards to the retention and equitable treatment of African American/Black students within the institution. The faculty recognized that while in the historical patterns of social relationships, African Americans/Blacks might be allowed to express a position and assert their needs and concerns, the majority ethnic group could always outvote them, thus rendering them continually subject to the hegemony of the white majority. Parity was a gracious relinquishing of power, a leveling of the power relations between blacks and whites on the faculty, so that matters vital to the African American/ Black constituents in the learning community could be addressed “on an equitable, just and redemptive basis.”²

Changing Multicultural and Multiethnic Reality

The Parity Principle remains today an important safeguard against the personal prejudice and structural racism that persist in US society and may, at any point, express themselves at Garrett-Evangelical Theological Seminary. However, the African American/Black faculty, seeking to honor the reality that the seminary, as the larger society, is increasingly a multi-cultural, multi-ethnic community, took the initiative to request that the implementation of the Parity Principle be expanded to apply to this diversified constituency, for whom racial justice and equity concerns are also vital, and with whom the seminary desires to be in redemptive relationship. Thus, the Parity Principle is to be expanded in its application beyond African Americans/Blacks to encompass the larger category of “racial/ethnic minority.”

Definition

For the purposes of the Parity Committee, “racial/ethnic minority faculty members” refers to persons, self-identified, of African and African American, Asian and Asian American, Hispanic and Latino/a, American Indian, or Pacific/Pacific Islander descent or cultural identity.

Role and Function

When the Parity Committee is convened, it shall vote and act as and for the faculty on issues and concerns related to racial/ethnic minority faculty and students where racial/cultural sensitivity and justice are essential and on which the faculty have prerogative to act, per Faculty Handbook.

² This phrase and the substance of the foregoing material are drawn from “Parity, Covenant and Grace: A Theological Statement,” issued by the Black Faculty of Garrett-Evangelical Theological Seminary and Bishop Edsel A. Ammons, on the occasion of the Tenth Anniversary of the Church and the Black Experience, April 1980, pp. 3-5.

Composition of the Parity Committee

The number of racial/ethnic minority faculty members on a Parity Committee shall equal the number of the racial/ethnic minority group with the greatest number of faculty members. The non-racial/ethnic minority members of the Parity Committee shall be elected annually by the non-racial/ethnic minority faculty members. Their number shall also equal the number of the largest group of the racial/ethnic minority faculty members. (If during an academic year, faculty members are added to that largest racial/ethnic minority group, an equal number of non-racial/ethnic faculty shall be elected to the Parity Committee at the next scheduled faculty meeting.)

Convening the Parity Committee

The Parity Committee shall be called by faculty members of one of the defined racial/ethnic minority groups on their own initiative, or by request made to the racial/ethnic minority faculty by one or more non-racial/ethnic minority members of the Parity Committee. If the racial/ethnic minority group who convenes a Parity Committee has fewer members than the largest racial/ethnic minority group, then that group must choose additional members to make up that number, so as to have a parity representation of its perspective. Those additional members may be either racial/ethnic minority or non-racial/ethnic minority faculty members. The full, convened Parity Committee, therefore will consist of the racial/ethnic minority group members concerned (as well as those of any other racial/ethnic groups added to represent their perspective) and those non-racial/ethnic minority faculty members who have been elected previously.

Report and Response

The report of their work shall be received by the president, the academic dean, and the faculty as the action of the faculty, with appropriate written response from the president and academic dean. An initial response shall occur within ten business days.

- 4) Representatives to the Board of Trustees. The faculty shall elect by secret ballot two associate or full professors who have served on the faculty for at least three years to serve as members of the Board of Trustees, subject to the bylaws. One representative shall be elected each year at the May faculty meeting, so that terms are staggered.
 - 5) Representative to ERAC. The faculty shall elect a member to serve a two-year term on the Employee Relations Advisory Committee (ERAC).
- f. Academic Convocations and Special Events. The faculty supports academic convocations by attending and participating in them. Special events and other convocations are supported by individual faculty attendance.
- 1) Academic Processions. The faculty invites the following seminary colleagues to march with them in academic processions: senior scholars; visiting or adjunct faculty; administrators; individuals designated as "Scholars in Residence" or the like; and recognized colleagues from other institutions.

B. INDIVIDUAL FACULTY RESPONSIBILITIES AND FUNCTIONS

1. Academic Freedom and Professional Ethics³

a. Academic Freedom. The concern of Garrett-Evangelical and many other theological schools for freedom in teaching and learning arises primarily from the Christian faith with its promise of freedom in Christ to know the truth which is from God, which judges all human forms and institutions, and which will set people free. Theological schools strive to be communities of teaching and learning in which freedom of mind and spirit are accepted as fundamental to the work in which they are engaged.

Therefore:

- 1) Theological teachers and students have the inquiry for truth central to their vocation and they are free to pursue this inquiry.
- 2) Any challenge to the doctrinal regularity of a faculty member shall be subject to open hearing before faculty colleagues and before the Board of Trustees (as well as before any ecclesiastical tribunals which may have jurisdiction).
- 3) The teacher who remains within the accepted constitutional and doctrinal basis of the school shall be free to teach, carry on research, and to publish.
- 4) In the classroom the teacher shall be free to discuss the subject of his or her special competence without harassment or limitations.
- 5) The teacher shall be free to express and act upon his or her conscientious convictions as an individual citizen, although s/he should realize that there is always the tacit representation of one's institution in whatever s/he says.
- 6) Faculty members shall take care lest they violate each other's academic freedom by covert interference with their colleagues' work or through bypassing the orderly processes of full faculty discussion of curriculum, academic calendar, appointments, and other basic matters.

b. Professional Ethics. Although theological teachers are expected to live by the faith they profess and teach, they are still subject to temptation and sin. Hence ethical standards for their work together need to be defined.

- 1) Ethical Responsibility to One's Academic Specialty: distinguishing matters of faith from those susceptible of proof; maintaining and encouraging intellectual honesty and professional competence (which includes seeking supervision and expert counsel); keeping an appropriate humility about the importance of one's own academic specialty; balancing research time with class preparation.

³ Materials in this section have been adapted from the Association of Theological Schools *Bulletin*, "Policy Statement," 1972.

- 2) Ethical Responsibility to One's Students: giving adequate time and attention to students (especially to their written work), while always remaining impartial; respecting them as persons, and, within one's competence, helping them with personal problems; respecting their convictions, encouraging their vocation, and avoiding exploitation (including sexual harassment); guarding student confidentiality within the smallest possible circle of faculty and administration.
- 3) Ethical Responsibility to One's Colleagues: accepting one's fair share of teaching, administration, and committee responsibility (neither too little nor too much); not seeking preferment at the expense of colleagues; carrying out disagreements constructively and face-to-face; otherwise defending one's colleagues in faculty and administration to others, and refusing to exploit them (including sexual harassment); behaving outside the institution in a way that reflects credit on the institution and on one's colleagues.
- 4) Ethical Responsibility to One's Community of Faith: obedience (under God) to and faithful support of one's own denomination, especially in relation to one's ordination, where this is relevant; working for the church so as to contribute to the effectiveness of one's own academic work, not damage it.
- 5) Ethical Responsibility to One's Social and Civic Community: taking one's proper place as a citizen, especially where one's discipline may make a special contribution.
- 6) Ethical Responsibility to One's Self: balancing all other responsibilities with the duty of caring for and nurturing one's own life in body, mind, and spirit, both individually and in social and family relationships.
- 7) Ethical Responsibility to Maintain Professional Boundaries including Avoiding Sexual Harassment and Sexual Misconduct.
 - a) Definitions and Guidelines – Faculty need to be aware of their influential position with respect to students, staff, and administrators. They need to avoid exploiting the trust and dependency of such persons. They must make every effort to be aware of multiple or dual relationships with an individual student or staff member and avoid situations that could impair professional judgment or increase the risk of exploitation. When multiple or dual relationships do exist, they must take appropriate precautions to ensure that judgment is not impaired and no exploitation occurs. Examples of multiple or dual relationships include, but are not limited to: business relationships; counseling or spiritual direction; and close personal relationships.
 - b) Statement of Confidentiality – Faculty have a primary obligation and must take reasonable precautions to respect the confidentiality rights of all members of the community, especially students and staff. They may not disclose confidential information except: a) as mandated by law or court order; b) to prevent a clear and immediate danger to person or persons; c) if there is a waiver previously

obtained in writing, and then such information may be revealed only in accordance with the waiver. Faculty will discuss confidential information only for appropriate professional purposes and only with persons clearly concerned with such matters.

Faculty will minimize intrusions on the privacy of students and staff by disclosing only information germane to the purpose for which the communication is made. They do not use these standards of confidentiality to avoid intervention when it is necessary, e.g., when there is evidence of abuse of minors, the elderly, the disabled, the physically or mentally challenged, or danger of physical harm to self or others.

- c) Statement on Sexual Harassment – The seminary holds a seminary-wide policy on sexual harassment. That is included in section **E** of this handbook. Faculty do not engage in sexual harassment of students, staff or colleagues. Violations of these policies will be dealt with according to established procedures in the faculty, administrative, staff, and student handbooks.
- d) Statement on Sexual Exploitation and Misconduct – Faculty do not engage in exploitative coercion of students, staff or colleagues. All inappropriate forms of sexual behavior (physical contacts of a sexual nature) between a faculty member and students, staff, or colleagues are unethical and prohibited, even when the student, staff, or colleague consents to such behaviors or involvement. Such behaviors are grounds for the dismissal (a dismissal for cause **D 8 d**) of the faculty member.

8) Faculty Communication with Trustees

Faculty communication with trustees contributes to the positive growth and development of the seminary and shall be guided by the collegial nature of our common work, respect the distinctive roles of each group, and honor established procedures pertaining to seminary policies, personnel, or faculty governance, as defined in the *Faculty Handbook*, including roles of academic dean, president, and faculty.

2. Academic Duties

a. Teaching/Instruction

- 1) Academic Calendar. The seminary academic year consists of a fall semester, a January term, a spring semester, and a summer term. Regular faculty functions are scheduled during the two semesters and January term, excluding recess periods as specified in the academic calendar. Summer school involvement and teaching may be negotiated with individual faculty members. In the cases of individual members of the faculty whose responsibilities include administrative duties, extensions of this normal period of academic year service may be negotiated with the president of the seminary. When faculty members accept additional or extended service or teaching,

- appropriate arrangements shall be made regarding workload, financial remuneration, or other compensation.
- 2) Faculty Work Load. The normal load is arrived at in consultation with the academic dean.
 - a) Coursework and Faculty Curricular Leadership. The normal load is the equivalent of 5 semester courses. Faculty also receive course credit for leadership in a particular school program or curricular responsibility, e.g., a program center, a common course like field education, or directing an academic program.
 - b) Curricular Responsibilities. Each faculty member shares in the advising and evaluation of students as well as participating on degree committees and faculty review and search committees.
 - c) Community and Ecclesial Life. Faculty participate in the common life of the school, including some of the following activities: covenant groups, committees, worship, lectures, community meals, arts programs, etc. These responsibilities are shared among the faculty recognizing that differing personal patterns and family responsibilities mean differing forms of involvement.
 - 3) Grading and Evaluations. All faculty members are responsible for the following: submitting final grades to the registrar on the standard form by the specified time at the end of each term; presence on campus during registration periods; clearing schedules to assure availability for evaluation conferences; reading and returning evaluation projects, doctoral projects, and other student-submitted materials within the specified time; and fulfilling other related responsibilities.
 - 4) Academic Records. The faculty has access, as their duties require, to the cumulative academic records of students.
 - 5) Student Evaluation of Teaching. Members of the faculty are required to provide opportunities for student evaluation of their courses and teaching, within the guidelines set forth by the faculty.
 - 6) Course Approval Policies. It is the responsibility of faculty in fields and areas to approve courses. Courses are proposed by the fields, and recommended by the areas to the appropriate degree committees. The faculty on recommendation of the appropriate degree committee approves degree requirements.
 - 7) Field Education Program. The faculty has responsibility for the educational content of the field education Program.
 - 8) Faculty Accessibility. All members of the faculty are responsible for posting either

office hours or directions as to how they may be reached, in order to make themselves available to colleagues and students throughout the academic year, exclusive of recess periods.

- 9) Other Duties. The faculty may also be requested to supervise students in independent studies, special research, and dissertations.
 - b. Student Advising and Professional Evaluation. All members of the faculty in residence are normally expected to serve as academic advisors to students enrolled in the degree programs of the seminary. The academic dean and/or specific program directors assign advisees to individual members of the faculty, with the faculty member's concurrence. Members of the faculty are also responsible for professional evaluation of students on the occasions of major academic checkpoints scheduled in the curricular programs of the seminary.
3. Faculty Scholarship, Research, and Other Professional Contributions
 - a. Scholarship and Research. It is expected that members of the faculty will carry on research in the areas of their special competence, will report and will publish the results of their work from time to time, and will participate in appropriate activities of the scholarly organizations in their discipline.
 - b. Other Professional Contributions. Although publication within one's field of expertise is considered an important dimension of faculty responsibility, faculty members may also make professional contributions in other significant and recognizable ways. Contributing professional expertise in local congregations and denominational structures, editing professional journals and/or publications, active participation and leadership in professional associations relevant to one's field, leading workshops and presenting papers at professional meetings are examples of other professional contributions.
 4. Services and Responsibilities to the Institution
 - a. Church and Public Relations. Members of the faculty are needed from time to time to perform public relations services, such as alumni/alumnae cultivation and visitation of annual conferences and college campuses. These services are performed on invitation of the president, the academic dean, or the development or church relations offices, and are subject to acceptance by the faculty member thus invited. Ordinarily not more than five days of service of this kind without additional compensation will be requested in any one academic year.
 - b. Development and Fund Raising. Faculty and staff are expected to facilitate the work of the development office by keeping it informed of their activities and involvements.

Since fund raising is a function of the development office, members of the faculty who become aware of possible sources of money and other forms of gifts are expected to

report the same to the vice president for development and to the president prior to solicitation. No gifts may be solicited in behalf of the seminary from any source or for any purpose without prior administrative clearance.

1) Program Approval

- a) Special funding of academic projects under the sponsorship of the seminary must receive preliminary review and approval of the academic dean and/or the appropriate faculty committee.
- b) If a program is proposed that is not academic in nature, it is subject to review and approval by the president or a delegated representative.

2) Budget Approval. The budget for the proposed project must be cleared with the administration as correctly representing the financial requirements of the undertaking, including appropriate allocation of overhead costs.

3) Administrative Clearance. Subsequent to program and budget approval, the development office will conduct the funding source research and/or provide clearance for approach to identified sources.

c. Admissions and Recruitment. Faculty and staff are expected to assist the work of the recruitment and admissions offices as time and schedule permit by interacting with prospective students when they visit the seminary and by reaching out to prospective students when they are encountered away from the seminary.

C. PERSONNEL POLICIES, BENEFITS, PRIVILEGES

1. Fiscal-Year Contracts

- a. Notification of Compensation, Benefits, and Appointment Status. Not later than May 1, each full-time faculty member governed by this handbook with a continuing or renewed appointment, shall receive a letter from the president stating the following: (1) salary for the next fiscal year (July 1 through June 30); (2) fringe benefits; (3) any change in rank; (4) if not tenured, notification of status in relation to the term of appointment and/or acquisition of tenure.
- b. Base Salaries (Full-Time Faculty Appointments). Each year the administration will announce to the faculty the salary range for each rank, that is the minimum and maximum salary level available for each rank, not actual salaries. Such ranges will be based upon the current year's ranges and any alterations planned for the ensuing year. In some instances the salaries actually offered may vary slightly from the ranges because of individual faculty considerations.
- c. Parsonage Allowance. Out of the total compensation paid to ordained faculty, the

seminary regularly designates a parsonage allowance. A form is distributed to ordained faculty each November on which an estimate of expenses up to the fair rental value can be made, and an amount requested for designation as a parsonage allowance for the following tax year. These requests must then be approved by the Board of Trustees.

- d. Retirement Plan and Insurance. The details of the current retirement and insurance plans are outlined by the business office and will be made available to faculty in written form.
- e. Administrative Appointments. Persons whose basic relationship to the faculty is through an administrative appointment find their fringe benefits outlined in the *Administrative Handbook*.

2. Compensation for Additional Teaching Assignments or Services to the Seminary

- a. Summer School Teaching. Members of the faculty enlisted by the seminary to teach in summer school are offered a contract that provides for compensation in the form of honoraria and expenses, independent of regular salary and benefits. A faculty member may negotiate to have summer school teaching replace part of the regular course load.
- b. Continuing Education Events or Course of Study. Members of the faculty enlisted by the seminary to teach or provide leadership for continuing education events or Course of Study programs shall receive a contract and honorarium from the appropriate seminary office.
- c. Special Events. Members of the faculty providing leadership for seminary-sponsored special events ordinarily will do so as part of their regular faculty responsibility. Exceptions in which additional compensation may be appropriate are negotiated directly with the administration.

3. Professional Expenses. The administration sets aside each year a set amount of money that faculty members can use to attend professional meetings and to fulfill professional responsibilities.

4. Faculty Study Leave Policies

- a. Purpose of Faculty Study Leave. The primary purpose of the leave program is to equip faculty members for more effective service. Therefore, projects to be carried out on such a leave program may be: (1) scholarly research or (2) professional and institutional enrichment through study and travel.
- b. Faculty Study Leave
 - 1) Sabbatical Leave. Faculty are eligible to apply for sabbatical study leave after six semesters. At that time, the study leave would normally consist of a full semester and summer. Instead of applying for a sabbatical leave after six semesters, faculty members may save up sabbatical time to apply for a full year after six years.

- 2) Leave of Absence Without Salary. Leaves of absence may be granted without Garrett-Evangelical salary for periods not to exceed two consecutive academic years. Such leaves of absence do not count as teaching time toward leaves with salary.
- 3) Basis for Computing Compensation in Absences Without Salary. Faculty salaries are based on the expectation of two semesters and a January term per year in teaching and related duties, unless previously negotiated in a term faculty contract. One month per summer is understood as vacation, and the remainder of the summer recess and other recess periods is protected for use by the faculty for course preparation, research, and writing. The salary based on the academic year is paid once per month in installments of 1/12 the faculty member's annual salary. In instances in which faculty request leave without pay, therefore, payment for the year is prorated. Payments of the adjusted salary are still provided in monthly installments, unless otherwise arranged.

c. Terms of Faculty Study Leave

- 1) Years of full-time service shall be counted: (1) from the beginning of active service and (2) from the date of beginning active service following a leave.
- 2) A faculty member may delay a leave beyond the sixth semester or sixth year, but the years of teaching service beyond six shall not be regarded as cumulative for a longer leave period. However, this provision does not apply when, for administrative reasons, the faculty member has been asked to delay his/her leave.
- 3) Faculty members in accepting a leave agree to return to Garrett-Evangelical for a minimum of one full year of service.

d. Application for Study Leave

- 1) Application for all forms of leave is made in writing with duplicate copies sent to the president and to the academic dean.
- 2) Applications for all sabbatical leaves are due on September 15 for sabbaticals to be granted the following school year.
- 3) The application shall include the length of leave requested, the purpose of the leave, and a statement of plans for the project to be carried out, including the result of the study, the addition it makes to available knowledge, and the manner in which it may eventuate in publications, lectures, teaching, and specific programs of the seminary.
- 4) The president shall take action upon the application after consultation with the academic dean and the Committee on Faculty. To assure adequate coverage of

curricular requirements, the number of persons on leave each year shall normally not exceed 30% of the faculty (normally or no more than four being away any term). Action involving more than one term shall be taken by the president by December 15.

- 5) In the event of alteration of leave plans, the president must approve the proposed alteration after consultation with the academic dean and the Committee on Faculty.

e. Study Leave Reports

- 1) At the termination of the leave a written report shall be submitted to the president.
- 2) The academic dean, in consultation with the returned faculty member, shall work out plans for a report to the faculty, and consider the possibility of a public report.

f. Salary and Other Benefits

- 1) Salary raises and other benefits will be on the same basis as if the faculty member were present and teaching.
- 2) Payment for additional family protection insurance programs must be arranged with the business office.
- 3) There will be no reduction in leave salary because of special research grants by outside agencies.

5. Faculty Family and Medical Leave. Faculty members who have been employed for at least one year are eligible for family and medical leave for the following reasons: the birth or care of a newborn child; the placement with the faculty member of a son or daughter for adoption or foster care; the care for an immediate family member (spouse, child, or parent) with a serious health condition as defined in the Family and Medical Leave Act (FMLA); or caring for a serious health condition. This eligibility is in accord with federal regulations set forth in the FMLA. (See the U.S. Department of Labor Program Highlights of the FMLA, p. 50 ff.)

a. Leave Notice

- 1) A faculty member is expected to provide written notice to the academic dean of the need and reasons for such a leave as soon as s/he has reason to believe a leave may be necessary. A minimum of thirty days' advance written notice is requested unless it is not practicable to do so.
- 2) If the leave is for medical treatment, the faculty member is expected to consult with the academic dean prior to planning such a leave in order to avoid disrupting the seminary's academic programs.

b. Length of Leave

- 1) A family and medical leave may be a period up to twelve weeks in a twelve-month period.
- 2) When it is medically necessary, a faculty member may take leave on an intermittent basis or in the form of a reduced workload.
- 3) When extraordinary and extenuating circumstances are involved, additional time may be considered, particularly when there has been a substantial longevity of service.
- 4) When a faculty member and spouse both work for the seminary and are eligible for family and medical leave, the maximum combined leave for the birth of a child or for adoption or foster care placement is twelve weeks.
- 5) During the leave the faculty member may be required to provide periodic reports on his/her status and intent to return to work.

c. Return Rights

- 1) When the faculty member returns from family and medical leave that lasts twelve weeks or less in a twelve-month period, s/he returns to the same position, as if the leave had not been taken.
- 2) If the leave is for the faculty member's own illness, s/he is required to provide acceptable evidence of the ability to return to work.

d. Salary and Benefits during Leave

- 1) Personal Illness. A faculty member receives up to twelve weeks of paid leave.
- 2) Personal Maternity. A faculty member receives up to twelve weeks of paid leave.
- 3) Family Need. When a situation arises that requires a faculty member to provide personal care to a family member, efforts will be made to adjust the faculty member's schedule in such a way that s/he will be able to meet responsibilities to the seminary (teaching, advising, committee work, etc.). If the demands of the faculty member are so substantial as to prevent him/her from meeting such responsibilities, s/he may request up to twelve weeks of leave. Up to four weeks is paid sick leave, with the remaining unpaid personal leave. In the latter case, the faculty member will cooperate with the academic dean and other faculty members to assure the best possible coverage of responsibilities to the seminary.
- 4) A faculty member continues to receive fringe benefits during family/medical leave.

- e. Procedure for Requesting a Family and Medical Leave
 - 1) A faculty member submits a request in writing to the academic dean.
 - 2) The academic dean responds and seeks to work out the details of an agreement.
 - 3) If the proposed agreement is not acceptable to both the faculty member and the academic dean, they each submit their proposals to the president, who makes every attempt to work out a mutually acceptable agreement.
 - 4) A brief summary of the agreement or final resolution is shared with the Committee on Faculty and, in turn, with the faculty as a whole.
6. Other Faculty Privileges and Benefits [Note: Items a through e below may be revised by Board of Trustees action alone.]
 - a. Educational Allowance. Each dependent child of a faculty member enrolled in an accredited college or university, but for no more than eight semesters or twelve quarters, may receive such allowance. Eligibility for educational allowance is on the basis of the dependent child maintaining an average of C or above in her/his college or university.
 - b. Course Credit and Auditing Privileges Extended to Faculty Spouses and Children. Faculty spouses and children may audit or take master's courses at Garrett-Evangelical for academic credit without payment of tuition, but with obligations for taxes in accordance with Internal Revenue Service regulations.
 - c. Seminary Parking. At the request of a faculty member one reserved parking space shall be provided by the seminary without payment of fee.
 - d. Loans. Members of the faculty may borrow a negotiated sum of money at an interest rate two points below the current mortgage rate, but not less than 8%, to facilitate the purchase of a primary residence. Repayment is to be made according to a specified schedule as set forth by the Business Office and approved by the president.
 - e. Moving Expenses. For new appointees to the faculty from outside the city, the seminary will pay reasonable basic moving costs actually incurred in moving household goods, and reasonable travel expenses for the family, from the starting point to the seminary. In order to be eligible for this benefit, the faculty member must obtain an appraisal of the basic moving costs, and the president must approve this appraisal.
7. Policies Concerning Off-Campus Commitments and Outside Employment. Faculty members are encouraged to accept opportunities for service in society and church, but not to the extent that the discharge of their primary responsibility to the seminary as described above is

jeopardized. All outside employment during the academic year (beyond individual lectures) shall be reported to the president and the dean for approval.

8. Indemnification. Members of the faculty, individually and corporately, shall be included in the statement of indemnification adopted in the bylaws of the seminary (Article V).
9. Retirement and Resignation Policies of Faculty
 - a. As a part of the annual evaluation, the president and academic dean discuss with faculty plans for retirement.
 - b. At the request of the president, faculty who are retiring or retired may be invited to annual and renewable terms as senior scholars with selected teaching, advising, and/or research responsibilities as agreed upon by the faculty member and the president. Senior scholars will have voice without vote at faculty meetings they attend.
10. Faculty Grievance Procedures. A faculty member employed by the seminary may grieve (1) any interpretation, application, or claim of violation of any work-related policy or procedure set forth by the seminary which is perceived to directly or adversely affect the faculty member; (2) any perceived violation of professional boundaries, sexual harassment, sexual misconduct policies; (3) any issues of discrimination on the basis of race or gender; or (4) dismissal. Faculty grievances or grievances between faculty members are referred through this grievance process. A grievance is heard only through a single process. (Grievances accepted and heard in wider seminary institutional policies of sexual harassment or racism are not heard through this process.)

All reasonable attempts at reaching satisfactory resolution shall be made between the parties involved in the matter of grievance. The seminary considers the grievance timely when submitted according to the procedure below.

Step One

If the grievance involves another faculty member, administrator, or the president, the faculty member within 15 days consults with the academic dean to discuss the grievance. The dean may hold hearings and meet with both parties seeking a resolution of the grievance. Within 14 business days of the initial meeting, if the parties have not resolved the grievance, the academic dean is to render a decision and course of action. The decision is communicated in writing to the parties.

If the grievance involves the academic dean, the faculty member may contact another vice president or a faculty colleague who seeks to resolve the grievance with the academic dean. The person agreeing to seek resolution should formally agree to serve in this manner by writing the president. This person may hold hearings and meet with both parties seeking resolution. Within 14 business days of the initial meeting, if the parties have not resolved the grievance, the person is to render a decision and course of action. The decision is communicated in writing to the parties.

None of the parties who seek to arbitrate a grievance (academic dean or, in the case of a grievance against the academic dean, the other vice president or faculty colleague) shall be put in jeopardy because of serving as arbiter.

Step Two

If either party is not satisfied with the proposed resolution, either may take the grievance to the Grievance Committee of the faculty within no more than 14 business days with a written description of the situation, the basis for the grievance, how the matter directly or indirectly affects the faculty member, the relief sought, and the procedures followed to date.

Elected members of the Grievance Committee are expected to employ high standards of professional and ethical conduct. For example, members shall not discuss the grievance outside the committee, including with either party. If a member of the committee has a conflict of interest or is an advocate for either principal in the matter (or is an elected member of the board of trustees in a case involving the president), the member must recuse himself/herself from the committee. The committee will seek to preserve the rights and integrity of each party.

The committee may hold hearings as necessary and render a decision and course of action in writing to both parties. In developing the decision, the committee will in every case consult with the Parity Committee, requesting an advisory finding. Such hearings and decision shall normally be completed within 14 business days following receipt of the written description. While the content of the work of the committee is confidential, the committee, when necessary, may decide to make the report public.

Step Three

Again, still lacking a resolution, either party may seek to use an outside mediator, mutually agreed to by all parties and the president, who proposes a resolution to the parties. (For example, such a mediator might consist of an appropriate church official, denominational mediator, or member of a professional mediation agency.)

Step Four

Still lacking a resolution, the grievance, in a case not involving the president, may be appealed to the president. The party making the appeal has up to 14 business days to appeal the case in writing to the president. In all cases in which the president is not a party to the dispute, the president's decision is final.

Step Five

In a case involving the president, the appeal may be made to the Academic Affairs

Committee of the Board of Trustees. The appeal must be written and filed with the Academic Affairs committee within 14 business days of the ruling by the grievance committee. In these cases, the decision of the Academic Affairs Committee is final.

D. PROCEDURES FOR FACULTY APPOINTMENT: SEARCH, EVALUATION, PROMOTION, TENURE, AND TERMINATION

1. General Policies. The composition of the faculty is a matter of crucial importance for the integrity and continuing vitality of the seminary as it strives to fulfill the mission and purposes defined in its charter and bylaws. Accordingly, it must be the shared concern of the Board of Trustees, the president of the seminary, and the faculty to establish and implement standards which will secure a faculty of the highest possible quality, motivation, effectiveness, and dedication to the social, personal, and spiritual values and goals which the seminary espouses. Shared governance among these three parties necessitates ongoing consultation. These general considerations inform the procedures and guidelines outlined below, which are intended to facilitate responsible and compassionate attention to matters affecting faculty appointments.
 - a. Equal Opportunity and Affirmative Action Policies. Garrett-Evangelical is an equal opportunity employer. Vigorous and systematic efforts shall be made to locate and encourage the candidacy of women and ethnic minority persons when academic appointments are under consideration.
 - b. Criteria in Matters of Appointment, Advancement, and Tenure. Although faculty members may not satisfy all criteria equally, the seminary looks for strengths in all five areas as one is promoted and as one is considered for tenure, with the level of expectation increasing as one advances in the process.
 - 1) Professional Standards. Membership of the faculty must be intentionally constituted of persons with academic competence in fields of study appropriate to the seminary curricula, who also exhibit professional diligence and productivity, collegial courtesy and respect, commitment to the church, and ethical character. (These are expectations of all members of the faculty and are described in section **B** of this handbook.)
 - 2) Teaching Responsibilities.
 - a) Location in an academic field within the seminary's curriculum.
 - b) Evidence from peer and student evaluations of outstanding attainment as a classroom teacher with continuing efforts to improve as a teacher, such as openness to supervision of one's teaching, peer review, participation in teaching workshops, and other opportunities to improve teaching.
 - c) A successful record in guiding student inquiry and research, including

supervision of theses and dissertations.

- d) Fulfillment of responsibilities for advising, responsibly evaluating students and student work, and being available to students.

3) Scholarly Responsibilities.

- a) A consistent record of study, research, and publication in the field for which tenure or promotion is proposed, including other relevant cognate or interdisciplinary scholarship. Publication may include books, articles, electronic publications, projects that improve the practice of ministry, and creative contributions to theology and the arts (such as hymns and liturgical materials, etc.) where relevant to the field of tenure or promotion.

For the granting of tenure, the contribution of reviewed scholarship shall be no less than a published book or equivalent. (The equivalent is measured as six articles in scholarly journals or published books, or a combination of items including published dissertation counted as the equivalent of two articles, a co-written book counted as the equivalent of three articles, or an edited work with introduction counted as the equivalent of two articles. Reviewed electronic publications are counted the same as books and articles. Creative contributions are also included and evaluated in a similar manner.)

- b) A record of lectures and publications that demonstrate substantive scholarly ability, with recognition through published reviews, citations, and responses that reflect general recognition in the field.
- c) A record of participation and contribution to professional/learned organizations.
- d) Evidence from peers of collegial collaboration in scholarly endeavors.

4) Professional Responsibilities.

- a) A constructive contribution to the institutional and community life of the seminary: by participation in committees, convocations, and other regular functions; by support of the worship and other public activities of the seminary; and by responsiveness to occasions for informal association with students.
- b) Commitment to the mission of the seminary.

5) Church and Community Leadership. Contribution to congregational life and the wider ministry of the church.

- a) Significant contributions to the thought and work of the churches.

- b) Recognized service to university, community, and larger society.
2. Procedures for Initial Appointments to the Faculty. The faculty defines the fields of instruction necessary to implement the curriculum and determines and recommends to the president the number of faculty members required in these fields. The Committee on Faculty, in consultation with the president and academic dean, recommends priorities in the matter of new appointments to the faculty, changes in faculty status and the deployment of individual appointees to curricular areas, fields, and degree programs. The president, cognizant of budget and missional priorities, initiates specific appointment procedures. All appointments to the regular (tenure, tenure-track, term) faculty will be made with the assistance of a search committee or review process as outlined below.
- a. Initial Appointments to Professorial Ranks (Assistant Professor, Associate Professor, Professor) for Tenure, Tenure-track, and Term Appointments. When an appointment at professorial rank is to be made, the president, in consultation with the Committee on Faculty, defines the position and appoints a search committee.
 - 1) The Search Committee. Search committees for appointments to professorial ranks shall include the president and academic dean as *ex officio* members; at least four faculty members chosen by the president, of which at least one shall be a current member of the field in which the search is being made; students; and other non-faculty persons as the president deems appropriate. The total number of non-faculty persons shall not exceed the total number of faculty persons in full membership on each search committee.
 - 2) Position Description. The Committee on Faculty shall assist the president in formulating a written rationale for and description of the position to be filled. This statement shall be circulated to members of the faculty prior to the consideration of any candidates for the position.
 - a) The committee membership shall be constituted in such a way that recruitment of faculty will be done with the needs of the various degree programs and the pluralistic nature of the seminary.
 - b) Seabury-Western Theological Seminary may be invited to name a non-voting member to each search committee.
 - c) The search committee shall keep, in strict confidence, an accurate and thorough record of the process followed, data on applicants and candidates interviewed, and shall notify applicants when the position has been filled.
 - 3) Search Process for Professorial Ranks.
 - a) Announcement of the Position. The search committee shall publicize each

opening so as to attract a broad range of qualified applicants. If there is a timetable established for receiving and screening of applications and for filling the position, such shall be made clear in public notices. Methods for publicizing faculty openings may include, but are not limited to, the following: advertisements in the major professional journals and/or job registries of the discipline; direct letters to graduate departments; advertisements in appropriate publications primarily serving women and ethnic minorities.

- b) The Interview. The search committee shall consider all applications on the basis of credentials submitted by the applicant, reference checks by members of the committee, and visits to selected candidates by members of the committee when deemed appropriate. The committee may invite the candidate or candidates it considers to be best qualified for the position to the campus for an interview.
 - c) The Recommendation. The search committee, after soliciting responses to the candidate from faculty members, staff, and students, shall make a recommendation to the president. The president shall consult with the Committee on Faculty for their critical assessment. It is thereafter the responsibility of the president to approve or disapprove and to make the appropriate recommendation to the Board of Trustees regarding an appointment. If the first candidate recommended by the search committee is not approved by the president or the Board of Trustees, the search process is referred back to the search committee. It is assumed that the president and the search committee will be in contact as the search proceeds so that each party (the search committee and the president) is aware of the thinking of the other before a final recommendation is made.
- 4) Modified Process Under Unusual Circumstances. In extraordinary circumstances, a modified process for a search may be employed that includes (1) the naming of a committee by the president in consultation with the academic dean and the Committee on Faculty, and announcing of the position to the full faculty; (2) a review and evaluation of the person's qualifications for the faculty position, including consulting with present Garrett-Evangelical faculty and the field of anticipated appointment; (3) reporting of a recommendation for hiring to the president, who will confer with the Committee on Faculty. (In some unusual circumstances the review may need to be completed in an expedited fashion.)
- b. Qualifications and General Terms of Appointment to Professorial Ranks.
- 1) New Appointment of Assistant Professors. A person holding a PhD degree or its equivalent or with extraordinarily distinguished scholarly and/or professional achievements, and with or without teaching experience in higher education or with experience in work related directly to the field of specialization, shall normally be appointed assistant professor, for a period of two to five years. Any new tenure track appointee will be assigned a mentor from the faculty by the academic dean.

The mentor will meet with the appointee regularly to consult on the seminary culture and procedures and advise on career development in theological education. During this period, the appointee's performance shall be reviewed annually by the president and academic dean according to *Handbook* criteria in **D 1 c**. The academic dean will write a report that is shared with the faculty member, signed by all three persons, and kept in personnel file until tenure review is completed. In the case of reappointment as assistant professor, the matter of rank shall be reviewed every three years. If the appointee's services are to be discontinued (except "Dismissal for Cause," **D 8 d**), then s/he will receive salary and benefits for one academic year following the notification or until full-time employment is secured within that year.

- 2) New Appointment of Associate Professors. A person holding a PhD degree or its equivalent or with extraordinarily distinguished scholarly and/or professional experience in teaching or in work related directly to the field of specialization, may be appointed associate professor for a period of three to five years. In the case of reappointment as associate professor, the matter of rank shall be reviewed every three years. If the appointee's services are to be discontinued (except "Dismissal for Cause," **D 8 d**), then s/he will receive salary and benefits for one year following the notification or until full-time employment is secured within that year. At notification, the academic dean and president will define duties for that year.
 - 3) New Appointment of Professors. A person holding a PhD degree or its equivalent or with extraordinarily distinguished scholarly and/or professional achievements, and with seven or more years' experience in teaching or in work related directly to the field of specialization, may be appointed professor with tenure.
- c. Initial appointments of Instructors. When an appointment to the faculty at the rank of instructor is made, the president shall initiate the appointment process in accord with the following guidelines:
- 1) Qualifications and General Terms of Appointment for Instructors. A person with appropriate background and with or without teaching experience in higher education shall normally be appointed as an instructor. Appointments are made for terms of no more than three academic years and are renewable. At such time that the president establishes a search committee for an assistant, associate, or full professor in the appointee's field, s/he shall be eligible to make application. If the appointee's services are to be discontinued (except "Dismissal for Cause," **D 8 d**), then s/he will receive salary and benefits for one year following the notification or until full-time employment is secured within that year. At notification, the academic dean and president will define duties for that year.
 - 2) Search Procedure for Instructor. In certain instances it may be decided to seek an instructor through a search process less extensive than that normally used for other positions. Modifications of the normal process will be determined by the president after a formal recommendation by the Committee on Faculty.

3. Contract Renewals and Promotions

- a. Promotion: Assistant to Associate Professor. Assistant professors may be promoted to associate professor after three years of service as assistant professor. In the case of reappointment as assistant professor, the matter of rank shall be reviewed by the president and the academic dean every three years.
- b. Promotion: Associate to Professor. Associate professors may be promoted to professor after five years of service as associate professor. In the case of reappointment, the matter of rank shall be reviewed every three years. In order to be advanced to the rank of professor, a member of the faculty shall have fulfilled tenure requirements at a high level and be widely recognized for scholarly leadership in an academic/professional field.

Criteria for promotion to professor assume that the person has fulfilled the requirements for tenure in an exemplary fashion and that the following additional scholarly criteria have been met:

- A major scholarly publication, such as monograph with critical scholarly reviews, and articles published in scholarly journals that contribute to the field.
- Recognition in the field which may take the following forms: attendance and participation (in the form of papers read) at national professional meetings and/or membership on editorial committees or offices held in nationally recognized scholarly associations.

- c. Procedures for Faculty Promotions.

- 1) Criteria for ranks of instructor, assistant professor, associate professor, and professor are set forth in section **D 1 c** and **D 3 a** and **b** of the handbook.
- 2) When a faculty member is to be considered for promotion, a letter is sent to the president by the field or by the person being considered for promotion, with supporting data showing that the person may meet the criteria for consideration for promotion.
- 3) The academic dean, with the concurrence of the president and in consultation with the Committee on Faculty, shall appoint a representative committee of no fewer than three faculty to examine the case to be made for promotion. At least one member of the committee shall be a current member of the field and minimally, one half of the persons shall hold at least the rank to which the candidate has applied. If applying for tenure, the majority of members on the committee must hold tenure. In some cases the review for promotion may coincide with consideration for academic tenure. In that event, the academic dean shall, with concurrence of the president, name one committee to serve both as tenure review and as promotion committees. The academic dean shall provide the committee with administrative

support and procedural guidance, and will meet with the committee. Written reports from academic dean's evaluation will be made available to the review committee.

- 4) The committee considers the case on behalf of promotion, consulting as necessary with colleagues beyond the seminary. The committee is responsible for maintaining formal minutes of its work.
 - a) The committee gathers the following materials as a means for a review.
 1. Requested of the person being reviewed
 - a. Curriculum Vitae
 - b. Personal Statement – Brief (2-3 pages) self-evaluation and plan in which the faculty person reflects on one's teaching, scholarship, professional responsibilities, and church and community leadership.
 - c. List of 2-3 colleagues outside Garrett-Evangelical (not including one's doctoral adviser) who will review academic contributions
 - d. List of 2-3 colleagues outside Garrett-Evangelical who will review contributions to church and community
 - e. Garrett-Evangelical faculty who will review contributions to faculty and school.
 - f. 3-4 Garrett-Evangelical students to review teaching
 - g. Copies of publications
 2. A random sample of students the person has taught in the last five years are contacted asking for a letter of review. (Usually every fifth student from the list of classroom enrollments at Garrett-Evangelical is consulted in writing.)
 3. Invitation to all Garrett-Evangelical faculty to write letters of review to the committee.
 4. The committee may add to this list of reviewers.
 5. After examination of the list provided by the faculty member, the committee will invite some from the list and others of their choosing to serve as reviewers of academic work. The committee will send the faculty member's statement, vita, and representative publications to two additional outside scholars for review and assessment.
 - b) The committee shall meet with the candidate to discuss any issues of concern raised by the promotion review process and the candidate will have opportunity to respond. The material collected for the review and the sources are confidential.
- 5) On the basis of its examination, the promotion review committee makes a

recommendation to the Committee on Faculty and to the academic dean.

- a) The Committee on Faculty may either concur or not concur with the committee's recommendation, indicating its rationale in either instance.
 - b) The academic dean may either concur or not concur with the committee's recommendation, indicating her or his rationale in either instance.
- 6) The president receives the recommendation of the review committee and the reports of the Committee on Faculty and academic dean. The president consults with the COF. The president may not override a negative recommendation from the review committee. The president may concur or not concur with the committee's positive recommendation, indicating her or his rationale in either instance to the COF. If the president's response is affirmative, the president recommends to the Board of Trustees the promotion of the candidate.
- d. Status of Faculty before Tenure Decision. The status of a faculty member who has not yet come before a tenure committee shall be spelled out in the initial contract with the faculty member. Such a person may be secured on an annual contract. The faculty member may also be offered a contract of multiple years with provision for review and renewal of that term contract.

4. Academic Tenure and Review of Tenure-Track Faculty.

- a. The Meaning and Basis of Academic Tenure. Tenure is instituted for three reasons: (1) academic freedom; (2) an incentive to high quality persons in the academic market place to remain at the seminary; and (3) as a checkpoint and means of assessment. Tenure was instituted at Garrett Theological Seminary in the early 1950s and subsequently at Evangelical Theological Seminary.
 - 1) Academic Freedom. Tenure was instituted in academic institutions to protect the academic freedom of faculty (to protect against harassment and threat in attempts to silence faculty.) Academic freedom is protected by the Garrett-Evangelical *Faculty Handbook* and by standards of the Association of Theological Schools and the Association of United Methodist Theological Schools. Nevertheless, tenure is one way in which the institution safeguards faculty freedom to teach, to inquire, and to organize its academic program. It is not intended to confer personal privilege. It assures the faculty member that s/he will not be subject to dismissal for reasons other than the violation of basic obligations, which are properly laid upon all teachers, and that s/he may normally expect to pursue his/her teaching vocation where s/he is until a change is mutually agreed upon by him/her and the institution. This provision for indefinite tenure is an agreement which is justified by the above consideration and its fruits and practice. It is not an absolute guarantee either of freedom or of its right use. It can lead to difficulties when professors cling to positions which they are no longer fit to fulfill in an adequate way. (Adapted from *The Handbook, ATS Bulletin 30, 1972, pp. 3-6d.*)

- 2) Incentive. Tenure also provides an important inducement to both prospective high quality persons already established in the field of study, and current faculty persons with recognized skills and gifts in teaching and research. Without tenure, an institution is in some jeopardy of losing its best faculty and/or being unable to compete in the academic market place to secure the services of the most qualified persons. Therefore, it is seen as a means of job security and status.
- 3) Checkpoint. Tenure also serves the interest of the entire institution as a means of and a checkpoint for assessing the academic and personal qualities of prospective tenured faculty persons. Tenure is seen as a means of enhancing the “institutional citizenship” of a faculty member. It is to the interest of the faculty as a whole that procedures of appropriate rigor be maintained in the tenuring process.

Therefore, in a theological institution⁴, tenure should also be understood as a commitment that is made between a faculty member and the seminary in order to enhance their relationship (community of faith and scholarship) and to build up the body of Christ. Tenure is given only to persons who plan to continue in the employment of the seminary.

In the commitment of tenure, the institution is promising to nurture and support the academic life of theological education and to provide appropriate support and nurture for scholarship (through opportunities for research and professional meetings), for the personal and educational growth of the faculty member (through professional meetings and training in education), and for the faith life of the faculty member (through the total community of the seminary). On the other hand, tenure is a commitment of the faculty member to continue to enhance teaching and scholarship, to grow as a mentor for students and for their faith growth, and to participate faithfully and critically in the life of the school. Tenure nurtures a communal commitment to the vision and identity of an institution and its contribution to the building up of the community of faith and community of scholarship for the church.

Tenure is a continuing commitment of faculty members and the institution to enhance the contribution and growth of each other and to build the community of scholarship and learning and is therefore an option granted to active Garrett-Evangelical faculty members.

- b. Acquisition of Tenure. Only persons holding the rank of associate professor or professor and serving in tenure-track contracts are eligible for tenure. The total period of full-time service required for the acquisition of tenure shall not exceed eight years. This shall include all previous full-time service with the rank of assistant professor or higher, or equivalent levels of responsibility in other comparably recognized

⁴The purpose of theological education is to prepare persons to lead in congregational life and on behalf of the church in the world, and to teach in theological education and engage in scholarship for religious institutions and public life.

institutions. In the case of the appointment of a person with seven or more years of recognized teaching and/or equivalent experience, tenure may be granted at the time of appointment. However, if tenure is not granted at that time, the person shall be reconsidered for tenure and/or promotion at the end of the appointment period. The tenure committee must make a decision within two consecutive semesters in which the process is instituted and the decision is final. Once a process is initiated, the tenure review committee must make a yes or no decision.

c. Procedures for Academic Tenure.

- 1) As part of the annual evaluation, the president and academic dean consult with faculty members in tenure-track positions regarding their eligibility for tenure consideration.
- 2) Persons seeking to be considered for academic tenure write a letter of application to the president
- 3) The academic dean, with the concurrence of the president and in consultation with the Committee on Faculty, shall appoint a representative committee of not fewer than three tenured faculty to examine the case to be made for tenure. At least one member of the committee shall be a current member of the field. In some cases the review for promotion may coincide with consideration for academic tenure. In that event, the academic dean, with the concurrence of the president, shall name one committee to serve both as tenure review and as promotion committees. The academic dean shall provide the committee with administrative support and procedural guidance, and will meet with the committee. Written reports from the academic dean's evaluation will become part of the review committee's file.
- 4) The tenure review committee reviews publications of the candidate and any classroom materials the candidate chooses to make available to them. In addition, the committee consults with faculty colleagues and with colleagues beyond the seminary. The committee is responsible for keeping accurate records of the review.
 - a) The committee gathers the following materials as a means for a review.
 1. Requested of the person being reviewed
 - a.. Curriculum Vitae
 - b. Personal Statement – Brief (2-3 pages) self-evaluation and plan in which the faculty person reflects on one's teaching, scholarship, professional responsibilities, and church and community leadership.
 - c. List of 2-3 colleagues outside Garrett-Evangelical (not including one's doctoral adviser) who will review academic contributions
 - d. List of 2-3 colleagues outside Garrett-Evangelical who will review contributions to church and community
 - e. Garrett-Evangelical faculty who will review contributions to faculty

- and school
 - f. 3-4 Garrett-Evangelical students to review teaching
 - g. Copies of publications
2. A random sample of students the person has taught in the last five years are contacted asking for a letter of review. (Usually every fifth student from the list of classroom enrollments at Garrett-Evangelical is consulted in writing.)
 3. Invitation to all Garrett-Evangelical faculty to write letters of review to the committee.
 4. The committee may add to this list of reviewers.
 5. After examination of the list provided by the faculty member, the committee will invite some from the list and others of their choosing to serve as reviewers of academic work. The committee will send the faculty member's statement, vita, and representative publications to two additional outside scholars for review and assessment.
- b) The committee shall meet with the candidate to discuss issues of concern raised by the review process and the candidate will have opportunity to respond. The material collected for the review and their sources are confidential.
- 5) On the basis of its examination, the tenure committee makes a recommendation to the Committee on Faculty and to the academic dean.
 - a) The Committee on Faculty may either concur or not concur with the committee's recommendation, indicating its rationale in either instance.
 - b) The academic dean may either concur or not concur with the tenure committee's recommendation, indicating her or his rationale in either instance.
 - 6) The president receives the recommendation of the tenure committee and reports of the Committee on Faculty and academic dean. The president consults with the COF. The president may not override a negative recommendation from the tenure committee. The president may concur or not concur with the tenure committee's positive recommendation, indicating her or his rationale in either instance to the COF. If the president's response is affirmative, the president recommends the tenure of the candidate to the Board of Trustees .
- 7) In the event of a negative recommendation, the president and the academic dean may consult with the COF regarding the matter of whether another opportunity for tenure should be granted. This consultation must be preceded by a consultation of the president and academic dean with the tenure review committee. If there is agreement by president, academic dean, and COF that an opportunity for a second

tenure review would be potentially beneficial for the seminary, only one such opportunity may be given, and the time of that opportunity will be specified. Procedures for a tenure review shall be coordinated by the academic dean, would follow the steps outlined above, and would solicit new data as needed.

- 8) If tenure is denied by the Board of Trustees, the candidate shall be offered a one-year terminal contract for the following academic year.

5. Initiation and Termination of the Tenure Review Process

- a. The process of tenure review shall be deemed to have commenced with appointment of the tenure committee as specified above.
- b. Once a process of tenure review has been initiated it may not be suspended or terminated by the president, academic dean, or tenure committee unless the candidate has resigned the position or is unable to continue.

6. Review of Term Faculty. These persons are appointed to the regular faculty. Their positions will normally consist of a regular renewable faculty appointment including both teaching and academic administrative responsibility (for example, program director, field education, endowed program).

- a. A promotion review follows the same pattern of other faculty, taking into account any limitations discussed in the initial contract. The committee to conduct the review may include tenure-track and term faculty.
- b. Criteria to move a position from term to tenure-track appointment. In instances when it is desirable to move a person with a term contract to a tenure-track position, a need for the tenure-track position will be defined by the president in consultation with the academic dean and Committee on Faculty with field and area involvement and announced to the full faculty. The academic dean, with the concurrence of the president, will then name a review committee who will assess the qualifications of the person for the tenure-track position, including consultation with faculty, and will report to the president. The appointment will be announced in the full faculty.

7. Consultative Procedure for Other Faculty. The president, with the advice and recommendation of the pertinent field, makes appointments regarding other faculty, with appropriate designation (i.e., visiting, etc.) and rank.

8. Faculty Review and Evaluation. In order to provide for professional growth and effectiveness of the faculty, the following forms of evaluation take place.

a. Collegial Accountability

- 1) Fields, areas, and degree committees evaluate and approve course offerings.

- 2) Faculty members evaluate one another by way of presentations in faculty colloquia, in seminary community lectures, and/or at the annual faculty retreat.
- 3) Faculty members evaluate one another as they submit proposals for sabbatical projects, and by the required sabbatical report

b. Biennial Evaluation of Non-Tenure-Track and Tenured Faculty

- 1) The president and academic dean evaluate faculty members biennially as they review course evaluations and information provided for them by the professor, as they review the reports of the promotion and tenure committees, as they observe the faculty in action, and as they conduct formal evaluations with each faculty member biennially using all data available to them from the processes described below.
- 2) Faculty members may include responses to their publications and outside lectures as additional data for the biennial evaluation with the president and academic dean.
- 3) Students evaluate faculty members through course evaluation opportunities provided in the use of standardized forms or through another form devised by individual faculty or students and approved by the field.
- 4) All faculty shall place course syllabi on file, where they are available for review by other faculty, present and prospective students, administrators, and trustees.
- 5) The president and academic dean will write a summary of the review, sharing it with the faculty member and keeping a copy in the faculty member's file. The faculty member may write a response if she or he desires.

c. Periodic Evaluation of the Faculty

- 1) Faculty members are evaluated by one another through the reappointment, promotion, and tenure processes.
- 2) Not less than every six years, the work of each tenured faculty member and the president are reviewed and the results of the review are shared with the person under review. The Committee on Faculty shall develop appropriate procedures for the review of faculty in consultation with the president.
 - a) Data assembled for review shall be: student evaluations of teaching, based on the stated goals and objectives for the courses; peer reviews of publications and other evidences of performance.
 - b) Written evaluations by colleagues and by others which qualify to evaluate professional and academic performance.

- c) The faculty member makes available copies of publications and other appropriate data that assist in the review.

8. Termination of Appointment by the Seminary. Only five circumstances justify the termination of a faculty appointment with continuous tenure or before the end of a specified term: financial exigency; discontinuance of an academic program or department not mandated by financial exigency; inability to perform job responsibilities; cause; and/or breach of contract.

- a. Financial Exigency. If, in the judgment of the Board of Trustees, the continued life of the seminary is in jeopardy because of financial reasons, the Board may declare a “financial exigency.” No financial status can be declared without prior consultation and exploration of alternatives with the faculty or the Committee on Faculty.

When such a state is declared, termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may occur.

All relevant information concerning the financial state of the seminary shall be made available to the Committee on Faculty. The president in consultation with the faculty or the Committee on Faculty will develop a plan for meeting the financial exigency in and will forward it to the Board of Trustees.

The Board of Trustees shall make the final decision on the plan to be implemented.

- b. Discontinuance of an Academic Program or Field Not Mandated by Financial Exigency. Termination of an appointment or of a faculty member before the end of the appointment period may occur as a result of bona fide formal discontinuance of a program or field in instruction. In the case of termination resulting from the discontinuance of a program or field, the following standards and procedures will apply.

- 1) The decision to recommend formally to discontinue a program or field of instruction will be based upon educational considerations as determined by the faculty after recommendation by the Committee on Faculty. If, through the processes of review and final decision, the administration and Board of Trustees differ with the faculty judgment, the reasons for the disagreement shall be stated and the faculty shall have an opportunity for further consideration and further communication of its view through the COF.
- 2) Before the president issues notice to a faculty member of the intention to terminate an appointment because of formal discontinuance of a program, department, or field of instruction, the president will make every effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a period of training generally in keeping with the faculty leave policy, then such a purpose will be considered in granting a leave with salary

for further study. If no such position is available, the faculty member's appointment then may be terminated.

- 3) A faculty member may appeal a proposed relocation or termination resulting from discontinuance and has a right to a full hearing before the Grievance Committee. The hearing need not conform in all respects with a termination for cause proceeding (see below), but the essentials of an on-the-record adjudicative hearing will be observed. The issues in such a hearing may include the seminary's failure to satisfy any of the conditions specified in this section. In such a hearing a faculty determination that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on other issues will rest on the administration.
- c. Inability to perform job responsibilities. Termination of a faculty member before the end of the period of appointment may occur because of the inability of the faculty member to perform essential job responsibilities. The grounds for this are based upon evidence which in the opinion of a reasonable person would indicate that the faculty member cannot continue to fulfill the terms and conditions of the appointment. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member so requests, the Grievance Committee will review the evidence before the seminary makes a final decision. The seminary provides disability insurance to assist employees in the condition of medical disability.
- d. Dismissal for Cause
- 1) The cases that may arise under termination for cause can be classified in two categories: first, termination before expiration of a term of appointment; second, termination of an appointment on tenure. The procedure to be followed in either case is given below.
 - 2) The definition of adequate cause for dismissal cannot be made precise. The general areas of concern that obviously may generate charges of misconduct sufficient for dismissal -- or other forms of action, such as reprimand or suspension -- are professional incompetence, unprofessional actions, and unethical or immoral conduct. These are all sufficiently general designations so as to make absolutely essential the setting forth of procedures to be followed in the event of termination by Garrett-Evangelical of an appointment falling into the two aforementioned categories.
 - 3) In all such instances, it is in the best interest of the individual, the faculty, and the seminary to arrive at any equitable resolution that is fair to all concerned in an informal, private manner, with particular sensitivity to the reputation of the individual and the seminary. Formal procedures should be resorted to only when

all possible informal efforts have failed to conclude in a mutually acceptable determination.

- 4) The formal procedures are found in the faculty grievance procedure.

e. Breach of Agreement/Understanding.

- 1) Whenever a faculty member engages in conduct which constitutes a substantial breach of an agreement or understanding with the seminary, the faculty member's appointment may be terminated.
- 2) In all such instances, it is in the best interest of the individual, the faculty, and the seminary to arrive at an equitable resolution that is fair to all concerned in an informal, private manner, with particular sensitivity to the reputation of the individual and the seminary. Formal procedures should be resorted to only when all possible informal efforts have failed to conclude in a mutually acceptable determination.
- 3) The formal procedures are found in the faculty grievance procedure.

E. INSTITUTIONAL POLICIES (The following policies are institution-wide and included in staff, administrative, and faculty handbooks.)

1. Dealing with Allegations of Racism - Policies and Procedures

Affirmative Action Committee

An Affirmative Action Committee shall be appointed by the president at the beginning of each academic year. It shall be comprised of the following:

- one faculty representative and alternate;
- one staff representative and alternate;
- one administrator and alternate;
- one student and alternate; and
- the affirmative action officer.

Among these appointees shall be at least one African American, one Asian or Asian-American, one Hispanic, one Anglo, one man, and one woman. At the beginning of each academic year, the president shall distribute a list of the members of the committee to the students, staff, faculty, and administrators.

Definitions

Racism in this document includes: 1) innuendoes and derogatory remarks, and actions and/or statements the intent or reasonable foreseeable effect of which is to defame, ridicule, intimidate, or embarrass persons or groups in the community predicated on their race; 2) uses and abuses of power which intimidate, coerce, or otherwise impede a person or group from full participation in the community predicated on their race; 3) words or actions the intent of which is to impair or diminish another's academic or employment performance or record, or

cause one to seek alternative employment or educational opportunities predicated on their race; 4) words or actions the intent or result of which is to affect adversely another's housing choice, living conditions, or safety/security in seminary housing accommodations predicated on their race.

Frivolous or False Charges

The policy shall not be used to bring frivolous or malicious charges against students, faculty, administrators, or staff members. Disciplinary action under the appropriate seminary handbook shall be taken against any person bringing a charge of racism in bad faith.

Procedures

This procedure is designed so that complainants and persons charged alike will receive a prompt, impartial, and confidential hearing with fair results. The process has an informal phase and a formal/appeal phase.

Informal Phase

Every effort shall be made to reach a satisfactory resolution in the informal phase, with the hope that this phase will have a reconciliatory effect. The design of the informal phase is intended to provide some anonymity in the process, and shall be carried out with the greatest measure of confidentiality.

- a. The complainant contacts a member of the Affirmative Action Committee or a trusted colleague and explains the nature of the problem. This process is to be initiated within ten (10) working days of the precipitating cause.

All of the parties involved at this stage should be cautioned not to publicize or divulge either the nature of the proceedings or the identity of the people involved. They should also be cautioned about any behavior which could be experienced as racism as described in the first paragraph of the policy (above).

- b. Within ten (10) working days of being contacted by the complainant, the contact person along with the complainant will talk with the person charged with racism directly or take the concern to a member of the Affirmative Action Committee who represents the constituency to which the person charged belongs.

This latter Affirmative Action Committee member, after consultation with the complainant (if the complainant is amenable), may choose to approach the person charged to share the concern and hear the response, or s/he may work with the first contact person on some possible approach. At this point there are a variety of considerations and ways to proceed, such as informal discussion between the complainant and the charged (with or without one or both of the contact persons) or a letter from the complainant to the charged.

- c. Whatever procedures are chosen, the original contact person has the responsibility to report the resolution of the process to the complainant within twenty-five (25) working days of the original complaint.

- d. In the event that the informal phase is not brought to a mutually satisfactory resolution, the complainant may appeal through the formal procedure.

Formal Phase

This phase is also to be carried out with the greatest measure of confidentiality.

- a. To initiate the formal hearing process the complainant shall put the complaint in writing, stating the specifics (who, when, where, what) of the incident, within ten (10) working days of either the precipitating cause or the end of the informal phase and deliver or mail the written complaint to the chairperson of the Affirmative Action Committee. All the parties involved at this stage should be cautioned not to publicize or divulge either the nature of the proceedings or the identity of the people involved.
- b. The chairperson of the Affirmative Action Committee shall call the committee into session. The investigative hearing and decision-making phases of the process begin promptly after the signed complaint is given to the Affirmative Action Committee chairperson, a copy of the complaint being retained by the complainant.
- c. The complainant and the person charged with racism are both to have an opportunity to present whatever evidence they deem relevant to the charge and to respond to evidence presented by the other party. The Affirmative Action Committee shall have the responsibility to determine what is relevant in each situation.
- d. A formal record of the evidence presented and considered by the Affirmative Action Committee is to be kept by the affirmative action officer.
- e. The decision of the Affirmative Action Committee is based only on evidence in the record.
- f. The Affirmative Action Committee has a variety of options available to it following its decision as to the merits of the complaint, such as the following:
 - 1) It may uphold the complaint, and
 - a) It may issue a reprimand to the one charged.
 - b) It may include recommendations or requirements for the person charged.
 - c) It may recommend to the appropriate body/individual to include a) or b) in the record of the one charged.
 - d) It may recommend that disciplinary action be initiated in accordance with the applicable handbook.

In a) through d), the report, recommendations, and/or requirements will be forwarded to the president and to the individual to whom the one charged is accountable (for students and faculty, the dean of students or academic dean; for staff and administrators, the supervisor or vice-president) for implementation and monitoring.

- 2) It may dismiss the complaint, and
 - a) It may, upon request of the one charged, include that dismissal in the record of the one charged.
 - b) It may decide to destroy the record.
 - c) It may admonish the complainant.
 - d) In extreme cases it may recommend disciplinary action against the complainant as in 1) d) above.
- g. Within no more than thirty (30) working days of the receipt of the formal written complaint, the Affirmative Action Committee shall complete their phase of the process and shall send a written response to the complainant, outlining the process followed and the decision(s) made.

Appeal Process

If either the complainant or the person charged is not satisfied with the decision made or action taken, s/he may appeal the decision, in writing, to the president of the seminary within ten (10) working days after receiving notification of the decision or action. The decision of the president shall be final.

2. Sexual Harassment (Approved by Board of Trustees, June 7, 1996)

Garrett-Evangelical Theological Seminary is committed by Christian faith to justice for all persons and does not tolerate any behavior, verbal or physical, by any person associated with the seminary, which constitutes sexual harassment against any other person associated with the seminary.

Any person of the seminary community who believes that he or she has been subjected to sexual harassment should immediately report the situation to the designated administrator. When reporting a complaint, the individual should be prepared to furnish accurate date, name, and facts. All such complaints will be treated in a confidential manner to the extent feasible, while permitting the seminary to investigate the complaint thoroughly and to take appropriate action.

The seminary expects the cooperation of all members of the seminary community with respect to avoiding such harassment.

The seminary will investigate all complaints. If it is determined, after investigation, that a member of the seminary community has violated this policy, s/he will be subject to appropriate disciplinary action up to and including suspension or termination from the seminary.

Definition of Sexual Harassment

Equal Employment Opportunity Commission section 703 of Title VII. Italicized words are added for the academic environment at Garrett-Evangelical Theological Seminary.

"Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment *or academic standing*; or
2. submission to or rejection of such conduct by an individual is used as the basis for employment *or academic standing* decisions affecting such an individual; or
3. such conduct has the purpose or effect of substantially interfering with an individual's work *or study* performance or creating an intimidating, hostile, or offensive working *or studying* environment."

Procedures

Garrett-Evangelical Theological Seminary is committed to using the process outlined below to deal with allegations of sexual harassment within the seminary community. Every attempt is made to function within the structures of the institution and the guidelines of this document.

A sexual harassment allegation may be resolved on an informal basis.

Any member of the seminary community who wishes to make a formal complaint must submit a written description of the incident to the designated administrator (academic dean for faculty, vice president for administrators, staff person responsible for human resources functions for staff, dean of students for students, or the director of field education for students in a field education setting). That administrator contacts the designated administrator for the accused and coordinates with him/her the relevant procedures of the respective handbooks. If the accused and the complainant have the same person as the designated administrator, then the affirmative action officer will be the second administrator; and for staff/staff concerns, one of the co-chairpersons of the sexual harassment advisory panel is the second administrator.

1. Allegations are thoroughly investigated by the designated administrator(s), including a meeting with the person alleged to have engaged in harassment. The accused and/or the complainant may bring a trusted colleague (other than an attorney), committed to maintaining confidentiality, with him/her to such a meeting.
2. If the administrators decide inappropriate behavior has occurred after completing the investigation, the designated administrator(s) take(s) appropriate disciplinary and/or other action by using guidelines of respective handbooks: *Staff Handbook, Administrative Handbook, Faculty Handbook, Student Handbook, Academic Handbook*, and special needs process. The procedures of different handbooks are coordinated by the designated administrator(s).
3. Those called to investigate the allegations take appropriate steps to ensure that a person

who in good faith brings forth a complaint of sexual harassment will not be subjected to retaliation. The seminary also takes steps to ensure that a person against whom such a complaint is brought is treated fairly and has adequate opportunity to respond to such accusations.

4. The complainant and the person complained against are notified within 10 working days of the disposition of the complaint. If the disposition involves any ongoing process, the designated administrator keeps the complainant informed until the process is completed.

Appeal Process

If the accuser or the accused is not satisfied with the action taken, s/he may express such dissatisfaction, in writing, to the president of the seminary within 10 working days after receiving notification of the action taken. After reviewing all pertinent materials, and after consulting with an advisory committee (identified below), the president determines within 20 working days after the receipt of the written request whether the action taken is appropriate. The decision of the president is final and binding.

1. The advisory committee is drawn from the sexual harassment advisory panel, which consists of the following: staff person responsible for human resources functions, two staff members nominated by the Employee Relations Advisory Committee (ERAC), academic dean, two faculty members nominated by the Grievance Committee, two administrative staff members nominated by the Administrative Council, dean of students, and three students nominated by the Student Council. The president annually names two persons, male and female, from the panel to serve as co-chairpersons. The purpose of the sexual harassment advisory panel is to plan periodic educational events for the community, to regularly review this document, and to serve as a panel of advisers to the president.
2. When an individual case is reviewed, the president shall appoint an advisory committee of three to six persons drawn from the sexual harassment advisory panel. Every attempt is made to balance the committee between men and women and to include persons who by background and experience are most qualified.
3. The president schedules the meeting(s) of the advisory committee.
4. In the interest of protecting both the complainant and the person complained against, members of this committee must recognize and accept their obligation to maintain confidentiality regarding all matters with which they become familiar in the process.

Confidentiality

Every effort will be made to ensure confidentiality to the extent feasible, while permitting the seminary to investigate the complaint thoroughly to take appropriate action. The seminary will not tolerate retaliation against any member of the seminary community who complains of sexual harassment.

Explanatory Notes

In the event that a person designated in this document cannot be reached in a reasonable manner and period of time, the president or president designate determines who will be the replacement.

Since titles change over the course of the years, the positions named in this document shall be clarified by the president at the time s/he appoints the advisory panel.

If the person alleged to have engaged in sexual harassment is a vice president, the president is consulted.

If the person alleged to have engaged in sexual harassment is the president, the chairperson of the Board of Trustees is consulted.

3. Drug-Free Workplace

In order to demonstrate compliance with regulations required by the federal government concerning a drug-free workplace, the seminary has certified to the government and hereby notifies all employees of the following:

- a. That the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the seminary workplace.
- b. That, as a condition of employment, all employees agree to abide by the terms of this statement (item a), and agree to notify the seminary of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- c. That the following actions will be taken within 30 days for violation of this prohibition:
 - 1) Appropriate personnel action, up to and including termination of employment and/or
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- d. That information concerning a drug-free workplace will be shared with employees at least one time during each fiscal year and will include:
 - 1) The seminary policy of maintaining a drug-free workplace.
 - 2) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace.

- 3) Other matters, as deemed necessary in a given year, concerning the dangers of drug abuse in the workplace, and/or available drug counseling, rehabilitation, and employee assistance programs.

4. Weapons Free Seminary

For the personal security and well-being of all faculty, staff, students, and visitors, and in compliance with Evanston City Code #9-8-2, possession of any weapon(s) on the premises or in one's vehicle parked on campus is strictly prohibited. Any violation of this provision will be addressed through disciplinary action, including the possibility of student dismissal or employee termination.

For purposes of interpretation regarding this policy, the seminary shall consider as authoritative the definition of "weapon" contained in Evanston City Code #9-8-1 (particularly the sections on dangerous weapons, firearms, and handguns).

5. Smoking Policy

Smoking is prohibited in any enclosed seminary facility (including but not limited to common work areas, dormitory rooms, chapels, libraries, classrooms, conference rooms, private offices, hallways, cafeterias, lounges, stairways, and restrooms) and in any designated outdoor area.

In addition, in order to prevent the passage of tobacco smoke from outdoors into an enclosed facility, smoking is prohibited within 25 feet of an entrance, open window, ventilation intake, or similar feature of any enclosed seminary facility. This means that the only approved smoking location is more than 25 feet west of the west exterior of Main Building or Shaffer Hall, more than 25 feet north of Shaffer Hall or either Pfeiffer building, 25 feet east of Northwestern's Annenberg Building, or 25 feet south of the exterior of Loder, Lesemann, or the Main Building. It is expected that smokers gathered in any group of two or more will be conscious of and sensitive to non-smokers passing by on a sidewalk or through a parking lot so they will not be unduly subjected to unwanted smoke.

Any individual who believes the policy is being, or has been, violated should politely discuss this issue with the alleged violator and then, if necessary, with a seminary official.

U.S. Department of Labor Program Highlights



Fact Sheet No. ESA 93-24

THE FAMILY AND MEDICAL LEAVE ACT OF 1993

The U.S. Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces the Family and Medical Leave Act (FMLA) for all private, state and local government employees, and some federal employees. Most Federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the U.S. Office of Personnel Management or the Congress.

FMLA became effective on August 5, 1993, for most employers. If a collective bargaining agreement (CBA) was in effect on that date, FMLA became effective on the expiration date of the CBA or February 5, 1994, whichever was earlier.

FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. The employer may elect to use the calendar year, a fixed 12-month leave or fiscal year, or a 12-month period prior to or after the commencement of leave as the 12-month period.

The law contains provisions on employer coverage; employee eligibility for the law's benefits; entitlement to leave, maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and, protection for employees who request or take FMLA leave. The law also requires employers to keep certain records.

EMPLOYER COVERAGE

FMLA applies to all:

- public agencies, including state, local and federal employers, local education agencies (schools), and
- private-sector employers who employed 50 or more employees in 20 or more workweeks in the

current or preceding calendar year and who are engaged in commerce or in any industry or activity affecting commerce — including joint employers and successors of covered employers.

EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee must:

- (1) work for a covered employer;
- (2) have worked for the employer for a total of 12 months;
- (3) have worked at least 1,250 hours over the previous 12 months; and
- (4) work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

LEAVE ENTITLEMENT

A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- for the birth and care of the newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent) with a serious health condition; or

– to take medical leave when the employee is unable to work because of a serious health condition.

Spouses employed by the same employer are jointly entitled to a combined total of 12 work-weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently — which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

– If FMLA leave is for birth and care or placement for adoption or foster care, use of intermittent leave is subject to the employer’s approval.

– FMLA leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

Also, subject to certain conditions, employees or employers may choose to use accrued paid leave (such as sick or vacation leave) to cover some or all of the FMLA leave.

The employer is responsible for designating if an employee’s use of paid leave counts as FMLA leave, based on information from the employee.

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either:

– any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or

– Continuing treatment by a health care provider which includes any period of incapacity (e.g., inability to work, attend school or perform other regular daily activities) due to:

- (1) A health condition (including treatment therefor, or recovery therefrom) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - treatment two or more times by or under the supervision of a health care provider; or
 - one treatment by a health care provider with a continuing regimen of treatment; or
- (2) Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or
- (3) A chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; or
- (4) A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer’s, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
- (5) Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer).

(continued on next page)

Employers may also require employees to provide:

- medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- second or third medical opinions (at the employer's expense) and periodic recertification; and
- periodic reports during FMLA leave regarding the employee's status and intent to return to work.

When intermittent leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer's operation.

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. An employer that willfully violates this posting requirement may be subject to a fine of up to \$100 for each separate offense.

Also, covered employers must inform employees of their rights and responsibilities under FMLA, including giving specific written information on what is required of the employee and what might happen in certain circumstances, such as if the employee fails to return to work after FMLA leave.

UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA.

ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily

resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individual may also bring a private civil action against an employer for violations.

OTHER PROVISIONS

Special rules apply to employees of local educational agencies. Generally, these rules provide for FMLA leave to be taken in blocks of time when intermittent leave is needed or the leave is required near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salar basis" requirements for FLSA's exemption extend only to "eligible" employees' use of leave required by FMLA.

The FMLA does not affect any other federal or state law which prohibits discrimination, nor supersedes any state or local law which provides greater family or medical leave protection. Nor does it affect an employer's obligation to provide greater leave rights under a collective bargaining agreement or employment benefit plan. The FMLA also encourages employers to provide more generous leave rights.

FURTHER INFORMATION

The final rule implementing FMLA is contained in the January 6, 1995, Federal Register. (An interim final rule was published in the Federal Register on June 4, 1993.) For more information, please contact the nearest office of the **Wage and Hour Division**, listed in most telephone directories under U.S. Government, Department of Labor, Employment Standards Administration.

Statement of Understanding of the Family Educational Rights & Privacy Act

Garrett-Evangelical complies with the Family Educational Rights and Privacy Act of 1974. The expectation is that information about students is protected and released only if classified as directory information.

Items classified as public information:

1. Name of student
2. Name of student spouse
3. Photograph of student
4. Local address
5. Local telephone number
6. Annual Conference or religious affiliation – *only with a waiver from the student*
7. Degree for which registered
8. Confirmation of student current status
9. Place of birth
10. Dates of attendance
11. Degrees and academic awards received
12. Most recent college attended, and degrees awarded
13. E-mail address and net ID

I understand that by the virtue of my employment with Garrett-Evangelical Theological Seminary, I may have access to records which contain individually identifiable information, the disclosure of which is prohibited by the Family Educational Rights an Privacy Act of 1974. I acknowledge that I fully understand that the intentional disclosure by me of this information to any unauthorized person is not permitted and also violates Garrett-Evangelical's policy and could constitute just cause for termination of my employment.

Initial

**Statement of Understanding regarding the
Financial Services Modernization Act of 1999**

Garrett-Evangelical complies with the Financial Services Modernization Act of 1999, also known as the Gramm-Leach-Bliley Act (GLB). The GLB regulates the disclosure of non-public personal information by financial institutions, a category which regulators have made applicable to higher education institutions, since they participate in financial activities, such as Perkins Loans. Specifically, the law protects consumers or customers who are "individuals obtaining financial products or services to be used primarily for personal purposes."

The expectation is that confidential financial and personal information about students and/or their family members (parents, spouses, etc.) is personally and systemically protected.

The type of personal financially-related information typically considered to fall within the bounds of this regulation includes:

1. Bank and credit card account numbers
2. Income and credit histories
3. Social Security number
4. Status of personal account(s) (e.g., paid or overdue)
5. Tax return data
6. Any other data of a financially sensitive nature

I understand that by the virtue of my employment by Garrett-Evangelical Theological Seminary, I may have access to records which contain individually identifiable financial information such as the above, the disclosure of which is prohibited by the Financial Services Modernization Act of 1999 (GLB). I acknowledge that I fully understand that the intentional disclosure by me of such information to any unauthorized person is not permitted and also violates Garrett-Evangelical's policy and could constitute just cause for termination of my employment.

Initial

Statement of Understanding regarding the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Although Garrett-Evangelical personnel have very limited access to health-related information regarding students, staff, or faculty, the seminary does comply with HIPAA, which regulates disclosure of non-public, health-related information.

The expectation is that confidential health-related information about students, staff, or faculty persons will be personally and systemically protected.

The only circumstances under which health-related information about any person can be shared without the written approval of that individual include:

- 1) When required to by legal authority or statute – including a court order or subpoena (but only after we have been assured that efforts have been made to notify the individual of the request);
- 2) When it is reasonably believed that an individual has been the victim of adult abuse or domestic violence;
- 3) As authorized by laws relating to workers compensation or similar programs established by law that provide benefits for work-related injury or illness without regard to fault;
- 4) Disclosure to the public health department when required by law for the reporting or tracking of illness, injury, or dangerous products

I understand that by the virtue of my employment by Garrett-Evangelical Theological Seminary, I may have access to records which contain individually identifiable health-related information, the disclosure of which is prohibited by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). I acknowledge that I fully understand that the intentional disclosure by me of such information to any unauthorized person is not permitted and also violates Garrett-Evangelical's policy and could constitute just cause for termination of my employment.

Date

Employee's Signature