

# **CORE DOCTORAL FACULTY HANDBOOK**

**Published by the GTU Dean's Office**

**August 2015**

# TABLE OF CONTENTS

<b>I. Communications</b> .....	<b>1</b>
<b>II. Core Doctoral Faculty (CDF)</b> .....	<b>1</b>
A. Agreement and Definition .....	1
B. Mission of the Doctoral Program.....	2
C. Participation in the Core Doctoral Faculty .....	3
1. Application to the Core Doctoral Faculty .....	3
2. Qualifications for Admission to the Core Doctoral Faculty .....	3
3. Expectations and Responsibilities of Core Doctoral Faculty .....	4
4. Credit for Service on the Core Doctoral Faculty .....	5
5. Prerequisites and Prerogatives of the Core Doctoral Faculty .....	5
6. Appointment of Core Doctoral Faculty .....	5
7. Review of Core Doctoral Faculty .....	5
D. Core Doctoral Faculty Structures .....	7
1. Core Doctoral Faculty Meetings .....	7
2. Governance Procedures: Maintenance of Doctoral Standards .....	7
3. Governance Structure.....	8
4. Faculty Committee Structures and Representation .....	8
a. Standing Committees of the Core Doctoral Faculty .....	10
b. Consortial Committee: Library Committee.....	11
5. Appointment Procedures for Standing Committees of CDF .....	11
E. The Areas .....	12
1. Area Meetings .....	12
2. Consortial Faculty Hiring and Development Agreement .....	12
F. Resources for Core Doctoral Faculty .....	13
1. Dean’s Faculty Research Fund.....	13
a. Requesting an Research Assistant or Teaching Assistant (outside of Newhalls).....	13
b. Purchasing computers or equipment .....	13
c. Costs for travel, books, etc.....	14
2. Newhall Awards.....	14
<b>III. Governance of Academic Programs</b> .....	<b>14</b>
A. Policy Statement on Use of Copyright Materials .....	14
1. Copyright Guidelines .....	14
2. Compliance .....	15
B. GTU Statement on Academic Freedom.....	16
C. Guide for Assignment of Course Levels .....	17
<b>IV. Student Issues</b> .....	<b>17</b>
A. Guidelines for Advising Prospective Applicants.....	17

1.	Degree Requirements .....	17
2.	Application Deadline .....	18
3.	GRE/TOEFL .....	18
4.	International Students.....	18
B.	Assignment of Advisees.....	18
C.	Catalog, Handbook, and Dated Policies and Procedures.....	18
D.	Advising Weak Students .....	19
E.	Annual Student Review of Satisfactory Academic Progress.....	19
1.	Rationale .....	19
2.	Procedures.....	19
F.	Doctoral Student Review for Research Readiness .....	20
G.	Student Committee Structure Regulations .....	20
1.	Committee Chairs.....	20
2.	Faculty from Second GTU Member School (or GTU roster).....	20
3.	“Outside” Third Members.....	21
H.	GTU Financial Aid Policies .....	21
<b>V.</b>	<b>Policies on Faculty Status .....</b>	<b>22</b>
A.	In-Residence Faculty Policy.....	22
1.	Standard Academic Ranks .....	22
a.	Regular or Tenure Track Ranks (Assistant, Associate, and Full) .....	22
b.	Visiting Professorships (All Ranks).....	22
c.	Adjunct Professorships (All Ranks).....	22
d.	Emeritus Professorships .....	23
2.	GTU Policy .....	23
B.	Academic Policy for Endowed Chairs in the GTU .....	24
1.	Permanent Professorships .....	24
2.	Distinguished Professorships .....	24
C.	Visiting Scholars .....	25
D.	Adjunct Faculty .....	25
<b>VI.</b>	<b>Responsibilities of Conveners.....</b>	<b>25</b>
A.	Chair Area Meetings .....	25
B.	Research Readiness Review .....	26
C.	Review of Courses to be offered by the Area.....	27
D.	Procedures for General Comprehensive Examinations .....	27
1.	Area Convener’s Responsibility.....	27
2.	Dean of Students’ Office Responsibility.....	27
E.	Special Comprehensives Proposals.....	27
F.	Dissertation Proposals .....	28

G. Area Administration .....	28
H. Admissions, Recruitment, Follow-up .....	29
1. Convener’s Duties .....	29
2. Notes on Admission .....	29
I. Professional Development of Students/Placement .....	29
J. Satisfactory Progress/Annual Student Review .....	30
K. Problem Areas .....	31
1. Student Problems .....	31
2. Grievance Procedures.....	31
3. Area Problems .....	31
4. Multiple Protocols and Catalogs .....	31
L. Archiving Area Material .....	32
M. Transition to Next Area Convener .....	32
N. Area Assistants .....	32
<b>Appendix 1: Prohibited Sexual Misconduct and Title IX Administrative Policies and Procedure.....</b>	<b>34</b>

## **I. COMMUNICATIONS**

One of the most difficult aspects of the diffuse and federal system of the GTU is communications. Though the Doctoral Faculty meets as a whole three times a year, we are scattered across various campuses. Everyone must make a special effort to keep informed. The revisions to the Doctoral Program and M.A. handbooks, as well as to the Core Doctoral Faculty Handbook are one major way in which we try to keep everyone apprised of new information.

The Dean's Office also asks you to keep us informed. The GTU Dean makes regular reports to the GTU Board about the achievements of Core Doctoral Faculty and students; we cannot celebrate what we do not know. The office welcomes news of publications, honors, and activities of note on the part of all of the Core Doctoral Faculty.

Also be aware of the Faculty section of the GTU website ([www.gtu.edu](http://www.gtu.edu)); it provides a summary of teaching and research interests of all faculty in the GTU. It is a great way to find out more about someone you met at a meeting or reception, to track down a possible team teacher or collaborator, or to look for further resources for a student or project.

## **II. CORE DOCTORAL FACULTY (CDF)**

### **A. Agreement and Definition**

#### **Agreement**

In 1988-89 the Doctoral Faculty of the GTU generated a document to create a permanent Core Doctoral Faculty. After several faculty revisions, the document was approved by the GTU Board in October of 1989, and the first Core Doctoral Faculty was appointed in May of 1990. The Core Doctoral Faculty plays a prominent role in the "Academic Cooperation" section of the GTU Common Agreement (2001).

#### **Definition**

First and foremost, the Core Doctoral Faculty is the governing body of the Doctoral Program, a group appointed and reviewed by their peers, and committed to establishing and maintaining the standards of the Doctoral Program. This group provides continuity in the standards and quality of the program and is positioned as a definable faculty group to whom the GTU Dean goes for advice and direction about the doctoral program.

The Core Doctoral Faculty verifies that the procedures of the Doctoral Program and protocols of the Areas have been followed and their scholarly standards achieved. Members of the Core Doctoral Faculty, being continuously active in the governance of the Doctoral Program, are qualified to certify that the standards of that program have been maintained.

Chairs of comprehensive and dissertation committees must be Core Doctoral Faculty. The Area, with the Dean's approval, can waive this requirement if they have every confidence that the proposed chair can fulfill all of the above requirements. Such a waiver is a rare exception to the policy.

All GTU Consortial Faculty are part of the doctoral program's rich resources; according to their interests, they are encouraged to serve on committees as second readers as long as the Area is convinced that their scholarly expertise is appropriate to the particular student project. Consortial Faculty are welcome to attend and participate in Area meetings, but Core Doctoral Faculty make the commitment to be active in the Area, and knowledgeable about developments in its protocols, procedures, and bibliographies.

## **B. Mission of the Doctoral Program**

*The remarks in italics under goals and outcomes are not formally part of the policy, but indicate to an internal audience how we are to measure and assess our success in achieving these goals.*

The GTU doctoral programs introduce students to the life and practice of intellectually and methodologically rigorous scholarship to prepare them for a diversity of occupations and vocations.

- As thinkers who can identify central issues, interpret them in historical perspective, and understand their practical implications.
- As scholars and writers who study religious traditions and the lives of religious communities.
- As teachers in seminaries, colleges, and universities who are conversant with the disciplines of religious and theological studies and are prepared to bring religious and theological issues to life with and for the students.
- As constructive critics and faithful reformers of living religious traditions and of society who can provide fresh voices and insightful perspectives to revitalize a sacred heritage and recover neglected opportunities within their traditions.
- As leaders and spokespersons who can articulate for their communities issues which lead to a broader awareness of the multicultural and global world and the material environment.
- As leaders of genuine dialogue among communities of faith, seeking to shape religious language for the emerging world.
- As specialists on justice issues or organizers prepared to propose fresh approaches to social and moral problems.

### **Education for this mission requires the following skills/goals/outcomes:**

- To practice intellectually and methodologically rigorous scholarship, requiring both broad and deep grasp of a field, linguistic skills, sound research methods, and analytical capabilities.  
*(encompasses our general requirements, including the Research Readiness Review)*
- To formulate a project in terms of the standards of a discipline, but sufficiently clear and well expressed to be comprehensible to scholars in other theological fields.  
*(review of comprehensives and dissertation proposals, and the Research Readiness Review)*
- To open one's work to the critical challenges and assumptions of a denominational and scholarly tradition beyond one's own so that it is not unduly restricted by narrow and unexamined assumptions.

*(committee structures, and Area and Doctoral Council reviews)*

- To engage critically with at least one discipline, theory, or methodology of the research university outside theological and religious studies, both to benefit from those methodologies and also to be prepared to contribute to broadening the assumptions of the university disciplines.  
*(outside reader requirement; for the Ph.D., not the Th.D.)*
- Critical engagement with at least one discipline, theory, or methodology of the secular research university, both to benefit from those methodologies and also to be prepared to contribute to broadening the assumptions of the university disciplines.  
*(outside reader requirement; for the Ph.D., not the Th.D.)*

## **C. Participation in the Core Doctoral Faculty**

### **1. Application to the Core Doctoral Faculty**

Faculty wishing appointment to the Core Doctoral Faculty apply to the GTU Dean by October 15 or March 1, following the procedure below. Please submit the following to the GTU Dean by the deadline.

- 1) A current *curriculum vitae*.
- 2) The faculty member's statement of his/her qualifications for the Core Doctoral Faculty and willingness to fulfill the responsibilities stipulated by the Doctoral Faculty in the Core Doctoral Faculty Handbook (excerpted below).
- 3) A supporting letter from the faculty member's Dean or designated equivalent, including a pledge to give credit for service on the Core Doctoral Faculty
- 4) The designation of a primary Area, and secondary Area, if applicable.
- 5) Samples of scholarly publications (academic books, peer-reviewed articles, book chapters), with reviews or assessment by external readers when available.

### **2. Qualifications for Admission to the Core Doctoral Faculty**

- Have published an academic book or several peer-reviewed articles or book chapters in the discipline.
- Knowledgeable of current literature in the field, trained in research methodologies, and have active acquaintance with scholars in the discipline.
- Actively participate in professional scholarly organizations by presenting conference papers and/or serving in leadership roles.

- Hold the earned doctorate (Ph.D., Th.D., Ed.D.) or its equivalent in terms of research, publications, or stature in the discipline.
- Committed to the type of teaching and guidance of students that doctoral instruction requires.
- Attend area meetings and have been available to serve as consortial faculty members on comprehensive exam and dissertation committees.
- Application endorsed by the current Core Doctoral Faculty in the area(s) to which they are applying, as attested to by a confidential letter of support from the area convener(s) addressed directly to the Dean.

### 3. Expectations and Responsibilities of Core Doctoral Faculty Members

In addition to the expectation that Core Doctoral Faculty will continue to publish their research in academic books, peer-reviewed articles, and book chapters, and remain active in professional scholarly organizations, they are expected to:

- Attend Area meetings and Core Doctoral Faculty meetings to give input on policies and standards of the doctoral program.
- Serve as advisors and on comprehensive and dissertation committees. Typically, a CDF member would have one initial advisee, chair one comprehensive committee, chair one dissertation committee, and serve as a second reader on two committees.
- Ensure that all members of student committees are appropriate choices for the scholarly guidance which the students require.
- Uphold responsibilities as chairs of comprehensive committees, although faculty willingness to serve on such committees is somewhat contingent on availability; most faculty would not come back from a leave for a comprehensive exam.
- Uphold their responsibilities as chairs of dissertation committees so as not to leave students without guidance and regular feedback; should warn students well in advance of any sabbatical leave away from Berkeley (**faculty are expected to come back from a leave for a dissertation defense**); if they feel they must resign from a committee, they should take the responsibility to find a suitable replacement.
- Teach a doctoral course (5000 or 6000 level) with some regularity; approximately every one to three years.
- Serve on CDF bodies such as Faculty Council, Doctoral Council, standing committees (Appointments and Review, Admissions, Awards, Grievance) or in other CDF positions such as Faculty Trustee.



#### **4. Credit for Service on the Core Doctoral Faculty**

- The Deans agree to credit faculty service on doctoral faculty. The faculty stipulate that regular membership on the Core Doctoral Faculty (excluding special assignments such as Area Convener, or the Admissions Committee) requires 25% of their time for: attending meetings, advising students, helping prepare comprehensive and dissertation proposals, reviewing admissions folders, teaching doctoral courses, supervising individual reading courses, and keeping abreast of the literature in the field at the level of doctoral teaching.
- Each member school specifies in writing how it will credit doctoral service and allow faculty time for it. The Dean's Office has these statements on record and they are quite diverse. If you are not familiar with your school's statement, please consult your Dean.
- Each member school Dean has access to Doctoral Faculty Load data via the GTU's Colleague database.

#### **5. Perquisites and Prerogatives of the Core Doctoral Faculty**

- The faculty research monies controlled by the GTU Dean (including Newhalls) are primarily allocated to members of the Core Doctoral Faculty to support the level of research required to participate in the doctoral program.
- Because members of the Core Doctoral Faculty are mandated to establish and maintain the standards of the doctoral program, only they are empowered to vote on any policy issues pertaining to the doctoral program. In a close vote on Dissertation or comprehensive proposals when the standards of the doctoral program are at stake, the Core Doctoral Faculty holds the deciding vote. Other faculty and students are encouraged to participate in discussions and "sense of the house" votes, but only the Core Doctoral Faculty votes on matters pertaining to the governance of the Doctoral Program.

#### **6. Appointment of Core Doctoral Faculty**

- The Appointments and Review Committee will review the applications. The Committee's recommendations will be taken to the GTU Board through the Academic Committee for approval.

#### **7. Review of Core Doctoral Faculty**

In March 1998, the Core Doctoral Faculty unanimously approved changes in the review of its members.

- The following tool for evaluation will be used to examine CDF members' contribution to GTU doctoral program. The Appointments and Review Committee will conduct reviews and make recommendations to the Dean. CDF members will be asked to supply the

Committee with information with which to answer the questions listed below. Reviews will occur every five or six years (to coincide with schools' evaluation of faculty).

- The Core Doctoral Faculty has approved a simplified leave protocol for CDF members whose present interests and responsibilities do not permit full participation in the range of activities and accountabilities considered for evaluation. Requests for leaves as well as the term of the leave (normally 3-5 years) must be approved by the Appointments and Review Committee. The Appointments and Review Committee can also require that a faculty member accept a leave from the CDF for a specified time (to be reviewed by both the faculty member and the Appointments and Review Committee at the end of that time). A faculty member who is on leave is not a voting member of the CDF.

### **TEACHING**

1. Has the CDF member offered a seminar at the 5000 to 6000 every 1-3 years? Are the Area's required languages used as appropriate in the seminar work?
2. Do student evaluations of doctoral level courses taught by the CDF member indicate that the readings, assignments, and lectures of the course exhibited doctoral level quality?
3. Do student evaluations indicate that the CDF member is "knowledgeable of current literature in the field, trained in research methodologies, and acquainted with [other] scholars in the field?"

### **RESEARCH AND PUBLICATIONS**

1. Has the CDF member published significant articles and/or a book in the period of evaluation that demonstrate a contribution to the CDF's field?
2. Is the CDF member active in scholarly organizations and professional societies?
3. Do the CDF's publication(s) demonstrate that s/he is "knowledgeable of current literature in the field, trained in research methodologies, and actively acquainted with other scholars in the field?"

### **STUDENT ADVISING**

1. Does the CDF member serve on and/or chair at least two doctoral students' comprehensive examination and dissertation defense committees each year? Are required forms consistently submitted to the Dean of Students' office without the need for reminders?
2. Is the CDF member available for appointments without unduly long waits? Does the CDF member keep appointments with advisees?
3. Does the CDF member make specific recommendations concerning UCB resources especially suited to advisees (courses, professors)? Does s/he insist that advisees take UCB courses at an early stage in their Ph.D. work? Does s/he coach advisees on how to approach UCB faculty (i.e. take courses and discuss their projects with UCB faculty--even read their books!) before asking for their participation on committees?
4. Does the CDF member take appropriate responsibility for forming advisees' examining committees at both the comprehensive stage and the dissertation defense?

5. Does the CDF member follow up advisees' requests that UCB faculty serve on their committee by a phone call and/or meeting to 1) answer questions regarding our expectations and procedures, and 2) thank UCB faculty for their willingness to participate.
6. Does the CDF member mentor her/his doctoral students, for example:
  - (1) assisting students to understand what a publishable article must include;
  - (2) helping students to identify appropriate journals to which to submit articles;
  - (3) suggesting venues for students' scholarly presentations, and
  - (4) assisting students in various ways in their endeavors to enter scholarly discourse in their field?

## **GTU EXPECTATIONS**

1. Does the CDF member regularly attend Area meetings? Core Doctoral Faculty meetings?
2. Has the CDF member served on GTU committees (other than student's committees) as requested in the past three years?

The Graduate Theological Union is very grateful for the work of the CDF. It is essential to our common task and to the mission of GTU. Expectations for the CDF are based on the premise that it is a great privilege to participate in training theological thinkers and religious leaders for the twenty-first century.

## **D. Core Doctoral Faculty Structures**

### **1. Core Doctoral Faculty Meetings**

The Core Doctoral Faculty normally meets three times a year, on the third Wednesday in October, February, and April, from 3:30 to 5:00pm in the GTU Board Room. Meeting dates are listed on the Extended Calendar, but Core Doctoral Faculty members should also receive a mailing including an agenda, reports, and proposals, more than a week in advance. If you do not receive your mailing, please contact the Dean's Office.

The Dean sees to it that the faculty receive, prior to each Core Doctoral Faculty Meeting, copies of minutes and/or reports from all faculty committees. The business portion of meetings will consist of brief committee reports and proposals. Much of the work of the Core Doctoral Faculty is done in the respective committees to free the meeting time for intellectual colloquia.

At each meeting, the Dean announces the publications of CDF from the past month. Faculty are invited to provide the Dean with information about their recent work.

An official list of Core Doctoral Faculty for each academic year is mailed in August to each faculty member.

### **2. Governance Procedures: Maintenance of Doctoral Standards**

The Core Doctoral Faculty govern the GTU Doctoral Program, setting its standards. The GTU Dean is responsible to apply those standards consistently and equitably.

The main forum for approving the policies and procedures of the Doctoral Program is the faculty meetings; however, because of the nature of this process, much of the work must be done in committees.

Between meetings, the Dean seeks advice from the Doctoral Faculty, either through the elected Faculty Council—which not only provides recommendations but also makes and implements policy—or through the Conveners, who can take issues back to the Areas.

Individual student committee chairs play a major role in implementing and interpreting policies; any problems or issues should be referred to the Dean’s office to ensure consistent and just application of all GTU standards to all students.

### **3. Governance Structure**

#### **I. Core Doctoral Faculty (Plenary)**

##### **A. Constitution and Meetings**

1. Consists of members duly elected to CDF and not on a leave from the CDF. Chaired by the GTU Dean.
2. Meets at least three times a year, usually in October, February, and April. The Fall meeting will be a “Town Meeting” on consortial issues. Other meetings may be scheduled as needed.

##### **B. Powers and Responsibilities**

1. Approves graduates of Ph.D., Th.D., and Common M.A. programs.
2. Elects CDF committees: Grievance, Awards, Nominating Committee, Faculty Council, and Doctoral Council.
3. Elects two faculty members of the Board of Trustees.
4. Provides detailed input on the agenda, issues, and policy matters before the Faculty Council.
5. Addresses consortial issues through the Faculty Council and Town Meetings.

#### **I. Faculty Council**

##### **A. Constitution and Meetings**

1. Consists of eight members elected by CDF.
2. Accountable both to the CDF as a whole and to the Areas. Each Faculty Council member will have one or two Areas for which s/he will serve as liaison, and every Area will be in regular contact with its liaison on the Council.
3. Meets several times during the academic year; chaired by the GTU Dean, who is a voting member.
4. Elected from a slate of candidates developed by the Nominating Committee. The Nominating Committee consists of two Core Doctoral Faculty members elected at the Fall meeting of CDF. CDF will be solicited for nominations by e-mail. The Nominating Committee will review the nominations, develop a slate which is

broadly representative, and check with potential candidates about their availability to serve.

5. Serves two-year terms, with half of the Council retiring each year. Retiring members are not eligible for re-election for two years.

#### B. Powers and Responsibilities

1. Oversees academic planning for the doctoral program, including attention to long-range issues.
2. Shares and reviews Area protocol changes in light of the entire doctoral program. Advises all Areas of implications of these changes
3. Develops and decides (by a majority of at least six votes) Core Doctoral Faculty policies in thorough consultation with the Areas and with the CDF (through e-mail and hearings).\*
4. Develops the agenda for the Annual Town Meeting on GTU consortial issues, and sees that appropriate parties are invited.
5. Hears regularly from CDF Board Representatives and provides CDF input on Board issues for those representatives.
6. Oversees Area reviews and status of Areas, as well as any major changes in Areas.
7. Oversees regular CDF reviews and Area reviews, with an eye to policy issues and consistent quality of the doctoral program.
8. Develops CDF responses to, or input on, consortial issues with impact on the doctoral program at the request of the GTU Dean.

#### I. Areas

##### A. Constitution and Meetings

1. Consist of all consortial faculty whose academic work falls within the purview of the Area. Non-CDF members may not chair doctoral student committees or vote on matters of CDF policy.
2. Meet monthly (third Wednesdays during the academic year) under the leadership of a Convener.
3. Conveners appointed by the GTU Dean on nomination of the Area and in consultation with the Dean of each Convener's School of Affiliation.

##### A. Powers and Responsibilities

1. Recommend to the Admissions Committee regarding the qualifications of applicants and assign appropriate and available advisors for admitted students.
2. Conduct research readiness reviews of their students.
3. Determine Area protocols and examinations within doctoral program guidelines.

---

\* An Area or a petition of five CDF can request a Faculty Council hearing on an issue; such hearings will be well publicized so that interested parties may attend. After consultation, "final" policy statements will be circulated to the faculty, allowing another month of input and deliberation (in Areas or from individual faculty). After taking the input into account, the Council may finalize the policy. The Council may also take an e-mail poll on an issue, to determine faculty support for or opposition to a policy or an aspect thereof.

4. Review and approve Comprehensive proposals and committees
  5. Review and approve Dissertation proposals and committees for submission to Doctoral Council.
  6. Discuss general issues of doctoral program policies and procedures as they pertain to the Areas, sending their views to the Faculty Council by means of their Area's liaison
  7. Discuss and review course offerings of the Area for the next academic year.
  8. Provide Area-specific professional development for students.
- I. Doctoral Council
- A. Constitution and Meetings
    1. Two CDF members elected by the CDF, plus the Dean and two student representatives.
    2. Meets monthly during academic year on the first Wednesday of the month.
  - B. Powers and Responsibilities
    1. Reviews and approves dissertation proposals and committees.
    2. Advises the Dean on refinements or changes in doctoral program procedures.
    3. Selects winner of the "best dissertation proposal" award.

#### 4. Faculty Committee Structures and Representation

There are a number of committees that form the structure of faculty governance of the Doctoral Program and of the consortium.

##### a. Standing Committees of the Core Doctoral Faculty:

- 1) **Faculty Representatives to the Board of Trustees:** Consists of two faculty appointed for three-year terms, and approved by the CDF, as representatives to the GTU Board. One typically serves on the Academic Committee, and one on the Finance Committee of the Board.
- 2) **Admissions Committee:** The Doctoral Admissions Committee consists of faculty from different areas and is chaired by the Dean. Each Area selects a review team in early fall. This team consists of the Convener and at least two faculty members selected by a vote of the Area faculty. The Admissions Committee oversees the integrity and quality of the program as a whole, reviews candidates recommended by Areas for quality and consistency and may, at its discretion, review all recommendations for acceptance and rejection; makes final decisions on those candidates to be admitted; and, determines major scholarships.
- 3) **Doctoral Council:** Consists of two CDF members plus the Dean and two Doctoral Student representatives. The faculty members of the Doctoral Council approve all dissertation proposals.

- 4) **Grievance Committee:** Consists of three faculty elected by the Core Doctoral Faculty at a faculty meeting and two student representatives. One or two alternates are also elected, in case a committee member should have to disqualify him- or herself on a particular case. The purpose of the committee is to hear grievances brought by students concerning misapplication of GTU policies and procedures after those complaints have been through the prior review process specified in the document (for the Grievance Procedure, see the Doctoral Program Handbook).
- 5) **Awards Committee:** Consists of two faculty elected by the CDF who review entries and make decisions on the Chan Essay Contest, the Newhall awards, and the GTU Doctoral Student Travel Awards.
- 6) **Appointments and Review Committee:** Consists of two members of the Core Doctoral Faculty, nominated and elected at a faculty meeting, and the GTU Dean. The committee reviews applications for the Core Doctoral Faculty and draws up the slate for committee nominations.

**b. Consortial Committee:**

**Library Committee:**

Consists of one faculty representative from each of the member schools, appointed by the Council of Deans, and a student representative. The Council attempts to maintain some balance of Areas and Doctoral and non-doctoral faculty on the committee. The library committee advises the Director of the Library on collection priorities and development, library procedures and general policies.

**5. Appointment Procedures for Standing Committees of CDF**

As noted above, the Faculty Council, Doctoral Council, Appointments and Review Committee, Awards Committee, and the Grievance Committee are elected by the faculty. The other standing committee appointments are normally made in the spring of the academic year.

The procedure for appointments is a bit elaborate, reflecting the complex structures of the GTU. All Standing Committee Appointments must be approved by the Core Doctoral Faculty. In bringing nominations for these committees, the Dean seeks the advice of the Appointments and Review Committee. The Dean must also ascertain the willingness of the faculty to serve, and get the clearance of the Deans of the schools. In making these appointments, the Dean must not only give attention to representations of the Areas and the recent service record of each faculty member, but to the distribution of doctoral service across the various schools of the GTU. S/he must also have back-up nominations. Election of a faculty member to the Faculty Council, because of its considerable service, should free the faculty from other major doctoral faculty committee obligations. As much as possible, service on doctoral faculty committees should be spread across the Core Doctoral Faculty. CDF, as part of their appointment, agree to be available for service on committees as their circumstances allow.

## **E. The Areas**

### **1. Area Meetings**

The Areas meet in the early afternoon on the third Wednesday of the month, September through November, and February through April. Core Doctoral Faculty are expected to attend these meetings regularly.

In addition to reviewing student comprehensive and dissertation proposals, the Areas conduct internal business and discuss issues before the Core Doctoral Faculty referred to them by the Dean or by Committees. They may also hold or plan Area colloquia or receptions.

The Doctoral Faculty voted in 1989 that only Core Doctoral Faculty can vote on issues of policy in the Doctoral Program. Members of the students' committees, including consortial, non-CDF members, should definitely have a vote on comprehensive and dissertation proposals. It is certainly appropriate to have a "sense of the house", which includes the votes of everyone present or all faculty members present, according to the tradition of the Area. If there is a deep division, the Core Doctoral Faculty present need to determine whether the issue at stake involves "the standards of the doctoral program", in which case their views govern. A legitimate intellectual debate about how best to present the proposal need not be confined to CDF judgment. If significant problems emerge, the CDF may want to clarify the intention of their decision. Complicated problems that may challenge standards should be referred to and reviewed by the Dean.

### **2. Consortial Faculty Hiring and Development Agreement**

Approved by the GTU Board of Trustees, 13 May 1999. Coordination in the search for new faculty by member schools or the GTU should be as extensive as possible, with the understanding that the ultimate decision lies with the school making the appointment. To that end:

- a. Member schools shall explore with each other strategies for sharing faculty resources, or rotating faculty searches, to maintain a pool of full-time faculty whose composition reflects diversity of competence, race, gender and ethnicity.
- b. The Council of Deans shall conduct an annual survey of the academic needs of member schools, and of the doctoral program [**i.e., the areas**], as well as how previous needs were addressed through faculty appointments or curriculum revision.
- c. Member schools, prior to initiating a faculty search, shall:
  - 1) notify in writing the Council of Deans concerning the nature and purpose of the search, in order to elicit early feedback regarding (a.) possible parallel searches by other schools, (b.) perceived needs which a new faculty appointment might address for the wider GTU community, and (c.) potential candidates for the position;



- 2) inform, and solicit suggestions from, the core doctoral faculty area likely to be affected by the appointment; and, when appropriate, from representatives of the University of California Berkeley faculty;
  - 3) invite a faculty member from that core doctoral area, but from outside the member school, to join the school's search committee for the purpose of representing the faculty interests of the wider GTU.
- d. The GTU Dean shall consult with the Council of Deans regarding the appointment of rostered faculty in order to ensure
- 1) that faculty resources currently available at the member schools are taken into consideration; and
  - 2) that the rostered appointments enhance the GTU doctoral program as well as address the needs of the professional and ministerial programs of the member schools.

## **F. Resources for Core Doctoral Faculty**

Information on the Student Affairs Staff and Dean's Office Assistance are discussed in the Doctoral Program Handbook.

### **1. Dean's Faculty Research Fund**

Each year the GTU Dean awards small research grants to members of the GTU Core Doctoral Faculty. Applications for grants are accepted throughout the academic year and are for a maximum amount of about \$750. Grant funds may be used for any purpose related to scholarly research including, but not limited to, research assistance, editorial assistance and travel.

To apply for a grant you must address a letter or email to the GTU Dean which describes the following: the goals and objectives of the research project, how this project benefits your teaching and/or research, what the funds will be used for and an itemized budget summary. The funds are distributed on a first come first served basis so that more money is available earlier in the fiscal year. Grant requests should be submitted to the GTU Dean.

#### **a. Requesting a Research Assistant or Teaching Assistant (outside of Newhalls)**

If you need a research assistant or teaching assistant, these may be applied for through the Newhalls (described below) or through the Dean's Faculty Research Funds. The major difference is in the size of the grant: the Newhalls are much more generous, and thus you can have more hours of student assistance. If you have a short-term need for a research assistant, or a not too demanding Teaching Assistant position, you can request such a grant from the GTU Dean. (Since the funding is really too sparse for the Teaching Assistant positions, these will be granted only in special circumstances and as funds allow.)

#### **b. Purchasing computers or equipment**

If your research grant includes the purchase of a computer or any other equipment, the funds allocated to you must by law be reported to the IRS by the GTU as taxable income. You are then responsible for documenting any deductions or depreciation with the IRS.

### **c. Costs for travel, books, etc.**

When your grant includes costs such as travel, lodging, meals, or books you must submit the original receipt—photocopies are not sufficient. For airline tickets you must submit the actual ticket receipt. The Business Office is required to document expenses to prove that the restricted research fund was expended for its appropriate purpose.

## **2. Newhall Awards**

Newhall Awards are designed to provide teaching and research opportunities for our doctoral students in close collaboration with members of the Core Doctoral Faculty. The intent is for both parties to benefit maximally from this award. This is the only budget line the GTU Dean's Office currently has to support Teaching Assistants, and it is more generous in Research Assistant support than the limited Dean's Faculty Research Fund. Faculty are encouraged to seek out appropriate students and apply for Newhalls regularly. The competition is judged by the Faculty Awards Committee, following the published guidelines. The Award deadline is once a year in late fall. The Dean's Newsletter announces the competition, and the application deadline.

The Newhall guidelines and procedures for application are listed in detail in the Student Section of the Doctoral Program Handbook.

## **III. GOVERNANCE OF ACADEMIC PROGRAMS**

Information on GTU policies covering the honor code, grievance proceedings, inclusive language use, FERPA, and plagiarism are listed in the Doctoral Program Handbook.

### **A. Policy Statement on Use of Copyright Materials**

#### **1. Copyright Guidelines**

Materials used for teaching and research are subject to "Title 17" of the United States Code (commonly referred to as the "copyright law"). As specifically stated in section 107 of this law, reproduction of a copyrighted work for teaching--including the production of multiple copies for classroom use--is not an infringement of the copyright as long as the particular case constitutes "fair use." In order to determine fair use, the following four factors must be considered:

- a. The purpose and the character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- b. The nature of the copyrighted work;
- c. The amount and the substantiality of the portion used in relation to the copyrighted work as a whole;
- d. The effect of the use upon the potential market for or the value of the copyrighted work.

As these regulations are not further explicated in the text of the law, the GTU follows the specific guidelines contained in the "Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with Respect to Books and Periodicals" (Ad Hoc

Committee on Copyright Law Revision, Author-Publisher Group, March 19, 1976). Under these guidelines, multiple copies are considered acceptable for classroom or discussion use if the tests for “*brevity, spontaneity and cumulative effect*” are met and if each copy carries a notice of copyright.

*Brevity* is defined as either a complete article, story or essay of less than 2,500 words or an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less; but a minimum of 500 is allowed in all circumstances.

To meet the test of *spontaneity* the copying must be done at the request of the teacher, and the decision to use the copyrighted work must be so close to the time needed that it would be unreasonable to expect a timely reply to a request for permission to copy the material.

To meet the *cumulative effect* test:

1. the material copied must be for only one course in the school;
2. no more than one short article, essay or two excerpts may be copied from the same collective work or periodical volume during one class term;
3. there shall be not more than nine instances of multiple copying for one course during a given term.

**The following are specifically prohibited by these guidelines:**

1. Copying used to create, replace, or substitute for anthologies, compilations, or collective works;
2. Copying of “consumable” materials (i.e.. workbooks, exercises and standardized tests);
3. Copying used to substitute for the purchase of books, periodicals or publishers reprints;
4. Copying directed by “higher authority” (i.e. Dean of a school);
5. Repeated copying of the same item for the same instructor from term to term.

**2. Compliance**

Faculty, Administration, Staff and Students of GTU will comply with the procedures contained in the “Guidelines for Use of Copyrighted Material”. Willful infringement of copyrights using GTU equipment or on behalf of GTU using other equipment can be cause for termination of employment or expulsion from the student body.

**No faculty member or student is authorized to use any GTU photocopying machine to make illegal copies for teaching or research purposes. If your school does not keep you informed about the regulations, the GTU Dean’s Office has a handout about copyright laws which you can use for reference.**

## **B. GTU Statement on Academic Freedom**

On January 25, 1988, the Executive Committee of the GTU Board approved a “Statement on Academic Freedom in the GTU.”

The Graduate Theological Union is a consortium of diverse theological schools, each of which has its own statement on academic freedom, reflecting its distinctive heritage, history and values. Those statements govern the instruction and research of faculties in their member school roles. The Graduate Theological Union statement defines our policy on academic freedom a) for those faculty rostered in the GTU; and b) for instruction of all faculty in the doctoral program, which is under the guidance of the GTU Dean.

The nature, structure, and mission of the GTU establish a multi-layered foundation for our commitment to academic freedom. First, we are an academic institution. Our faculty members share with their colleagues at universities a devotion to the unfettered pursuit of truth. Second, the ecumenical and interreligious structure of the GTU embraces a broad spectrum of religious traditions that must take cognizance of each other. This structure challenges each of the member schools and centers to stretch beyond its tradition to meet new occasions and engage in interreligious conversation. Third, there is a religious foundation to our commitment to academic freedom. The apprehension of divine or transcendent reality which we seek as scholars of religion inspires an awareness of richness and complexity, and compels an opening to new paths of thought and spheres of feeling, study, and action. Moreover, our philosophical and religious heritages embrace virtues of peace and tolerance that serve as a foundation for academic freedom.

In this spirit, we affirm an adaptation of the statement on academic freedom on of the American Association of University Professors ([AAUP Policy Documents and Reports](#) 1984 edition, pp. 3-4).

Academic freedom implies certain rights. Faculty members are entitled to full freedom in research and in the publication of results, subject to the adequate performance of their other academic duties. They are entitled to freedom in the classroom in discussing their subjects. As citizens, members of a learned profession, and officers of an educational institution, they should be free from institutional censorship or discipline.

Each of these rights also entails certain responsibilities. Research for pecuniary return is to be based upon an understanding with the authorities of the institution. Faculty members are not to introduce in the classroom controversial matters that have no relation to their subject. As persons of learning and educational officers, they are to remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not institutional spokespersons.

As an institution of theological education, we also affirm principles of academic freedom regarding religious belief and practice. The GTU is an educational institution that supports the research, study, and teaching of religion and promotes academic cooperation among schools and

centers representing a range of religious traditions. It imposes no test of religious belief or affiliation on its faculty. Faculty members, however, are responsible to show the utmost respect for the religious beliefs and commitments represented in the GTU community.

The Graduate Theological Union supports open and frank conversations and debates about the plurality of religious views and practices represented in Christianity, in Judaism, and among the range of religions in the United States and the world. There are real and deep differences among the various traditions that cannot be superficially resolved. Such conversations, however, are to be conducted in an atmosphere of mutual respect; it is the obligation of faculty members to aspire to fairness and avoid distortion in confronting other religious positions, although they are free to disagree with and criticize them on intellectual grounds.

### **C. Guide for Assignment of Course Levels**

1. 1000; introductory; required M.Div. courses (in some schools)
2. 2000-3000; foundational; survey at the introductory level (in some schools); extending/building on introductory courses
3. 4000; advanced; M.Div./M.A. based on difficulty of required reading, complexity of topics treated; critical analysis expected in discussions/papers
4. 5000; history and current issues in the field at the doctoral level; courses composed primarily of doctoral students (exceptional others with instructor's permission); major papers required; use of original languages if appropriate
5. 6000; doctoral students only; original languages used; students expected to exhibit increasing self-understanding as scholars conversing with other scholars in the field

## **IV. STUDENT ISSUES**

### **A. Guidelines for Advising Prospective Applicants**

Each year, many Core Doctoral Faculty come in contact with prospective applicants. More and more students come to visit and request to meet with specific professors. It may help to consult the following guide when answering questions. This will ensure that faculty are disseminating the same information. You may also refer applicants directly to the Admissions Office, or contact the Admissions Office yourself with questions or comments.

#### **1. Degree Requirements**

- Applicants must hold a B.A. (or B.S.) from an accredited institution
- Applicants who hold a B.Th. instead of a B.A. or B.S. may apply for admission to the Th.D. program only
- Applicants must hold an M.Div., M.T.S., or M.A. in religion, theology, or a closely related field
- Applicants may not just complete the coursework portion of the M.A. and then begin the doctoral program, unless they already hold a graduate degree in religion.

## **2. Application Deadline**

All materials must be postmarked by December 15, with the exception of GRE and TOEFL scores, which may arrive after that date.

## **3. GRE/TOEFL**

- All applicants must submit GRE or TOEFL scores, unless the applicant has a Ph.D. in the Humanities
- International students whose first language is not English submit TOEFL scores in lieu of GRE scores, except students who have completed a year of study at an institution in the U.S. and are required to submit GRE scores.

## **4. International Students**

- International students must meet all of the above degree requirements. Undergraduate degrees must be at least four-year degrees
- International students must prove that they have financial resources equivalent to one full year of study (consult Admissions or Financial Aid for the amount required) in order for the GTU to issue their visa paperwork (such resources are typically a combination of their own resources and the resources of a personal sponsor, church, etc., plus GTU grant-in-aid). Think carefully about encouraging international students to apply for admission if they do not have the kinds of funds needed for their studies.

## **B. Assignment of Advisees**

The Area Application Review Committee makes advisor assignment recommendations as part of the application review process in January. The Director of Admissions confers with the Conveners to verify the assignments. In late spring, Admissions sends out the letters informing the faculty and students of the advisor assignments. If there is a problem, please let the Admissions office know immediately so that it can be rectified.

Each year the Dean of Students will send out the current list of the student committee service of each faculty member. If the list seems inaccurate, that probably means that the information did not make its way into the student's file. We need to check this information regularly in order to correct errors so that the files are up to date and accurate. Some students think that if they make an agreement with a faculty member to change advisors, that is all there is to it; however, we need to have official records of these changes in the students' files in order to credit the appropriate faculty member.

## **C. Catalog, Handbook, and Dated Policies and Procedures**

It is a convention of the academic world that the Catalog given to the student on admission is a kind of contract; the same is true of policies and regulations in the Handbook. Although the GTU Dean's office advises students that it is often in their interest to adopt voluntarily new protocols or procedures, we cannot require them to do so. Please check with the Dean of Students to be sure which regulations apply to which students. The Dean of Students' office keeps a complete file of GTU catalogs, and endeavors, with the help of the Areas, to keep dated policies and protocols.

## **D. Advising Weak Students**

There are a small percentage of doctoral students who have real problems in the doctoral program. There are a number of points in the program at which faculty may address these problems:

- Diagnostic interview and/or initial advising
- Annual review of student's progress
- Research readiness review of student, normally conducted during the second year
- At the time of the comprehensive examination proposal or oral defense
- At the time of the dissertation proposal or at any time in the process prior to the dissertation oral defense

When a student is struggling with the program, it is in everyone's interest to address the problem in a timely manner. In addition to the review points above, faculty members may wish to use the following mechanisms to address performance problems:

- Invoke Academic or Advisory Probation, giving a student an opportunity to address specific concerns within a specific time frame, and to bring closure to the process if the performance is inadequate.
- If a student has completed some portion of the special comprehensive examinations, suggest a terminal M.A. if the performance warrants this and there is an appropriate paper which could be used for a thesis.

## **E. Annual Student Review of Satisfactory Academic Progress**

### **1. Rationale**

In 1989-90, the Doctoral Faculty passed as part of the Doctoral Plan a procedure for annual review of student progress. This procedure is, on the one hand, part of our improved doctoral advising system; these reports are also a necessary part of our certification of Satisfactory Academic Progress, which keeps our students eligible for federal financial aid. The federal requirements largely govern the calendar by which the faculty-designed process must proceed.

### **2. Procedures**

Each June the Dean of Students Reviews the student's academic records and makes a decision regarding the student's progress in the program. The Dean of Students invites the CDF to share concerns they or their areas might have with the quality and/or pace of their students' work. Students receive written confirmation of the results of their progress review from the Dean of Students in July with copies sent to the student's advisor, Area Convener, and the GTU Financial Aid Office.

Some Areas also undertake an annual review of their students. Where possible, the Area's review should be incorporated in the work of the Dean of Students.

For more information on Satisfactory Academic Progress, see the Doctoral Program Handbook. It is good to acquaint yourself with the criteria for Satisfactory Academic Progress, which stress—among other things—the normative time schedule. Giving students repeated extensions may not be in their best interest, particularly if they receive financial aid.

### **F. Doctoral Student Review for Research Readiness**

In April 1993, the Core Doctoral Faculty approved the Review for Research Readiness in order to ensure that students receive concrete and helpful feedback early in their program about the adequacy of their preparation and skills for doctoral level research. The review is also a tool for the Area to identify students who, in light of their preparation and skill-development, and a clearer sense of their interests, may need to be terminated from the program. See the Doctoral Program Handbook for the procedures involved.

### **G. Student Committee Structure Regulations**

Forming and getting approval for committees is a major hurdle for GTU doctoral students. Thus we have provided detailed information on this procedure in the Doctoral Program Handbook. It would be useful for faculty to review and be familiar with this information.

The handbook includes information about comprehensive examinations committee relations and expectations and the procedures for committee appointment and approval. You may also find pertinent the common wisdom section on the comprehensive exams, which is included in the back of the Doctoral Program Handbook.

The handbook also includes information about constructing a dissertation committee and about procedures for getting the prospectus approved.

#### **1. Committee Chairs**

They must be members of the Core Doctoral Faculty and the student's Area. Exceptions must be strongly supported by the Area and the Dean to ensure that the standards, procedures, and protocols of the Area and the Doctoral Program will be effectively implemented; that is a major role of the chair.

#### **2. Faculty from Second GTU Member School (or GTU roster)**

Second readers need not be members of Core Doctoral Faculty, but must be listed as Consortial faculty at the GTU or at a member school. (Adjunct faculty may not serve as second readers.) Core Doctoral Faculty in the Area and the Dean must be confident that the second GTU faculty member is an appropriate member of the committee in terms of what he/she can contribute to the specific comprehensives/dissertation project.

The second reader will ordinarily be from a different school or center from that of the committee chair. The intent is to provide an ecumenical/interreligious perspective on the dissertation. Exceptions for good cause must be approved by the Dean upon the recommendation of the area faculty.

GTU Adjuncts from UCB do not count as being from another school in the GTU.



### 3. “Outside” Third Members

(Th.D. students need only a third member, normally from the GTU. Ph.D. students must have an “outside member”, normally from UCB; UCB faculty need no approval for qualifications, but should be certified by Area CDF as appropriate to the dissertation or comprehensive substance.)

Outside readers represent the research disciplines of the university. They should not normally be faculty from another theological institution unless their training and publications shows them fully steeped in a research discipline, or unless the research discipline is otherwise represented on the committee.

The “research disciplines of the university” is meant to exclude **only** those disciplines offered solely in theological schools and departments of theology: theology narrowly conceived; pastoral care; homiletics; liturgy; religious education; missiology.

The university disciplines include religious studies; intellectual history; philosophy; psychology and psychiatry; rhetoric; anthropology; history; education; sociology; area studies; philology; art history; and so forth.

Any faculty member who has a degree in a field other than those offered **solely** in theological schools or departments and who publishes in the journals of that field is eligible to serve as an outside member even if he/she happens to teach in a theological school or department of theology. The purpose of the requirement is to make certain, following national standards set by the Council on Graduate Studies in Religion, that Ph.D. students are exposed to the issues and methods of disciplines beyond those which are exclusive to theological institutions.

Non-UCB outside persons must submit a C.V. for approval by the Dean; there is a folder of approved C.V.s in the Academic Secretary’s office; if the person is already listed in it, there is no need to request another C.V.

Outside persons should have the Ph.D., an academic position at an accredited institution, and a publication record suitable for advising doctoral students.

**If an outside member cannot attend the oral examination or defense in person; he/she may participate by means of a conference phone call, for which the student will pay. In very rare situations, where the outside reader is not available for a conference call, written questions or comments can be used. The student must receive approval from the committee chair and the Dean of Students to involve the outside member in this manner.**

### H. GTU Financial Aid Policies

The Financial Aid Office sets and annually reviews and refines the GTU policies and guidelines and their application. For a description of the current guidelines, see the Doctoral Program Handbook.

## V. POLICIES ON FACULTY STATUS

### A. In-Residence Faculty Policy

The GTU Board approved a policy for In-Residence faculty, which had been previously approved by the Doctoral Faculty, on February 25, 1988.

As background to the discussion of the policy on “In-Residence” ranks, it might be useful briefly to review the other standard academic ranks used in our institution, as in all academic institutions.

#### 1. Standard Academic Ranks

##### a. Regular or Tenure Track Ranks (Assistant, Associate, and Full)

Regular faculty are hired in tenure track lines approved in advance, in accordance with an academic plan, by the Doctoral Faculty, the Dean and President, and the Board of Trustees. Candidates are selected through a national search and screen process that follows institutional guidelines in accordance with acceptable academic procedures. In a tenure track appointment, the institution has made a financial commitment to fund the line, and to award tenure on the basis of the candidate’s academic performance and productivity.

##### b. Visiting Professorships (All Ranks)

These are temporary appointments, often for only one semester, but sometimes as long as a year or two. They are funded either on soft money or by funds released through sabbaticals or leaves of other faculty. Visiting rank indicates that the faculty member is permanently employed at another institution and has taken temporary leave from his or her normal position to teach at our institution. The title is also sometimes used for foreign scholars, even though they may, because of retirement or some other reason, not currently hold a formal position elsewhere.

##### c. Adjunct Professorships (All Ranks)

Adjunct status indicates that the individual’s primary professional commitment is to another institution or organization, but because of special expertise and interest in some aspect of the GTU doctoral program, they occasionally offer courses for our students. A number of UCB faculty have held adjunct ranks in the GTU. There are two chief distinctions between adjunct and In-Residence appointments:

a) in the former, the GTU is not the primary professional commitment, and b) there is less regularity and predictability in the teaching load and level of participation in GTU academic programs.

#### Area Adjuncts

Some Areas of the GTU have developed close working relationships with faculty at other institutions in the Bay Area, or eminent and active emeritus faculty who have settled in the Area. Such persons may be appointed as Area Adjuncts and listed in the *GTU Catalog* as such. Such a listing designates the close relationships and the availability of such faculty to serve as outside readers for dissertations in the Area. Area nominated

Adjuncts do not teach courses, but are willing to serve on committees, and may participate from time to time in Area colloquies or special projects.

Appointment of such an Adjunct is initiated by Area faculty, who obtain a c.v. of the nominee and write a paragraph to the GTU Dean in support of the nomination. The nomination must be reviewed by the full Area faculty, by the Faculty Council, and by the GTU Dean and President. Appointment is considered ongoing, but the active status of the Area adjunct will be reconfirmed as the *Catalog* is reissued semiannually.

#### **d. Emeritus Professorships**

This is a rank held by former, retired faculty of the GTU. Emeritus professors may remain quite active in teaching and advising of students. If funds are available, they may agree to teach courses, and a number serve on doctoral committees of students. Their service is often very valuable, but is entirely dependent on their willingness and availability. They have no formal responsibilities, but rather an ongoing relationship with the institution.

## **2. GTU Policy**

The category of “In-Residence” faculty is modeled on the “In-Residence” ranks within the UCB system. An “In-Residence” faculty member: 1) is not supported on the general instructional budget of the GTU; 2) does not hold a tenure track line; 3) has a formal relationship with an Area or recognized affiliate of the GTU, which constitutes his or her primary professional commitment; and 4) has in all respects comparable academic qualifications to those who hold the same rank (assistant, associate, or full) in tenure track lines.

Appointment to “In-Residence” status is made by the Dean through a formal letter of appointment. 1) Such an appointment is initiated by a letter to the Dean from the Area Convener or the Director of the academic unit recommending the appointment. 2) The teaching load will be specified by the Dean after discussions with the candidate and the Area. 3) Letters of appointment are for a limited term, renewable, but the appointment to “In-Residence rank” is not to a tenure track line. Should a tenure track position open in the area of appointment, the “In-Residence” faculty could be a candidate in the national search. 4) The letter will stipulate the source of the funding for the appointment. The appointment is always to be made explicitly contingent on the availability of funding; the GTU instructional budget and general fund are not liable for these appointments. 5) “In residence” faculty will be reviewed annually by the GTU Dean, as are all GTU rostered faculty. “In residence” faculty will also be reviewed by the Appointments and Review Committee at the time of initial appointment, and at regular intervals, normally of three years. 6) “In residence” faculty proceed through ranks of assistant, associate, and full, on the same schedule, and under the same conditions as regular tenure track faculty.

“In residence” status is a device for recognizing and utilizing the contributions of scholars who are formally affiliated with the GTU through some means other than search and appointment to a faculty line. It is not a substitute for regular faculty appointments.

Faculty lines designated by the GTU administration and Board as part of the GTU academic plan will be tenure track appointments.

## **B. Academic Policy for Endowed Chairs in the GTU**

On February 23, 1989, the GTU Board passed a policy on the endowment of chairs in the GTU. This policy had been previously reviewed and passed by the Doctoral Faculty.

GTU fund-raising priorities are established in the Strategic Plan. Contacts with donors are guided and orchestrated by the Office of Institutional Advancement. This document affirms these procedures and establishes academic policies to be followed in the administration of chair endowments.

There are two models of endowed chairs: 1) a permanent faculty position in a specified area of study; and 2) a “distinguished professorship” which is filled for a limited time by a visiting scholar or a member of the existing faculty.

### **1. Permanent Professorships**

The disciplinary area covered by a prospective endowed chair should be consistent both with the academic mission and the long-range academic plan of the institution.

Commitments to raise endowments for a particular professorship would be made in a consortial strategic planning process, endorsed by the Doctoral Faculty, the Council of Deans, the Council of Presidents, and the Board of Trustees.

If a donor or constituency approaches the GTU with an offer to endow a chair in a specific field, that proposal will be entertained under the following conditions: 1) that it meets the general outlines of the academic plan and mission of the GTU; 2) that the donor(s) agree that the GTU would have full control over hiring, promotion, and tenure of the professorship; and 3) that the proposal win the approval of the Doctoral Faculty, the Council of Deans, the Council of Presidents and the Board.

The endowment of a permanent chair requires a full financial base for the support of a faculty member, including a salary at or above the normal range of the professorial level, benefits normal to the institution’s policy, and, in addition, perquisites for research assistance, travel, and/or secretarial assistance as well as funding for appropriate overhead. No professor will be appointed until the endowment is complete.

All appointments to endowed chairs must be made in accordance with “GTU Faculty Appointments and Procedures” (February, 1982), which specifies a national or international search. Under no circumstances can a donor or donor group stipulate the occupant of the chair, or the precise content of courses to be taught. Holders of endowed chairs will be on the GTU instructional budget and under the supervision of the GTU Dean, the Academic Committee, and the Board.

### **2. Distinguished Professorships**

The Consortium, in the process of strategic planning, might also commit to endow a distinguished professorship, designed to recognize and honor GTU faculty or visiting

scholars for a finite time period (a year or two). Such professorships may or may not match full salary, but they would in all cases provide a panoply of perquisites to support the research life of the scholar so honored. At the end of each appointment, the use of the endowment would be reconsidered in accordance with needs for faculty employment and deployment, in consultation with the Doctoral Faculty, the Council of Deans, the Council of Presidents, and the Board.

### **C. Visiting Scholars**

Faculty members who have a doctorate and an appointment at an accredited academic institution may apply to be a visiting scholar at the GTU by contacting the Dean's Administrative Assistant. They will be sent an application form that requests all needed information.

When a Visiting Scholar arrives at the GTU, he or she should check in with the Dean's Administrative Assistant to learn how to get his or her Library I.D. card.

### **D. Adjunct Faculty**

The GTU Dean's office has no budget line for Adjunct Faculty appointments. Occasionally, an Area has made an urgent case that there is a need for an adjunct to teach a particular course, crucial for the Area's program, which cannot be taught by faculty available that year. Such requests have to be made by October of the year prior to become part of the GTU's budgetary planning. A request competes with many other such requests in a tight budget situation, so that funding is by no means assured. However, without lead time for planning funding is nearly impossible. Please notify the Dean as soon as possible about any extraordinary needs.

## **VI. RESPONSIBILITIES OF CONVENERS**

### **A. Chair Area Meetings**

- Establish and arrange a regular meeting room and time, and inform the Academic Secretary, including any changes, since students and faculty often call her office for information.
- Set the agenda 10 days in advance of the Area meeting, including student proposals, suggestions from Area members, and requests from the Dean, Dean of Students, and the Faculty Council.
- Have the Area Assistant type up agenda and collect, copy, and distribute to all Core Doctoral Faculty members all required materials 10 days in advance. Establish with the Assistant a clear procedure for where and by what deadline material is to be collected.
- Make sure accurate minutes are kept and distributed. A copy should be sent to the Dean of Students for Student Affairs Office files, highlighting any formal decisions about students passing comprehensives or dissertation proposals, or about policies and procedures that the Dean of Students must know for counseling students. Minutes should include a list of attendees. This will provide a record of which Area faculty participated

in a particular decision and will also provide a record of faculty participation in Area meetings for the Dean's Office and future Conveners.

- Send a memo or a formal statement from the minutes to the Dean and Dean of Students with Area input on issues. Without the paper trails, such input may be lost sight of or forgotten.
- Oversee Doctoral Faculty establishment and maintenance of doctoral policies and standards. Doctoral Faculty voted in May of 1990 that only Core Doctoral Faculty may formally vote on issues that involve the policies or standards of the doctoral program. It is perfectly acceptable to get a "sense of the house" from broader constituencies, especially if it is Area custom for all consortial faculty and/or students to vote. But if the vote is divided among Core Doctoral Faculty, that vote should be carefully counted, for they have the responsibility for the standards and policies of the program. The Doctoral Faculty welcomes broad input, but they need to follow their own "constitutional procedures" to have doctoral faculty governance in the hands of those who have made the commitment to the program.
- Make announcements concerning upcoming consortial events of interest to students and faculty in the Area; this helps to sustain consortial efforts at communication.
- Approve arrangements for non-required languages.

## **B. Research Readiness Review**

The Core Doctoral Faculty approved this review procedure in April 1993. The procedure is described in the *Doctoral Program Handbook*.

### **Conveners need to be aware of the following:**

- Your Area needs to designate to incoming students at the beginning of their first semester whether their review will be in the third or the fifth semester, and review with them the preparations they need to make. This information needs to be sent to the Dean of Students.
- The Dean of Students will send out reminders based on the information you send her/him.
- Areas are to conduct the review according to the procedures outlined in the *Doctoral Program Handbook*, and send a copy of the results to the Dean of Students to be put in the student's file.
- If a student does not complete the review by the deadline, the student, with the approval of the advisor and Convener, must reschedule the review. This is not to the student's advantage. Please notify the student quickly and concretely about the steps to be taken to prepare for the review in the next year.

### **C. Review of Courses to be offered by the Area**

The GTU as a consortium seeks to be intentional about reviewing course offerings, to eliminate redundancies and ensure that courses are being offered at all levels for all programs.

At the beginning of each year the Deans and Conveners undertake the review of course offerings for the following academic year. Please note that the Areas will be asked to discuss tentative offerings in October, and forward any concerns or suggestions to the Council of Deans.

### **D. Procedures for General Comprehensive Examinations**

The dates for General Comprehensive exams are set in consultation with the Area Convener by the Dean of Students for publication in the Extended Calendar. This occurs during the spring semester of each year.

#### **1. Area Convener's Responsibility**

- Appoint Area readers and writers of exams and notify Dean of Students of who will serve.
- Confirm list of students taking exam by the deadline stipulated in the Area's protocol. Communicate this information to the Dean of Students.
- Notify writers of the exam whether the exam will be offered each semester (i.e. whether there are students for the exam).
- Make certain that readers have completed their evaluation of exams in a timely fashion, usually within a month of the exam date, and have reported results to the Dean of Students.

#### **2. Dean of Students' Office Responsibility (Academic Secretary is the primary contact)**

- Arrange for exam rooms for students.
- Administer the exam.
- Copy the handwritten exam immediately following the exam.
- Collect the typed copies of the exam from the student.
- Distribute copies of exams to readers and advisor.
- Notify student with the exam result.

### **E. Special Comprehensives Proposals**

The Areas are empowered to review and approve comprehensive proposals and committees in light of their protocols and standards as well as the standards of the doctoral program as a whole. The Dean must also approve the committee. If there is any question in the minds of the Area faculty or the Convener about the appropriateness or strength of the committee for this specific proposal, please inform the Dean. The Dean relies on faculty decisions about the academic appropriateness of the committee, and wants to back faculty in ensuring that only committees that have faculty confidence are approved. The Dean will scrutinize the committee to see to it that it meets the general doctoral program standards about structure, including the standards concerning the outside readers. These standards are defined in detail in the *Doctoral Program Handbook*.

## **F. Dissertation Proposals**

The Area is the second forum for review of the dissertation proposal, after the student's committee. The concerns about committee structure and appropriateness are the same as in the case of comprehensives. (General standards regarding these committees are specified in the *Doctoral Program Handbook*.) Even if the Dean has "approved" the committee first, the Area or Convener should feel perfectly free to raise questions about the appropriateness of the committee to the project. Both approvals are necessary for the committee to be official.

The dissertation proposal will go on to the Doctoral Council, who determine that it meets the general standards of the doctoral program. The work of the Doctoral Council will be much smoother if the Areas take seriously their role of review. Proposals about which the Area has serious doubts should not go forward to the Doctoral Council. Quality control is more effective and ultimately more profitable for the student. It also assures the student of their academic and professional integrity. In other words, the seriousness of the Area's role in reviewing dissertation proposals is imperative. Committees should not let proposals in which they do not have faith go to the Area; nor should Areas let proposals in which they have less than full faith come to the Doctoral Council.

## **G. Area Administration**

In order to keep students moving through the program with due progress, there must be attention to the various stages of their program. The Dean of Students maintains student files, computer records, semester-by-semester grade reports, and implements annual academic progress reviews, but the actual guidance in the program of the Area must be provided by the faculty, with the coordination of the Convener.

### **The Convener's duties are the following:**

- By May 1, confirm or alter the initial advisor selected in the admissions process
- Coordinate selection of the diagnostic interview committees for incoming students, as applicable.
- At the outset of the year, review and summarize in writing significant policy/procedure decisions of the previous year and discuss at first Area meeting for the sake of all, but particularly of faculty or students who have been on leave; the written summary will help the Area, the Dean, and the Dean of Students keep track of the dates of Area decisions.
- Maintain files of Area minutes, protocols, and bibliographies (current and historical), and work with the Dean of Students to see that their files are also complete and accurate.
- Conduct Area review of problems raised by sabbatical leaves and faculty absences by the October meeting so that the information can be discussed by the COD in December. (There is some time to negotiate arrangements before the final course schedule is reviewed, so be sure to send problems along to the COD.)



- Provide information requested by the Dean, Dean of Students, Faculty Council, or other faculty committees in timely fashion.
- See also under Admissions, Recruitment, and follow-up; Professional Development and Placement; Satisfactory Progress.

## **H. Admissions, Recruitment, Follow-up**

The GTU Admissions Committee consists of two members of the Core Doctoral Faculty and is chaired by the Dean. Because Area members are most knowledgeable about the needs and capacities of the Area, their recommendations are essential to all admissions decisions.

### **1. Convener's Duties**

- By October 30, have the Area select a representative committee of at least three readers, normally consisting of the Convener and at least two faculty who are members of the Core Doctoral Faculty. The Area Review Committee reads applications in early January, makes admissions recommendations, assigns a provisional advisor for those applicants who are recommended for admission, and provides reasons for not admitting applicants. The GTU Admissions Committee reviews all Area acceptance recommendations in order to ensure the equality of standards, makes the final admissions decisions, and selects the Presidential Scholars.
- Work with the Admissions Office to help arrange faculty and student interviews for prospective students and applicants. The GTU Admissions Office has a small amount of money to house visiting prospective students for a few days in a GTU school dormitory. Please call the Admissions Office if there is a student you think should have a campus visit.
- Work with the Admissions Office to create and revise recruitment materials from the Area that can be sent to prospective students.
- Coordinate Area follow-up on admitted students. The Admissions Office will be of assistance.

### **2. Notes on Admissions**

The Associate Dean for Admissions sends load studies to Areas with quotas for admissions with a suggested number to admit in order to yield a number of students suitable to the overall capacity of faculty in the Area. Factoring in existing faculty loads and sabbatical plans, the Area reviews the information about faculty in order to select those available to serve as advisors to new students. In those cases where the Area wishes to make exception to the quotas, they should make a case to the Admissions Committee.

## **I. Professional Development of Students/Placement**

The Office of the Dean of Students offers a cycle of professional development workshops for Doctoral Students on topics of general concern. These are listed on the Extended Calendar,

and they will also be advertised in the Dean's Newsletter. Please urge Area students to attend. However, there are some aspects of professional development that should occur within the Areas.

**Conveners are to:**

- Maintain a list of professional associations students in the Area should consider joining; discuss it with all incoming students; and keep it as an active student resource.
- Respond promptly to requests from the Dean's Office or Dean of Students' Office for nominations for a particular job or fellowship opportunity.
- Maintain a list of key journals published in the field, and share it with incoming and current students.
- Refer students to the Dean's Administrative Assistant as soon as they are ready to take advantage of the Doctoral Placement Services (after dissertation proposal is approved by Doctoral Council).
- Recommend to Area students that they attend professional development/ placement workshops offered by the GTU and appropriate professional organizations.
- Keep an ear to the ground and inform students and/or the Dean and Dean of Students about any teaching opportunities for our doctoral students in the consortium or in the Bay Area.

**J. Satisfactory Progress/Annual Student Review**

**The Dean of Students will:**

- Send out review letters in July.
- Use the letters to raise issues about particular students who are having difficulty.
- Keep track of students in extension or who are on probation, and see that they have a plan to complete the program in due course.

The Faculty have an Academic Probation Policy and an Advisory Probation Policy, which are described in the *Doctoral Program Handbook*. These provide the structure within which serious student problems can be addressed.

Please familiarize yourself with them as Conveners and note that probation measures must be based upon and consistent with previous written feedback students have received. It is important that you help the Dean of Students persuade faculty to give students frank feedback in writing while problems are still manageable.

Any serious faculty concerns about students should be brought quickly to the attention of the Dean of Students so that he/she may assist the faculty in their resolution, assure an adequate paper trail, and ensure that there is consistency in application of the standards. The student network is alive with nervous tension about negotiating the hurdles of the program. It is

important that all students are treated equitably. The Dean of Students can be a valuable resource in this respect.

## **K. Problem Areas**

### **1. Student Problems**

Problems with a particular student (finding an advisor, testing anxiety, problems in communication, resistance to advising, etc.) can be troublesome. The Convener provides moral support and advice to the faculty and students on these matters, and the Dean of Students provides moral support and advice to Conveners and Faculty. The Dean of Students can help inform Conveners about past solutions to similar problems for your consideration.

The Dean of Students attempts to facilitate communication and problem solving in a way that upholds the standards of the doctoral program equitably for all students. She/he can advise on strategies to clarify issues. It is wise to consult the Dean of Students before anything is sent in writing to the student on a particularly sensitive issue; what is put down on paper can be very complicated to sort out and may have legal ramifications.

### **2. Grievance Procedures**

Grievance Procedures, as outlined in the *Doctoral Program Handbook*, begin with the Area Convener, who attempts to solve the problem within the Area. The next level is the Dean of Students. The Convener is encouraged to call on the Dean of Students for support and advice if that will be helpful. The Dean of Students will refer it to the Dean if necessary.

### **3. Area Problems**

Since GTU Areas are a congeries of faculties drawn from schools with different philosophies of education, it is not surprising that there may sometimes be disputes within an Area. While many disputes may be resolved internally with careful communication, some are more troublesome. The job of the Dean's office is in part to provide confidential support to Conveners in adjudicating such disputes. The Dean is willing to attend Area meetings or have meetings with disputed parties, if that would be helpful, or to recommend another respected third party who might be of service.

### **4. Multiple Protocols and Catalogs**

Academic tradition clearly stipulates that students are bound by the requirements and procedures specified in the catalog under which they were admitted (the one sent to them when they applied) and the protocols described therein and distributed in the first semester. Since some doctoral students may stay in the program more than seven years, most Areas have several sets of protocols governing their students. The students may opt for their original protocol or the current protocol, but not a combination of the two. (Please note: in the case where a student has not advanced to a program stage that is undergoing change, and the Area is certain the student has not invested time and effort on work that follows the original protocol for that stage, the Area may require the student to

follow the new protocol. This adaptation applies to students who have not progressed to the program stage involved within the normative time schedule.)

Because faculty and the Dean's Office have a hard time keeping track of all of this, it is crucial we maintain historical files of protocols and catalogs, which can be used to determine the requirements governing each student. The Academic Secretary or Dean of Students can easily verify the entrance date of a student, since it is recorded both in their paper files and in our computer database.

#### **L. Archiving Area Materials**

Each area should archive the following materials on the Area Moodle site:

- Monthly Area agendas;
- Monthly Area minutes;
- Background materials, raw descriptive, indirect and direct data for Area reviews (optional);
- Area review drafts, worksheets, and other working documents (optional);
- Background materials and raw data for any other case-specific projects (optional);
- Final case-specific project proposals or reports.

An Area should submit any materials it wishes to archive that are not in electronic form and, therefore, not stored on the Moodle site to the Dean of Students; these materials will be stored in the Dean of Students administrative files and, then, moved to GTU archives to be held permanently.

#### **M. Transition to Next Area Convener**

When your term as an Area Convener is coming to an end, please meet with your successor to help orient him/her to the job, hand over the area files, and discuss any area projects or problems that are still in progress. Thank you for your work as an Area Convener!

#### **N. Area Assistants**

In order to help with the Convener's clerical work, the Dean's Office funds an Assistant for each of the Areas. In the past, these Assistants had to be work-study students, but because of problems in finding Assistants for some of the Areas, the Dean converted this to a wage line item in the budget (although Conveners and prospective student Area Assistants are encouraged to pursue work-study support if available). This means that each Area is allotted a specific amount. Please consult with the Dean about the current funds available for the Area and specific use of funds. Area Assistants' timesheets should be submitted to the Dean's Office.

##### **Area Assistant's Responsibilities:**

- Type agenda, and copy and distribute them with attendant materials. Take Area minutes, and prepare them for distribution, with approval of the Convener.
- Help plan any Area events or colloquia.
- Help Conveners survey Area on various issues, as requested.

Conveners are responsible for locating a student to work as an Assistant; it is generally better if the Assistant is a doctoral student in the Area, since he or she will have a special interest in the activities of the Area, and will often do an outstanding job. However, there is no requirement that Assistants come from the Area.

To hire an assistant, simply write a brief memo to the Dean of Students appointing him or her Area Assistant, and send the student with the memo to the Dean of Students' Office. The Dean of Students will authorize the hire, and send the student to the Financial Aid Office to first explore options for work-study funding. He/she will authorize the hire and send the student to the GTU Personnel Office to go through student employment procedures. Any additions to the standard job description should be specified in the memo. (See the *Doctoral Program Handbook*)

The one caution in the hiring process is that if the student is on Financial Aid, their earnings as Assistant cannot put them over their legally calculated "need." It is thus wise to begin this process early enough that any problems can be resolved in ample time. The standard wage for an Area Assistant is set in accordance with current GTU guidelines. Students will have to fill in time sheets, signed by the Convener, to receive their wages for Area Assistant work.

If the Area Assistant has a work-study award, they may use it for the Area Assistant position. That has two advantages: since 60% of work-study wages are paid by the Federal Program, the wage line could support more hours if the Area is undertaking some major project which will require more clerical assistance, or the Area could save part of the wage line, which the Dean can then use to fund other Area activities. However, be forewarned that the budgetary strictures at most of the schools, including the GTU, now mandate that they hire work-study students to keep many offices running, so that there may not be sufficient work-study students for this purpose.

## Appendix 1

### **Prohibited Sexual Misconduct and Title IX Administrative Policies and Procedures**

This document discusses the Graduate Theological Union's (GTU) policies and procedures when addressing prohibited sexual misconduct and issues related to Title IX, the Campus SaVE Act, and the Violence Against Women Act. Title IX refers to a section of the Education Amendments of 1972 law that prohibits sex discrimination in educational programs and activities at schools that receive federal financial assistance. Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. All students and other persons at the GTU are protected by Title IX, regardless of their sex, sexual orientation, gender identity, part- or full-time status, disability, race, or national origin, in all aspects of a recipients educational programs and activities.

The Violence Against Women Reauthorization Act of 2013 (VAWA) (20 U.S.C. 1092(f)) amended the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act (Clery) under the Campus Sexual Violence Elimination Act provisions (Campus SaVE Act). These laws changed the violations that must be reported by the GTU to include domestic violence, dating violence and stalking as well as to expand the categories of reportable hate crimes.

This document also addresses concerns related to sexual harassment, sexual assault and sexual misconduct, dating violence, domestic violence, and stalking involving students, faculty and staff of the Graduate Theological Union, regardless of whether the alleged perpetrator is a student, faculty, staff or third party.

#### **Non-Discrimination Policy**

The GTU does not discriminate on the basis of race, color, national or ethnic origin, ancestry, sex, age, disability, religion, sexual orientation, gender identity or expression, veteran status, medical condition, marital status or any other characteristic protected by law in its programs or activities. The GTU prohibits unlawful harassment, including sexual harassment and sexual violence and will respond to violations of Title IX by protecting the victim and conducting a prompt and thorough investigation.

As a community of scholars devoted to research, learning and teaching, the GTU is committed to creating and maintaining an environment free of all forms of harassment, exploitation, and intimidation. Every member of the GTU community should be aware that such behavior is prohibited by law and school policy. The GTU will not tolerate sexual misconduct or harassment in any form, including acquaintance or date rape or violence, sexual assault, stalking or domestic violence. The GTU will take appropriate action to prevent, correct, and discipline behavior that is found to violate school policy or laws proscribing such activity.

#### **Authority**

The GTU has a Title IX Coordinator whose responsibility it is to ensure that all the requirements of Title IX are met. The Title IX Coordinator may have one or more deputy coordinators to assist in the reporting, investigating and determination of findings related to a concern addressed by this document. In dealing with allegations and alleged perpetrators (Respondents) or victims (Complainants) it may be appropriate for the Title IX Coordinator to consult with other GTU offices and departments.

#### Respondent is a Student

In cases where the Respondent and the Complainant are both GTU students, the Title IX Coordinator or Deputy Coordinator is responsible for addressing concerns and making decisions related to investigations, charges and penalties. In cases where only the Respondent is a GTU student, the Title IX Coordinator or Deputy Coordinator is responsible for addressing concerns and making decisions. In both these cases the Dean and Vice President for Academic Affairs will manage and decide appeals. In cases where the Complainant is a GTU student but the Respondent is a student of another member school of the GTU, the Title IX Coordinator or Deputy Coordinator is responsible for coordinating with the Title IX Coordinator or designee of the member school to ensure the complaint is heard and addressed.

#### Respondent is a Staff Member

In cases where the Respondent is a member of the GTU staff, the Title IX Coordinator or Deputy Coordinator is responsible for addressing concerns and making decisions related to investigations, charges and penalties. The Title IX Coordinator or Deputy Coordinator may consult and share responsibility with the supervisor of the Respondent if appropriate. The President may designate one of the Vice Presidents of the GTU to manage and decide appeals, but not the Vice President overseeing the Respondent's department.

#### Respondent is a Faculty Member

In cases where the Respondent is a member of the faculty the Title IX Coordinator or Deputy Coordinator will work jointly with the Dean and Vice President for Academic Affairs to manage concerns and make decisions under this policy. The President will manage and decide appeals.

#### Respondent is from Another School

Cross registration of students in courses within the consortium is a valuable feature of the GTU, and students, faculty and staff from the schools of the consortium frequently interact with one another. Interactions may take place in shared classes, advising, student groups, meetings and events, and in shared facility spaces such as the library.

In cases where the Respondent is a member of another school or affiliated institution, the Title IX Coordinator or Deputy Coordinator will work jointly with the Title IX Coordinator or designee of the other school or affiliated institution to manage concerns and make decisions under this policy. In these cases the Complainant is encouraged to report the concern directly to the Title IX Coordinator of the other school or institution. If the other institution does not have a Title IX Coordinator the Complainant is encouraged to report the concern directly to the president, dean or chief administrator of the institution. In all cases, the Complainant should also report the concern to the GTU's Title IX Coordinator or a Deputy Coordinator. This also applies to cases where the Respondent is a member of another institution with which the GTU has cross

registration agreements, such as UC Berkeley, Dominican University and Holy Names University.

While the GTU Title IX Coordinator or Deputy Coordinator will work jointly with officials of the other school or institution, the prohibited sexual misconduct and Title IX policies and procedures of the Respondent's institution will prevail and the Respondent's institution will have control over the proceedings. The GTU may, at its discretion, conduct an investigation separate from that of the Respondent's institution.

#### Respondent is a Vendor, Contractor or Third Party

The GTU encourages members of its community to report harassing or inappropriate conduct by a vendor, contractor or third party. In cases where the Respondent is not a student or employee of the GTU, but is on campus as a vendor or contractor or other party providing goods or services to the GTU, the Title IX Coordinator or Deputy Coordinator will work jointly with the Vice President for Administration and Finance to manage concerns and make decisions under this policy.

#### Applicability

The policies and procedures in this document apply to all students, faculty and staff of the GTU. Students enrolled in the common MA program and affiliated at a member school are covered under this policy, not that of the member school. Students who are enrolled in a member school but who work at the GTU are covered under this policy.

#### How to Report a Concern

The GTU encourages all individuals to seek assistance from a medical provider and law enforcement as soon as possible after an incident that may be sexual misconduct. Prompt reporting helps to ensure preservation of evidence and facilitates the identification and location of witnesses. The GTU encourages anyone who has been a victim of prohibited conduct to report concerns immediately. Complaints should be filed as soon as possible, but within one year of the alleged discrimination.

A report of sexual misconduct or a Title IX concern may be reported in a variety of ways, including:

- Reporting directly to the GTU's Title IX Coordinator or one of the Deputy Coordinators
- Submitted, anonymously or otherwise, on the third party website designed to host comprehensive and confidential reporting at <https://secure.ethicspoint.com/domain/media/en/gui/33916/index.html>
- By calling a toll free number to submit a report: 855-433-9924

The GTU will promptly review and thoroughly consider all reports of incidents that may be sexual misconduct, violations of Title IX, or other actions addressed in this Policy. The GTU will take prompt action to prevent, correct and discipline behavior that is found to violate this Policy, where appropriate, in the judgment of the GTU.



The filing of a report under this Policy is independent of any criminal investigation or proceeding that may take place by governmental authorities or law enforcement, and both the GTU and criminal investigations may be pursued simultaneously.

## General Information About Addressing Title IX Complaints

### Confidentiality

The GTU will make reasonable and appropriate efforts to preserve the Respondent's and Complainant's privacy and protect the confidentiality of information. Should the Complainant request confidentiality the Title IX Coordinator or Deputy Coordinator will inform him or her that the GTU's ability to respond may therefore be limited, but that where feasible, it will take reasonable steps to prevent prohibited conduct and limit its effects. The Title IX Coordinator or Deputy Coordinator will also inform the Complainant that it is not always possible to provide confidentiality and that the GTU's decision to share information with others is subject to other considerations.

The GTU is required by law to report certain types of reported sexual misconduct in its annual crime statistics report. Names and other identifying details of the incident are not made public in the annual crime report. The GTU is also required by law under certain circumstances to report any incident which might be classified as a violent crime, hate crime, or sexual assault to law enforcement. While the GTU strongly encourages and will assist the Complainant in filing a report with the Police or other trauma services, ultimately it is up to the Complainant whether or not to take this action.

Except if required by governmental agencies, the GTU will not disclose a victim's identity unless the victim consents to being identified after being informed of his or her right to have identifying information withheld. If a victim does not consent to disclosing his or her identity, the alleged perpetrator's identity will not be disclosed either, unless required by governmental authorities.

### Discussing Possible Sexual Misconduct without Making a Report or Record of the Incident

If a person would like to discuss the details of an incident of possible sexual misconduct, without making a report or record of the incident, or in an otherwise confidential manner, the person should speak with persons who hold a relationship with the person of which there is a legal duty of confidence, such as with their physicians, mental health therapists, priests, or clergy members. These persons generally will maintain confidentiality if they are acting in their capacity as your physician, mental health therapist, or clergy member, except in extreme cases of immediacy of threat or danger, or abuse of a minor.

Generally speaking, the faculty and administrators of the GTU, even if they are ordained clergy or pastoral counselors, are not acting in their capacity as members of the clergy and do not have such a relationship with GTU students, and thus, they are required under this Policy to promptly forward all reports of possible sexual misconduct to the Title IX Coordinator for consideration and response.

### Anonymous Reporting

Anonymous reports, or reporting without disclosing the reporter's name, can be made, but anonymous reporting is not the preferred way. Depending on the information received, the GTU's ability to respond to an anonymous report may be limited. The Title IX Coordinator or Deputy Coordinator will review anonymous reports received by GTU and determine whether an investigation and response is appropriate.

### Alcohol, Drugs and/or Other Misconduct

The GTU encourages the reporting of all conduct prohibited under this Policy. An individual who reports sexual misconduct or discrimination, either as a Complainant or a third-party witness, will not be subject to disciplinary action by the GTU for his or her own personal consumption of alcohol or drugs, or other non-sexual misconduct, that happened at or near the time of the incident, unless the GTU finds the violation to be egregious. Egregious includes but is not limited to an action that places the health or safety of any other person at risk or involves plagiarism, cheating or academic dishonesty.

### Prohibition Against Retaliation

It is a violation of GTU policy to retaliate against any person making a report of possible sexual misconduct, or against any person cooperating in the investigation of any report of possible sexual misconduct. Retaliation against any member of the GTU community may result in disciplinary action, including termination of employment or expulsion from the GTU.

### Conflict of Interest

The GTU will take action to make sure that the official handling a complaint does not have a conflict of interest in the outcome of the complaint.

### What Happens When a Complaint is Made

Upon receipt of a complaint or a report of an incident, a designated person will promptly schedule a meeting with the Complainant to take place as soon as possible to go over this Policy and to identify possible forms of support. The initial intake meeting shall be conducted by the Title IX Coordinator, Deputy Coordinator, or by an external designee selected by GTU, each of whom shall have training in victim-centered approaches (hereinafter, "Intake Officer").

At this meeting, the Intake Officer will discuss whether there are any interim measures that may be implemented at the discretion of the GTU. The preferences of the Complainant and the Respondent on such measures may be stated and will be taken into consideration by the Intake Officer.

At the intake meeting, the Intake Officer will also discuss the following:

- The right to report the incident to local law enforcement agencies.
- The right to seek medical treatment and the importance of preservation of evidence.
- Requests for confidentiality, if any.
- The GTU's obligation to consider all reports of incidents and the inability of the GTU to guarantee complete confidentiality.

- The GTU’s policy against retaliation of any person making a report or participating in the investigation or adjudication of an incident under this Policy.
- The possibility of an investigation by an outside impartial and neutral fact-finder selected by the GTU.
- The possibility for sanctions as determined by the GTU.
- The use of an Advisor or Support Person in any meeting or proceeding under this Policy.
- The GTU’s obligation to report crime statistics in its daily crime log.

#### Determination of an Investigation

The Intake Officer will then consider the nature of the report, the safety of the individuals involved and of the campus community, the Complainant and Respondent’s expressed preferences for resolution, and if the Intake Officer is not the Title IX Coordinator, will make a recommendation to the Title IX Coordinator on whether the matter can be resolved or whether to refer the matter for further investigation. Sexual assault cases will not be resolved through mediation.

The Title IX Coordinator will make the final decision on whether to refer the matter for further investigation. If the matter is resolved, the matter will be deemed closed, and the decisions final and binding, with no further rights of appeal. If the matter is referred for further investigation, the matter will follow the procedures for investigation and resolution described below.

The Title IX Coordinator or the Deputy Coordinator will inform the Complainant and Respondent in writing if the matter will be referred for further investigation.

If the Title IX Coordinator or Deputy Coordinator determine there is sufficient basis to initiate a Title IX investigation, the coordinator will meet with the Complainant and provide information about the process of the investigation.

#### Possible Interim Measures

Interim measures will be considered and implemented at the discretion of GTU. Interim measures, which may be applied to the Complainant and/or the Respondent, include such things as:

- Issuance of a “no-contact” order or directive that restricts persons from having contact with one another in person or through electronic means.
- Change in class schedule.
- Change in student related employment.
- Rescheduling of exams or assignments (in conjunction with appropriate faculty).
- Voluntary leave of absence.
- Providing escort services for movement between classes and GTU activities.
- Interim suspension or GTU imposed leave.
- Administrative hold on student accounts, including a hold on the release of transcripts while an investigation is pending.
- Denial of access to campus, campus facilities and GTU activities.

## Purpose of an Investigation

The purpose of an investigation of a Title IX complaint is to determine:

- Whether the conduct in the complaint occurred.
- Whether the conduct is prohibited under any of the relevant GTU policies or law.
- Whether there is ongoing risk of harm of further prohibited conduct.
- What steps should be taken to prevent recurrence of the prohibited conduct.
- Whether the GTU should put accommodations for the Complainant in place.
- Whether the GTU should consider changes to policies, practices, procedures or training.

## Conducting the Investigation

If an investigation is deemed necessary or desirable, the GTU will endeavor to conduct an investigation that is prompt, thorough, and impartial. Under normal circumstances an investigation should be completed within two months' time. If the investigation takes place over extended GTU breaks the time may be extended.

## Investigator

The Title IX Coordinator or Deputy Coordinator will investigate or contract with an external investigator who has specific training and experience to conduct such an investigation. The GTU will ensure that the investigator is impartial, that is, not only has the necessary skills to conduct the investigation, but has no stake in the outcome of the investigation. The GTU will also make sure that the investigation is conducted in good faith, including an interview with all the critical witnesses. The role of the investigator is to be a neutral fact finder. The investigator may also designate another trained colleague to assist in interviewing parties, identifying and locating witnesses, and in gathering other facts and evidence. The investigator will conduct an investigation in a manner deemed appropriate in light of the circumstances of the case and will cooperate with law enforcement authorities to the extent necessary.

A typical investigation will include interviews with the Complainant, the Respondent and third-party witnesses, and of the collection of available physical, documentary and other evidence. Photographs may be taken. The Complainant, the Respondent and any third-party witnesses may present witnesses or other evidence to the investigator for consideration. Information collected during the initial intake and assessment will be forwarded to the investigator. If any law enforcement agency is also investigating the incident, the GTU investigator may defer to the police department for the collection and preservation of evidence.

The investigator will compile the details of the investigation into an investigative report, which will contain summaries of the interviews, photographs (if available) and other related evidence or duty logs and also a detailed analysis of the events. Before finalizing a witness' statement, the investigator may send a draft of the statement to the individual to allow them a chance to add to it or make any suggested changes to their statement.

The investigative report will be prefaced with a summary of findings and recommended actions. In this summary the investigator will:

- State the initial complaint.

- Outline the details of the investigation.
- State, whether, using a preponderance of the evidence standard, it is more likely than not that policy violation(s) occurred.
- If requested by the Title IX Coordinator, include any recommended sanctions or corrective actions to be taken.

If requested by the Title IX Coordinator to make a recommendation, the investigator may recommend that the GTU impose certain sanctions or take certain corrective action; however, the decision to select and implement, appropriate sanctions or corrective action, if any, remains at all times within the authority of the GTU.

#### Standard of Review

The investigation will determine findings of fact using the “preponderance of evidence” standard, that is, “it is more likely than not” that the prohibited conduct occurred.

#### Cooperation

All GTU faculty, staff and students are expected to cooperate with the investigation process. Students and others have the right not to incriminate themselves.

#### Notice of Investigation

The Title IX Coordinator or Deputy Coordinator will advise the Respondent of the allegations against him or her in writing. A copy of this notice will also be provided to the Complainant.

#### Participation

The Respondent and the Complainant will have an opportunity to respond to the notice of investigation in writing and meeting with the investigator. Both parties have the right to request that the investigator meet with witnesses and evaluate relevant documentary or other evidence.

#### Support

The Respondent and the Complainant have the right to have a support person accompany him or her through the processes outlined in this document. A support person may attend any meeting or other aspect of the procedures specified in this document, but may do so in an advisory or emotional support capacity only, and may not directly participate or intervene in meetings, an investigation or other aspects of this process.

#### Review by Title IX Coordinator

In the event the Title IX Coordinator is not the investigator, the Coordinator will review any report from the investigator and may seek additional information from the investigator, the Respondent, Complainant or witnesses. As outlined above, the Title IX Coordinator or Deputy Coordinator may consult and share responsibility with others, such as the Academic Dean, supervisor, etc.

#### Actions

After completion of the investigation, the Title IX Coordinator or Deputy Coordinator will review all the materials and consult as appropriated. The Coordinator will issue the Respondent and Complainant a written Outcome Letter including any findings of fact, and if applicable, any

actions the GTU will take to provide accommodations to the Complainant, and any safety measures taken by the GTU to protect the broader GTU community. The letter may also include a recommendation that the matter be referred for disciplinary review by other GTU offices, such as the Dean of Students, Academic Dean, or Human Resources. If prohibited conduct has been determined to have occurred, a copy of the letter, modified subject to the limitations of FERPA, will be provided to the Respondent's Dean, supervisor or HR office.

The Title IX Coordinator or Deputy Coordinator can issue or recommend to a GTU officer any sanctions he or she believes appropriate based on the results of the investigation, including but not limited to warnings, censure, disciplinary probation, suspension, expulsion revocation of admission or degree, withholding a degree, and termination of employment.

Past violation of the Respondent may be considered in the determination of an appropriate resolution. The GTU will also consider whether the action will bring an end to the violation in question, whether it will reasonably prevent a recurrence of a similar violation or whether it will mediate any effects the violation had on the Complainant and the GTU community.

Any sanctions imposed under this Policy are effective immediately.

#### Appeal

If the Respondent or Complainant is dissatisfied with the final determination either party may appeal. An appeal must be made in writing within ten (10) business days of the Outcome Letter. The appeal should follow the standards for review outlined in this document and should clearly state the remedy sought by the appealing party. The written appeal should be delivered to the President of the GTU, who will contact the responsible party outlined in the section Authority above.

Appeals should normally be completed within three weeks unless there is good reason to extend the time necessary to review the appeal. Normally, the grounds for granting an appeal will be limited to the following considerations:

- Is there compelling new evidence that was not available previously? Was the decision based on use of the proper criteria? Were improper or extraneous facts used that substantially affected the decision?
- Were there procedural irregularities that substantially affected the outcome of the investigation and decision for action that were detrimental to the Respondent or Complainant?
- Was the decision that someone in possession of the facts, criteria and procedures at the time one that a decision maker might reasonable have made?

#### Arbitration

If either the Complainant or the Respondent is not satisfied with the decision following a timely appeal, she or he may request review by an impartial arbitrator under the Rules of the American Arbitration Association by submitting a request in writing to the President of the GTU, no later than ten (10) business days after issuance of the decision following a timely appeal.

The request shall consist of a plain, concise and complete written statement outlining the grounds for disagreement with the outcome and all relevant information to substantiate the basis for doing so.

The President of the GTU will then decide whether the case is suitable for arbitration; if so, under written agreement between the GTU and the party seeking arbitration review, providing as a final and binding alternative to civil litigation, an arbitrator will be mutually selected between the parties, and the costs of the arbitrator's fees shall be agreed to in writing by an authorized representative of the parties.

Any matter submitted to binding arbitration under this Policy shall be submitted in accordance with the Rules of the American Arbitration Association. Attorneys or advisors of the party's choice may be present at and participate in the binding arbitration review process. This binding arbitration review process is the exclusive method of external review and is final and binding on both the GTU and the student, and the arbitrators' award shall be final, binding and conclusive upon the parties and may be entered in any state or federal court having jurisdiction.

#### False Accusations

While the GTU encourages everyone to report harassing or inappropriate conduct, anyone who knowingly makes a false or bad faith accusation of harassment, discrimination, sexual misconduct, other conduct prohibited under this policy, or retaliation may be subject to appropriate sanctions. Failure to prove a claim of harassment, discrimination or retaliation does not itself constitute proof of a knowingly false or bad faith accusation. A complaint filed in good faith also will not be considered as retaliation.

#### Coordination with Law Enforcement

The GTU encourages everyone in this community to report criminal actions that are violations of California law, such as sexual assault, to the Berkeley Police Department. The GTU will assist a Complainant in making such a criminal report and will cooperate with law enforcement agencies if the Complainant decides to pursue the criminal process to the extent permitted by law.

Legal actions that may be taken by local law enforcement agencies, including criminal investigations, work independently of the GTU's obligation to conduct its own investigation and grievance processes. If requested law enforcement authorities, the GTU may pause or extend its investigation and grievance process. The GTU's internal grievance processes are not subject to change because criminal or civil charges are not eventually brought against the Respondent, or are dismissed.

#### Accommodations

If prohibited conduct is found to have taken place the GTU will, to the extent reasonable and feasible, consult with the Respondent and Complainant in determining accommodations and safety measures. Appropriate actions may include:

- Class reassignments
- No contact letters and directives
- Limitations on non-course activities

- Removal from the GTU community
- Referral for disciplinary processes
- Review of GTU policies, practices, procedures and training
- Other appropriate actions necessary to lessen the incidence of prohibited conduct

## Retaliation

Retaliation against any person making a complaint of prohibited conduct, or against any person participating in the investigation of an allegation of prohibited conduct, is a violation of GTU policy. Retaliation by any student, faculty or staff member is grounds for disciplinary action, up to and including dismissal from the GTU and termination of employment for cause.

## Berkeley Police Department and Criminal Investigations

Since the GTU does not maintain a police force it encourages everyone to report all violations of the law involving sexual assault, rape, domestic violence, stalking and any other violation to the Berkeley Police Department. The Berkeley Police Department is not required to notify the GTU of violations of the law that involve GTU students, faculty or staff, so the GTU will not have notice of the incident unless it is also reported as indicated elsewhere in this document. The GTU will, to the extent allowed by law, cooperate with any investigation by the Berkeley Police Department.

## Privacy of Records

The Title IX Coordinator will retain records of reports and related documents under this policy. In addition, records relating to reports of incidents of possible sexual misconduct under this Policy may become a part of a students' academic record.

Documents which are prepared in anticipation of the investigation and resolution of the matter (including the investigative report and any other documents) will not be disclosed outside of the review process, except as required by law.

The final Outcome Letter will be issued concurrently to both the Complaining and the Respondent. The GTU neither encourages nor discourages the further disclosure of the final Outcome Letter by either the Complainant or the Respondent. GTU acknowledges that sharing the final outcome letter with others may be an important part of a student's healing process.

## Prevention, Training and Dissemination of this Policy

As a part of the GTU's commitment to maintaining its campus and programs free from sexual misconduct and discrimination, this Policy will be disseminated widely to the GTU community through publications, websites, student orientations, and other appropriate channels of communication.

The Title IX Coordinator is responsible for overseeing the GTU's efforts at training, prevention and education as it relates under this Policy. The Title IX Coordinator and the Deputy Coordinators will receive appropriate training for the intake and handling of reports of sexual misconduct under this Policy, including those that are victim-centered and trauma informed.



GTU will also provide other employees with online training relating to this Policy every two years.

In addition, in an effort to prevent all forms of sexual misconduct from occurring on the GTU campus or within the GTU community, the GTU will provide incoming students and faculty, at the start of the academic year, with a copy of this Policy, and may also provide additional materials designed to educate students on sexual misconduct and how to prevent it from occurring. Education programs shall promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, and shall be designed to prevent all misconduct prohibited under this Policy from occurring, to empower victims, to identify safe and positive options for bystander intervention, and to help recognize warning signs of abusive behavior and how to avoid potential attacks.

Students, faculty and staff of GTU are all encouraged to take part in education and training designed to prevent sexual misconduct.

### Prohibited Conduct, Definitions and Examples

The GTU prohibits all forms of sexual misconduct, including sexual and gender related violence of any form, assault, harassment, domestic violence, dating violence, and stalking. These terms each encompass a broad range of behavior. The following behaviors are among the forms of sexual misconduct that violate GTU policy. Definitions and examples are provided to assist in the understanding of prohibited conduct.

**CLOSE PERSONAL RELATIONSHIPS AFFECTING TEACHING, MENTORING AND SUPERVISORY FUNCTIONS** — Except where explicit and advanced authorization has been obtained in writing from the Vice President for Administration and Finance, no person who is employed by GTU may participate in a close personal relationship with an individual who is a member of the GTU community for whom the person provides or may (by virtue of GTU assigned position or functions) reasonably be expected in the future to provide teaching, mentoring or supervision. Supervision includes grading or other academic evaluation, job evaluation, decisions pertaining to promotion, the direct setting of salary or wages, and job, internship, educational, or employment references or recommendations.

Close personal relationships include dating, sexual and similar close personal relationships that are or are not consensually undertaken by the supervisor and the individual. Such relationships do not include the usual and customary socializing at GTU of teacher-student; mentor-mentee; supervisor-employee; faculty member-graduate student; co-workers; and supervisor-student employee. A person provides supervision when she or he oversees, directs or evaluates the work of others, including but not limited to, managers, administrators, directors, deans, chairs, advisors.

**DATING VIOLENCE** — means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**DOMESTIC VIOLENCE** — This is a form of sexual violence and is abuse committed against someone who is a current or former spouse, current or former cohabitant, someone with whom the abuser has a child, someone with whom the abuser has or had a dating or engagement relationship, or someone similarly situated under California domestic or family violence law.

**FORCE** — is the use of physical violence or imposing on someone physically to gain sexual access. Other forms of force include intimidation (implied threats), threats and coercion that overcome resistance or produce consent. For example, “Have sex with me or I’ll hit you.” “Okay, don’t hit me; I’ll do what you want.”

**FORCIBLE FONDLING** — The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of youth or because of temporary or permanent mental or physical incapacity.

**FORCIBLE SEX OFFENSE** — Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

**FORCIBLE RAPE— (EXCEPT STATUTORY RAPE)** The carnal knowledge of a person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because temporary or permanent mental or physical incapacity.

**FORCIBLE SODOMY** — Oral or anal sexual intercourse with another person, forcibly or against that person’s will or not forcibly or against the person’s will in instances where the victim is incapable of giving consent because of youth or because of temporary or permanent mental or physical incapacity.

**INCEST**— Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**PROHIBITED CONDUCT** — In the context of this policy, Prohibited Conduct refers to matters of sexual assault sexual harassment, sexual misconduct, dating violence, domestic violence, stalking, discrimination based on race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, gender identity or expression, veteran status, or any other characteristic protected by law.

**RAPE** — is defined as “penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.” This definition includes any gender of victim or perpetrator. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

The following scenarios illustrate incidents that are classified as Rape:

- A female college student attended an off-campus party. She drank heavily until she had difficulty standing and was slurring her speech. Two male students offered to walk her home. Once in her dorm room, she passed out. She awoke the next day in pain and found used condoms in her bed. She reported that she was raped to the local police department.
- One night, a woman's husband was very drunk and he accused her of sleeping around. He became enraged and pushed her onto the bed and penetrated her with an object. She was too afraid to struggle.
- A student was drinking with a classmate. The classmate gave her a pill that he said would make her "feel really good." After taking the pill, the woman did not recall what happened. A rape kit indicated semen from sexual penetration.

RAPE - ATTEMPTS TO COMMIT RAPE — are assaults or attempts to commit rape and are classified as Attempts to Commit Rape.

The following scenarios illustrate incidents that are classified as Attempts to Commit Rape:

- A man attacked a woman on the street, knocked her down, and attempted to rape her. A pedestrian frightened the man away before he could complete the attack.
- At a local bar, a man slipped gamma-hydroxybutyrate (GHB), a drug sometimes used to facilitate sexual assault, into the drink of his date. However, the man could not convince the woman to leave her friends and go home with him. After an investigation, detectives concluded that the man intended to rape the woman.

SEX OFFENSES, NONFORCIBLE— (Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

SEXUAL ASSAULT — is defined as the imposition of non-consensual sexual conduct excluding rape, including but not limited to oral copulation, penetration by a foreign object, or touching, caressing, fondling, or touching of a person's genitalia, buttocks, or breasts.

SEXUAL ASSAULT WITH AN OBJECT— To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of youth or because of temporary or permanent mental or physical incapacity.

SEXUAL CONTACT – NON-CONSENSUAL— Any intentional sexual touching, however slight, with any object, by any person upon any other person, that is without consent or is by force. "Person" is regardless of gender status.

SEXUAL EXPLOITATION — is defined as taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or advantage of another person. The following scenarios illustrate incidents that are sexual exploitation:

- Causing or attempting to cause another person to become drunk, drugged or otherwise incapacitated with the intent of engaging in a sexual behavior.
- Recording, photographing or transmitting images of sexual activity and/or the intimate body parts (groin, genitalia, breasts or buttocks) of another person without their consent.
- Allowing third parties to observe sexual acts and voyeurism (spying on people who are engaging in sexual acts or who are doing other intimate activities such as undressing, showering, etc.)
- Exposing one's genitals in non-consensual circumstances or inducing someone to expose their genitals.
- Knowingly transmitting a sexually transmitted disease or virus to another person without his or her knowledge.
- Sexually-based stalking and bullying.

SEXUAL HARASSMENT — is defined as any unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as assault or acts of sexual violence. Sexual harassment can take different forms depending on the harasser and the nature of the harassment. The conduct can be carried out by school employees, other students, and non-employee third parties, such as a visiting speaker. Students of any sex can be victims of sexual harassment and the harasser and the victim can be of the same sex.

The conduct can occur in any GTU program or activity and can take place in school facilities or at off-campus locations such as a member school classroom, office or apartment. The conduct can be verbal, nonverbal, or physical.

One form is quid pro quo or “this for that.” Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature constitutes sexual harassment when it is implicitly or explicitly suggested that submission to or rejection of the conduct results in adverse educational or employment action. An example is a student advisor asking a student to have sex in exchange for keeping quiet about a student's violation of the plagiarism policy.

Another form of sexual harassment involves hostile environment. It is sexual harassment when an individual receives unwelcome sexual advances, unwanted verbal, physical, or visual behavior of a sexual nature, or is made to feel uncomfortable because of their gender or sexual orientation. Conduct that may constitute sexual harassment may include one or more of the following:

- Physical conduct — unwanted touching, blocking normal movement, or interfering with studies or work.
- Verbal conduct — epithets, derogatory comments, slurs, or humor of a sexual nature.
- Visual conduct — leering, making sexual gestures, displaying suggestive objects or pictures, cartoon posters in a public space or forum.
- Written conduct — letters, notes, or electronic communications containing comments, words or images as described above.

The following scenarios illustrate incidents that are classified as sexual conduct and may constitute sexual harassment if unwelcome:

- A faculty member tells a student that his or her grade can be improved if the student performs a sexual act for the faculty member.
- A student scrawls graffiti of a sexual nature on the book of another student.
- A GTU official sends a student a text message to arrange a time to meet for a sexual encounter. Sending such a text message would constitute sexual conduct.

**SEXUAL INTERCOURSE, NON-CONSENSUAL (OR ATTEMPTS TO COMMIT THE SAME)** — Any sexual intercourse, with any object or body part, by any person upon any other person, that is without consent or is by force. “Person” is regardless of gender status.

**STALKING** — is the act of willfully, maliciously, and repeatedly following or willfully and maliciously harassing another person and making a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family or suffer substantial emotional distress. For the purpose of determining whether stalking has occurred, harass means “engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose. Course of conduct means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Credible threat means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct.

**STATUTORY RAPE**—Non-forcible sexual intercourse with a person who is under the statutory age of consent.

### Other Definitions

**ADVISOR OR SUPPORT PERSON** — is a person who provides emotional support to a Complainant or Respondent and who may be present in a non-participating role to provide moral support during any meeting or proceeding under this Policy. The advisor or support person may be a currently enrolled student, parent of the student, or a GTU faculty or staff member. Non-participating means that the advisor or support person is silent and does not speak or present information during the meeting or proceeding under this Policy. Attorneys are not permitted to participate in any Campus meeting or proceeding under this Policy, absent advance written consent of the Title IX Coordinator and agreement to terms.

**CLERGY MEMBER** — means “ a priest, minister, religious practitioner, or similar functionary of a church or of a religious denomination or religious organization.” Communications made in confidence with a clergy member may be privileged under the “clergy-penitent privilege” described in Evidence Code sections 1032-1034. A person who meets this statutory definition may also meet the definition of a pastoral counselor for purposes of Title IX and Clergy Act, which dictate various campus officials’ obligations to report sexual assault to campus authorities.

**COERCION** — is a form of force which comprises unreasonable pressure for sexual activity. When someone makes clear that they do not want to participate in a sexual activity, that they

want to stop, or that their limit is at a certain point, continued pressure to act beyond that point can be coercive.

**COMPLAINANT** — A student, faculty or staff member who has made an allegation against another person of Prohibited Conduct.

**CONSENT** — is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. The individuals consenting must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating relationship is not sufficient to constitute consent. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent must be affirmative and be ongoing throughout a sexual activity and can be revoked at any time. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other to engage in the sexual activity.

**INCAPACITATION** — is a state where someone cannot knowingly give consent. It may occur as the result of alcohol or other drug use. This Policy also applies to a person who is incapacitated as a result of sleep, mental disability or from taking rape drugs (Rohypnol, GHB, Burundanga, Ketamine, etc.)

**PASTORAL COUNSELOR** — means a person who is associated with a religious order or denomination, is recognized by that religious order or denominations as someone who provides confidential counseling, and is functioning within the scope of that recognition. 34 C.F.R. §§ 668.46(a). In this context, a pastor who is functioning as an administrator of GTU or as a student advocate would not be exempt from the reporting obligations under Clery and Title IX.

**PREPONDERANCE OF EVIDENCE** — The standard used by the GTU, in compliance with directives by the Office of Civil Rights of the Department of Justice, in demonstrating facts in an investigation of a Title IX complaint. Preponderance of evidence means the greater weight of evidence, that the evidence on one side outweighs the evidence on the other side.

**RESPONDENT** — A student, faculty or staff member who is accused of engaging in Prohibited Conduct.

**RETALIATION** — Retaliation means any adverse action taken against a person because he or she reported a concern or conduct that may be prohibited or participated in an investigation of such a report or assisted another person in making such a report.

**STANDARD OF EVIDENCE** — In determining whether the elements of a complaint against a Respondent are sustained, the GTU will use a “preponderance of evidence” standard.

**VAWA** — refers to the Violence Against Women Reauthorization Act of 2013 (20 U.S.C. 1092(f)). This act amended the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act (Clery) under the Campus Sexual Violence Elimination Act provisions (Campus SaVE Act).

WITNESS — refers to any individual who either witnessed an incident or who has relevant information regarding a case that is being investigated under this Policy.

## Resources

The GTU encourages all members of the GTU community who believe they have been victims of sexual misconduct to report these incidents to local law enforcement authorities and to seek medical attention where appropriate.

The GTU also encourages all members of the GTU community to report any incident(s) of possible sexual misconduct to the GTU under these Policies and to get help from as many resources as possible.

### For Emergency Needs

- **911** – Police
- City of Berkeley Police Department: Emergency 510/981-5911
- Rape Crisis Center 24-hour helpline: 800/670-7273
- Bay Area Women Against Rape 24-hour hotline: 510/845-7273
- National Domestic Violence Hotline: 800/799-SAFE (7233)

### Other Resources

GTU does not maintain an on-campus counseling center or staff with professional qualifications to provide counseling. There are however, other services available in the Berkeley area, including:

- Bay Area Women Against Rape provides free 24-hour comprehensive services to victims of sexual assault. Website: <http://www.bawar.org> Telephone: 510/845-7273 or 510/845-RAPE.
- Alameda County Medical Center, Highland Hospital Sexual Assault Center, 1411 E. 31st Street, Oakland provides 24-hour assistance, including medical treatment and examination, advocacy and counseling support for victims of sexual assault. Website: <http://www.highlandahs.org/our-services/specialty-services/medical-counseling>. Telephone 510/437-4688.
- City of Berkeley Adult Clinic, 2640 Martin Luther King Jr. Way 510/981-5290.
- City of Berkeley Domestic Violence Crisis Line 510/562-3731.
- City of Berkeley Mobile Crisis Team (MCT) is available every day from 10:30 AM to 11:00 PM at 510/981-5254.
- Men Overcoming Violence, 1385 Mission Street, Suite 300, San Francisco 415/626-6704.

There are also several national organizations that may be able to provide the GTU community with important information and assistance:

- National Domestic Violence Hotline, 800/799-SAFE (7233)
- National Sexual Assault Hotline, 800/656-HOPE (4673)
- Stalking Resource Center, 202/467-8700

- National Teen Dating Abuse Helpline, 866/331-9474

#### GTU Campus Services

- Title IX Coordinator: Steven G. Argyris, 510/649-2433, sargyris@gtu.edu and Vice President's Office, 2400 Ridge Road, Berkeley, CA 94709.
- Deputy Coordinator (for students): Kathleen Kook, Dean of Students, 2465 LeConte Avenue, Berkeley, CA 94709, 510/649-2464; and
- Deputy Coordinator (for faculty and staff): Debi Walker, Director of Human Resources, 2452 Virginia Street, Berkeley, CA 94709, 510/649-2577.

#### Off Campus Counseling Services

While there are many Bay Area resources for counseling services, two counseling centers may be of interest to the GTU community.

The Interfaith Counseling Center of the Bay Area <http://interfaithcc.org/> offers a variety of services including psychotherapy, pastoral counseling, spiritual direction, and other counseling services. Trained and licensed therapists and counselors are available. Reduced fees may be available to GTU students, faculty, staff and families. There are two Bay Area locations. An office is located in San Anselmo at 15 Austin Avenue, San Anselmo, CA 94960 and may be reached at 415/256-9701. In Berkeley the offices are at Durant House at First Congregational Church of Berkeley, 2345 Channing Way, Berkeley, CA 94709 and may be reached at 510/225-5595.

The California Counseling Institute <http://www.californiacounseling.org/> is a non-profit dedicated to integrating the mind, body and spirit through psychotherapy. The institute provides psychotherapy for people facing a variety of life situations, including relationship and family concerns, career choices, depression, anxiety, financial pressures, life transitions, losses and grief. Their East Bay office is located at 1562 Oakview Avenue, Kensington, CA 94707. For information or to set up an appointment call 415/752-1702.

#### Confidential Reporting Options

Persons who would like to speak to someone in confidence about an experience of sexual misconduct or about another's experience of sexual misconduct, should contact off-campus rape crisis counselors, domestic violence resources, private agencies, external mental health agencies and external clergy members.