



Policy Title: Community Grievance and Discipline

Responsible Office: Student Assessment and Awards Committee

Audience: Faculty, Staff, Students

Last Review: 2019

Next Review: 2022

Union Presbyterian Seminary (“UPSem,” “the Seminary”), by its charter and by its purpose, prepares students for leadership and service in the church. In view of this central purpose, we enter into community with one another under Jesus Christ's model of mutual respect and forbearance (Colossians 3:12-17). Thus, our life together in community is an important part of our preparation for ministry, as we seek to experience and embody values in our life together that will enable us to provide leadership for other communities of faith. UPSem seeks to be a Christ-centered place where we learn what it means to live together as a community of Jesus's disciples—with all the joys, challenges, tensions, and growth entailed.

As we engage conflict/grievances, we do so with a view toward reconciliation, restoration, and building up the body of Christ. We value direct, face-to-face communication as we engage conflict. In the maintenance of our communal life together, particular attention is given to three areas: Academic Honesty, Evaluation, and Personal Behavior.

A. Academic Honesty

As at all academic institutions, the effectiveness of the learning process at UPSem is closely related to the honesty and timeliness of the work of both students and faculty.

1. FACULTY

Responsibility in Teaching and Research

Faculty bear significant responsibility for ensuring academic honesty, not only in student papers and examinations, but also in their own teaching and research. All sources, ideas, and quotations used in teaching or research are to be acknowledged publicly. Student papers and other materials submitted for evaluation are to be returned in a timely manner, according to the policy set forth in the *Faculty Manual* [“Grades,” 3209.00]. Students who question the fairness of a professor's grade may appeal by following the policy on Appeal of a Grade [*Student Handbook*].



2. *ACADEMIC FREEDOM*

The search for truth is central to the vocation of the Seminary and to its faculty members, students, and staff. This search for truth is the calling of both individuals and the Seminary community as a whole.

a. Students and Staff:"

The freedom necessary in this search for truth is important to students and staff, and, in particular, students engaged in doctoral research shall have the freedom to conduct their research in their respective disciplines and to communicate the findings of their research. Doctoral students, in their search for truth, are free to the maximum extent that is consistent with the mission, educational objectives, and needs of the Seminary, to teach, carry out research, and publish. They are assured of the support of the Board of Trustees in this freedom even if their views, held in good conscience, may be unpopular ones.

b. Faculty:

UPSem faculty members acknowledge the responsibilities attendant upon their academic freedom. They exercise their freedom in a manner conformable to the vows they take at their installation as members of the instructional staff of the institution [see *By-Laws, Article IV*], as well as to the vows they have taken if they have been ordained as officers of the church.

Within that context, faculty members exercise their responsibilities as scholars and teachers without interference and in a climate of mutual respect and free intellectual inquiry. In their search for truth, faculty members are free to the maximum extent that is consistent with the mission, educational objectives, and needs of the Seminary to teach, carry out research, and publish. They are assured of the support of the Board of Trustees in this freedom even if their views, held in good conscience, may be unpopular ones.

Within the classroom, faculty members must exercise their academic freedom responsibly so as not to infringe their obligations as instructional staff to teach prescribed course content in a timely and efficient manner. One faculty member's claim to academic freedom must not subvert the overall education and training interests of the institution, or the faculty's responsibility to prescribe curriculum content and allocate faculty resources.

Beyond the classroom and the Seminary community, faculty members are entitled to make responsible expression of their opinions as citizens without prior authorization by the institution. However, in such cases,



faculty members should make it clear that they do not speak for the institution. It is important that the faculty members of the Seminary community recognize that their words and actions reflect on the school and that institutional as well as personal interests should therefore be taken into account when entering into the public arena.

3. *STUDENTS*

a. *Timeliness*

Course requirements are to be submitted on time. When a deadline cannot be met, prior contact should be made with the professor. For work to be completed after the end of a term, students must request an extension from the appropriate Academic Dean or Director of the Th.M. program if a student is enrolled in that program.

b. *Plagiarism* [See “Plagiarism Policy.”]

At UPSem, plagiarism is defined as the use of someone else’s ideas or words without attribution in a graded event. A student who is unsure about this standard should speak directly with the professor(s) at the beginning of the course. To learn more about this policy and the process to be followed when a grading professor is concerned that plagiarism may have occurred, please see the appropriate section in the *Policies and Procedures Booklet*.

c. *Honesty in Testing*

Students are required to undergo examinations and other forms of academic evaluation. Any use of materials and/or methods other than those permitted by the professor(s) grading the course or event will constitute academic dishonesty. The academic consequences—grades and otherwise—for academic dishonesty will be determined by the grading professor(s), who may consult with their departments and/or deans.

If plagiarism is found to have occurred, the institution's Plagiarism Policy will be followed. Students have the right to appeal all decisions to the Academic Dean in Richmond or to the Dean of Union Presbyterian Seminary at Charlotte. A record of all confirmed cases of academic dishonesty will be maintained by the Academic Dean in Richmond for Richmond and by the Academic Dean in Charlotte for Charlotte courses.

d. *Honesty in Research* [See “Plagiarism Policy.”]

B. Evaluation

It is in the nature of an academic institution that evaluation and assessment take place on a regular basis. Evaluation is performed out of the Seminary's commitment to



the larger church, which looks to the institution for dependable evaluation of students seeking ordination to the ministry of Word and Sacrament or employment as professional church educators.

Evaluation is also performed out of regard for the standards of competence that must be maintained in order for the Seminary to remain accredited and function at a high level of scholarship and stewardship. Regular evaluation and assessment, therefore, take place with regard to all members of the community: students, staff, and faculty.

1. STUDENTS

Regular evaluation of students' academic performance takes place in the form of course grades, which become part of the student's permanent record. Supervised ministry or field-based learning reports and other formal faculty evaluations may become part of a student's permanent files. Before any student is granted a degree, a final faculty vote is taken on the student's acceptability for graduation [*By-Laws, Article IV, Section 3*].

2. STAFF

Regular evaluations of employees by supervisors are carried out in accordance with established personnel procedures. [See *Employee Handbook: "Annual Performance Evaluations."*]

3. FACULTY

Regular procedures are established for evaluation of faculty members prior to any promotion. A more extensive evaluation takes place when a faculty member is considered for tenure. Individual biennial or triennial conferences take place for each faculty member in conversation with the President and the appropriate Academic Dean, at which time the work of the faculty member is reviewed and plans for future teaching, research, and service are considered [*Faculty Manual, 4403.00*].

C. Personal Behavior

Life at the Seminary is lived in the context of a community that is both academic and Christian. Depth of conviction and an emphasis on moral conduct are integral to the life shared here. Relationships are to be honored. Personal behavior is taken with great seriousness in a variety of relationships. In cases of personal misconduct, the Seminary adheres to a policy that strives to adjudicate problems in ways that are just and fair for the Seminary community.

“Personal misconduct,” in this policy, is defined in relation to nonacademic behavior at the Seminary. Allegations and incidents of academic misconduct, such as plagiarism, are subject to distinct policies that may be found in the *Policies and Procedures Booklet*. This policy, therefore, focuses on matters of *personal integrity*.



Seminary students, staff, and faculty are expected to conduct themselves in ways that are aligned with the Seminary's norms and standards as outlined in the *Policies and Procedures Booklet*. These norms and standards support the Seminary's efforts to nurture, maintain, and strengthen an environment founded on honesty, integrity, civility, and respect.

As such, students, staff, and faculty must refrain from disruptive behavior that disregards the needs and rights of others to pursue study, work, family life, and friendships in the community. Some examples of behavior that reflect a breach of the Seminary's norms and standards and constitute personal misconduct are:

- discriminating against others on the basis of race, national origin, ethnicity, sex, religion, color, creed, disability, sexual orientation, marital status, or age
- harassing, intimidating, or bullying another person
- causing physical injury to or threatening another person
- disrupting the peaceful or orderly conduct of lectures, meetings, and worship services led or sponsored by those with whom one may disagree
- disrupting the peaceful or orderly living spaces of those living in campus housing
- stealing or vandalizing property
- plagiarizing the materials of other persons in nonacademic settings, such as in leading worship on campus
- possessing firearms, explosives, or other dangerous weapons on campus property
- engaging in any form of criminal conduct
- bringing complaints against a community member that are spurious, or that are intended primarily to harass or maliciously defame another person

Additional examples that pertain to personal behavior may be found in other Seminary policies.

GUIDING PRINCIPLES FOR APPLICATION OF THIS POLICY

The effective date for this policy is May 2015. The policy does not apply to personal misconduct that was investigated prior to such date.

Serious Treatment of Incidents and Allegations of Personal Misconduct

Incidents and allegations of personal misconduct will be taken seriously by the Seminary. All persons involved will be treated with respect in the Seminary's response to incidents and allegations of personal misconduct.



Procedural Integrity

If an incident occurs, or if an allegation is made, the Seminary's response will be prompt. All responses will be undertaken with sensitivity to all parties involved in or affected by the personal misconduct.

In response to an allegation of personal misconduct, the goal of the Seminary will be to determine the truth as far as is humanly possible. Those charged with responding on behalf of the institution in the pursuit of truth shall do so with care for persons and for processes, and be guided by prayer for discernment and guidance.

The Seminary will not tolerate any retaliation against any person for making an allegation of personal misconduct or any retaliation against anyone for participating in any investigation of an allegation. All members of the Seminary community are expected to cooperate in this investigation procedure. Any member of the Seminary community who knowingly provides false or misleading information will be subject to disciplinary action.

Confidentiality

Any allegation of personal misconduct will be held in confidence by all persons involved, and the information will be disclosed only on a need-to-know basis to investigate and resolve the matter.

Relation of Personal Misconduct to Legal Authorities

Because personal misconduct may in some instances constitute both a violation of Seminary norms and standards *and* criminal activity, and because the Seminary's response to incidents and allegations of personal misconduct is not a substitute for instituting legal action, the Seminary encourages individuals to report alleged personal misconduct of a criminal nature to campus officials *and* to law enforcement authorities, where appropriate.

Individuals may, however, choose to decline to report alleged personal misconduct of a criminal nature to campus officials and/or to law enforcement authorities. The Seminary respects and supports the individual's decision with respect to reporting; nevertheless, the Seminary may notify appropriate law enforcement authorities if required or warranted by the nature of the incidents or allegations at issue.

A criminal investigation into the matter does not preclude the Seminary from responding to an allegation of personal misconduct; however, the Seminary's response may be delayed temporarily while the criminal investigators are gathering evidence. In



the event of such a delay, the Seminary may take interim measures when necessary to protect any alleged victims of personal misconduct and the Seminary community.

Neither the results of a criminal investigation nor the decision of law enforcement authorities to investigate or decline to investigate the matter is determinative of whether personal misconduct, for the purposes of this policy, has occurred.

GUIDELINES FOR RESPONDING TO AN ALLEGATION

Introduction

What follows is a general set of guidelines and a process by which the Seminary will respond to an incident or allegation of personal misconduct. The Seminary does, however, reserve the right to modify the process outlined here in order to respond appropriately to a particular case.

The Seminary anticipates and expects that many potential problems in the area of personal misconduct will be resolved by an informal response.

When matters of personal integrity arise with respect to employee misconduct, the guidelines and protocols found in the *Employee Handbook* will be followed. For faculty, procedures related to misconduct that are outlined in the *Faculty Manual* take precedence over all other policies. What follows in this policy pertains to nonacademic student misconduct apart from sexual misconduct.

Informal Response

Whenever a member of the Seminary community alleges that the Seminary's norms and standards have been violated, as described in this policy, that member is urged first to communicate directly with the alleged offender in order to seek redress and reconciliation. If, due to the nature and severity of the alleged breach of personal conduct, an informal response is perceived to be unsuitable, the member should seek the intervention of an appropriate third party, noted in the following section on "Mediated Response."

Mediated Response

If an informal response fails to resolve an allegation of a violation of the Seminary's norms and standards, or if an informal response is perceived as unsuitable due to the nature of the alleged breach of personal conduct, parties with allegations are urged to seek mediation as a means for redress and reconciliation by requesting assistance from the Vice President for Community Life and Dean of Students. The VP/Dean of Students



will select a mediator and inform the parties of the mediator selected to assist them with the resolution of their concerns.

If, after working with the parties, the mediator determines that mediation is not a viable option for a satisfactory resolution of the concern to all parties involved, the mediator will notify the VP/Dean of Students and request that the matter be considered through a "Formal Response," as outlined in the following section.

Formal Response

If informal and mediatory efforts at redress and reconciliation of an alleged violation of the Seminary's norms and standards fail, or if the nature of the alleged breach of personal conduct is too serious for an informal response or a mediated response, a formal complaint should be sent to the Vice President for Community Life and Dean of Students. This complaint must be submitted in writing and signed by the member of the community filing the complaint. The VP/Dean of Students will notify the alleged violator(s) within three (3) business days of receipt.

The VP/Dean of Students, after consulting with members of the faculty and administration as they deem appropriate, will appoint a "Case" committee drawn from any full-time members of the faculty and staff to examine the allegation(s) and gather additional information pertaining to the allegation. This committee will designate a chairperson as it proceeds.

As appropriate, the "Case" committee, guided by the chair, will hold formal hearings in which each party will be invited to be heard by the committee. At these hearings, the committee may request that persons with knowledge of behaviors pertaining to the complaint provide information as "witnesses." Attorneys for any of the parties, or for any "witnesses," may not be present during the formal hearing.

If any direct parties to the complaint choose not to appear before the "Case" committee, the committee will proceed with its hearing and consider all relevant information to which it has access. The chairperson of the "Case" committee will determine the procedure for the hearing, including, but not limited to:

- Who shall be asked to appear before the committee
- What information will be sought
- The manner in which questions will be asked for all who appear before the committee
- The amount of time spent on each matter
- Whether the conversation between the parties, witnesses, and members of the "Case" committee should be stopped at any time and for any reason



After the hearings have been concluded, the "Case" committee will deliberate the complaint of personal misconduct with all of the information it has received in relation to the allegation.

If the "Case" committee determines that the information it receives is **insufficient** to sustain the complaint, it shall render its findings to the VP/Dean of Students and recommend that the alleged offender be *exonerated*. The VP/Dean of Students will notify all parties involved. The matter will be considered ended, and no further action will be taken.

If the "Case" committee determines that the information it receives is **sufficient** to sustain the complaint, it shall render its findings to the VP/Dean of Students and recommend appropriate outcomes. While it is not possible to identify all possible outcomes, the following list offers examples of actions that may be considered by the "Case" committee:

- *Admonition/Warning*: The offending party is given a clear written description of the personal misconduct and the potential consequences of similar complaints in the future.
- *Referral to Ecclesiastical Authorities*: Appropriate officers in the denomination of the offending party are notified in writing of the misconduct and imposed sanctions, within FERPA guidelines.
- *Nonacademic Probation*: The offending party is barred from participation in Seminary community life, *except for academic courses and supervised ministry experiences*, for a specified period of time and under specified circumstances.
- *Suspension*: The offending party is barred from participation in Seminary community life, including academic courses and supervised ministry experiences, for a specified period of time and under specified circumstances.
- *Dismissal*: The offending party is permanently barred from participation in Seminary community life, including academic courses and supervised ministry experiences.

Upon recommendation of the "Case" committee, the Vice President for Community Life and Dean of Students may impose any of the following, or similar sanctions, upon the offending party:

- *Admonition/Warning*
- *Referral to Ecclesiastical Authorities*
- *Nonacademic Probation*

If the VP/Dean of Students determines that the appropriate sanction is either suspension or dismissal, they shall make a recommendation to the faculty in *executive session*. If the faculty



concur with the VP/Dean of Students' recommendation, the sanction will be imposed. If the faculty does not concur, the VP/Dean of Students may consider and impose lesser sanctions.

Once the sanction has been determined, the VP/Dean of Students will notify all parties of this decision in writing.

APPEALS

Persons who are involved in the formal complaint process and are dissatisfied with the outcome are entitled to appeal the findings or the severity of the sanctions.

These persons must file a written and signed appeal to the President of Union Presbyterian Seminary within 10 business days of being notified of the outcome. The appeal will be considered and acted upon before any penalty goes into effect, with the exception of possible interim measures to ensure the safety of Seminary community members.

The President of Union Presbyterian Seminary will confirm receipt of the appeal within three (3) business days of receipt. If the President is out of the office for an extended period of time, whether on Seminary business or personal leave, this three-day period will not begin until they return to the office.

The Seminary President will consider and act upon the appeal within 10 business days of receiving the appeal. If the President is out of the office for an extended period of time, whether on Seminary business or personal leave, this 10-day period will not begin until they return to the office.

The decision of the Seminary President is considered final.

RECORDS

All written materials pertaining to personal misconduct that is resolved through a process of mediation, or to complaints of personal misconduct that are sustained through a formal process, will be preserved in the student's file in the Registrar's Office in accordance with FERPA guidelines. These materials will include any appeals that are filed in relation to a formal decision and the response to such appeals by the Seminary President.



VETERANS

For Veterans: Grievances Against the School

Veterans and other eligible persons should initially follow the Seminary's grievance policy. If the situation cannot be resolved at the Seminary, the beneficiary should contact one of the following agencies to report a grievance against the school so that it may investigate complaints of GI Bill beneficiaries.

At the Seminary's Richmond, Virginia, campus, the Virginia State Approving Agency (SAA) is the approving authority of education and training programs for Virginia. To report a grievance, the beneficiary should contact the Virginia SAA office via email at saa@dvs.virginia.gov.

At the Seminary's Charlotte, North Carolina, campus, the North Carolina State Approving Agency (SAA) is the approving authority of education and training programs for North Carolina. To report a grievance, the beneficiary should contact the North Carolina SAA office via telephone at (919) 733-7535 or by mail at 120 Penmarc Drive, Suite 103, Raleigh, North Carolina 27603-2434.