



Governance Manual

Revised June 2020 (Bylaws update as of 10/2019)

*Reference should be made to the LPTS website for changes
in the Governance Manual since the date of this printing.

The Governance Manual is maintained by the President's Office.

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I.

Brief Description of Governing and Advising Bodies

BRIEF DESCRIPTION OF GOVERNING AND ADVISING BODIES

The Board of Trustees

See "By-Laws," Article II, and "Board of Trustees: Structure and Manual of Operations." The management and control of Louisville Presbyterian Theological Seminary is vested in a board of directors known as the Board of Trustees of Louisville Presbyterian Theological Seminary. The Board through its appointed administrative offices gives oversight to the operations of the Seminary. It elects faculty and confers degrees. The Board of Trustees has responsibility for the policies governing all aspects of Seminary life.

The Faculty

See "By-Laws," Article VI, and "Plan of Governance," Article IV. The faculty normally meets at the conclusion of the Seminary Council meetings or upon call of the President. Its primary responsibilities include the review of students; changes in the MDiv, MAR, and DMin curricula; the hiring, periodic review, and promotion of faculty, including adjunct and visiting faculty; review of sabbatical proposals and reports, and meeting accreditation requirements of recognized accrediting agencies for all academic programs. Tenured faculty members have oversight of the hiring and promotion of faculty members. The President presides at faculty meetings; in the absence of the President, the Dean presides. (Some of the foregoing actions require approval by the Board of Trustees; see By-Laws for details.)

Seminary Council

See "Plan of Governance," Article II. The Seminary Council consists of all faculty, 10 students, the Staff Moderator and an additional representative from the staff, the Vice President for Finance and Administration, the Vice President for Institutional Advancement, the Director of the Library, the Registrar, the Dean of Students, the Director of Recruitment and Admissions, the Executive Director of the Louisville Institute, the Associate Director of the Louisville Institute, the Coordinator of Academic Support Services, the Director of the Marriage and Family Therapy Program, the Director of Clinical Training, the Director of the Doctor of Ministry Program, and the Director of Field Education; all of these Council members have voice and vote. The areas of responsibility of the Seminary Council are spelled out in the Plan of Governance. They involve specific responsibility for the MDiv, MAR, and MFT curricula and community life. The President, the Dean, or the President of the Student Body presides.

Administrative Council

See "Plan of Governance," Article VII. The Administrative Council is composed of all administrative members of the Seminary. Its purposes are to provide communication within the administration, to identify emerging problems or issues to be addressed, and to offer education about the intersecting areas of the Seminary's life. It normally meets twice during an academic year, and the President presides.

Staff Council

See "Plan of Governance," Article VII. The Staff Council is made up of all staff members of the Seminary. The Council elects its own officers, and the Moderator of the Staff Council presides. One faculty member is elected each year as a liaison to the Staff Council. The Vice President for Finance and Administration sits with the Staff Council, and the President attends as needed. The Staff Council discusses issues related to the work of the staff and makes recommendations to the President. It meets upon the call of the Moderator of the Staff Council.

Revised April 2013

II.

By-Laws

AMENDED AND RESTATED BYLAWS OF THE LOUISVILLE PRESBYTERIAN THEOLOGICAL SEMINARY

ARTICLE I

SECTION 1. The name of this corporation shall be "LOUISVILLE PRESBYTERIAN THEOLOGICAL SEMINARY" (also referred to in these Bylaws as the "Seminary").

SECTION 2. The Seminary is an educational institution related to the General Assembly of the Presbyterian Church (U.S.A.) ("General Assembly") and from time to time may be in a covenant relationship with other governing bodies of the Presbyterian Church (U.S.A.) as is more fully described in the Seminary's Articles of Incorporation.

ARTICLE II

The Board of Trustees

SECTION 1. All corporate powers shall be exercised by or under the authority of, and the business and affairs of the corporation shall be managed under the direction of, the Board of Trustees (the "Board" or "Board of Trustees") except as otherwise provided by law or the Articles of Incorporation. The number of Trustees of the Seminary may vary as the Board of Trustees may determine, provided that the number shall be no fewer than eighteen (18) and no more than thirty-seven (37), which minimum and maximum numbers shall be changed only by amendment to these Bylaws.

The Board of Trustees shall elect Trustees upon the recommendation of the Nominating and Governance Committee at any time by the affirmative vote of at least two-thirds (2/3) of the Trustees. Such votes may be at any duly constituted meeting of the Board of Trustees either in person, via video or teleconference and via voting in the Board's cloud based board management software. Election to the Board ordinarily shall be for a term of four years. Trustees are eligible to serve three consecutive four-year terms, after which they ordinarily will step down from the Board for at least one year. After that year, the Board may choose to elect a former Trustee for another term of four years, and that person again would be eligible for three four-year terms. Ordinarily, no Trustee shall serve more than two sets of three consecutive four-year terms. Any exceptions to this pattern of election must be approved by the Board of Trustees.

The Trustees shall be divided into four classes, as nearly equal in number as possible, with approximately one-quarter (1/4) of the total number of Trustees being elected at each annual meeting. Trustees shall hold office until the adjournment of the annual meeting of the Board of Trustees at which their successors are to be elected and until their successors shall have been elected and qualified or until their deaths or until they shall resign or shall have been removed from office in the manner provided in the Articles of Incorporation of the Seminary.

One (1) Trustee shall be nominated by the board of directors of the Alum Association of the Seminary. Said Trustee ordinarily shall be nominated in the spring meeting of the board of directors of the Alum Association. If elected by the Board of Trustees, such Trustee shall serve a term of four (4) years. Such Trustee shall not be eligible for re-election. The President of the Seminary, by virtue of the Office, serves as a member of the Board of Trustees.

SECTION 2. After they have been elected, Trustees shall qualify and assume their offices by taking an oath orally or in writing that they will faithfully perform the duties of a Trustee of Louisville Presbyterian Theological Seminary. Newly elected Trustees shall be installed formally at the next meeting of the Board of Trustees, normally in October.

SECTION 3. The meetings of the Board of Trustees shall ordinarily be held semi-annually in the fall and the spring. The spring meeting, normally held in March or April, shall be designated as the annual meeting. The Board may provide, by resolution, the time and place for the holding of additional regular meetings without other notice than such resolution. Special meetings may be called by the Chair. The Chair shall call a special meeting upon the request of any five Trustees. Written personal notice of special meetings shall be given at least ten days before the time of meeting. A majority of the voting members of the Board shall constitute a quorum.

Trustees may participate in any convened meeting of the Board or any committee appointed by the Board by or through the use of any means of communication by which all Trustees participating may simultaneously hear each other during the meeting. A Trustee participating in any meeting by this means is considered to be present in person at the meeting.

SECTION 4. The Board shall approve the degrees to be conferred by the Seminary. The Board, upon recommendation from the Faculty, may confer such degrees and make such awards as it deems to be in accord with the resources and objectives of the Seminary and the laws of Kentucky.

SECTION 5. The Board shall from time to time fix the amounts of tuition, fees, fines, housing, and other necessary contingent expenses of the Seminary.

SECTION 6. The Board shall have the power to confer the title of Honorary Life Member on any Trustee who, in the judgment of the Board, has rendered extraordinary service to the Seminary. Honorary Life Members may sit with the Board as a deliberative body and upon invitation of the Board Chair may sit with and vote in Board committees. Honorary Life members may not sit with the Board in executive session or vote in Board meetings.

SECTION 7. The Board shall promulgate and maintain policies governing the operation of the Board and the conduct of Trustees, including, but not limited to, a conflict of interest policy.

SECTION 8. The Board shall set policies for the Seminary regarding: mission and strategic direction; governance; academic programs and curricula; personnel; student admissions, continuance, welfare and conduct; resource allocation and management; Seminary facilities and campus use; asset acquisition, disposition, and management; fiscal matters; ethics; risk management; and audit. Ordinarily, policies established by the Board shall be at the strategic

level and provide guidance to the administration's actions or at the functional management level and guide activities in major Seminary functions and operations.

SECTION 9. As a deliberative body, the Board adopts the latest revision of Robert's Rules of Order, with the exception that mail ballots, facsimile ballots, and decisions reached in conference calls authorized by the Board are as legitimate and binding as decisions reached in a regular meeting of the Board or Board committee.

SECTION 10. The Board shall have the authority to appoint representatives of outside organizations associated with the Seminary to serve as Advisory Members of the Board. Advisory Members shall be entitled to report, in writing, at least annually to the Board and shall have voice, but not vote, in meetings of the Board. At the invitation of the Board Chair, Advisory Members may sit with Board committees. Advisory Members shall not sit with the Board in executive session.

ARTICLE III

Officers of the Board

SECTION 1. The officers of the Board shall be a Chair, a Vice Chair, and a Secretary. These officers shall be elected by the Board from its members and shall serve for two-year terms, or until their successors are elected. They shall be eligible for re-election for up to three additional two-year terms. Vacancies in these offices may be filled at any meeting of the Board for the unexpired term.

SECTION 2. The Chair, or in the event of the Chair's absence or disability, the Vice Chair, shall establish the agenda for meetings of the Board, shall preside at meetings of the Board, and shall have the powers and perform the duties usually pertaining to the office. In the event of the absence of both these officers, the Secretary shall preside until a Chair pro tempore has been elected.

SECTION 3. The Secretary shall maintain a full and accurate record of all the meetings of the Board and its committees and shall give due notice of its meetings. The Secretary shall also authenticate records of the Seminary.

SECTION 4. The Board may appoint, pursuant to applicable Kentucky law and upon recommendation of the Finance Committee, agents who will serve as managers and/or custodians of all securities and/or property held by the Seminary. These agents may invest and reinvest the properties and funds of the Seminary under their control as they may deem advisable and as permitted by investment policies approved by the Board and permitted by Kentucky law. These agents shall collect all income from the investments in their custody and shall dispense these funds to the Seminary upon direction of the Vice President for Finance and Administration. These agents shall collect the proceeds of all securities sold, matured, or redeemed and invest the proceeds as herein provided.

ARTICLE IV

Committees

SECTION 1. The Chair shall annually appoint an Executive Committee with the approval of the Board, consisting of at least eight (8) Trustees and the President of the Seminary. The elected officers of the Board shall be members of this Committee. The Chair of the Board shall be the chair of the Executive Committee. To the extent allowed pursuant to Kentucky law, the Executive Committee shall have the full powers of the Board in the interim between the meetings of the Board, excepting the power to amend Bylaws and Articles of Incorporation and to elect, transfer, and terminate the Seminary President or an Officer of Instruction. The presence of five (5) members of the Board who have been appointed to the Executive Committee or, in the alternative, one-third of the total membership of the Executive Committee (whichever is larger) shall constitute a quorum. It shall report all its actions at the next regular meeting of the Board.

SECTION 2. The Chair shall appoint annually an Academic Affairs Committee, an Audit Committee, a Finance Committee, a Governance Committee, an Institutional Advancement Committee, and a Student Life Committee. The membership, powers, and duties of these Committees shall be as authorized by the Board in policy.

SECTION 3. The Board may create such other committees as it sees fit. The members and chairs of all committees shall be appointed by the Chair of the Board except as otherwise provided in these Bylaws, Board policy or other Board action. The Chair and the President, by virtue of their Offices, shall be members of all Board committees, with voice and vote, except that the President shall not be a member of the Audit Committee or a committee charged with reviewing the performance of the President. A Trustee may attend any meeting of any Board committee and may participate in committee discussion but may not vote unless the Trustee is a committee member.

ARTICLE V

Administration

SECTION 1. General:

- (a) Unless otherwise provided in these Bylaws or in a Board policy, by affirmative vote of two-thirds of all members present, the Board shall have the power, at a regular or a special meeting called for the purpose, to take the following actions with reference to the President and those other persons who are designated herein as "administrative officers:"

- (i) To elect and to induct or to inaugurate them into office, chair, or position to serve at the pleasure of the Board or for a term;
 - (ii) To transfer them from one office, chair, or position to another;
 - (iii) To suspend them preliminary to and pending investigation of charges against conduct or competent performance of duties;
 - (iv) To remove them from office within the limitations and subject to the procedures stated in Board policy; and
 - (v) To fix their duties, compensation, remuneration, and emoluments of office and position and, within the limitations, if any, provided by express written agreement or contract, change such duties, compensation, remuneration, or emoluments at any time and from time to time.
- (b) The administrative officers shall include the following: President, Academic Dean (also referred to in these Bylaws as the “Dean”), Vice President for Finance and Administration, and Vice President for Institutional Advancement.
 - (c) The title of Vice President may be conferred upon another administrator upon recommendation of the President and approval by the Board.
 - (d) The qualifications, authority, and duties of such other administrative officers as the Board may authorize shall be prescribed by the Board upon recommendation of the President.
 - (e) The President shall be elected by the Board and shall serve for an indefinite period at the pleasure of the Board unless the Board should authorize a term appointment. All other administrative officers shall be elected by the Board on recommendation of the President and shall serve for an indefinite period at the pleasure of the Board unless the Board should authorize a term appointment. The President is authorized to accept the resignations of other administrative officers and shall report resignations to the Board. The Chair of the Board is authorized to suspend the President from the active duties of office as provided in Section 1(a)(iii). The President is authorized to suspend other administrative officers. In the event that the Chair suspends the President or the President suspends another administrative officer, the Chair or the President shall notify the Board or the Executive Committee.

SECTION 2. The President:

- (a) The President is the chief executive officer of the Seminary, shall administer the Seminary under the direction of the Board, and shall implement the policies of the Board. The President shall be a teaching elder in good standing in the Presbyterian Church (U.S.A.) or an active member in a particular congregation of the Presbyterian Church (U.S.A.), as these terms are used in the Book of Order of the Presbyterian Church (U.S.A.). The authority and duties of the President shall be those ordinarily vested in the chief executive officer of an educational institution, except as they may be otherwise prescribed in these Bylaws.
- (b) The President of the Seminary shall be responsible to the Board. The President shall have general supervision and direction of all other officers and agents of the Seminary and shall supervise in general the work of the Faculty, the administration, and the students.
- (c) The President shall be the principal representative and spokesperson for the Seminary. The President shall ordinarily preside on public occasions and shall confer degrees and make awards authorized by the Board.
- (d) The President, by virtue of the Office, shall be a member of the Faculty and all Faculty committees. The President shall be the Presiding Officer of the Faculty. As Presiding Officer, the President's responsibilities shall include: calling all regular and special meetings of the Faculty, presiding over those meetings, appointing the standing committees of the Faculty, appointing, in consultation with the Faculty, all Faculty search committees, and performing such other duties as are ordinarily conferred on a Presiding Officer. The President attends and has voice and vote at any meeting of the Faculty or component of the Faculty constituted to conduct the business of the Seminary. The President may delegate any or all of the President's authority and responsibilities as Presiding Officer to the Dean.
- (e) The President shall recommend long-range goals and objectives to the Board and, upon adoption by the Board, devise the organization, policies, financial plans, and schedules designed to reach those goals. The President shall recommend strategic academic and curricular decisions to the Board following Board policy and procedures in which the Faculty has a principal role. The President shall submit annually for adoption by the Board a budget for the next fiscal year's operations and shall have general supervision of all expenditures authorized by that budget. At meetings of the Board, the President shall report on the progress of the Seminary. Normally, all petitions and recommendations to the Board shall reach the Board through the President.
- (f) In the event of an extended absence or incapacity of the President or in the event of a vacancy in the office of the President, unless the Board designates otherwise, the duties and powers of the President shall devolve upon the Dean or, in the event that the Dean is unavailable or unable to act, upon the Vice President for

Finance and Administration.

SECTION 3. The Dean:

- (a) The authority and duties of the Dean shall be those ordinarily vested in such an officer of an educational institution, except as they may be otherwise prescribed in these Bylaws. The Dean shall perform such other duties as are assigned by the President. The Dean shall be elected by the Board of Trustees upon recommendation of the President made pursuant to Board policy and procedures that include substantive consultation with the Faculty.
- (b) The Dean shall be the chief academic officer of the Seminary, shall report to the President, and shall be supervised by the President in the performance of all duties. The Dean shall serve as staff person for the Board's Academic Affairs Committee.
- (c) The Dean shall have general oversight of student services and general student welfare; of Faculty Members' performance, development, and general welfare; and of curricular matters, including Field Education, Lay Education, Continuing Education, and Library Services curricula.
- (d) The Dean, by virtue of the Office, shall be a member of the Faculty and all Faculty committees and shall be entitled to attend and to have voice and vote at any meeting of the Faculty or component of the Faculty constituted to conduct the business of the Seminary. In the absence of the President, the Dean shall preside at Faculty meetings and public occasions. The Dean shall have such other authority and responsibilities of the Presiding Officer of the Faculty as are delegated by the President.

SECTION 4. The Vice President for Finance and Administration:

- (a) The Vice President for Finance and Administration shall be the chief fiscal officer of the Seminary, shall report to the President, and shall be supervised by the President in the performance of all duties. The Vice President for Finance and Administration shall serve as staff person for the Finance Committee of the Board.
- (b) The Vice President for Finance and Administration shall prepare current operating and capital budgets, financial reports, and long-range financial plans; shall advise the President and the Board regarding the implementation of investment guidelines; shall supervise managers of support operations; and shall manage human resource administration, property, fiscal, and liability risk and insurance. Subject to Board policy and authority, the Vice President for Finance and Administration shall have general control of all invested funds and properties. The Vice President for Finance and Administration shall perform such other duties as are assigned by the President.

SECTION 5. The Vice President for Institutional Advancement:

- (a) The Vice President for Institutional Advancement shall report to the President, shall be the chief development officer of the Seminary, and shall be supervised by the President in the performance of all duties.
- (b) The Vice President for Institutional Advancement shall serve as staff person for the Institutional Advancement Committee of the Board and shall perform such other duties as the President may assign.

SECTION 6. Other Administrators:

- (a) Other administrative positions necessary for the efficient operation of the Seminary may be authorized by the Board. Persons filling those positions shall be appointed by the President and shall hold their offices at the pleasure of the President. The Board shall approve their salaries.
- (b) Such administrators shall ordinarily report either to the Dean, the Vice President for Finance and Administration, or the Vice President for Institutional Advancement.
- (c) Duties of such administrative positions shall be set forth in job descriptions prepared by the President and provided to the Board for its information.

ARTICLE VI

Officers of Instruction

Officers of Instruction in this Seminary (sometimes referred to herein individually as "Faculty Members" or collectively as the "Faculty") shall perform their duties in a climate of academic freedom and moral responsibility. Such freedom is required for the fulfillment of the Seminary's obligation as a community of scholars to which the Church has reason to look for thoughtful leadership in bringing the minds of people into harmony with the will of God in intellectual integrity. As members of a community of Christian scholars, Faculty Members and students exercise their freedom within the restraints of the Seminary which is the servant of God and which is related to the General Assembly of the Presbyterian Church (U.S.A.). Faculty Members and students have special responsibilities in view of the mission of the Seminary.

SECTION 1. General

- (a) Unless otherwise provided in these Bylaws or in a Board policy, the Board shall have the power, by affirmative vote of two-thirds of all members present at a regular or special meeting called for the purpose, to take the following actions with reference to Faculty Members:

- (i) To elect and to induct or to inaugurate them into office, chair, or position to serve at the pleasure of the Board, for a term, or for indeterminate tenure;
 - (ii) To transfer them from one office, chair, or position to another;
 - (iii) To suspend them preliminary to and pending investigation of charges against conduct or competent performance of duties;
 - (iv) To remove them from office within the limitations and subject to the procedures stated in Board Bylaws or policy; and
 - (v) To fix their duties, compensation, remuneration, and emoluments of office and position and, within the limitations, if any, provided by express written agreement or contract, change such duties, compensation, remuneration, or emoluments at any time and from time to time.
- (b) All Officers of Instruction shall be elected by the Board upon the recommendation of the President made pursuant to Board policy and procedures in which the Faculty has a principal role.
- (c) Officers of Instruction shall be classified and shall rank according to the following titles:
- (i) Professors.
 - (ii) Associate Professors.
 - (iii) Assistant Professors.
 - (iv) Instructors.
- (d) Part-time Faculty Members, Lecturers and other adjunct Faculty Members are designated as special Officers of Instruction and shall be appointed and removed by the President. In appointing such Faculty Members, the President shall follow Board policy and procedures in which the Faculty has a principal role. The honor of "emeritus" or "emerita" may be bestowed upon a Faculty Member by the Board of Trustees upon his or her retirement.
- (e) In addition, upon recommendation by the President made after the President consults with the Faculty, the Board of Trustees may elect to enter into term

contracts with Officers of Instruction who are called to administrative positions with Faculty rank. Officers of Instruction who serve under such term contracts shall have all the responsibilities and rights accorded to other Officers of Instruction, except that they shall not be eligible for indeterminate tenure in the posts to which they are appointed. The renewal of their term contracts and promotion shall be recommended by the President, after consultation with the Faculty, to the Board of Trustees for its approval. Officers of Instruction who serve under term contracts shall be reviewed regularly as required by and in accordance with Board policy and procedures.

SECTION 2. A majority of the tenured and tenure-track Faculty Members, in the aggregate, shall be members of the Presbyterian Church (U.S.A.) or another church with which the Presbyterian Church (U.S.A.) is in full communion.

SECTION 3. Every Officer of Instruction, before entering upon the execution of his or her office, shall respond affirmatively to such declaration of purpose as is required by Board policy.

SECTION 4. Unless otherwise provided in a policy approved by the Board, no Officer of Instruction on a tenured appointment or on a term appointment of longer than one (1) year shall resign his or her office without giving at least three (3) months' notice to the President, unless relieved by the President from giving such notice. The President is authorized to accept resignations and shall report resignations to the Board. Unless otherwise provided in a policy approved by the Board, no Officer of Instruction on a tenured appointment or on a term appointment of longer than one year shall be deprived of his or her office without at least three (3) months' notice. The three (3) month notice period shall be extended as necessary for the completion of pre-termination procedures required by Board policy. The President is authorized to suspend an Officer of Instruction from the active duties of office as provided in Section 1(a)(iii) above. In the event that the President suspends an Officer of Instruction, the President shall notify the Board or the Executive Committee.

SECTION 5. A Faculty Member shall ordinarily remain in the rank of Assistant Professor for four years and an Associate Professor shall ordinarily remain in the rank for four years. Ordinarily the appointment of Instructors shall be for one year only, but may be made for longer periods of time at the discretion of the Board.

SECTION 6. The review for tenure shall take place in the eighth year of a Faculty Member's service to the Seminary. Upon approval by the President and agreement of the Faculty Member, a Faculty Member may receive up to four years' credit towards this requisite period of service prior to tenure review as a result of service in another academic or ecclesiastical appointment. The tenure review will be preceded by one comprehensive review. For Faculty Members appointed initially to the rank of Assistant Professor, that review will occur prior to consideration for promotion to Associate Professor, using the criteria and procedures referred to in Article VI, Section 7 of these Bylaws. Exceptions to these tenure review requirements must be made by the Board upon recommendation of the President.

SECTION 7. Recommendations for the promotion and tenure of Officers of Instruction shall be made to the Board of Trustees by the President pursuant to a Board policy that shall describe criteria and procedures for promotion and tenure and shall provide for a principal role by the Faculty.

SECTION 8. Indeterminate tenure implies permanent status as an Officer of Instruction. Tenure is to be rescinded only under the following circumstances: 1) just cause for reasons of incompetence, failure to perform the duties of the office, moral turpitude (including, but not limited to, dishonesty, plagiarism, unethical conduct, and sexual abuse or harassment), and lack of faithfulness to the Seminary's basic purpose; 2) program reduction or elimination; 3) financial exigency or a merger of the Seminary with another institution; and 4) mental or physical incapacity. A term appointment is to be rescinded during its term only under the circumstances described in this Section 8. A decision to rescind indeterminate tenure or a term appointment must be made in accordance with Board policies and procedures. The procedures must include Faculty review. The policy and procedures for disciplinary rescission must include a system of progressive discipline. The termination of an Officer of Instruction as a result of the nonrenewal of a term appointment or a decision not to award tenure is not a rescission and does not result in the application of the requirements of this Section 8.

SECTION 9. All Faculty Members shall be reviewed and evaluated regularly as required by and in accordance with these Bylaws and Board policy and procedures. In the event that, as a result of a review and evaluation process, it is determined that a Faculty Member has failed to meet requisite performance standards and the Faculty Member fails to correct the deficiencies within a reasonable period thereafter, the Faculty Member's tenure or term appointment may be rescinded for incompetence or failure to perform the duties of office as described in Section 8 above.

SECTION 10. As a deliberative body, the Faculty shall consist of all Faculty members and such administrators, who are not Faculty members, as the Faculty may elect to serve with voice and vote.

SECTION 11. To the Faculty is committed the instruction of the students, the immediate government of the students and all student organizations, the pastoral oversight of the students, the selection, supervision, and control of the various courses of study, and the adoption and administration, subject to the review and ultimate control of the Board of Trustees, of such rules and regulations as may be found necessary for the performance of these duties and obligations.

SECTION 12. The Faculty may choose to discharge the responsibilities described in Section 11 by delegating them to a deliberative council. The composition and authority of such a council shall be set forth in a Faculty policy approved by the Board of Trustees.

ARTICLE VII

Curriculum

SECTION 1. Such courses of study shall be offered by the Faculty as it shall deem best suited to preparing students for the most effective ministry in the church and for such other Christian work as may be deemed to be within the scope of the purposes of the Seminary and in accord with the standards of the Presbyterian Church (U.S.A.) and any other communions with which the Seminary is in covenant relationship. Minor changes in the curriculum may be made by Faculty action, but major changes shall be made only after approval by the Board upon recommendation of the President.

SECTION 2. The length of the academic year and the division of it into semesters, quarters, or terms shall be determined by the Board of Trustees.

ARTICLE VIII

Degrees

SECTION 1. In accordance with the provisions of these Bylaws, the Board of Trustees, prior to the day of graduation and on recommendation of the Faculty, will grant degrees to students of the Seminary who have met the requirements set forth by the Faculty and approved by the Board.

SECTION 2. The President is authorized, with the approval of the Board, to confer degrees annually at Commencement on all candidates who shall be certified by the Dean and the Faculty as having completed the published requirements for the respective degrees.

ARTICLE IX

Management of Funds and Other Assets

SECTION 1. All the funds invested for the Seminary shall be invested in the name of "LOUISVILLE PRESBYTERIAN THEOLOGICAL SEMINARY," or in any other name by which the Seminary legally is doing business, except that the agents authorized by the Board to serve as managers and/or custodians of all securities and/or property held by the Seminary may hold title to securities when authorized by the Finance Committee of the Board in order to facilitate transfer of such securities.

SECTION 2. Money or property donated to the Seminary, without special designation or condition, shall be added to institutional funds and managed as provided in Board policy.

SECTION 3. When authorized by action of the Board or the Finance Committee, two persons in any of the three following positions, President, Vice President for Finance and Administration, and Controller, shall have the power to sell, convey, transfer, or otherwise dispose of any real

estate, stocks, bonds, mortgages, or other real or personal property of the Seminary. Notwithstanding the foregoing, two persons in any of the three following positions, President, Vice President for Finance and Administration, and Controller, shall have authority to sell, convey, transfer or otherwise dispose of, in their discretion, any real estate, stocks, bonds, mortgages, or other real or personal property acquired by gift as provided in Board policy.

ARTICLE X

General

SECTION 1. The official colors of the Seminary shall be National Blue and White.

SECTION 2. The fiscal year of the Seminary shall close on the thirty-first (31st) day of May.

ARTICLE XI

Bill of Rights and Responsibilities

SECTION 1. The Board of Trustees, upon the recommendation of the President and after consultation with the Seminary's constituent groups through the governance process, shall define the rights and responsibilities of members of the Seminary's constituent groups, including the Seminary's rights and responsibilities and including the procedural matters and causes for student separation. All new members of such constituent groups, upon their entrance to the Seminary, shall be informed of their rights and responsibilities as set out in such document.

SECTION 2. All constituent groups of the Seminary shall have well defined channels of communication and accountability to the Board of Trustees as described in Board policy.

ARTICLE XII

Indemnification and Insurance

SECTION 1. The Seminary shall indemnify any person who is a party or is threatened to be made a party to any threatened, pending or completed action suit or proceeding, whether civil, criminal, administrative or investigative (including an action by or in the right of the Seminary), by reason of the fact that such person is or was a Trustee or officer of the Board of Trustees or is or was serving at the request of the Seminary as a voting member of a Board committee or as a board member or officer of the board of another corporation or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement, actually and reasonably incurred by such person in connection with the defense of such action, suit or proceeding. However, the Seminary shall not indemnify any such Trustee or officer of the Board of Trustees or individual serving at the request of the Seminary as a voting member of a Board committee or as a board member or officer of the board of another corporation or other

enterprise: (i) for any transaction in which such Trustee or officer of the Board of Trustees or individual serving at the request of the Seminary as a voting member of a Board committee or as a board member or officer of the board of another corporation or other enterprise has a personal financial interest which is in conflict with the financial interests of the Seminary; (ii) for acts or omissions not in good faith or which involve intentional misconduct or are known to such Trustee or officer of the Board of Trustees or individual serving at the request of the Seminary as a voting member of a Board committee or as a board member or officer of the board of another corporation or other enterprise to be a violation of law; or (iii) for any transaction which such Trustee or officer of the Board of Trustees or individual serving at the request of the Seminary as a voting member of a Board committee or as a board member or officer of the board of another corporation or other enterprise derived an improper personal benefit.

SECTION 2. Unless ordered by a court, an indemnification shall be made in a specific case upon a determination that indemnification, whether full or partial, of the Trustee, voting member of a Board committee, board member, or board officer is proper in the circumstances because he or she has met the applicable standards of conduct set forth in Section 1. Such determination shall be made by the Board of Trustees by a majority vote of a quorum consisting of Trustees who were not parties to such action, suit, or proceeding, or, if such a quorum is not obtainable, or even if obtainable, a majority vote of a quorum of disinterested Trustees so directs, by independent counsel in a written opinion. Indemnification shall be determined whenever the Trustee, voting member of a Board committee, board member, or board officer has been successful on the merits or otherwise in defense of any action, suit, or proceeding referred to in Section 1, or in defense of any claim, issue, or matter therein.

SECTION 3. Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Trustees in a specific case upon receipt of a commitment by or on behalf of the Trustee, voting member of a Board committee, board member or board officer to repay such advanced amounts unless it shall be determined that such trustee or officer is entitled to indemnification.

SECTION 4. The Seminary may purchase and maintain insurance on behalf of any person who was or is a Trustee, voting member of a Board committee, board member or board officer, or is or was serving at its request as a trustee or board officer of another corporation or other enterprise, against any liability asserted against such person and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the Seminary is empowered to indemnify such person against liability under the laws of Kentucky.

SECTION 5. This entitlement to indemnification and advancement of expenses provided for in this Article shall continue as to a person who has ceased to be a Trustee, voting member of a Board committee, board member, or board officer and shall inure to the benefit of the heirs and legal representatives of any person entitled to indemnification or advancement of expenses under this Article.

SECTION 6. If any provision of this Article shall be held to be invalid, illegal or unenforceable for any reason (1) such provision shall be invalid, illegal or unenforceable only to the extent of such prohibition and the validity, legality and enforceability of the remaining provisions of this Article shall not be affected thereby; and (2) to the fullest extent possible, the remaining provisions of this Article shall be construed so as to give effect to the intent of the prohibited provision(s).

SECTION 7. This Article shall apply to every proceeding filed after April 17, 2010, the date of the Board's adoption of Amended and Restated Articles of Incorporation.

ARTICLE XIII

Bylaws and Amendments

SECTION 1. The Board of Trustees may adopt Bylaws not in conflict with the Articles of Incorporation to provide for the regulation of any aspect of the work of the Seminary not clearly or explicitly provided in the Articles of Incorporation.

SECTION 2. Amendments to these Bylaws, not in conflict with the Articles of Incorporation, shall be adopted in one of the following three ways: (a) by unanimous written consent of the Trustees; (b) after Trustees have been given at least two weeks' written notice of the proposed amendment, upon receiving the affirmative votes of at least two-thirds (2/3) of the Trustees present at a duly constituted meeting of the Board of Trustees; or (c) without prior written notice, upon receiving the affirmative votes of at least three-fourths (3/4) of the Trustees present at a duly constituted meeting of the Board of Trustees.

As amended by the Board of Trustees on October 25, 2019

III.

BOARD OF TRUSTEES:

STRUCTURE AND MANUAL OF

OPERATIONS

BOARD OF TRUSTEES STRUCTURE AND MANUAL OF OPERATIONS

The structure and operations of the Board of Trustees of Louisville Presbyterian Theological Seminary are set forth in the Bylaws of the Seminary. The Trustees do their work through Standing and Special committees of the Board, as detailed below.

The Bylaws provide that the following Committees are standing committees of the Board: Executive Committee, Academic Affairs Committee, Audit Committee, Finance Committee, Governance Committee, Institutional Advancement Committee and Student Life Committee. This policy describes the membership, responsibility and authority of each of the standing committees prescribed in the Bylaws. The Bylaws authorize the Board to appoint other committees to consider matters that do not fall within the domain of the standing committees; this policy establishes two such committees: the Vision and Mission Committee and the Presidential Performance Review Committee. According to the Bylaws, the Chair of the Board and the President, by virtue of their offices, shall be members of each standing committee with voice and vote except that the President shall not be a member of the Audit Committee or a committee charged with reviewing the performance of the President.

POLICY:

The membership, responsibilities, and authority of the Board's standing committees are as follows:

1. Executive Committee: As provided in Article IV of the Bylaws, the Executive Committee shall consist of at least eight (8) Trustees appointed by the Board Chair, with the approval of the Board. The elected officers of the Board and the President shall be members of the Executive Committee. The Chair of the Board shall be the Chair of the Executive Committee. According to the Bylaws, "To the extent allowed pursuant to Kentucky law, the Executive Committee shall have the full powers of the Board in the interim between the meetings of the Board, excepting the power to amend Bylaws and Articles of Incorporation and to elect, transfer, and terminate the Seminary president or an Officer of Instruction." The Executive Committee coordinates the work for the Board. It reviews the operating and capital budgets and recommends the approval of those budgets to the full Board. It also monitors the strategic planning process through the Vision and Mission Committee. Resource persons include the Vice President for Finance and Administration and other administrators as needed. The Secretary of the Board shall serve as Secretary of the Executive Committee.

2. Academic Affairs Committee: The membership of the Academic Affairs Committee shall consist of at least three (3) Board members appointed annually by the Board Chair. The Board Chair shall appoint the Chair of the Committee annually from its membership. The Academic Affairs Committee is responsible for reviewing and recommending to the Board Faculty personnel policies and procedures; new Faculty appointments; Faculty promotions, tenure, and sabbaticals; and any major revisions in the curriculum of the Seminary. The Committee oversees all of the academic programs and resources, as well as non-degree programs of the Seminary in lay and continuing education. The Dean of the Seminary is the primary staff resource person for the Committee and the Director of Lifelong Learning and Advanced Degree Programs, Director of the Library, Director of Field Education, Director of the Marriage and Family Therapy Program, and the Registrar all contribute to the work of the Committee.

3. Audit Committee: The membership of the Audit Committee shall consist of five (5) members, appointed annually by the Board Chair. Three of them shall be members of the Finance Committee, and the Board Chair shall annually designate one of the three as Chair of the Audit Committee. The

same person shall not serve as Chair of both the Audit Committee and the Finance Committee. The other two members shall not be currently serving on the Finance Committee and at least one of them need not be currently serving on the Board of Trustees but should have close connections to the Seminary (having previously served as a Trustee or having given faithful service to the Seminary in other ways). All committee members should be financially literate with at least one member considered a financial expert. The purpose of the Audit Committee is to assure the integrity of the financial information that the Board uses in decision-making and that the Seminary disseminates to its various constituencies. The Committee assists the Board in fulfilling its fiduciary responsibilities. The Committee interacts on behalf of the Board with the independent auditors. The Audit Committee shall be permitted to use outside advisors, at the Seminary's expense, as its members deem necessary to fulfill its obligations.

4. Finance Committee: The Finance Committee membership shall consist of at least four (4) Board members appointed by the Board Chair annually. The Board Chair shall appoint the Chair of the Committee annually from its membership. The Finance Committee shall direct the investment of the Seminary's funds and shall report on the management of these funds to the full Board at least twice a year. The Committee's investment policy shall follow the guidelines approved by the Board. The Finance Committee shall have the responsibility and authority to approve all purchases and sale of securities, but may delegate this authority to duly employed advisors or managers within such limits and under such procedures as the Finance Committee shall deem proper. The Committee's investment responsibilities include, but are not limited to, asset allocation and the hiring and dismissal of managers. The Finance Committee has oversight of all fiscal and operational matters related to the Seminary with the exception of budget approval; it shall, however, review proposed budgets that are recommended by the Executive Committee, to assist the Board in its budgetary actions. The Committee shall submit to the Board a record of its actions for review at least twice a year. The resource persons are the Vice President for Finance and Administration and the Controller.

5. Governance Committee: The Governance Committee membership shall consist of the Chair of the Institutional Advancement Committee, the Chair of the Academic Affairs Committee and up to four (4) other members of the Board appointed annually by the Chair. The Board Chair shall appoint the Chair of the Committee annually. The Governance Committee is responsible for identifying and for presenting prospective trustees to the Board and for nominating Board officers for election by the Board. The Committee's responsibilities include ongoing board development and self-assessment. The Committee is also responsible for reviewing, recommending to the Board for approval and regularly evaluating a governance plan for the Seminary pursuant to which constituent groups participate with each other in the joint governance of the Seminary. The Vice President for Institutional Advancement is the resource person for this Committee.

6. Institutional Advancement Committee: The membership of the Seminary's Institutional Advancement Committee shall consist of at least three (3) Board members appointed annually by the Board Chair. The Board Chair shall also appoint the Chair of the Committee annually. The Institutional Advancement Committee is responsible for all aspects of the development program of the Seminary, including the Annual Fund, funding from governing bodies, capital campaigns, deferred giving, alumni relations, publications, and philanthropic grants. The Committee shall keep the Board informed of its work and recommend to the Board actions to be taken to carry out the development program. Staff resource persons for the Committee include the Vice President for Institutional Advancement, Senior Director of Development, Director of the Annual Fund, Director of Communications, and Director of Data Management.

7. Student Life Committee: The membership of the Student Life Committee shall consist of at least three (3) Board members, appointed annually by the Board Chair, and the President of the Student Body. The Board Chair shall appoint the Chair of the Committee annually from the Trustees who are committee members. The Student Life Committee is responsible for providing a consistent and personal connection with students and student life. The purpose of the Committee is to receive student input and perspective and to provide a forum for conversation focusing on the quality of life of those who study and live on the Seminary campus or are commuting students. The resource persons are the Dean of Students and the Director of Recruitment and Admissions.

Ad Hoc and Special Committees

Ad hoc or special committees of the Board include the following:

- 1. Vision and Mission Committee:** The membership of the Committee consists of a Chair and at least two (2) other Board members, appointed annually by the Board Chair. The membership also includes the Dean of the Seminary. The Vision and Mission Committee is responsible for ensuring proper oversight of and continuity with the strategic plan. The Database Administrator is the resource person for the Committee.
- 2. Presidential Performance Review Committee:** The membership of the Presidential Performance Review Committee shall consist of the Board Chair and from two (2) to four (4) additional Trustees appointed annually by the Board Chair. The Board Chair shall serve as the Chair of the Committee. The Presidential Performance Review Committee is charged with conducting the annual evaluation of the President's performance and working with the President on his or her annual goals and objectives.

7/9/13rev.

IV.

Bill of Rights and Responsibilities

**A BILL OF RIGHTS AND RESPONSIBILITIES
for Faculty, Students, Administrators, Staff and Directors
of the Louisville Presbyterian Theological Seminary**

PREAMBLE

Recognizing that this Seminary is an institution of the Presbyterian Church (U.S.A.), it is particularly incumbent upon all members of the community to faithfully uphold any and all commitments that they have individually assumed by their prior identities with this church or any church of Jesus Christ, including the Constitutions and Confessions of the church. Further, all members of the Seminary community have special rights and responsibilities unique to their individual roles that are defined elsewhere. Professors, for example, are required by the By-laws of the Seminary to respond affirmatively to such declaration of purpose as is required by Board policy; students are under the care and guidance of church judicatories; administrators work under the supervision of the Board of Trustees as described in the Faculty and Staff Handbook; etc.

I. BASIC RESPONSIBILITIES

All members share the obligation to respect:

1. The fundamental rights of others as guaranteed by the laws of the land.
2. The rights of others based upon the nature of the Seminary as an academic and religious community.
3. The rights of the institution.
4. The rights of members to fair and equitable procedures for determining when and upon whom penalties for violation of Seminary community regulations should be imposed.

II. BASIC RIGHTS

1. Members of the Seminary community enjoy the same basic rights and are bound by the same responsibilities to respect the rights of others, as are all who are subjects of the law.
2. Among the basic rights are freedom of speech, freedom of press, freedom of peaceful assembly and association, freedom of political beliefs, and freedom from personal force and violence, threats of violence, and personal abuse.
3. Each member of the Seminary community has the right to organize his/her own personal life and behavior, so long as it does not violate the law of agreements voluntarily entered into, and does not interfere with the rights of others or the educational process.

III. SPECIAL RESPONSIBILITIES AND RIGHTS OF THE ACADEMIC COMMUNITY

All members of the Seminary community have other responsibilities and rights based upon the nature of the Seminary as an academic community, and the requirements of the search for truth and its free presentation. These rights and responsibilities include:

1. Obligation to respect the freedom to teach, to learn, and to conduct research and publish findings in the spirit of free inquiry.
2. Obligation not to interfere with the freedom of members of the Seminary community to pursue normal academic and administrative activities.
3. Obligation not to interfere with any member's freedom to hear and to study unpopular and controversial views on intellectual and public issues.
4. Right to identify oneself as a member of the Seminary community and a concurrent obligation

- not to speak or act on behalf of the institution without authorization.
5. Right to hold public meetings in which members participate, to post notices, and to engage in peaceful, orderly demonstrations.
 6. Right to participate in shared governance.
 7. Administrators, Faculty, Directors, and Students have a particular responsibility to protect the integrity of the academic process from external and internal attacks and to prevent the exploitation of the Seminary community by any individual or group.

IV. SEMINARY RIGHTS AND RESPONSIBILITIES

The Seminary has rights and responsibilities of its own. The rights and responsibilities of the institution include:

1. Right and obligation to provide an open forum for members of the Seminary community to present and debate public and political issues.
2. Right to prohibit use of its rooms by individual members or groups of members on a regular or prolonged basis as free headquarters for political campaigns, and to prohibit use of its name, finances, equipment and supplies for any political purpose at any time.
3. Right to prohibit individuals and groups who are not members of the Seminary community from using its name, its finances, and its physical and operating facilities for commercial or political activities.
4. Right to prohibit members of the Seminary community from using its name, its finances, or its physical operating facilities for commercial activities.
5. Right and obligation to protect the members of the Seminary community and visitors to it from physical harm, threats of harm, or abuse; its property from damage and unauthorized use; and its academic and administrative processes from interruption.

V. GROUNDS FOR DISCIPLINARY ACTION

[This article was repealed by Section 7.2 of the Louisville Presbyterian Theological Seminary Code of Student Conduct, which was adopted on October 26, 2002.]

VI. SEPARATION FROM LPTS

[This article was repealed by Section 7.2 of the Louisville Presbyterian Theological Seminary Code of Student Conduct, which was adopted on October 26, 2002.]

VII. CONCLUSION

This document has been established by the Board of Trustees of the Louisville Presbyterian Theological Seminary in cooperation with the Administration and Seminary Council. It is subject to change at the will of the Board of Trustees.

V.

Seeking to be Faithful Together: Guidelines for Louisville Seminary during Times of Disagreement

**Seeking to be Faithful Together:
Guidelines for Louisville Seminary during Times of Disagreement***

In a spirit of trust and love, we promise we will...

- 1. Treat each other respectfully so as to build trust, believing that we all desire to be faithful to Jesus the Christ;**
 - we will keep our conversations and communications open for candid and forthright exchange;
 - we will not ask questions or make statements in a way that will intimidate or judge others.
- 2. Learn about various positions on the topic about which there is disagreement**
- 3. State what we think we heard and ask for clarification before responding, in an effort to be sure we understand each other.**
- 4. Share our concerns directly with individuals or groups with whom we have disagreements in a spirit of love and respect in keeping with Jesus' teaching.**
- 5. Focus on ideas and suggestions instead of questioning people's intelligence or integrity;**
 - we will not engage in name-calling or labeling of others prior to, during, or following the discussion.
- 6. Share our experiences about the subject of disagreement so that others may more fully understand our concerns.**
- 7. Indicate where we agree with those of other viewpoints as well as where we disagree.**
- 8. Seek to stay in community with each other though the discussion may be vigorous and full of tension;**
 - we will be ready to forgive and be forgiven.
- 9. Follow these additional guidelines when we meet in decision-making bodies:**
 - urge persons of various points of view to speak and promise to listen to these positions seriously;
 - seek conclusions informed by our points of agreement;
 - be sensitive to the feelings and concerns of those who do not agree with the majority and respect their rights of conscience;
 - agree to call the question only after the issue has been adequately discussed;
 - abide by the decision of the majority, and if we disagree with it and wish to change it, work for that change in ways that are consistent with these Guidelines.
- 10. Include our disagreements in our prayers, not praying for the triumph of our viewpoints, but seeking God's grace to listen attentively, to speak clearly, and to remain open to the vision God holds for us all.**

*Louisville Seminary, in an effort to heal from the effects of and prevent hurtful conflicts, adopted this peacemaking document in the spring of 1994 for use in our governance and community living.

VI.

Code of Student Conduct

CODE OF STUDENT CONDUCT

INTRODUCTION: GUIDING PRINCIPLES

This Code of Student Conduct has been adopted by the Board of Trustees and the Seminary Council of Louisville Presbyterian Theological Seminary in accordance with the requirements of the Bylaws of Louisville Presbyterian Theological Seminary, which require that "The Board of Trustees, upon the recommendation of the President and after consultation with the Seminary's constituent groups through the governance process, shall define the rights and responsibilities of members of the Seminary's constituent groups, including the Seminary's rights and responsibilities and including the procedural matters and causes for student separation." This Code implements the foregoing provision of the Bylaws with respect to Students. Rights and responsibilities of other persons related to the Seminary may be found in other documents.

Many systems of rights and responsibilities. Seminary Students live, study, work, worship, and play in the context of many different systems of rights and responsibilities. These systems include, but are not limited to, civil law, ecclesiastical polity, scholastic policy, moral principles, familial duties, and bonds of friendship. It is impractical to list fully all such rights and responsibilities. Not only are these systems sometimes incongruent, but also different Students are subject to different systems. A Presbyterian Student seeking ordination should be familiar with rights and responsibilities outlined in important denominational documents like the Book of Order and the "Standards for Ethical Conduct" adopted by the 210th General Assembly of the Presbyterian Church (U.S.A.). On the other hand, a United Methodist Student would be subject to different denominational requirements.

Aspirations greater than this Code. For this reason, this Code of Student Conduct should not be thought of as the only document that is relevant to the conduct of Students. In many ways, it should not even be the starting point in any evaluation. The Seminary exists as a community within the Church Universal and seeks to honor the authority of Jesus Christ, as head of the Church. At the same time, Members of the Seminary community welcome into the community persons from other faith traditions, as we share with each other such truths as we believe we have from God. Whatever our background, we aspire to conduct that brings honor to our faith.

Strong preference for informal resolution of disputes. Of course, even in communities of faith there are times of disagreement and conflict. It is for these occasions that the Seminary community has adopted the document, "Seeking to be Faithful Together: Guidelines for Louisville Seminary during Times of Disagreement," which contains suggestions about how disputes may be resolved informally. It is that document, rather than this Code, which embodies the ethos of the Seminary community. It is hoped that, as Students and other Members of the Seminary Community gain experience in resolving disputes informally, our graduates will function better in their chosen fields of professional and ministerial life and that the teaching mission of the Seminary thus will be served.

Purpose of this Code. It is the strong preference of the Seminary community that this Code be used only as a last resort, after sincere efforts at informal resolution have failed. To that end, even when Charges have been filed against a Student, this Code contains various provisions designed to redirect the complaint toward structured informal resolution, if at all possible.

Structure of this Code. Many of the most important provisions in understanding and interpreting this Code may be found in "Article VI: Definitions." (Generally, when terms that are defined in Article VI appear in the text of other articles of the Code, those defined terms are printed in initial capital letters. Thus, those capitalized terms should be interpreted with reference to Article VI.) Article I of the Code sets forth rights of Students vis-à-vis the Seminary. Thus, a Student who has questions about a grade or

who wants to appeal a grade or who has other concerns about his or her treatment by a Seminary employee should refer to Article I. Article III contains a listing of the conduct that may subject a Student to discipline. Article IV describes the procedures applicable when a Member of the Seminary community seeks to have a Student disciplined for committing prohibited acts.

Article I: Rights and Responsibilities of Students

Section 1.1 *General rights and responsibilities of Students.* Subject to the provisions of this Code, Students shall have the rights and responsibilities set forth in Articles I, II, III, and IV of that certain "Bill of Rights and Responsibilities for Faculty, Students, Administrators, Staff and Directors for the Louisville Presbyterian Theological Seminary," as the same may be in effect from time to time.

Section 1.2 *Grading appeals.* On occasion a Student may seek a re-evaluation of her or his final grade in a class. In such cases, the following procedures shall apply:

1.2.1 *Consultation with Instructor.* A Student who wishes to have a grade reconsidered shall ordinarily request a meeting with the Instructor for that purpose and shall bring to the attention of the Instructor any facts that the Student believes to be relevant to the grading decision. Either in such meeting, or promptly thereafter, the Instructor either will change the grade or provide an explanation for why the Instructor is not changing the grade.

1.2.2 *Formal hearing.* If a Student shall be dissatisfied with the result of such a consultation, or if prior history with the Instructor make such a meeting problematic or prohibitive from either the Student's or the Instructor's point of view, the Student shall have the right to a hearing, as follows:

- (a) The Student shall file with the Dean of the Seminary, ordinarily no later than the thirtieth (30th) day after the beginning of the next Fall, January, or Spring term, a written request for a hearing, which written request shall state the specific grounds upon which the course is alleged to have been mis-graded. If the Instructor is unavailable in the following term, the Student's written request may petition for an exception to the time limitation.
- (b) The Dean of the Seminary shall convene and preside over a grade review panel consisting of (i) the Dean (or acting Dean) of the Seminary, (ii) the Associate Dean for Student Academic Affairs, (iii) the Chairperson of the Area in which the course work in question was done (or, in the absence or unavailability of such Area Chairperson, a member of the Faculty in the same Area designated by the Area Chairperson), and (iii) the President of the Student Body (or, in the absence or unavailability of the President of the Student Body, a Student member of the Seminary Council). In the event the Instructor awarding the grade is the Chairperson of the Area, then the Dean of the Seminary shall substitute another Faculty member from the Area. In the event the Student whose grade is being reviewed is the President of the Student Body, the Dean of the Seminary shall appoint another Student from the Seminary Council to substitute for the President of the Student Body as a member of the grade review panel.

- (c) Both the Student and the Instructor shall participate in the hearing. The hearing shall be informal, with the Dean of the Seminary determining all procedural questions.
- (d) If, after the hearing, the Student and the Instructor shall reach an agreement concerning the grade, then their agreement shall constitute a final resolution of the grade review. If the Student and the Instructor shall not reach such an agreement, then the grade shall be determined finally by a majority of the members of the grade review panel.
- (e) The grade review panel shall not overturn a grade awarded by an Instructor unless it appears that the Instructor was unreasonable in assigning such grade; that is to say, the panel shall not consider the grade it would award if it were grading the work for the first time, but rather whether the grade assigned by the Instructor could reasonably have been assigned.
- (f) In the event Charges of Plagiarism, Cheating, or other academic dishonesty shall be pending against the Student with respect to the course in question, the Dean of the Seminary shall have the discretion to postpone the constitution of a grade review panel and any hearing until after the final determination on such Charges shall have been made in accordance with the other provisions of this Code. A Student who is found to have engaged in Plagiarism, Cheating, or other academic dishonesty with respect to the course in question shall have no right to a hearing by a grade review panel.

Section 1.3 *Student Grievances.* Most interactions between Students and Seminary employees are cordial, but occasionally a Student may be disappointed by a Seminary employee's decision or action. Most of those matters (for example, the luncheon fare served in the cafeteria) will not rise to the level of a "grievance." Many of them may be resolved through positive discussion with the employee in question. However, on occasion a Student will decide that the matter is serious enough to be reviewed by a Seminary administrator. Such matters are defined as "Grievances" in Article VI of this Code. Keeping in mind that every problem is not necessarily a Grievance, Students who have Grievances against Instructors, Seminary Officials, or other employees of the Seminary have the right to state a Grievance against such persons under the provisions of this section.

1.3.1 *Informal resolution of Grievances.* The document, "Seeking to be Faithful Together: Guidelines for Louisville Seminary during Times of Disagreement," constitutes a suggestion about how disputes may be resolved informally. Students with Grievances are strongly encouraged to comply with the suggestions contained in such document; learning how to resolve disputes through informal discussion is part of the educational process at the Seminary. Even so, compliance with that document shall not be a prerequisite for the pursuit of a Grievance.

1.3.2 *Formal resolution of Grievances.* Any Student who has a Grievance against the categories of persons listed above in section 1.3 may file a formal Grievance by stating the substance of the Grievance in a letter to the supervisor of the person who is the subject of the Grievance. For example, for matters involving Instructors, this would be the Dean of the Seminary; and for housing assignments or financial aid matters, the Dean of Students. In the event the aggrieved Student cannot determine the proper addressee of the letter, it may be sent to the President of the Seminary. If the President is the subject of the Grievance, the letter shall be addressed to the Dean of the Seminary, who may choose to refer the Grievance to the Chair of the

Board of Trustees. Any such letter requesting redress of a Grievance should cite this section of the Code so that the recipient will understand the procedural nature of the Grievance. Upon receipt of such a letter, the recipient will review the Grievance to determine whether it has merit, is without merit, or warrants further investigation. The recipient of the Grievance may appoint appropriate persons to investigate the Grievance and to report back to the recipient concerning appropriate action. In the discretion of the recipient, the Student may be asked to provide further information to the persons investigating the Grievance, or to the recipient, or to both. To the extent it would not compromise the Seminary's interest for any remedial actions to be made public, the recipient may inform the aggrieved Student what remedial actions have been, or will be, taken.

1.3.3 *Grievances against Students in their capacity as employees.* If the action or omission being complained of by a Student is that of another Student who is employed part-time or full-time by the Seminary, and if the action or omission being complained of was done in connection with such Student's employment, then it shall be addressed under this section; otherwise, complaints of Students against Students shall be resolved in accordance with Article IV hereof, dealing with Charges.

Section 1.4 *Non-discrimination.*

1.4.1 Generally. The Seminary is an equal opportunity employer. It is the policy of the Seminary to comply with applicable employment laws. The Seminary does not discriminate on the basis of race, color, religion (except as religion may be a bona fide occupational qualification for certain positions at the Seminary), sex, sexual orientation, gender identity, national origin, age, veteran status, or disability. The Seminary policy is also to treat all students and student applicants equally without regard to these characteristics. This is in compliance with the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1972, Title IX of the Educational Amendments of 1972, Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975. The Seminary has been approved for attendance by nonimmigrant alien students by the Immigration and Naturalization Service.

1.4.2 Students with Disabilities. The Seminary does not discriminate against Students with disabilities, as that term is defined in applicable laws. It is the policy of the Seminary to make reasonable accommodations to the needs of such Students to allow them to study and live at the Seminary. Students with a documented disability requiring accommodation by the Seminary should, without delay, make their needs known to the Dean of the Seminary, who then will communicate those needs to the relevant Seminary offices so that they may be addressed in a timely manner.

Article II: Judicial Authority

Section 2.1 *Dean of Seminary.* The Dean of the Seminary shall determine the composition of Judicial Bodies and Appellate Boards and determine which Judicial Body, Judicial Advisor, and Appellate Board shall be authorized to hear each case.

Section 2.2 *Judicial Policies and procedures.* The Judicial Body that is responsible for a given case may adopt special procedural rules for the conduct of the hearing, so long as such special procedural rules are consistent with Article IV of this Code. Because each case will present different procedural issues, the rules so adopted by Judicial Bodies need not be consistent from one case to another, nor shall the special rules adopted by one Judicial Body be binding precedent for another Judicial Body. Judicial

Bodies prior to a hearing shall notify the complainant and the accused Student of all special procedural rules applicable in a case.

Section 2.3 *Decisions final.* Decisions made by a Judicial Body or Judicial Advisor shall be final, pending the normal appeal process.

Article III: Proscribed Conduct

Section 3.1 *Jurisdiction of the Seminary.* Generally, Seminary jurisdiction and discipline shall be limited to conduct which occurs on Seminary Premises or which adversely affects the Seminary community or the pursuit of the objectives of the Seminary, as is more specifically set forth in section 3.2 below.

Section 3.2 *Conduct--Rules and Regulations.* Any Student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article V:

3.2.1 Violation of published Seminary Policies, rules, or regulations. (Please note the comprehensive definition of "Policy" in section 6.12 hereof, which includes such things as the Residential Handbook. By virtue of this section 3.2.1, conduct that is prohibited by the Residential Handbook, or any other such Policy, may be the subject of a Charge under this Code. For example, the Residential Handbook contains requirements applicable to the use of automobiles on campus; a Student's violation of those requirements could lead to discipline under this Code, even though this Code does not set forth those requirements at length. Thus, reference to all Seminary Policies, rules, and regulations is necessary for a comprehensive understanding of applicable requirements.)

3.2.2 Acts of dishonesty, including but not limited to the following:

- (a) Cheating, Plagiarism, or other forms of academic dishonesty.
- (b) Furnishing false information to any Seminary Official, Instructor, or office.
- (c) Forgery, alteration, or misuse of any Seminary document, record, or instrument of identification.
- (d) Tampering with any election required by, or referred to in, any Policy of the Seminary.

3.2.3 Serious disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other Seminary activities, including public-service functions, on or off campus; or other authorized non-Seminary activities, when the act occurs on Seminary Premises.

3.2.4 Physical abuse, verbal violence, threats, intimidation, harassment, coercion, or other conduct that threatens or endangers the health or safety of any person.

3.2.5 Illegal sexual conduct, including, but not limited to, sexual assault, rape (including date rape and acquaintance rape), and sexual harassment.

3.2.6 Attempted or actual theft of, or damage to property of, the Seminary or property of a Member of the Seminary community or other personal or public property.

3.2.7 Failure to comply with directions of Seminary Officials or law enforcement officers acting in performance of their duties or failure to identify oneself to these persons when requested to do so.

3.2.8 Unauthorized possession, duplication, or use of keys to any Seminary Premises or unauthorized entry to or use of Seminary Premises.

3.2.9 Violation of federal, state, or local law.

3.2.10 Use, possession, or distribution of narcotic or other controlled substances or related paraphernalia except as expressly permitted by law.

3.2.11 Use, possession, or distribution of alcoholic beverages except as expressly permitted by the law and Seminary regulations, or public intoxication.

3.2.12 Possession (with or without a license) of firearms, explosives, or other deadly weapons on Seminary Premises, or possession of unauthorized hazardous materials on Seminary Premises.

3.2.13 Selling course lecture notes, handouts, or other information provided by an Instructor, or using or distributing such items for any commercial purpose, without the express permission of the Instructor.

3.2.14 Participation in a campus demonstration that seriously disrupts the normal operations of the Seminary and infringes on the rights of other Members of the Seminary community; leading or inciting others to disrupt scheduled or normal activities within any campus building or area; or intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

3.2.15 Obstruction of the free flow of pedestrian or vehicular traffic on Seminary Premises or at Seminary-sponsored or supervised functions.

3.2.16 Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on Seminary Premises or at functions sponsored by, or participated in by, the Seminary.

3.2.17 Theft or other abuse of computer time, including but not limited to:

- (a) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (b) Unauthorized transfer of a file.
- (c) Unauthorized use of another individual's identification and password.
- (d) Use of computing facilities to interfere with the work of another Student, Instructor, or Seminary Official.
- (e) Use of computing facilities to send obscene or abusive messages.

- (f) Use of computing facilities to interfere with normal operation of the Seminary computing system.
- (g) Providing, or assisting in providing, unauthorized access to, distribution of, or alteration of Seminary computer or Web-based courses.

3.2.18 Abuse of the Judicial System, including but not limited to:

- (a) Failure to obey the summons of a Judicial Body or Seminary Official.
- (b) Falsification, distortion, or misrepresentation of information before a Judicial Body.
- (c) Disruption of, or interference with, the orderly conduct of a judicial proceeding.
- (d) Institution of a judicial proceeding knowingly without cause.
- (e) Attempting to discourage an individual's proper participation in, or use of, the judicial system.
- (f) Attempting to influence the impartiality of a member of a Judicial Body prior to, or during the course of, the judicial proceeding.
- (g) Harassment (verbal or physical) or intimidation of a member of a Judicial Body before, during, or after a judicial proceeding.
- (h) Failure to comply with any sanctions imposed under the Code.
- (i) Influencing or attempting to influence another person to commit an abuse of the judicial system.

Section 3.3 *Violation of Law and Seminary Discipline.*

3.3.1 Seminary disciplinary proceedings may be instituted against a Student charged with violation of a law that is also a violation of this Code (for example, if both violations result from the same factual situation) without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

3.3.2 When a Student is charged by federal, state, or local authorities with a violation of law, the Seminary will not request or agree to special consideration for that individual because of his or her status as a Student. If the alleged offense is also the subject of a proceeding before a Judicial Body under the Code, however, the Seminary may advise off-campus authorities of the existence of the Code and of how such matters will be handled internally within the Seminary community. Individual Students and Instructors, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Article IV: Judicial Policies

Section 4.1 *Charges and Hearings.*

4.1.1 *Informal resolution of complaints.* The document, "Seeking to be Faithful Together: Guidelines for Louisville Seminary during Times of Disagreement," constitutes a suggestion about how disputes may be resolved informally. Members of the Seminary community with complaints are strongly encouraged to comply with the suggestions contained in such document; learning how to resolve disputes through informal discussion is part of the educational process at the Seminary. Even so, compliance with that document shall not be a prerequisite for the filing of Charges. If a Judicial Advisor becomes involved in informal attempts to resolve complaints against a student, such Judicial Advisor may nevertheless participate in the resolution of any subsequent Charge that may arise out of the complaint.

4.1.2 *Form of Charges; place of filing.* Except as set forth in section 4.1.3 hereof (dealing with allegations of sexual assault or sexual harassment), any Member of the Seminary community may file Charges against any Student that the Student has engaged in conduct that is proscribed under the provisions of Article III hereof. Charges shall be prepared in writing and delivered to the appropriate Judicial Advisor. No particular form of Charge is required, but Charges should be signed by the person bringing the Charges and should refer to the specific provisions of this Code that are alleged to have been violated by the accused Student. Subject to change or reassignment by the Dean of the Seminary, (i) the relevant Area Chair is the appropriate Judicial Advisor for Charges of Cheating, Plagiarism, or other forms of academic dishonesty, and (ii) the Dean of Students is the appropriate Judicial Advisor for all other Charges. If Charges combine allegations of academic dishonesty with allegations of other violations of the Code, they should be filed with the Dean of the Seminary, who then will assign the Charges to a Judicial Advisor.

4.1.3 *Exception for allegations of sexual assault or sexual harassment.* Complaints that Students have committed sexual assault or sexual harassment will be determined in accordance with the procedures outlined in the Seminary's Policies on Sexual Assault and Sexual Harassment, rather than in accordance with this Code. Thus, complaints against Students for sexual assault or sexual harassment should be made in the manner, and to the persons, set forth in such Policies. Similarly, the persons set forth in such Policies will make determinations of whether a Student has committed sexual assault or sexual harassment and will hear any appeals that may arise therefrom.

4.1.4 *When to file.* Any Charge should be submitted as soon as possible after the occurrence of the event that is being complained of, preferably within fourteen (14) days thereof; provided, however, if a person who has a complaint against a Student is attempting to resolve the complaint informally, then any Charge may be delayed until a reasonable time after the complaining person has concluded that informal attempts at resolution will not be successful.

4.1.5 *Administrative disposition.* The Judicial Advisor may conduct an investigation to determine if the Charges can be disposed of administratively, by mutual consent of the parties involved, on a basis acceptable to the Judicial Advisor. Any disposition by mutual consent shall be final and there shall be no subsequent proceedings.

4.1.6 *Notification of Dean of Seminary.* If the Charges are not disposed of administratively by mutual consent, the Judicial Advisor promptly shall notify the Dean of the Seminary that a Judicial Body needs to be appointed to hear the Charges judicially. The Dean of the Seminary shall be free to appoint the Judicial Advisor as one of the members of a Judicial

Body, notwithstanding the fact that the Judicial Advisor in question may have been involved in attempts to resolve the matter informally or administratively by mutual consent.

4.1.7 *Notifying accused Student of Charges; setting the hearing date.* The Judicial Advisor shall deliver a copy of the Charges to the accused Student promptly after such Charges are delivered to the Judicial Advisor. If a Judicial Body is constituted to hear the Charges, the Judicial Body shall set a time for a hearing, not less than five (5) nor more than fifteen (15) calendar days after the constitution of the Judicial Body. Maximum time limits for scheduling of hearings may be extended at the discretion of the Judicial Body.

4.1.8 *Hearing procedures.* Hearings shall be conducted by a Judicial Body according to the following guidelines:

- (a) Hearings normally shall be conducted in private.
- (b) Admission of any person to the hearing shall be at discretion of the Judicial Body.
- (c) In hearings involving more than one accused Student, the chairperson of the Judicial Body, in his or her discretion, may permit the hearings concerning each Student to be conducted separately.
- (d) Except when the Charges against a Student arise out of the same facts and circumstances that are the subject of an actual or threatened criminal charge, neither the complainant nor the accused shall have the right to have an attorney present in the hearing. Both the complainant and the accused shall have the right to be accompanied in the hearing by an Instructor or another Student. The complainant and the accused are responsible for presenting their respective cases. If an Instructor, another Student, or an attorney (under the limited exception set forth above) is present in the hearing, such person is not permitted to speak or to participate directly in any hearing or to file pleadings before a Judicial Body.
- (e) The complainant, the accused, and the Judicial Body shall have the privilege of presenting witnesses, subject to the right of cross-examination by the Judicial Body.
- (f) Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a Judicial Body at the discretion of the chairperson.
- (g) All procedural questions are subject to the final decision of the chairperson of the Judicial Body.
- (h) After the hearing, the Judicial Body shall determine whether the Student has violated each section of the Code that the Student is charged with violating.
- (i) The Judicial Body's determination shall be made on the basis of whether it is more likely than not that the accused Student violated the Code.

4.1.9 *Hearing record.* There shall be a single verbatim record, such as a tape recording, of all hearings before a Judicial Body. The record shall be the property of the Seminary.

4.1.10 *Decisions to be based on actual evidence.* Except in the case of a Student charged with failing to obey the summons of a Judicial Body or Seminary Official, no Student may be found to have violated the Code solely because the Student failed to appear before a Judicial Body. In all cases, the evidence in support of the Charges shall be presented and considered.

Section 4.2 *Sanctions.*

4.2.1 The following sanctions may be imposed upon any Student found to have violated the Code:

- (a) *Warning* – A notice in writing to the Student that the Student is violating or has violated institutional regulations.
- (b) *Written reprimand* – A written reprimand for violation of specified regulations. Such a written reprimand shall also notify the Student that future violations by the Student during a designated period of time (for example, a semester or an academic year) will subject the Student to the probability of more severe disciplinary sanctions for those future violations.
- (c) *Loss of privileges* – Denial of specified privileges for a designated period of time.
- (d) *Fines* – Previously established and published fines may be imposed.
- (e) *Restitution* – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- (f) *Discretionary sanctions* – Work assignments, service to the Seminary, or other related discretionary assignments (such assignments must have the prior approval of the Judicial Advisor).
- (g) *Residence hall suspension* – Separation of the Student from the residence halls for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
- (h) *Residence hall expulsion* – Permanent separation of the Student from the residence halls.
- (i) *Seminary suspension* – Separation of the Student from the Seminary for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
- (j) *Seminary expulsion* – Permanent separation of the Student from the Seminary. The sanction of Seminary expulsion may be imposed on a Student only by the affirmative vote of at least four members of a five-person Judicial Body composed of a Judicial Advisor, two Student members of the Seminary Council, and two “Officers of Instruction” (as that term is defined in the Seminary Bylaws).

(k) *Grade reduction* – As a sanction for Plagiarism, Cheating, or other form of academic dishonesty, reduction by one or more letter grades (through and including the grade of “F”) in the final grade a student otherwise might have received in the course in which the academic dishonesty occurred. (Concerning repeated occurrences of such misconduct, see “Policy for Academic Honesty” published in the Student Handbook.)

4.2.2 More than one of the sanctions listed above may be imposed for any single violation.

4.2.3 Other than grade reduction and Seminary expulsion or suspension, disciplinary sanctions shall not be made part of the Student’s permanent academic record but shall become part of the Student’s confidential record.

4.2.4 In each case in which a Judicial Body determines that a Student has violated the Code, the sanctions shall be determined and imposed by the Judicial Advisor. The recommendation of all members of the Judicial Body shall be considered by the Judicial Advisor in determining and imposing sanctions. The Judicial Advisor is not limited to sanctions recommended by members of the Judicial Body. Following the hearing, the Judicial Body and the Judicial Advisor shall advise the accused in writing of its determination and of the sanctions imposed, if any. The Dean of the Seminary shall also be informed, along with any other Member of the Seminary community whose cooperation is necessary or desirable in connection with the effectuation of any sanction that has been imposed on the Student.

Section 4.3 *Interim Suspension.* In certain circumstances, the Dean of the Seminary, the Judicial Advisor, or a designee of the Dean of the Seminary, may impose a Seminary or residence hall suspension prior to the hearing before a Judicial Body.

4.3.1. Interim suspension may be imposed only: a) to ensure the safety and well-being of Members of the Seminary community or preservation of Seminary property; b) to ensure the Student’s own physical or emotional safety and well-being; or c) if the Student poses a definite threat of disruption of or interference with the normal operations of the Seminary.

4.3.2 During the interim suspension, Students shall be denied access to the residence halls and to the campus (including classes) and all other Seminary activities and privileges for which the Student might otherwise be eligible, as the Dean of the Seminary or the Judicial Advisor may determine to be appropriate.

Section 4.4 *Appeals.*

4.4.1 A decision reached by the Judicial Body or a sanction imposed by the Judicial Advisor may be appealed by accused Students or complainants to an Appellate Board within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Dean of the Seminary or to his or her designee.

4.4.2 Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:

(a) To determine whether the original hearing was conducted fairly in light of the Charges and evidence presented, and in conformity with

prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Code was violated, and giving the accused Student a reasonable opportunity to prepare and to present a rebuttal of those allegations.

- (b) To determine whether the decision reached regarding the accused Student was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that, "more likely than not," a violation of the Code occurred. In making this determination, the person(s) deciding the appeal shall not consider the decision they would have made if they were considering the evidence for the first time, but rather whether the Judicial Body could reasonably have reached its decision, based on the available evidence.
- (c) To determine whether the sanctions imposed were appropriate for the Code violation that the Student was found to have committed.
- (d) To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because the person appealing did not know such evidence or facts at the time of the original hearing.

4.4.3 The Dean of the Seminary shall review the appeal and determine initially whether the appeal will be ruled upon by the Dean of the Seminary personally or by an Appellate Board appointed by the Dean of the Seminary. The Dean of the Seminary may sit on any Appellate Board that is so constituted. In the event the Dean of the Seminary or an Appellate Board upholds an appeal, the matter shall be remanded to the original Judicial Body and Judicial Advisor for re-opening of the hearing to allow reconsideration of the original determination and sanctions; provided, however, if the only error found by the Dean of the Seminary or Appellate Board (as the case may be) relates to the sanctions imposed by the Judicial Advisor, then the Dean of the Seminary or the Appellate Board (as the case may be) in their discretion may amend the sanctions (subject to any limitation imposed by section 4.4.4 hereof) without further involvement of the Judicial Body or the Judicial Advisor.

4.4.4 With respect to appeals being made solely by Students accused of violating the Code (that is, not involving cross-appeals by complainants), the appeals process may not result in more severe sanctions for the accused Student than were imposed originally by the Judicial Advisor. With respect to appeals brought by complainants and appeals involving cross-appeals by complainants, such a limitation shall not apply.

Section 4.5 *Reporting.* If a Student is under the care or authority of a denominational judicatory body, such as a presbytery or a committee thereof, and if the Student has waived confidentiality with respect to matters relating to this Code, then the appropriate Seminary Officials in their discretion may report disciplinary proceedings and results hereunder to such judicatory body. If a student has not waived such confidentiality, the Seminary Officials shall report only that the Student is not willing to waive confidentiality.

Article V: Administrative Withdrawal

Students who, voluntarily or involuntarily, cease to participate in the activities of the Seminary community and are unresponsive to reasonable requests by the Seminary to contact them may be deemed by the Dean of the Seminary to have withdrawn from academic studies and residential life at the Seminary and as a Member of the Seminary community. Such deemed withdrawal shall be determined summarily by the Dean of the Seminary without the necessity of a Charge or hearing process. The Registrar shall record in the permanent record of such Students that they have been "administratively withdrawn."

Article VI: Definitions

Section 6.1 *"Appellate Board."* The term "Appellate Board" means any three Members of the Seminary community authorized by the Dean of the Seminary to consider an appeal from a Judicial Body's determination that a Student has violated the Code or from the sanctions imposed by the Judicial Advisor. An Appellate Board shall act as determined by a majority vote of its members. When constituting an Appellate Board, the Dean of the Seminary shall present a list of proposed members to the parties. Each party, by prompt notice to the Dean, may object to as many as two of the proposed members, in which case the Dean shall select other persons as substitutes.

Section 6.2 *"Charge."* The term "Charge" refers to a Charge, filed as described in subsection 4.1.2 of this Code, that a Student has engaged in conduct proscribed in Article III of this Code.

Section 6.3 *"Cheating."* The term "Cheating" includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the Instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition or inspection, without permission of the Instructor, of tests or other academic material belonging to an Instructor or staff member; (4) permitting another person to substitute for one's self in an academic evaluation or substituting for another Student in an academic evaluation; (5) failing to comply with a specific condition of academic integrity that has been announced in a particular course; and (6) submitting, without prior permission, any work by a Student which has at any time been submitted in identical or similar form by that Student in fulfillment of any other academic requirement at any institution.

Section 6.4 *"Code."* The terms "this Code" or "the Code" refers to the Louisville Presbyterian Theological Seminary Code of Student Conduct, as the same may be amended from time to time. Cases will be decided in accordance with the version of the Code that is in effect at the time the Charges giving rise to the case are filed.

Section 6.5 *"Grievance."* The term "Grievance" refers to an allegation of a Student that a Seminary Official (or a Student acting in the capacity of a Seminary employee) has deprived the aggrieved Student of some right guaranteed by Seminary Policies, has treated the aggrieved Student unfairly, or has injured the aggrieved Student. The term "Grievance" does not include allegations (a) of procedural unfairness under the provisions of this Code, which are properly addressed by appeal under the provisions of section 4.4 hereof, (b) of sexual harassment or sexual assault, which are dealt with in separate Seminary Policies, (c) or of unfairness in the awarding of a grade, which is covered in section 1.2 hereof.

Section 6.6 *"Instructor."* The term "Instructor" means any person hired by the Seminary to conduct classroom activities.

Section 6.7 *"Judicial Advisor."* The term "Judicial Advisor" means a Seminary Official authorized by the Dean of the Seminary to impose sanctions on a case-by-case basis upon Students found to have violated the Code. Unless the Dean of the Seminary shall designate otherwise, (a) the Judicial Advisor for any case in which a Student is charged with Cheating, Plagiarism, or other form of academic dishonesty, shall be the Instructor who is the Area Chair in the academic Area in which such academic dishonesty is alleged to have occurred, and (b) the Dean of Students shall serve as the Judicial Advisor for all other types of cases. If, with respect to a particular case, there shall be a question of who should serve as the Judicial Advisor, then the Area Chair, the Dean of Students, a complainant, or an accused Student may ask the Dean of the Seminary to designate the Judicial Advisor. Similarly, if the Area Chair, the Dean of Students, a complainant, or an accused Student believes for any reason that a particular case should not be referred to the Area Chair or the Dean of Students, as the case may be, then such person should ask the Dean of the Seminary to reassign the case and should state the reasons for the requested reassignment. The Dean may, but need not, appoint another Judicial Advisor. The Dean of the Seminary may authorize a Judicial Advisor to serve simultaneously as a Judicial Advisor and as one of the members of a Judicial Body. Nothing shall prevent the Dean of the Seminary from authorizing the same Judicial Advisor to impose sanctions in all cases.

Section 6.8 *"Judicial Body."* The term "Judicial Body" means three or more Members of the Seminary community authorized by the Dean of the Seminary to determine whether a Student has violated the Code and to recommend imposition of sanctions. The sanction of Seminary expulsion may be imposed on a Student only by the affirmative vote of at least four members of a five-person Judicial Body composed of a Judicial Advisor, two Student members of the Seminary Council, and two "Officers of Instruction" (as that term is defined in the Seminary Bylaws). In other cases Judicial Bodies shall act as determined by a majority of their members. When constituting a Judicial Body, the Dean of the Seminary shall present a list of proposed members to the parties. Each party, by prompt notice to the Dean, may object to as many as two of the proposed members, in which case the Dean shall select other persons as substitutes.

Section 6.9 *"May."* The term "may" is used in the permissive sense.

Section 6.10 *"Member of the Seminary community."* The term "Member of the Seminary community" includes any person who is a Student, Instructor, Seminary Official or any other person employed by the Seminary. A person's status in a particular situation shall be determined by the Dean of the Seminary.

Section 6.11 *"Plagiarism."* The term "Plagiarism" includes, but is not limited to, (1) the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment; (2) the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; and (3) attribution to, or citation of, a source from which the referenced material was not in fact obtained. Plagiarism includes both intentional and unintentional acts. For supplementary explanations of Plagiarism, Students, Faculty, and Administrators are referred to the Policy for Academic Honesty/Policy of Uniform Academic Citation for Student Work, which is published in the Student Handbook.

Section 6.12 *"Policy."* The term "Policy" is defined as any written regulation of the Seminary as found in, but not limited to, the Code, the Seminary Catalog, the Campus Security/Safety Plan, the Field Education Manual, the Student Handbook, the International Student Handbook, the Governance Manual, the Residential Handbook, the Marriage and Family Therapy Program Manual, the Louisville Presbyterian Theological Seminary Flexible-Term Lease Agreement, the Information Technology Services Guide for Students, the Sexual Assault Policy, and the Sexual Harassment Policy, as any of such documents may be amended from time to time. Cases will be decided in accordance with the version of the Policies that are in effect at the time of the occurrence of the event or conduct being made the basis of

a Charge. Policies may be published in printed form or electronically on the Seminary's website or intranet.

Section 6.13 *"Seminary."* The term Seminary means Louisville Presbyterian Theological Seminary.

Section 6.14 *"Seminary Official."* The term "Seminary Official" includes any person employed by the Seminary, performing assigned administrative or professional responsibilities.

Section 6.15 *"Seminary Premises."* The term "Seminary Premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the Seminary (including adjacent streets and sidewalks).

Section 6.16 *"Shall."* The term "shall" is used in the imperative sense.

Section 6.17 *"Student."* The term "Student" includes all persons taking courses at the Seminary, both full-time and part-time, and those who attend post-secondary educational institutions other than the Seminary and who reside in Seminary residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relation with the Seminary are considered "Students."

Article VII: Interpretation and Revision

Section 7.1 *Interpretation.* Any question of interpretation regarding the Code shall be referred to the Dean of the Seminary, or to his or her designee, for final determination. Headings contained in this Code are included for organizational clarity only and are not intended to be substantive.

Section 7.2 *Repealer.* This Code repeals and supersedes the following provisions of that certain "Bill of Rights and Responsibilities for Faculty, Students, Administrators, Staff and Directors for the Louisville Presbyterian Theological Seminary," as contained in the Louisville Presbyterian Theological Seminary Governance Manual published by the Dean's Office (Revised September, 1998): Article V, Article VI, and the second paragraph of Article VII. The remainder of the Governance Manual as currently in effect is unaffected hereby.

Section 7.3 *Conflict.* This Code incorporates by reference provisions of other Seminary Policies, rules, and regulations. However, in the event of a conflict between this Code and any such Policy, rule, or regulation, this Code shall govern. The intent of this provision is that the substantive requirements and prohibitions of other Seminary Policies should supplement the substantive provisions of this Code but that any procedural provisions of such other Seminary Policies should be, and are, superseded by this Code.

Section 7.4 *Amendment.* This Code may be amended by the Board of Trustees of the Seminary.

[Historical note: Drafts of this Code of Student Conduct received substantive review, comment, and revision by the Academic Committee of the Seminary Council during the 2001-2002 academic year. Upon motion of the Academic Committee, the Seminary Council on September 27, 2002, commended this Code of Student Conduct to the Board of Trustees of Louisville Seminary for its approval. During discussion that surrounded that motion, the question was raised whether section 3.2.9 obligated the Seminary community to prosecute actions of civil disobedience undertaken in the cause of social justice. It was the unanimous sense of the Council that such actions were not the target of section 3.2.9, so long as they were not accompanied by violations of other sections of the Code (e.g., sections 3.2.3 and 3.2.16).]

EFFECTIVE AS OF OCTOBER 26, 2002

VII.

Plan of Governance

PLAN OF GOVERNANCE

Preface

Louisville Seminary shares leadership with students, staff, faculty, and administration all taking part in community governance, and with the Board of Trustees as the body finally responsible for oversight of Seminary life. The governing documents of the Seminary stipulate that some powers rest in the faculty and some in various offices of the administration. The faculty and administration in turn commit themselves to abide by a plan of shared leadership that affects many aspects of Seminary life.

All meetings of committees and of the Faculty/Council are open to members of the community to attend, except when they move to "executive session." With the agreement of members of committees, members of the community can speak in meetings. Regular meetings occur for each of the specified committees and for the Faculty/Council.

Article I: The Basic Structure

The Faculty and The Student Body at Louisville Presbyterian Theological Seminary (hereafter called Louisville Seminary or the Seminary) will collaborate in governing many of the academic policies and programs of the institution. Meeting in collaboration, The Faculty as a body and elected student representatives shall be known as The Seminary Council. Each regular monthly meeting during the academic year of The Seminary Council shall meet first as a general council and then, if necessary, The Faculty shall meet in an executive session. Ten students will be elected each year by The Student Body to serve on The Seminary Council. One of the elected students shall be the elected President of The Student Body and another shall be the elected Clerk of The Student Body. Others who are members of the Seminary Council with voice and vote are the Staff Moderator and an additional representative from the staff, the Vice President for Finance and Administration, the Vice President for Institutional Advancement, the Director of the Library, the Registrar, the Dean of Students, the Director of Recruitment and Admissions, the Executive Director of the Louisville Institute, the Associate Director of the Louisville Institute, the Coordinator of Academic Support Services, the Director of the Marriage and Family Therapy Program, the Director of Clinical Training, the Director of the Doctor of Ministry Program, and the Director of Field Education.

Article II: The Seminary Council

The purpose of The Seminary Council is to provide vision and substance to the academic, worship, ethical, and social life of the institution in its mission to provide theological education in basic degree programs and campus activities. The Seminary Council shall attend to the academic program for basic degrees, to matters of Christian formation and worship, and to matters of common community welfare pertaining to students, faculty, and staff. Committees of The Seminary Council, by submitting minutes of their meetings to The Seminary Council for approval, shall be held accountable by The Seminary Council as they attend to the maintenance of the academic, worship, ethical, and social life of the Seminary. Committee recommendations concerning significant changes in policies and programs of the Seminary shall be submitted to The Seminary Council for action and, if deemed necessary, to The Board of Trustees for final approval.

- *The Academic Committee* of The Seminary Council shall approve new course proposals; review and evaluate offered courses; evaluate instruction and courses; recommend changes in offerings; seek to develop the collection, maintenance, and use of instructional materials; advise on admission policies and supervise admission of students for the basic degree programs; and oversee the lecture offerings of the Seminary.

- *The Christian Life Committee* of The Seminary Council plans, directs, and reviews programs of the public worship for the Seminary; reviews and evaluates guidelines governing chapel services; assists in supporting the informal worship, prayer life, and other Christian formation of the members of the community; and fosters activities and involvement of members of the Seminary community in the significant matters of evangelism and ethics, especially as related to the wider church and human communities.
- *The Community Affairs Committee* of The Seminary Council shall attend to matters concerning the general welfare of the Seminary community. Its duties shall include oversight of policies concerning housing of students, social activities, and recreation. This committee shall also oversee the election of students to The Seminary Council and, by the appointment of a treasurer from whom it will receive regular reports and by the formulation and approval of an annual budget, give oversight to the expenditure of funds collected each semester from faculty and students for activities. The President of The Student Body shall chair the Community Affairs Committee.
- *The Gender and Ministry Committee* of The Seminary Council shall act as a forum for concerns by the people of the Seminary community relating to issues of gender and sexism. The committee will provide opportunity and occasions for the community to discuss the importance of collegial models for ministry, and develop means of encouraging spiritual discipline and growth in faith as the foundation of maturity in ministry. The committee is charged with supervision of the Women's Center and the task of complementing and supporting the work of the other standing committees of The Seminary Council regarding the role of gender in ministry.
- *The Committee on Cultural Diversity* of The Seminary Council shall act as a forum for concerns by the people of the Seminary community relating to issues of race, ethnicity, and diversity. The committee will provide opportunity and occasions for the community to discuss the importance of minority concerns and diversity in our community, in the wider church, in society, and in the world.

Article III: Leadership

The President of the Seminary, or a person designated by the President, shall be the Moderator of the Seminary Council. A President of The Student Body shall be elected each year from among the full-time students of Louisville Seminary. The President of The Student Body shall have the responsibility to moderate The Student Body and The Forum, work with the Community Affairs Committee and the treasurer in administering the finances related to activities fees, and serve other pastoral functions, especially helping other students in appropriate ways. Since Louisville Seminary has a Staff Moderator and a Dean of the Seminary in addition to the Presidents of the Seminary and The Student Body, any three of the four may together call for a Forum meeting for the purpose of the discussion of a particular concern.

The office of President of The Student Body shall be a remunerated field education placement position. The person holding the office will be supervised by the Dean of Students or a person designated by the Dean of the Seminary. Each spring, the President of The Student Body, the Dean of the Seminary, and the Director of Field Education shall construct a job description for the position. The job description shall include the responsibilities of the office to be held by the next President of The Student Body.

Article IV: Meetings of the Faculty

Meetings of the Faculty in The Seminary Council and/or in executive session shall be considered

meetings of The Faculty as required by the Seminary Bylaws.

Meetings of The Seminary Council shall be open to all members of the Seminary community who wish to attend. Meetings in executive session shall be closed to all but those who are members of The Faculty or those especially invited for the purposes of initiating systemic revision in first degree programs, setting admission standards, awarding degrees, managing graduate degree programs, reviewing the work of students and colleagues, and other such purposes.

Members of The Faculty including the President of the Seminary and the Dean of the Seminary are pledged to docket all matters pertaining to master's-level degree programs and to regular campus life to The Seminary Council.

All meetings shall be opened with reading of Scripture or other appropriate meditation and a prayer. Deliberations in all Seminary Council and executive session meetings shall conform to rules of order as presented in the current edition of *Roberts' Rules of Order* in all instances where this plan of governance does not specify courses of procedure, enablement, and action.

Article V: Records of Meetings

All committees of The Seminary Council shall have Clerks. The Clerk of each committee shall record the actions of the committee and maintain such records. The records shall include any actions and meetings of subcommittees of the particular committee.

A simple majority of those attending a meeting of the Council is necessary to receive minutes of the committees. If minutes are not received due to actions reported therein, the actions not approved by The Seminary Council shall be automatically remanded to the submitting committee for reconsideration. If the submitting committee chooses not to alter the action, a three-quarter majority of The Seminary Council in attendance at a subsequent meeting is necessary to override the controversial action. Copies of the approved minutes for all committees and The Seminary Council shall be publicly displayed on a bulletin board, except as they pertain to an individual student or faculty member, in which case that name may not be displayed.

Article VI: The Forum

"The Forum" is the designation for official meetings called on an ad hoc basis to discuss matters of importance to the community. A meeting of The Forum may be called by any three of the following four persons: President of the Seminary, Dean of the Seminary, President of the Student Body, and Staff Moderator.

Article VII: Other Committees

The President of the Seminary, The Faculty, The Student Body, staff, and administration of the Seminary may establish other committees as deemed necessary for the work of that part of the community. The composition and responsibilities of committees that include both faculty and students, if not provided for in the governing documents of the Seminary, shall be presented to The Seminary Council for confirmation by The Seminary Council, and shall be assigned to report through one of the standing committees of the Seminary Council as seems most appropriate.

Article VIII: The Student Body

The Student Body shall consist of all enrolled students of the Seminary. Meetings of The Student Body shall be moderated by the President of the Student Body who shall be elected from among those students

elected to sit on The Seminary Council. A Clerk who will maintain records of all deliberations of The Student Body shall be elected by The Student Body from among those elected to The Seminary Council. The President of The Student Body and the Clerk of The Student Body shall sit upon The Seminary Council. A meeting of The Student Body may be called by the President of the Student Body, or the Clerk of The Student Body in the unavoidable absence of the President with the consent of the Dean of the Seminary, for the purposes of accomplishing business and discussing concerns that are of immediate importance to The Student Body. The quorum necessary to conduct business as The Student Body shall consist of ten percent (10%) of currently enrolled students.

Article IX: The Nominating Committee

The Nominating Committee shall present nominations for members of the standing committees of The Seminary Council according to guidelines approved by The Seminary Council. At the final meeting of The Seminary Council in a given academic year, the chairpersons and members of the respective committees shall be elected for the following academic year. The Nominating Committee shall also nominate members to fill vacancies on these committees as they occur. This committee shall consist of the President of the Seminary, the Dean of the Seminary, the Clerk of the Student Body, and the Chairpersons of the five standing committees of The Seminary Council. The appointment of student representatives to committees will normally be made by the second week of the Fall semester. The Nominating Committee is authorized to set limits to student participation in the case of an overabundance of student appointments.

Article X: Revision and Amendment

The process to revise or amend this Plan of Governance may be initiated by The Seminary Council, the Faculty meeting in executive session, The Student Body, or the Board of Trustees of the Seminary by petition to the President of the Seminary. The President shall then submit the petition to The Seminary Council to ascertain whether the petition is to revise (a procedural action) or whether the petition is to amend (a substantive systemic change). If the petition is considered to be a request for revision, The Seminary Council shall deliberate the question. A vote of two-thirds of The Seminary Council will win approval of the revision.

If the Seminary Council determines that the petition to revise is in fact a petition to amend (make a substantive systemic change), then the President of the Seminary shall publish the amendment within the Seminary community. The President of the Seminary and the President of The Student Body shall call special meetings of The Faculty and The Student Body no sooner than ten days and no later than twenty days after the Council decision. Two-thirds vote of each body is required to approve any amendment. If an amendment is approved, it shall then be forwarded to the Board of Trustees who, by two-thirds vote, may enact the amendment.

Ordinarily, the President of the Seminary shall appoint a committee to review the Plan of Governance of Louisville Seminary every five years.

Revised April 2013

VIII.

Guidelines for

the Nominating Committee

GUIDELINES FOR THE NOMINATING COMMITTEE

Article Nine of the Plan of Governance for Louisville Presbyterian Theological Seminary specifies the composition and responsibilities of the Nominating Committee. In making nominations for chairpersons and members of the standing committees of the Seminary Council, the Nominating Committee shall use the following guidelines:

Although the Nominating Committee may add non-voting members to a committee, the number of voting members may not be changed without a majority vote of the Council:

The Academic Committee: Eight voting members, as follows:

1. Student
2. Junior student member of the Seminary Council
3. Student member of the Seminary Council
3. Member of voting faculty, teaching in Area A
4. Member of voting faculty, teaching in Area B
5. Member of voting faculty, teaching in Area C
6. The Director of the Library
7. Dean of the Seminary, *ex officio*
8. At large

The Director of Graduate Studies, the Director of Recruitment and Admissions, and the Registrar shall serve as Administrative Advisors to the Committee. The Director of the Library or one of the area representatives would serve as chair of the committee.

The Christian Life Committee*: Nine to ten voting members, as follows:

1. Student
2. Student
3. Student member of the Seminary Council
4. Student member of the Seminary Council
5. Member of the voting faculty
6. Member of the voting faculty
7. Staff member employed full-time
8. The Chapel Coordinator
- 9/10. Student chapel worship coordinator(s)

The Dean of Students shall serve as Administrative Advisor to the Committee.

The Community Affairs Committee*: Ten voting members, as follows:

1. Student
2. Student
3. Student member of the Seminary Council

* Additional voting members of these committees, up to the maximum number listed above, may be drawn from the Seminary community, including students, faculty, administrators, staff, and spouses of full-time students.

4. President of the Student Body, *ex officio*
5. Member of the voting faculty
6. Member of the voting faculty
7. Moderator of the Staff Council, *ex officio*
8. Vice President for Finance, *ex officio*
9. Dean of Students (or the Dean of Students' designee), *ex officio*
10. Director of Admissions (or the Director of Admissions' designee), *ex officio*

The President of the Student Body shall chair the Committee.

The Gender and Ministry Committee*: Nine to ten voting members, as follows:

1. Student
2. Student or student spouse
3. Student member of the Seminary Council
4. Student member of the Seminary Council
5. Member of the voting faculty
6. Member of the voting faculty
7. Director of the Women's Center
8. Administrator or staff member
- 9/10. Women's Center student coordinator(s)

The Committee on Cultural Diversity: Eight voting members, as follows:

1. Student
2. Student or student spouse
3. Student member of the Seminary Council
4. Student member of the Seminary Council
5. Member of the voting faculty
6. Member of the voting faculty
7. Staff member employed full-time
8. Administrator

Committee membership is open to any member of the Seminary community, including students, faculty, administrators, staff, and spouses of full-time students. Each year the Nominating Committee shall announce the openings on committees and shall invite persons to express their preferences for committee service. Committee preferences should be followed where possible. Participation by administrators and staff will be subject to the President's approval, based on workload in an individual's area.

- (1) Committee responsibilities for faculty members are negotiable with the Dean based on other responsibilities.
- (2) Committees should be balanced with representation from women and men. Representation from racial-ethnic minorities and international students is encouraged.
- (3) A mixture of new and returning students is desirable.
- (4) Continuity of service by faculty and students should be a goal; i.e., faculty members should serve at least two years but no more than three years consecutively on the same committee. Ordinarily, no student should serve more than two years on the same committee.

- (5) Students working in particular offices should be given first consideration for service on the committees whose work affects that office (e.g., students working in the Director of Admissions office may serve on the Academic Committee.)
- (6) Appointment of committee representatives shall normally be done in the spring to allow committees to function during the summer if necessary.
- (7) No one may join as a voting member after initial assignments, except to replace a person who can no longer serve or who is no longer willing to serve.
- (8) The Nominating Committee is authorized to set limits to student participation in the case of an overabundance of student appointments.
- (9) In making appointments of faculty, the Nominating Committee shall consider faculty members' other responsibilities, such participation on the Graduate Studies Committee, the Faculty Grievance Committee, the Grawemeyer Award Committee, and similar responsibilities. The Dean's Office will inform the Nominating Committee of such other faculty responsibilities.
- (10) Except for the Community Affairs Committee, which is chaired by the President of the Student Body, the moderator of a committee ordinarily should be a person who has served the previous year on that committee.
- (11) Voting committee members appointed by the Seminary Council and committee members serving *ex officio* shall have voice and vote. Additional committee members appointed by the Seminary Council and Administrative Advisors shall have voice but not vote.

Approved April 2013