

**Lehigh University**  
**MINUTES OF THE FACULTY MEETING**  
**(Sinclair Auditorium)**  
**February 9, 2009**

**Presiding: President Alice Gast**

President Gast called the meeting to order at 4:14 PM.

**1. Minutes:** The December 8, 2008, meeting minutes were approved unanimously by the Faculty, as posted on both the Registrar's Web page and the Secretary of the Faculty/2008-09 folder on the Lehigh University Faculty Blackboard.

**2. Consent Calendar:** (See end materials included with these minutes.)

Consent Calendar motions were posted on the "Lehigh University Faculty" Blackboard website. The motions are for new MS and PhD program in Bioengineering, jointly between the RCEAS and the CAS, and for program changes in the CSB degree. With no objections to any of these items on the consent calendar, it was accepted by unanimous consent.

**3. Introduction of New Full-Time Faculty** –Provost Mohamed El-Aasser introduced the new full time faculty who have joined us at mid-year and invited them to say a few words about themselves. This information was also available in a booklet provided by the Provost's Office in September, 2008:

Dominic Packer (Psychology)

Nicholas Sawicki (Art and Architecture)

Masashi Watanabe (Materials Science and Engineering)

**4. Committee Motions** (See end materials included with these minutes.)

Personnel Committee

Professor Ward Cates gave a first reading of motions to update R & P Sections 2.9 Lecturer and 2.12 Professor of Practice. They are the result of a mandated 7-year review of the definition of these instructional positions. The faculty working group doing the review discovered several inconsistencies between the two categories that needed attention to the wording and how each position would be evaluated.

Prof. Sivakumar asked whether the changes for these two similar positions had uncovered any parallel changes needed for full time faculty, and then whether the lack of a requirement for doctoral credentials for these two positions diminished the support for tenure track faculty or created a "second-class level" of faculty members. Prof. Cates responded that the working group had considered these issues, which will be monitored by the personnel committee. He explained that most of the changes proposed for R&P 2.12 for the Professor of Practice (POP) position reflected the actual activities and tasks performed by this group of faculty. Prof. Shapiro commented that the proposed changes are an excellent improvement because they cover the real responsibilities of this position. While no parallel issues were identified for faculty position descriptions, the remaining issue still under discussion is that there is a limit on the number of Lecture at Lehigh but none for POPs. Prof. Sivakumar commented that POPs may not participate in the appointment of new faculty members.

Prof. Cates clarified that the wording is "cannot" participate because they are non-voting members of a department. Prof. Kazakia asked whether this also means that POPs cannot be on University standing committees, or could a POP be asked to participate but as a non-member? Prof. Thornton suggested wording that would indicate that a POP could "not be elected" but allowed to serve on such a committee. Prof. Cates enthusiastically responded, "What a great suggestion!" and said that this wording would be incorporated in to the motion for the change in R&P. Prof. Neti commented that

before President Gast's arrival many faculty expressed concern that POPs had the potential to become "second-class" faculty members and asked whether the committee had evaluated this possibility to prevent it from occurring. Prof. Cates responded that the 5-year review cycle will continue so that this issue will be revisited periodically, e.g., during a POP's annual evaluation, to ensure that this does not become a problem. The Personnel Committee wants to assure faculty colleagues that Lecturers and POPs are true faculty members, regardless of their specific position title. There are no rank differentials for these two positions, as we have for Assistant, Associate and Full professors.

Prof. Kay, the Faculty Parliamentarian, commented that, because this is the first reading of the motion, as a committee motion it has an implied second.

### Committee on Discipline

Professor Anne Anderson gave the first reading of a motion to update Student Code of Conduct, which involved relatively minor changes in wording and definitions in seven sections of the Code. For example, the definition of "sexual misconduct" had three additional parts proposed to include non-consensual exploitation, indecent exposure and sexual activity in public or semi-public places. Prof. Lopresti asked for an example of a "semi-public place," and whether students would know its meaning. Assistant Dean of Students Chris Mulvihill responded such places would include the library stacks or the study lounge in student living space. This is a common wording in many other schools' student conduct policies. Prof. Shapiro commented that the changes proposed in the Code will update it to a best practice level and include changes in current events that necessitate the new wording. Prof. Nagel noted that the inclusion of "web based" audio, video and other electronic sources of misconduct are in keeping with the current LTS policies and rules on computer use at Lehigh.

### Faculty Steering Committee

Professor Dan Lopresti gave the first reading of a motion to establish a new Faculty Committee on Student Life in response to the work of the spring, 2008, "strategic thinking" process that had a key focus on student life and learning with the corresponding services provided to students. The study group uncovered the fact that there was no existing faculty committee concerned with this dimension of the University community. Thus, the question arose about the role and scope of faculty oversight that was considered by an ad hoc committee, consisting of Prof. Shapiro, representing the Faculty Steering, Prof. Lowe-Krentz, representing Ed Pol; and, Vice Provost John Smeaton who wrote the proposal for the changes required to R&P for this new committee. Prof. Lopresti mentioned that the proposal included the additions to R&P in other sections that will be needed if this proposal is approved at the next Faculty meeting.

Prof. Jack Paul opened the discussion with a question about whether the ad hoc committee benchmarked with the practices of other schools. Prof. Shapiro explained that in the past at Lehigh, any issues related to student life had been sent to appropriate, existing Faculty committees, for example the Discipline Committee. However, the ad hoc group had not look at other specific schools. Prof. Lopresti observed that the Lehigh Board of Trustees has a Student Life Committee, so that this proposal would perform a parallel function for the Faculty.

Prof. Deily commented that, in her experience as GRC chair, she did not see that the proposed role of the new committee would have important connections for graduate students. There are a few points of intersection for graduate and undergraduate student life, such as on-campus bus/transportation or teaching assistants. Would the current lack of a formal faculty connection to graduate student life be addressed? Prof. Shapiro answered that the intent of the proposers was that this new committee would address both undergraduate and graduate student life. The GRC mainly has oversight of academic issues and the new committee would provide a much better link to elevate the visibility of graduate student issues. Prof. Deily responded that the current system doesn't work well, but she was not sure that this would be any better. Prof. Shapiro said that the inclusion of a graduate student and college representatives on the proposed committee should help in this regard. Prof. Nagel asked whether the

number of faculty members proposed for the committee was enough. Should there be 2 or 3 at-large faculty members serving to provide more “person power” to the committee? Prof. Lopresti commented that the second reading of the motion would occur at the next meeting, so that the committee would have its members elected this spring to start operating in the fall. Thus, it would be important for faculty input to reach the ad hoc committee soon to allow for revisions to the motion, for example if there are suggestions about the relationships that need/should be established among the Student Life Committee, Ed Pol and GRC. Prof. Moglen suggested that the committee members should include faculty who actually work with graduate students in various ways, and would know first-hand about issues of concern to them. Prof. Shapiro mentioned that this was one of the reasons for proposing that each of the colleges be represented because of the different roles and practices in each that are performed by grad students. Further, Lehigh does not have a separate graduate faculty so that the study committee felt that the new committee should cover all levels of Lehigh students. Prof. Ripa supported the suggestion for more than 4 faculty members on this committee. Vice Provost Smeaton added that he and the Dean of Students office does include advocacy for graduate students. He and Profs. Lowe-Krentz and Shapiro share a sense of excitement about building collaboration between the faculty and the Student Life staff. They believe that a standing committee of the Faculty which will provide a required annual report will create strong links for improved future relations among key groups within the Lehigh community.

#### R & P Subcommittee

Professor Ed Lotto gave the first reading of motions for extensive revisions to R & P Section 4, possibly the last of the R&P changes to complete the updating and revising process. The basic objective is to delete all the subsections, which are out of date, except for 4.2 University student conduct system, which would remain in R&P. With R&P 1.1.6, the faculty can delegate responsibilities to other groups on campus, and on this basis still retain their ability to revisit any of the topics to create new legislation, for a then-current situation.

The first motion proposed the deletion of Sections 4.1.0 to 4.1.5 which are out of date as they stand. Prof. Shapiro commented that all of their functions are now included in either the current Code of Conduct or in the Student Handbook that is regularly updated, although numbered with a different system.

Prof Lopresti presented the second motion to delete Sections 4.1.6 to 4.1.14, which are at best out of date, at worst not under the purview of faculty legislation. These could be considered by the new Faculty Committee on Student Life, if they consider the items appropriate and needing attention.

The third motion was to delete Section 4.3, University policy on dissent and Prof. Lopresti asked University General Counsel Frank Roth to comment on it. He said that it is misplaced in R&P Section 4, and the policy on dissent is still in the Student Handbook. Removing it from R&P definitely does not “take it off the books.”

Prof. Moglen asked what “dissent” includes and whether the Faculty as a whole should discuss it. Vice Provost Smeaton suggested that if faculty would discuss it, the new Student Life committee would be an appropriate venue; they could then bring their conclusions and any proposals for revision to the faculty. Councilor Roth added that the 2002 Board of Trustees Policy on Policies (available on the Provost’s web site, among others at Lehigh) include procedures for making changes to a policy that impacts all members of the Lehigh community, students, faculty and staff, who are covered by the University policy on dissent. Prof. Ripa said, in his experience as a CAS Associate Dean, in the past the Student Handbook has chronicled policies that exist elsewhere as a single, convenient source for advisers and students. Are we now changing this concept? There are other current policies that exist in many places, such as on Computer Use, parking regulations and fraternity/sorority life. Councilor Roth replied that we must have more streamlined processes to make changes in policies, for example when laws change that impact an existing policy. Prof. Moglen asked who defines what is acceptable for

student dissent? Councilor Roth replied that students are notified in the Handbook and by electronic copy through email.

Prof. Deily asked whether any changes in the Student Handbook policies come to the faculty for consideration. Councilor Roth responded in the affirmative. Prof. Szczepanski suggested that, once in place, information about the new Student Life committee should be included in the Handbook to remind everyone of the Faculty role in determining policy. Prof. Lotto mentioned that the new committee would exist to ensure faculty participation in this role. Prof. Hyland asked for a clarification or definition of the difference between a policy, rule and a regulation. Councilor Roth responded that the University is bound by Pennsylvania statutes and its constitution, which have implications for each of these.

Prof. Szczepanski asked when Section 4 was added to R&P. Prof. Shapiro replied that, while the date of origin would not be generally known without a great deal of reading past faculty minutes, the 2003 “Sinclair Committee” on student life issues recommended that Section 4 be deleted from R&P, in favor of the use of the Student Handbook as the location for the most current version of these topics or policies. Prof. Moglen repeated his statement that he was very displeased with the removal of 4.3 about dissent that the faculty should remain clearly in control of this statement. Prof. Lotto asked rhetorically, “What do we think we need in writing to hold to our faculty responsibilities?” A suggestion was made that once approved, the new Student Life committee should bring improved language on dissent policy. Prof. Lopresti observed that, with current faculty governance rules, any faculty member can propose improvements or changes. Prof. Neti moved that we delete motion #3 on R&P 4.3. Prof. Lotto stated that this was not necessary because at the next reading with the second reading of motion 3 the vote will determine whether the faculty supports its deletion.

**5. Unfinished business** – None.

**6. New business** – None.

## **7. Committee Reports**

### **Personnel Committee**

Professor Ward Cates provided a brief update on the tenure flexibility initiative. After two years of work on this proposal, Personnel will bring the first reading of a motion to the faculty at the next meeting on March 30. This will have ten changes to improve the flexibility of the P&T process. Meetings have already been held with faculty around the University. The draft proposal is now being reviewed by the General Counsel’s office. Personnel will meet with the Provost and President to discuss any last minute issues. The committee will email faculty with the motion and their request for feedback.

## **8. Reports and Announcements**

### **President’s Report**

President Alice Gast reported on two main items that the Board of Trustees had discussed at length at their meeting last Thursday and Friday, the ongoing economic situation with its impact on Lehigh’s budget and Lehigh’s long term strategic plan. On the first topic, President Gast reported that the Trustees were very concerned about both the US and world economy, but were very strong in their agreement that proposed measures to manage Lehigh’s finances actively should be uncompromising with respect to pursuing our goals for excellence in our programs. These measures include:

- All funds made available by austerity measures will go to improve financial aid;
- Cut unrestricted spending at all levels;
- Continue faculty searches for the best available candidates;

- Establish a process to review vacant staff positions with representatives from FFPOC, ERAC, faculty and staff;
- President, Provost and FCC discuss modest increase in merit and market adjustments;
- Meet with ERAC to evaluate impact of austerity measures on staff;
- Review fund balances to support ongoing activities;
- Consider the joint issues of student affordability for a Lehigh education and decreased value of endowment with respect to current/future spending;
- Revise our operational rule for spending from endowment to have a more conservative impact on the remaining assets;
- Avoid pushing too much of our financial issues to a future resolution, preferring to “take the hit” now when we have higher certainty about available resources.

In the coming weeks, President Gast said that she would be providing additional information on the final budget for the next fiscal year, '09-'10.

The Trustees discussion of the Strategic Plan's goals and visions reflected their unanimous approval with some advice and guidance for the administration and faculty. The President thanked the faculty for the impact of their work on various proposals for the long term development of the University's direction. The current document is for internal use only; a shorter version will be prepared that is appropriate for release to the whole community and to the public. The deans and their department chairs are working on detailed plans for the launch of numerous activities that support the plan, including the construction of STEPS, Presidential chairs in health areas, startup of the Vice President for International Affairs with global and national initiatives, core competency grants, and development of an interactive financial planning model for the University. She noted that we have had a good start towards implementing the plan even within the constraints of the current economic events. President Gast is looking forward to extensive campus participation in the implementation of the plan.

This is the first cohesive Strategic Plan in recent Lehigh history and is deeply rooted in the excellence to which we aspire at Lehigh. There are great needs for advances in the US and the world, even without the current downturn of economic events; Lehigh has a definite role to play in the solution of these problems. By the end of the decade we should be a stronger institution, with all of the community members working together. The President welcomed any and all suggestions as the next steps in the hard work of achieving the objectives and goals proceed.

#### Provost's Report

Provost Mohamed El-Aasser announced that a national Survey of Student Engagement (SSE) had begun recently with a survey of our students about who they are and why are they going to college. This is part of the implementation of Middle States accreditation recommendations to improve the first year experience for our matriculating students. As they transition from high school to college level academics, we need a better understanding of how they perceive and function during their first year. There will be a second survey of the faculty beginning in March and supported by the Carnegie Foundation to compare student vs. faculty member reactions to similar questions and concepts. The results will be shared campus-wide so that each college can strengthen their first year experience.

Provost El-Aasser strongly encouraged the faculty to respond to the survey.

He then presented statistics for the ongoing admissions process for the class entering in the fall, 2009:

Target class size for F '09 = 1165 + 65 transfer students

Total applications to date = 11,139 (13.9% below last year, a particularly large class, but above our trend)

Early decision 1 and 2 applicants are down 4.1%

SAT mean score for F '09 = 1303 (vs. 1292, F '08)

Early decision offers for F '09 = 448 (37.9% of the class target vs. 432 in 2008, 35.8% of target)

Applications (#) for F'09 to date: CAS down 14%  
CBE down 25.6%  
RCEAS down 1.8%

Retention: Sp '09 from F '08 = 96.5% vs. 96.2% in Sp '08

Prof. Maskulka asked whether there were any data about the number of applications sent by students. Associate Provost Moses replied that our numbers are very close to last year's. An interesting implication of this year's applications is that Lehigh appears not to be "just" a safe school any more.

As far as other competitors' application numbers, Deputy Provost Moses listed:

Villanova	down 13.2%
F&M	down 12.6%
Colgate	down 16.9%
Johns Hopkins	down 0.2%
Amherst	down 3.1%

Prof. Shapiro asked whether Lehigh has done any outreach to current parents about financial aid support. Provost El-Aasser said that there has been much effort to strengthen financial aid resources. Deputy Provost Moses reported that the financial aid and bursar's offices have communicated to parents via the web site. Our financial aid applications have not increased between F '08 and Sp '09.

Prof. Kazakia asked about the job placement situation for this spring. Dean Wu said that Donna Golfeder, Director of Career Services, has predicted a "normal year" for offers and recruiters on campus. Dean Brown reported that the CBE following the situation closely via a survey of current undergraduates' plans, previous CBE graduates and their firms, employers and other schools. The number of recruiters on campus for CBE students has risen this year. Dean Meltzer said that CAS students have a different recruiting process and schedule than the other two undergraduate colleges so it is harder to evaluate what a "normal" situation would be.

Finally, Provost El-Aasser reported on new faculty hiring: At the start of the year, we had 38 open searches, for which there were 22 verbal offers outstanding, 14 accepted offers and 4 pending offers.

## **9. Adjournment** At 5:45 pm

Respectfully submitted,



Next Meeting:

**March 30, 2009, 4:10 p.m., in Sinclair Auditorium; 3:30 p. m. reception.**

February 9, 2009

The Faculty Personnel Committee proposed the following changes to R&P Sections 2.9 and 2.12 (first reading).

Proposed additions are in **bold**; deletions are ~~struck through~~.

## 2.9                    Lecturer

**Individuals will be appointed lecturer for term appointments of one to five years, with the approval of the department voting faculty, the appropriate dean, and the provost. There are no rank differentials within the lecturer title. Appointments are not tenurable and may be renewed for specified terms.** ~~Contracts for up to five years of Lecturers provide~~ full-time teaching in skill-based areas such as **first-year** ~~freshman~~ English composition and elementary foreign language. ~~may be given with the title of lecturer. Appointments are renewable but neither carries tenure nor lead toward tenure-track positions. They are intended to replace some appointments as adjuncts; and are not intended to substitute for~~ **fulfill** the integrated role of teaching, **research and** scholarship, and service provided by ~~regular~~ tenured and tenure-track faculty. Lecturers are not voting members of the **university** faculty. Although they may engage in limited departmental service roles, they may not serve as principal academic advisors to students or serve on ~~regular~~ **standing** college and university faculty committees. A candidate for a Lehigh degree is not eligible for this position.

**The university shall not have** ~~No~~ more than ten **lecturer** appointments as ~~lecturer may be extant in the university~~ at one time. Appointments and reappointments are considered by the provost upon **recommendation** ~~a majority request by the voting faculty of a department and the recommendation of the dean.~~ Reappointments are based on performance and a continuing need. Notice of reappointment or non-reappointment shall be given ~~six months or more before the terminal date of an appointment of two years duration or longer, and at least four months or more before the terminal date of a~~ **the shorter** appointment. The ~~provost or~~ **department chair and/or** appropriate college dean shall provide the lecturer with an annual assessment of performance, ~~and need,~~ which may be coordinated with salary review. **An assessment of unsatisfactory performance may result in termination prior to the end of the appointment.**

## 2.12                    Professor of Practice

Individuals will be appointed professor of practice for term ~~contracts-~~ **appointments** of one to five years, with the approval of the **department** voting faculty, the appropriate dean, and the provost. There ~~will be~~ **are** no rank

differentials within the professor of practice title. **Because of their prior occupational experience, professionals appointed to these positions add instructional value to university programs, enhance the research or professional missions of their departments, and/or permit the university to expand its course offerings, often in cutting-edge areas.**

**Professors of practice are not required to fulfill the integrated role of teaching, research and scholarship, and service provided by tenured and tenure-track faculty, though some professors of practice may have responsibilities in each of these areas. In addition, as faculty members, professors of practice are distinguished from administrative staff and must fulfill teaching and/or scholarly responsibilities in addition to any administrative service. They may serve as principal academic advisor to undergraduate students, direct academic programs, serve on department and program committees, and provide other service consistent with their expertise and academic credentials. A professor of practice who has a doctoral degree may serve on a doctoral committee with the written approval of the college dean but may not serve as committee chair (3.23.3).**

~~Contracts~~ **Appointments are not tenurable and may be renewed for specified terms. Appointments and reappointments are considered by the provost upon recommendation by the voting faculty of a department and the dean. Reappointments are based on performance and a continuing need. Notice of reappointment or non-reappointment shall be given, whenever possible, at least four months before the terminal date of the appointment. The department chair and/or appropriate college dean shall provide the professor of practice with an annual performance assessment, which may be coordinated with salary review. An assessment of unsatisfactory performance may result in termination prior to the end of the appointment.**

**Professors of practice are not voting members of the university faculty. They may not serve on university faculty standing committees. They also may not serve on college standing committees unless invited to participate in areas related to their expertise. As discussed above, professors of practice may provide service to the department/ program, but they may not participate in appointment, reappointment, and tenure/promotion decisions. , subject to the approval of the faculty, dean and provost. Professors of practice will be considered non-voting members of the academic department with which they are affiliated. However, at the discretion of the department they may be invited to participate in some departmental activities, excluding appointment and tenure/promotion decisions.**

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## **CURRENT:**

### **2.9            Lecturer**

Contracts for up to five years of full-time teaching in skill-based areas such as freshman English composition and elementary foreign language may be given with the title of lecturer. Appointments are renewable but neither carries tenure nor lead toward tenure-track positions. They are intended to replace some appointments as adjuncts, and are not intended to substitute for the integrated role of teaching, scholarship and service provided by regular tenured and tenure-track faculty. Lecturers are not voting members of the faculty. Although they may engage in limited departmental service roles, they may not serve as principal academic advisors to students or serve on regular college and university faculty committees. A candidate for a Lehigh degree is not eligible for this position.

No more than ten appointments as lecturer may be extant in the university at one time. Appointments and reappointments are considered by the provost upon a majority request by the voting faculty of a department and the recommendation of the dean. Reappointments are based on performance and a continuing need. Notice of reappointment or non-reappointment shall be given six months or more before the terminal date of an appointment of two years duration or longer, and four months or more before the terminal date of a shorter appointment. The provost or appropriate college dean shall provide the lecturer with an annual assessment of performance and need, which may be coordinated with salary review.

### **2.12            Professor of Practice**

Individuals will be appointed professor of practice for term contracts of one to five years, with the approval of the voting faculty, the appropriate dean, and the provost. There will be no rank differentials within the professor of practice title. Contracts may be renewed for specified terms, subject to the approval of the faculty, dean and provost. Professors of practice will be considered non-voting members of the academic department with which they are affiliated. However, at the discretion of the department they may be invited to participate in some departmental activities, excluding appointment and tenure/promotion decisions.



OFFICE OF STUDENT CONDUCT

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## Proposed Changes to the Code of Conduct (first reading, 2/9/09)

### Article III, Section II, Part C

**Current:**

Sexual Misconduct

1. Sexual contact that occurs without the explicit consent of each student involved may be considered sexual misconduct. Consent must be clearly communicated, mutual, non-coercive, and given free of force or the threat of force. A student who is physically or mentally incapacitated by drugs, alcohol, or other circumstances is not capable of giving consent. A student must be fully conscious and awake in order to give consent.

**Proposed (Changes are underlined):**

Sexual Misconduct

1. Sexual contact that occurs without the explicit consent of each student involved may be considered sexual misconduct. Consent must be clearly communicated, mutual, non-coercive, and given free of force or the threat of force. A student who is physically or mentally incapacitated by drugs, alcohol, or other circumstances is not capable of giving consent. A student must be fully conscious and awake in order to give consent.
2. Conduct that exploits another student in a sexual and non-consensual way. This includes but is not limited to non-consensual voyeurism, non-consensual recording (audio or visual), non-consensual dissemination of recordings, allowing others to view sexual activities without the consent of all of the participants
3. Exposure of one's body in an indecent or lewd manner.
4. Sexual activity in public or semi public spaces.

### Article III, Section II, Part F

**Current:**

Other conduct which threatens or endangers the health or safety of any person or group of people. This would include the possession or storage of weapons, explosives, fireworks, or other materials that could be harmful to the members of the community or the community as a whole.

**Proposed (Changes are underlined):**

Other conduct which threatens or endangers the health or safety of any person or group of people. This would include, but is not limited to, the possession or storage of weapons, explosives, fireworks, or other materials that could be harmful to the members of the community or the community as a whole.

### Article IV, Parts A-J

**Current:**

***IV. Respect for the Lehigh University Community.***

As members of the Lehigh University Community, students are expected to serve as positive representatives. They are expected to know and follow the Code of Conduct, and show respect for the faculty, staff, community members and administrative processes that are in place to maintain and support our community standards.

Proscribed Conduct

# Proposed Changes to the Code of Conduct

- A. Intentionally furnishing false information to a university official, hearing panel, or Conduct Officer.
- B. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency.
- C. Forgery, unauthorized alteration or unauthorized use of any university document, record (including computer records), or instrument of identification.
- D. Failure to comply with the reasonable requests of university officials (including law enforcement) while acting in the performance of their duties.
- E. Failure to provide identification when asked by university officials while acting in the performance of their duties.
- F. Failure to complete any sanctions imposed by Lehigh University.
- G. Failure to appear before and cooperate with the University Committee on Discipline, or other hearing panels, hearing officers or conduct officials when called to do so.
- H. Violating any Lehigh University policies, rules, or regulations, including but not limited to, residential living policies (General Provisions for Occupancy) and policies related to the use of the university computer network.
- I. Encouraging or facilitating others in actions that violate the Code of Conduct.
- J. Filing false charges with the University Conduct System.

**Proposed** (Changes are underlined excluding numbering/lettering changes):

## ***IV. Respect for the Lehigh University Community.***

As members of the Lehigh University Community, students are expected to serve as positive representatives. They are expected to know and follow the Code of Conduct, and show respect for the faculty, staff, community members and administrative processes that are in place to maintain and support our community standards.

### Proscribed Conduct

- A. Intentionally furnishing false information to a university official, hearing panel, or Conduct Officer.
- B. Intentionally or recklessly causing an emergency or dangerous environment.
- C. Intentionally or recklessly initiating or causing to be initiated any false report including but not limited to false reports of fire, explosions, or other emergency or threats thereof.
- D. Forgery, unauthorized alteration or unauthorized use of any university document, record (including computer records), or instrument of identification.
- E. Failure to comply with the reasonable requests of university officials (including law enforcement) while acting in the performance of their duties.
- F. Failure to provide identification when asked by university officials while acting in the performance of their duties.
- G. Failure to complete any sanctions imposed by Lehigh University.
- H. Failure to appear before and cooperate with the University Committee on Discipline, or other hearing panels, hearing officers or conduct officials when called to do so.
- I. Violating any Lehigh University policies, rules, or regulations, including but not limited to, residential living policies (General Provisions for Occupancy) and policies related to the use of the university computer network.
- J. Encouraging or facilitating others in actions that violate the Code of Conduct.
- K. Filing false charges with the University Conduct System.

# Proposed Changes to the Code of Conduct

## Article VI, Section I, Part E

### Current:

- E. Expulsion. Expulsion is the permanent removal of a student from the university. All cases in which the sanction of expulsion is imposed shall be referred to the Disciplinary Appeals Committee to ensure that the sanction is not unduly harsh or unjustifiable. If the student does not submit a letter of appeal, the Conduct Officer shall supply a summary of the case to the disciplinary appeals committee for review. The Disciplinary Appeals Committee is required to affirm or deny this summary. If it is denied, the student shall be suspended for seven semesters.

### Proposed:

- E. Expulsion. Expulsion is the permanent removal of a student from the university. All cases in which the sanction of expulsion is imposed shall be referred to the Disciplinary Appeals Committee to ensure that the sanction is not unduly harsh or unjustifiable. If the student does not submit a letter of appeal, the Conduct Officer shall supply a summary of the case to the disciplinary appeals committee for review. The Disciplinary Appeals Committee is required to affirm or deny this summary. If it is denied, the student shall be suspended for seven semesters.

## Article VIII, Section II, Part C.2

### Current:

2. If the student or organization chooses not to accept responsibility (or the Conduct Officer chooses to have the case resolved via a hearing), the Conduct Officer shall set a date for a disciplinary conference or formal hearing before the University Committee on Discipline. In the case of student organizations, a hearing before a subsidiary conduct board shall also be an option. Subsidiary boards may not hear charges against individuals. The method of resolution shall be decided upon by the Conduct Officer.

### Proposed (Changes are underlined):

2. If the student or organization chooses not to accept responsibility (or the Conduct Officer chooses to have the case resolved via a hearing), the Conduct Officer shall set a date for a disciplinary conference or formal hearing before the University Committee on Discipline. In the case of student organizations, a hearing before a subsidiary conduct board shall also be an option. Subsidiary boards may not hear charges against individuals. The method of resolution (either a disciplinary conference or a hearing before the University Committee on Discipline or in the case of organizations a subsidiary hearing board) shall be at the discretion of the student or student organization.

## Article IX, Section III, Part D.3

### Current:

3. Disciplinary Appeals Hearing. The Conduct Officer shall send copies of both the appeal and the response, as well as the contents of the case file to the members of the disciplinary appeals committee and schedule a meeting. The committee shall also have access to the recording of the hearing if requested. The Disciplinary Appeals Committee shall base its decision only on the materials presented during a closed hearing. The Conduct Officer may be present to assist the committee.

### Proposed:

3. Disciplinary Appeals Hearing. The Conduct Officer shall send copies of both the appeal and the response, as well as the contents of the case file to the members of the disciplinary appeals committee and schedule a meeting. The committee shall also have access to the recording of the hearing if requested. The Disciplinary Appeals Committee shall hold closed meetings and base its decision only on the information contained in the appeal, the response, the case file, and if requested, the recording of the hearing. The Conduct Officer may be present to assist the committee.

# Proposed Changes to the Code of Conduct

## Article IX, Section II

### Current:

Grounds for appeals. Students who have been found responsible for a violation of the Code of Conduct may request an appeal on the grounds that: (1) information was not available at the time of the hearing, is now available, and could reasonably be expected to have altered the outcome of the case; (2) the university disciplinary procedures were violated in a way that probably adversely affected the outcome of the case; or (3) the sanction was unduly harsh and not justifiable. In cases involving sexual harassment the victim is granted the right to appeal. These cases are covered in a separate section of this Code of Conduct.

### Proposed:

Grounds for appeals. Students who have been found responsible for a violation of the Code of Conduct may request an appeal on the grounds that: (1) information was not available at the time of the hearing, is now available, and could reasonably be expected to have altered the outcome of the case; (2) the university disciplinary procedures were violated in a way that probably adversely affected the outcome of the case; or (3) the sanction was unduly harsh and not justifiable. In cases involving sexual harassment the victim is granted the right to appeal. These cases are covered in a separate section of this Code of Conduct.

February 9, 2009

University (Faculty) Committee on Student Life

Motion:

To form a new, standing faculty committee on student life.

Rationale:

### **Why do we need this committee?**

During the strategic thinking process of the spring 2008, student life was a key focus of discussion. Student life is defined broadly and includes all services at Lehigh that impact students (both undergraduate and graduate) such as dean of students, counseling and psychological services, health and wellness, university police, athletics, residential services, transportation, food service, admissions, financial aid, career services, the office of international students and scholars, etc. Currently, the faculty often play at best a tangential role in various aspects of these campus activities. As we strive to integrate learning and living experiences of our students, faculty need to have a consistent level of engagement in such activities. The faculty's increased awareness of concerns, issues, and developments in this part of our students' lives should be formalized by a committee that provides a mechanism for faculty to offer their collective expertise, guidance, and recommendations that can improve the link between the academic and co-curricular part of campus life and thereby enhance Lehigh's overall educational environment.

Currently, our Board of Trustees has committees in academic affairs and student affairs. While our faculty have committees that deal with academic issues (Educational Policy and Graduate Research Committee), and we have faculty involvement in enforcement of the code of conduct (UCOD), there is not a parallel faculty committee related to student life.

### **Scope of the committee**

The committee would serve primarily as an advisory group on matters pertaining to student life. As indicated above, student life is defined broadly to go beyond student affairs and to include all co-curricular aspects of student life, both undergraduate and graduate. The committee would provide opportunities for the professional staff who manage much of the student life activities on campus to obtain a faculty perspective on new initiatives and changes in policy. Similar to the FCC and FFPOC, the committee will provide opportunity for collaborative interaction with university administrators and Board of Trustees Student Affairs Committee in matters related to student life.

Because the committee would have membership on the Faculty Steering Committee and report to the faculty as a whole, the committee will be able to bring a faculty voice to issues of student life. Currently, when these issues arise at the

undergraduate or graduate level, it is difficult to determine the most appropriate committee where these items should be discussed. For example, the Graduate and Research Committee have a subcommittee on graduate student life. While appropriate for this subcommittee to be discussing these matters, the GRC is devoted primarily to issues of the academic life of graduate students. The existence of the proposed committee would shift the discussion of graduate student life from a subcommittee of the GRC to the agenda of a major university committee devoted to student life issues.

## **Membership**

The committee is proposed to have broad representation across faculty, administration, and students. Each college would elect one representative who would serve a 4 year term, serving as Chair in their third year of the term. The committee would also consist of the Vice Provost for Student Affairs, the Associate VP and Dean of Students, the Director of Graduate Student Life, and two students (one undergraduate, one graduate), appointed from the Undergraduate Student Senate and the Graduate Student Senate.

In addition, representatives from other programs and offices would participate on the committee when issues related to their specific areas are under discussion. For example, staff from residential services would participate in committee discussions on issues related to campus housing issues.

The chair would rotate across each of the 4 elected faculty members, who serve in the Chair capacity in their third year of the four year term. After the initial election of the faculty to the committee, the faculty will draw lots to be assigned to 1, 2, 3, or 4 year terms, which will then set the rotation for the Chairperson of the committee. This is the same as the R & P subcommittee which provides a shared Chairperson responsibility across Colleges and avoids any one person being Chair for more than a year. Each year, one College elects a new member, so that the faculty turnover on the committee is limited (similar to R & P). This process will be proposed independent to the formal motion to amend R& P.

Formal motion to amend R & P (first reading)

Moved:

To establish the Faculty Committee on Student Life

#### 1.2.2.7 Faculty Committee on Student Life

The faculty committee on student life consists of 9 individuals: four faculty members, one elected from each college, the Vice Provost for Student Affairs; the Associate Vice Provost and Dean of Students; the Director of Graduate Student Life; and two appointed student representatives, one each from the Undergraduate Student Senate and the Graduate Student Senate. The faculty members serve 4-year, staggered terms. The chairperson of the committee will be the faculty member in his/her third year of service, rotating across each of the four colleges. The chairperson will serve as a member of the Faculty Steering Committee. Upon request to the committee chair, meetings of the committee shall be open to other individuals in the university community.

The committee advises the administration in all aspects of undergraduate and graduate co-curricular student life providing collaborative discussion related to policy initiatives, concerns, and long-range plans that impact students. The committee meets at least 3 times per semester and reports annually to the faculty regarding its discussions. The minutes of the committee are sent to the Provost's Office and posted on the Lehigh University faculty website.

(If adopted, changes to sections 1.2.2 of R & P would also be needed):

- faculty steering committee (1.2.2.1)
- [subcommittee on rules and procedures] (1.2.2.1.1)
- educational policy committee (1.2.2.2)
- graduate and research committee (1.2.2.3)
- faculty compensation committee (1.2.2.4)
- faculty financial planning and operations committee (1.2.2.5)
- faculty personnel committee (1.2.2.6)
- faculty committee on student life (1.2.2.7)

**January 30, 2009**

**To: University Faculty**

**From: R & P Subcommittee of the Faculty Steering Committee**

**Re: Motions to modify Section 4 of R&P**

Section 4 of R&P is titled “Miscellaneous regulations pertaining to undergraduate student matriculation and conduct” and contains the following subsections:

- 4.1 Student matriculation
  - 4.1.1 Admission
  - 4.1.2 Requirements
  - 4.1.3 Freshman orientation
  - 4.1.4 Financial aid
    - 4.1.4.1 Scholarship aid
    - 4.1.4.2 Tuition loans
  - 4.1.5 Registration for undergraduates
  - 4.1.6 Band
  - 4.1.7 Health Service
  - 4.1.8 Student organizations
  - 4.1.9 Motor vehicles
  - 4.1.10 Alcoholic beverages
  - 4.1.11 Firearms
  - 4.1.12 Guest speakers
  - 4.1.13 Use of university buildings
  - 4.1.14 Freshman housing
- 4.2 University student conduct system
- 4.3 University policy on dissent

**Motion 1 (first reading): Delete Sections 4.1.0 to 4.1.5**

*Rational:* Sections 4.1.0 to 4.1.5 deal with a variety of issues that now fall under various offices in the university: The Office of Admissions, Financial Aid, the Registrar, and Dean of Students. These rules have not been changed within living memory and are very far out of date. As just one example, under registration there is no mention whatsoever of on-line registration. According to R&P all students must report to the registrar to register. Since these rules are so far out of date, we need to delete them. In fact, according to R&P 1.1.6, “The university faculty is the legislative body in matters pertaining to the admission, registration, instruction, and discipline of students, and in matters related to academic procedures and educational policies.” But the section continues, “The faculty may delegate any of its responsibilities to an officer of the university, to a committee, or to any other group.” Thus, it is the feeling of the committee that the faculty has delegated its responsibilities to the various offices and needs to delete these sections. Deleting these sections of R&P in no way interferes with the faculty’s ability to legislate in these matters.

**Motion 2 (first reading): Delete Sections 4.1.6 to 4.1.14**

*Rational:* Sections 4.1.6 to 4.1.14 deal with a variety of student life issues. These are now under the Dean of Students office (see, e.g., the Student Handbook which can be found online at <http://www.lehigh.edu/~indost/conduct/handbook/>). The committee sees no reason to keep them in R&P. In fact, these sections are also badly out of date, and the faculty has shown no interest in them. There is a motion in the works to create a faculty Committee on Student Life that will be able to deal with these issues in a more timely, efficient, and collegial fashion.

**Motion 3 (first reading): Delete Section 4.3**

*Rational:* Section 4.3 attempts to put limits on student dissent that interferes with the normal work of the university. This section deals only with student dissent and does not affect faculty freedom of speech. This is another matter that probably is best left to a Student Life Committee. The subcommittee consulted with the University Counsel on this issue, and found an enthusiastic proponent of the change.

**Motion 4 (first reading): In order to make the document consistent, make the necessary changes in numbering and headings dictated by earlier motions that pass**